

# MEASURING PRESIDENTIAL POWER IN POST-SOVIET COUNTRIES

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## Abstract

*Many scholars write about democracy and democratization as a desired outcome of state-building, but few analyze authoritarianism. By contrast, this paper focuses primarily on authoritarian tendencies stretching over post-Soviet area. Having reviewed previous methodologies of measuring constitutional presidential power, the current research develops a new method sensitive to post-Soviet realities. The study also illustrates the relationship between presidentialism and authoritarianism and argues in favor of restricting presidential powers as hindering democratization.*

## Introduction

Most of the post-Soviet republics are different from other post-communist countries in their misuse of formal presidential power and authoritarian tendencies. Presidents often interfere in spheres out of their authority in a way that Stephen Holms explains through “traditions of strong uni-personal leadership or the strains of an ongoing crisis [that] can lend a president more power than he would receive from the constitutional text alone”.<sup>1</sup> Hence, it is a widely held opinion that measuring formal written power of the head of state gives no impression on the real status of authoritarianism in a country.<sup>2</sup>

However, Steven M. Fish has observed a strong correlation between the extent of constitutional presidential power and the success of democratization in a country. Nations that adopted constitutions granting extraordinary power to presidents have failed in democratization whilst moderate presidential and parliamentary systems that disperse power among the institutions have succeeded in consolidation of democracy.<sup>3</sup> Therefore, formal powers of presidents

continue to be important for setting up democracy in post-totalitarian countries.

Yet, Fish’s assumptions rely mostly on his intuition and empirical knowledge and need to be examined by scientific investigation. Therefore, in this paper, I consider different methods of measuring presidential powers that have been established by Shugart and Carey,<sup>4</sup> Lucky,<sup>5</sup> and Frye<sup>6</sup>. Moreover, I combine all three methods, developing a new methodology sensitive to post-Soviet realities. Thus, I list and scale constitutional power of presidents in Armenia, Azerbaijan, Belarus, Estonia, Georgia, Kazakhstan, Kyrgyzstan, Latvia, Lithuania, Moldova, Russia, Tajikistan, Turkmenistan, Ukraine, and Uzbekistan, all previously united within the same state.

This research illustrates the extent of concentration of formal power in the hands of one actor in 15 post-Soviet countries, all of which have declared their aspiration towards democracy. Informal powers of presidents and their personal characteristics, factors that also influence state politics, are out of the focus of this current research. Yet, my main finding is that formal presidential powers “matter” in the post-totalitarian area and there is a strong correlation between the strength of a president and the democracy score of a country, which is taken from Freedom House’s authoritative “Nations in Transit 2005” survey.<sup>7</sup> When comparing both sources of research, it is obvious that ex-USSR countries with “weaker” presidents are more democratic than those with “strong” heads of state.<sup>8</sup>

## Presidentialism versus parliamentarism

The word “president” originates from the Latin *praesidens* and literally it means “a person sitting ahead”. In ancient times, it was a chairman of an assembly. In its current meaning, as a head of state and government, the term was introduced in the constitution of USA in 1787.<sup>9</sup> At present, there are more than 110 countries in the world considered to be “presidential” systems.<sup>10</sup>

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4 Matthew S. Shugart and John M. Carey, *Presidents and Assemblies: Constitutional Design and Electoral Dynamics*, Cambridge: Cambridge University Press, 1992.

5 Christian Lucky “Table of Presidential Powers in Eastern Europe” in *East European Constitutional Review*, Vol. 2, No. 4 – Vol. 3, No. 1 (1994), 81-94

6 Timothy Frye, “A Politics of Institutional Choice. Post Communist Presidencies” in *Comparative Political Studies*, Vol. 30, No. 5 (1997), 523-552.

7 See <http://freedomhouse.org/template.cfm?page=46> &year=2005 (last accessed on December 17, 2005)

8 See Table 1.

9 Nikolay A. Sakharov, “Institut Prezidentstva v Sovremennom Mire” (in Russian) Moscow: Yuridicheskaya Literatura, 1994, 5

10 Andre Krouwel, “Measuring presidentialism of Central and East European Countries” working paper No. 02/2003 ISSN 159-3546, Amsterdam: Vrije Universiteit, 2003, 1

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1 Stephen Holmes, “A Forum on Presidential Powers” in *East European Constitutional Review* Vol. 2, No. 4 – Vol. 3, No. 1 (1994), 36.

2 Andrew Wilson, *Virtual Politics: Faking Democracy in the Post-Soviet World*, New Haven and London: Yale University Press, 2005.

3, Steven M. Fish “Postcommunist Subversion: Social Science and Democratization in East Europe and Eurasia” in *Slavic Review*, vol. 58, No. 4 (1999), 794-823

Among the former Soviet Union states, only the constitutions of Turkmenistan<sup>11</sup> and Kazakhstan<sup>12</sup> officially proclaim the presidential form of government. Yet, because of the strength of presidential power, at least 12 of them are classified as “presidential” systems and “parliamentarism has made no inroads in the ex-USSR”.<sup>13</sup> Only Estonia, Latvia, and Moldova are treated as parliamentary republics.<sup>14</sup> However, all 15 post-Soviet republics have presidents with different authorities. Surprisingly, no investigation has been conducted for measuring presidential powers in all post-Soviet republics taken together as a set of countries.

Scholars have long been discussing whether the presidential or parliamentary system is more fruitful for successful democratization in general. Some scholars have argued in favor of a presidential form of government,<sup>15</sup> while others have preferred a parliamentary system.<sup>16</sup> Supporters of presidentialism point out that concentration of power in the same hands creates opportunity for flexible decision-making in extreme situations and the head of state plays the role of mediator in the case of a conflict in society. Shugart and Carey also suggest the semi-presidential form of government as a regime that “retains some of the advantages of presidentialism, while showing the

potential to diminish some of presidentialism’s defects”.<sup>17</sup>

In comparison, scholars name greater transparency of government operations and broader representation of public interests among the advantages of parliamentarism.<sup>18</sup> Another important factor noted by Juan Linz is that crisis in parliaments can be resolved by removing the cabinet of ministers, but crises involving presidents often lead to regime change.<sup>19</sup> Therefore, he argues in favor of the “rule of many”.

I tend to agree with Steven M. Fish, who concludes that it is concentration versus dispersion of power that determines democratic consolidation rather than the formal choice of a presidential or parliamentary system.<sup>20</sup> Thus, democracy can prosper in countries with presidential or parliamentary regimes. There is no ideal form of government and the most important point is the extent to which certain institutions concentrate power, because the accumulation of authority in the same hands “whether of one, few, or many” leads to “tyranny”.<sup>21</sup> Therefore, “[s]uperpresidency has been a disaster for democratization” as in Russia, Armenia, Kazakhstan, Kyrgyzstan, and Ukraine, which have failed democratization even if they gained impressive initial results at the first stage of transformation and despite the fact that presidents, widely regarded as “democratizers”, were leading those countries. When Belarus switched from parliamentarism to superpresidentialism, the country’s “democratic experiment” came to an end. Azerbaijan, Tajikistan, Turkmenistan, and Uzbekistan “invested overwhelming power in the presidency” and they are still ruled by authoritarian regimes. By contrast, moderate presidential and semi presidential systems such as those in Georgia after 1995, Lithuania, and Moldova, and parliamentary systems such as those in Estonia and Latvia - all of which disperse power according to constitutions - have promoted democratization.<sup>22</sup>

However, dispersion of power by itself cannot guarantee promotion of democratic values and if the

11 Article 1 of the Constitution of Turkmenistan at <http://www.uta.edu/cpsees/TURKCON.htm> (last accessed on December 17, 2005)

12 Article 1 of the Constitution of Kazakhstan at [http://www.ifescentralasia.kg/Kazakhstan/ENG/conste\\_kaz.html](http://www.ifescentralasia.kg/Kazakhstan/ENG/conste_kaz.html) (last accessed on December 17, 2005)

13 Holmes, “A Forum on Presidential Powers”, 37.

14 Krouwel, “Measuring presidentialism of Central and East European Countries”, 2.

15 See Shugart and Carey, *Presidents and Assemblies: Constitutional Design and Electoral Dynamics*; Holmes “A Forum on Presidential Powers”; Scott Mainwaring and Matthew S. Shugart, *Presidentialism and Democracy in Latin America*, New York: Cambridge University Press, 1997; Matthew S Shugart, and Stephan Haggard, “Institutions and Public Policy in Presidential Systems” in Stephan Haggard and Mathew D. McCubbins (eds.), *Presidents, Parliaments, and Policy*, Cambridge: Cambridge University Press, 2001, 64-102.

16 See Juan J. Linz, “The Perils of Presidentialism” in *Journal of Democracy*, Vol. 1, No. 1 (1990), 51-69 and Juan J. Linz, “The Virtues of Parliamentarism” in *Journal of Democracy*, Vol. 1, No. 1 (1990), 84-91; Juan J. Linz, “Presidential or Parliamentary Democracy: Does It Make a Difference?” in Juan J. Linz and Arturo Valenzuela (eds.) “The Failure of Presidential Democracy” Baltimore: The Johns Hopkins University Press, 1994, 3-87 and Alfred Stepan and Cindy Skach “Constitutional Frameworks and Democratic Consolidation. Parliamentarism versus Presidentialism” in *World Politics*, Vol. 46 (1993), 1-22; Arendt Lijpart, *Parliamentary versus Presidential Government*, New York: Oxford University Press 1992; Steven M. Fish “Postcommunist Subversion: Social Science and Democratization in East Europe and Eurasia”

<sup>17</sup> Shugart and Carey, *Presidents and Assemblies: Constitutional Design and Electoral Dynamics*, 49.

<sup>18</sup> Fish, “Postcommunist Subversion: Social Science and Democratization in East Europe and Eurasia”, 804.

<sup>19</sup> Linz, “The Perils of Presidentialism”, 64-65

<sup>20</sup> Fish, “Postcommunist Subversion: Social Science and Democratization in East Europe and Eurasia”

<sup>21</sup> Haggard and McCubbins, “Presidents, Parliaments, and Policy”, 2.

<sup>22</sup> Fish, “Postcommunist Subversion: Social Science and Democratization in East Europe and Eurasia”, 803-804

executive, legislative, and judiciary branches are so separated that they do not compete but contradict each other, it leads to paralysis and chaos of power as in Russia in 1993. There are a number of factors such as economic centralization, development of civil society, and strength of political opposition that contribute to the democratization of a country as well.<sup>23</sup>

### *Measurement methodology of presidential powers*

Up to now, scholars have developed three methods of measuring formal presidential power that I would call *descriptive*, *checklist*, and *scaling* methods. As an example of the descriptive method, Lucky defined 38 indicators according to which presidential powers can be studied. For instance, following this method, one should ask whether a president of a country has power to appoint cabinet members. If the answer is “yes”, a scholar points at relevant articles of the constitution. Though application of this method might give a general impression about presidential powers in a certain country, it is not plausible for comparison of different countries.

The second, the “checklist method” provides a comprehensive list of possible presidential powers and is simple to use. A researcher arranges a list of powers that are checked through the text of a constitution to find out whether a president has that power or not. Thus, Frye set 27 indicators, whereas Krouwel defined only 7 dimensions. In such studies a country is usually scored 1 if the president has that power, 0.5 if the president shares that power with another actor, and 0 if the president does not have that power. In this case, country scores theoretically may vary from 0 to 27 in Frye’s case or 0 to 7 in Krouwel’s case.

One of the main problems with the “checklist method” is the different weighting of specific powers. For example, Frye equally weights the right of president to appoint the prime minister and prosecutor general. However, it is obvious that these powers should not be equally scored because appointing the head of the cabinet is much more important than appointing a member of that cabinet.

Another problematic issue is that 10 out of 27 powers that Frye lists are specific appointment powers. A president may get 10 points for the right to appoint a prime minister, ministers, judges of the Constitutional Court, judges of the Supreme Court, “ordinary”

judges, a prosecutor-general, a chief of the Central Bank, members of the Security Council, senior officers, and senior military commanders. In comparison, the power to dissolve parliament may get only 1 point. Hence, according to Frye, the power of the president in Georgia (16) is stronger than in Belarus (15) or in Kazakhstan (15.5), which does not illustrate the real situation with presidential powers.<sup>24</sup>

In order to overcome the above-mentioned problems, Krouwel grouped presidential powers in 7 equally important and equally scored dimensions. Yet, another problem arises in this case. Taking several powers in one group does not allow for illustration of small but important differences between countries. For instance, in both Azerbaijan<sup>25</sup> and Estonia<sup>26</sup> presidents propose candidacies of prime ministers to parliaments for gaining a vote of investiture and according to the method proposed by Krouwel, each country should get 1 point. However, in Azerbaijan, if the parliament votes three times against that candidacy, the president may appoint the prime minister without the consent of the parliament. By contrast, if the parliament of Estonia votes two times against the candidate proposed by the president, deputies may nominate and appoint the prime minister without the consent of the president. Despite the fact that both presidents get 1 point, their powers are not equally strong and moreover, the president of Azerbaijan has almost uncontrolled power to appoint the prime-minister, which is not the case in Estonia.

The third method, which I would call “scaling”, is likely to uncover differences between countries and is more appropriate for classification of political regimes rather than simple description<sup>27</sup> or dichotomous exploration<sup>28</sup>. It is close to the literature on regime types because of its illustration of presidential powers that represent the “façade” of the regime, and it underlines small but important differences between the countries, which allows for more exact classification.<sup>29</sup> Thus, supporters of the “scaling” method, namely

<sup>24</sup> Frye, “A Politics of Institutional Choice. Post Communist Presidencies”, 547.

<sup>25</sup> Article 118 of the Constitution of Azerbaijan at <http://www.un-az.org/undp/DOC/constitution.php> (last accessed on December 17, 2005)

<sup>26</sup> Article 89 of the Constitution of Estonia at [http://www.kirchenrecht.net/ee/constitution1992\\_eng.html](http://www.kirchenrecht.net/ee/constitution1992_eng.html) (last accessed on December 17, 2005)

<sup>27</sup> Lucky, “Table of Presidential Powers in Eastern Europe”

<sup>28</sup> Frye, “A Politics of Institutional Choice. Post Communist Presidencies”; Krouwel, “Measuring presidentialism of Central and East European Countries”

<sup>29</sup> Kendall Lee Metcalf, “Measuring Presidential Power” in *Comparative Political Studies*, vol. 33, No. 5 (2000), 666.

<sup>23</sup> I examine these factors in “Classification of Political Regimes in Former Soviet Union: How the Ruling Regimes Tolerate Autonomous Institutions” working paper on Comparative Political Research: CEU, 2005.

Haggard and Shugart,<sup>30</sup> proposed 3 dimensions, each of which was scored on a scale of 0 to 3.

Shugart and Carey<sup>31</sup> developed a list of 10 legislative and non-legislative presidential powers, which are scored on a scale of 0 to 4, which seems a more comprehensive and precise for measuring presidential power. For example, both presidents of Lithuania<sup>32</sup> and Kazakhstan<sup>33</sup> have a right to veto legislation. However, in Lithuania, the parliament may override that veto with the support of more than half of all its members and this country gets only 1 point. In comparison, the parliament of Kazakhstan may override the veto of the president only by a majority of two-thirds of the total number of its members and this country gets 3 points. In such scoring, it is clear that the veto power of the president in Kazakhstan is stronger than in Lithuania.

Further, Metcalf<sup>34</sup> revises the “scaling method” by adding one more indicator and making some adjustments to the scale. He also notes some disadvantages of this method, such as only considering the president and the parliament as main actors thereby ignoring the prime minister. I would also point out another disadvantage, namely the restricted list of presidential powers that Shugart and Carey,<sup>35</sup> Metcalf,<sup>36</sup> and Haggard and Shugart<sup>37</sup> measure in comparison with Lucky<sup>38</sup> and Frye<sup>39</sup>, who develop more comprehensive lists of powers to be investigated. One more disadvantage is that all three methods are insensitive to post-totalitarian realities. For instance, the president of Belarus has a right to defer any strike or suspend it for three months.<sup>40</sup> None of the methods

described above consider such extraordinary powers belonging only to post-Soviet leaders.

In my paper, I overcome the problems that arise when applying “descriptive”, “checklist”, and “scaling” methods and use the advantages of all three methods. Thus, I develop a comprehensive list of 25 presidential powers based on Shugart and Carey,<sup>41</sup> Lucky<sup>42</sup>, and Frye<sup>43</sup>. I group the powers in 14 equally important dimensions for overcoming the weighting problems.<sup>44</sup> Each of dimensions 1, 2, 5, 6, 8, 10, 11, and 14 consists of one important indicator. Each important indicator, and therefore dimension, is scored from 0 to 4. A few related indicators (each of which is also scored from 0 to 4) that are not of primary importance but should not be excluded from the list of presidential powers are united in the same dimensions. Thus, each of dimensions 4, 9, and 12 consists of two indicators. Dimension 3 consists of three indicators. Each of dimensions 7 and 13 consists of four indicators. While scoring, I add up the scores of indicators (from 0 to 4) within each dimension and then divide by the number of indicators within that dimension for getting the score of the dimension (from 0 to 4). In general, such a flexible scoring system allows for weighting of each indicator and each dimension equally.<sup>45</sup> The last, fifteenth, dimension may have no indicator in certain systems, such as Estonia, Kyrgyzstan, Latvia, Lithuania, Moldova, and Ukraine or may have one indicator in cases such as Armenia, Azerbaijan, Belarus, Georgia, and Russia. The dimension has two indicators in the cases of Kazakhstan, Tajikistan, Turkmenistan, and Uzbekistan. Each indicator, if one exists, adds either two or four points to the total score of the country.<sup>46</sup>

Another crucial advantage of the measurement methodology developed in this paper is that it is sensitive to post-Soviet realities. Thus, I consider important and widespread presidential powers existent in most ex-USSR countries such as edition of laws (dimension 4, indicator 7) and appointment of local governors (dimension 10, indicator 17). Some constitutions guarantee the financing and security of not only presidents but also their families (dimension 12, indicator 20) or do not limit the term of the president in the office (dimension 2, indicator 2), which point to authoritarian features of the ruling

<sup>30</sup> Matthew S. Shugart, and Stephan Haggard, “Institutions and Public Policy in Presidential Systems” in Stephan Haggard and Mathew D. McCubbins, (eds.), *Presidents, Parliaments, and Policy*, Cambridge: Cambridge University Press, 2001, 64-102

<sup>31</sup> Shugart and Carey, *Presidents and Assemblies: Constitutional Design and Electoral Dynamics*.

<sup>32</sup> Article 72 of the Constitution of Lithuania at [http://www.oefre.unibe.ch/law/icl/lh00000\\_.html](http://www.oefre.unibe.ch/law/icl/lh00000_.html) (last accessed on December 17, 2005).

<sup>33</sup> Article 53 of the Constitution of Kazakhstan at [http://www.ifescentralasia.kg/Kazakhstan/ENG/conste\\_kaz.html](http://www.ifescentralasia.kg/Kazakhstan/ENG/conste_kaz.html) (last accessed on December 17, 2005).

<sup>34</sup> Metcalf, “Measuring Presidential Power”.

<sup>35</sup> Shugart and Carey, “Presidents and Assemblies: Constitutional Design and Electoral Dynamics”.

<sup>36</sup> Metcalf, “Measuring Presidential Power”.

<sup>37</sup> Shugart and Haggard, “Institutions and Public Policy in Presidential Systems”.

<sup>38</sup> Lucky, “Table of Presidential Powers in Eastern Europe”.

<sup>39</sup> Frye, “A Politics of Institutional Choice. Post Communist Presidencies”.

<sup>40</sup> Article 84.23 of the Constitution of Belarus at <http://president.gov.by/eng/map2/state/const/cs9.html> and [http://www.venice.coe.int/docs/2004/CDL-AD\(2004\)029-e.pdf](http://www.venice.coe.int/docs/2004/CDL-AD(2004)029-e.pdf) (last accessed on December 17, 2005)

<sup>41</sup> Shugart and Carey, *Presidents and Assemblies: Constitutional Design and Electoral Dynamics*.

<sup>42</sup> Lucky, “Table of Presidential Powers in Eastern Europe”

<sup>43</sup> Frye, “A Politics of Institutional Choice. Post Communist Presidencies”

<sup>44</sup> See Appendix 1.

<sup>45</sup> *Ibid.*

<sup>46</sup> See Appendix 2.

regime. Extraordinary powers granted to some post-totalitarian leaders are in the focus of this investigation as well (dimension 15, indicator 26).<sup>47</sup>

### *Scoring of post-Soviet presidentialism*

Certain difficulties have arisen while exploring the constitutions of the countries in question and country scores may vary, though not dramatically, when the analysis of presidential powers is repeated by another investigation. For instance, the texts of the constitutions are not always clearly written and one can find substantial contradictions. For example, article 140.2 of the constitution of Lithuania states that the president shall be the chief commander of the armed forces. However, according to article 84.14, the president of Lithuania appoints and dismisses the chief commander. Moreover, article 140.1 laws down that the president, the prime minister, the speaker of the parliament, the minister of defense, and chief commander of the army compose the State Defense Council, which means that the president and chief commander is not the same person.<sup>48</sup>

Furthermore, some Central Asian constitutions do not even name certain powers that are usual to a country with democratic institutions. For instance, the constitution of Uzbekistan does not define the institutions that may initiate a referendum.<sup>49</sup> The constitution of Tajikistan, in which article 33 prohibits polygamy because of the actuality of the problem, considers it unimportant to state an institution where laws can be sent for reviewing at the Constitutional Court.<sup>50</sup> In Turkmenistan, according to news reports, some amendments are continuously made to the constitution but the texts of amendments are not distributed to the general public.<sup>51</sup> Yet, in general, this methodology illustrates presidential powers in post-Soviet countries more precisely than other previously developed methods.

Theoretically, the country scores may vary from 0 to 56 and more, depending on the number of

extraordinary powers. Actually, when the methodology and scoring system developed above was applied to 15 post-Soviet countries by analyzing their constitutional texts, scores from 14 to 55 were obtained.<sup>52</sup>

According to the investigation of constitutional texts of 15 post-Soviet countries, the weakest presidents are in the Baltic States of Estonia and Latvia (both 14 points), which established parliamentary systems immediately after gaining independence in 1992. Presidential power is traditionally weak in another Baltic State - Lithuania (20.5) as well. Moldova (24.5), which switched from a semi-presidential system to parliamentarism in 2000, also has a relatively weak president.

Ukraine (31.5) and Georgia (32.2) have moderate presidencies. The presidential power in Kyrgyzstan (36.5) is a little bit stronger than in the above-mentioned two countries whereas the similar score of Tajikistan (36.1) may be explained by the imperfectness of the constitution. Thus, the constitution of this country does not define institutions that are eligible to send laws for review at the Constitutional Court, the power to call extraordinary sessions of the parliament, or the power to initiate dissolution of the parliament.

Armenia (37.2), Russia (41), Azerbaijan (47.5), Uzbekistan (48), Kazakhstan (51), Belarus (52), and Turkmenistan (55) should be classified as super-presidencies because of the enormous concentration of power in the president's hands. These countries are characterized by almost uncontrolled executive powers of the presidents, such as appointing and dismissing the prime minister and other senior officials arbitrarily. In addition, most of them share legislative and judiciary authorities with other branches of power that allow them to interfere in all spheres of public life.

Comparing formal presidential powers with Freedom House's authoritative "Nations in Transit" survey, which ranks post-communist countries according to their level of democracy, one can observe a strong correlation in most cases.<sup>53</sup> An exception from the rule seems to be Moldova, which shares constitutional power between the parliament and president but gets a low score of democracy by Freedom House. Such a finding may be explained by the fact that this country changed its constitution only a few years ago and traditions of "uni-leadership" still influence the development of democratic institutions.

<sup>47</sup> See Appendix 1.

<sup>48</sup> Constitution of Lithuania at [http://www.oefre.unibe.ch/law/icl/lh00000\\_.html](http://www.oefre.unibe.ch/law/icl/lh00000_.html) (last accessed on December 17, 2005)

<sup>49</sup> Constitution of Uzbekistan at <http://www.press-service.uz/en/section.scm?sectionId=4713#Chapter%2019> (last accessed on December 17, 2005)

<sup>50</sup> Constitution of Tajikistan at [http://www.ifescentralasia.kg/Tajikistan/Eng/t\\_constit.html#4](http://www.ifescentralasia.kg/Tajikistan/Eng/t_constit.html#4) (last accessed on December 17, 2005)

<sup>51</sup> See [www.nescentralasia.com/modules.php?name=News&file=article&sid=164](http://www.nescentralasia.com/modules.php?name=News&file=article&sid=164) (last accessed on December 17, 2005)

<sup>52</sup> See Appendix 2.

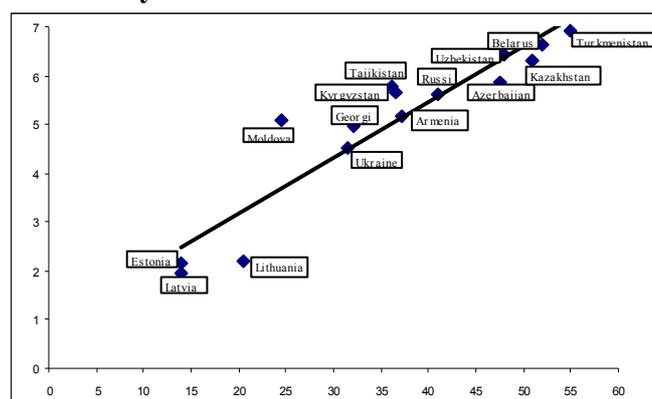
<sup>53</sup> See Table 1.

Or, because of the complexity of this political phenomenon, transition to democracy may not be tied to uni-dimensional causes but instead should be explored in the light of other factors as well, such as economic decentralization, civil society development, political culture of citizens, etc. The choice of constitutional institutions and dispersion of formal powers is only one factor, albeit an important one, necessary for democracy consolidation in the country.

**Table 1.**

**DEMOCRACY SCORE AND  
PRESIDENTIAL POWERS:**

**Democracy Score**



**Presidential  
Power**

\* The Democracy Score of countries was taken from the “Nations in Transit 2005” survey conducted by Freedom House, where 0 is the highest possible score for democracy while 7 indicates the lowest level of democracy (see <http://freedomhouse.org/template.cfm?page=106&year=2005>, last accessed on December 17, 2005).

**Conclusion**

Due to the use of benefits of previously developed research enriched with my empirical knowledge, the methodology developed in this paper is distinguished from other measurement methods by being sensitive to post-Soviet realities and the ability to cover and score all-important powers that belong to ex-USSR presidents. Despite the concentration of this research only on formal presidential powers of post-Soviet leaders, it provides quite a comprehensive picture of concentration versus dispersion of authorities in the countries under investigation.

The correlation of the country scores obtained by the investigation of presidential powers with Freedom

House’s ranking supports the assumption of Steven Fish<sup>54</sup> that super-presidentialism delays democratic development in post-Soviet countries, while moderate presidential and parliamentary systems contribute to the consolidation of democracy. Hence, Moldova changed its constitution in 2000 and Georgia and Ukraine amended their constitutions in 2004 in favor of parliamentary power. In general, ex-USSR republics that disperse power are more likely to democratize than those concentrating authority in the hands of a single person.

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<sup>54</sup> Fish, “Postcommunist Subversion: Social Science and Democratization in East Europe and Eurasia”

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**Appendix 1.** *A list of presidential powers and scoring method developed by the author:*

*Dimension 1 (election)*

Election of the president

Direct – 4

Indirect – 0

*Dimension 2 (length of term)*

Length of term

Unrestricted – 4

May be prolonged in special circumstances – 3

14 years – 2

10 years – 1

8 years – 0

*Dimension 3 (legislation introduction)*

Introduction of legislation

No amendment by parliament – 4

Restricted amendment by parliament – 2

Unrestricted amendment by parliament – 1

No such power – 0

Proposal of referenda

Unrestricted – 4

Restricted – 2

No such power – 0

Send laws to Constitutional Court

Unrestricted – 4

Restricted – 2

No such power - 0

The score of the dimension is obtained by adding up the scores of indicators and then dividing by three. For instance, the score of Armenia is  $(4+2+4)/3=3.3$

*Dimension 4 (legislative powers)*

Edit decrees

Reserved powers, no rescission – 4

President has temporary decree authority with few restrictions – 2

Authority to enact decrees limited – 1

No such power – 0

Edit laws

Reserved power, no rescissions – 4

President has temporary lawmaking authority with few restrictions – 2

Authority to enact laws limited – 1

No such power – 0

The score of the dimension is obtained by adding up the scores of indicators and then dividing by two.

*Dimension 5 (veto powers)*

Veto powers

Veto with no override – 4

Veto with override requiring majority greater than 2/3 of total members of parliament - 3

Veto with override requiring majority of 2/3 of total members of parliament – 2

Veto with override requiring simple majority of total members of parliament or simple majority of parliament members participating at the discussion – 1

No such power – 0

*Dimension 6 (Appointment of prime-minister)*

9. Appointment of a prime minister

Unrestricted – 4

Need to be approved by parliament – 2

No such power or parliament may ignore the proposal of the president – 0

*Dimension 7 (Appointment of senior officials)*

Appointment of cabinet members

Unrestricted – 4

Need to be approved by parliament – 2

No such power or parliament may ignore the proposal of the president – 0

Appointment of judges

- Unrestricted – 4
- Need to be approved by parliament – 2
- No such power or parliament may ignore the proposal of the president – 0
- Appointment of military commanders
- Unrestricted – 4
- Need to be approved by parliament – 2
- No such power or parliament may ignore the proposal of the president – 0
- Appointment of senior officers
- Unrestricted – 4
- Need to be approved by parliament – 2
- No such power or parliament may ignore the proposal of the president – 0

The score of the dimension is obtained by adding up the scores of indicators and then dividing by four.

*Dimension 8 (dismissal of cabinet)*

- Dismissal of cabinet
- Unrestricted – 4
- Need to be approved by parliament – 2
- No such power or parliament may ignore the proposal of the president – 0

*Dimension 9 (executive powers)*

- Budgetary powers
- President prepares and proposes budget – 4
- President only formally proposes budget – 2
- No such power – 0
- Participation in cabinet sessions
- Participates and/or chairs cabinet sessions – 4
- No such power – 0

The score of the dimension is obtained by adding up the scores of indicators and then dividing by two.

*Dimension 10 (local powers)*

- Appointment of local governors
- Unrestricted – 4
- Should be approved by parliament or prime-minister – 2
- No such power - 0

*Dimension 11 (dissolution of parliament)*

- Dissolution of parliament
- Unrestricted – 4
- Restricted only by term – 3
- Requires approval by another institution – 2
- Requires approval by parliament or referendum – 1
- No such power - 0

*Dimension 12 (special powers)*

- Emergency powers
- Unrestricted – 4
- Restricted – 2
- No such power – 0
- Special guarantees
- State finances and/or guards the president and family – 4
- State finances and/or guards the president – 2
- No such power defined in constitution – 0

The score of the dimension is obtained by adding up the scores of indicators and then dividing by two.

*Dimension 13 (symbolic powers)*

- Call special sessions of parliament
- Yes – 4
- No – 0
- Sign constitution<sup>1</sup>
- Yes – 4
- No – 0
- Grant pardon
- Yes – 4
- No – 0

Commander in chief of armed forces

Yes – 4

No – 0

The score of the dimension is obtained by adding up the scores of indicators and then by dividing by four.

*Dimension 14 (removal from office)*

Forced removal of the president from office

Cannot be removed – 4

Removal requiring majority greater than 2/3 of total members of parliament or by referendum - 3

Removal requiring majority of 2/3 of total members of parliament – 2

Removal requiring simple majority of total members of parliament or 2/3 of members participating at discussion – 1

Removal requiring simple majority of parliament members participating at the discussion or by the decision of a court – 0

*Dimension 15 (extraordinary powers)*

The country is proclaimed to be a “presidential republic”; president may sanction arrest of judges; president has a right of judicial review; cabinet is accountable only to the president; president may defer strikes; president may restrict certain fundamental rights; ministers should take an oath to the president; the head of state deals with special “reserve” budget; laws are accepted by the name of the president; or the presidents nominates a head of the parliament.

Each extraordinary power gets either 2 or 4 points

**Appendix 2. Scoring presidential powers in post-Soviet countries based on method indicated in Appendix 1:**

Dimensions	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15*	Total
Indicators	1	2	3-5	6-7	6	9	10-13	14	15-16	17	18	19-20	21-24	25	26	
<b>Armenia</b>	4 4	1 1	2 2 4 2.7	4 0 2	1 2	4 4	2 2 4 2 2.5	1 1	0 4 2	2 2	3 3	2 2 2	4 0 4 4 3	2 2	4 4	37.2
<b>Azerbaijan</b>	4 4	1 1	4 4 4 4	4 0 2	3 3	4 4	4 4 4 2 3.5	4 4	4 4 4	4 4	0 0	2 4 3	4 4 4 4 4	3 3	4 4	47.5
<b>Belarus</b>	4 4	4 4	4 4 4 4	4 2 3	2 3	4 4	4 4 4 4 4	4 4	4 4 4	2 2	3 3	4 2 3	4 4 4 4 4	2 2	4 4	52
<b>Estonia</b>	0 0	1 1	2 0 4 2	1 1 1	1 1	0 0	2 2 2 2 2	2 2	0 0 0	0 0	2 2	2 0 1	4 0 4 0 2	0 0		14
<b>Georgia</b>	4 4	1 1	2 2 4 2.4	4 2 3	1 1	4 4	2 2 4 2 2.5	2 2	2 4 3	2 2	3 3	2 0 1	4 0 4 4 3	2 2	2 2	32.2
<b>Kazakhstan</b>	4 4	2 2	4 4 4 4	4 2 3	2 2	4 4	4 2 4 2 3	4 4	2 4 3	4 4	3 3	4 4 4	4 4 4 4 4	3 3	2+2 4	51
<b>Kyrgyzstan</b>	4 4	1 1	4 4 4 4	4 2 3	3 3	4 4	2 2 4 2 2.5	2 2	0 0 0	2 2	3 3	2 4 3	4 4 4 4 4	2 2	4 4	36.5
<b>Latvia</b>	0 0	0 0	4 2 0 2	1 0 0.5	1 1	2 2	0 0 2 0 0.5	0 0	0 4 2	0 0	1 1	2 0 1	0 0 4 4 2	2 2		14
<b>Lithuania</b>	4 4	1 1	4 0 2 2	1 0 0.5	1 1	2 2	2 2 2 2 2	2 2	0 0 0	0 0	0 0	2 2 2	4 0 4 0 2	3 2		20.5
<b>Moldova</b>	0 0	3 3	4 4 4 4	1 0 0.5	1 1	2 2	2 2 4 4 3	0 0	0 4 2	0 0	3 3	2 0 1	4 0 4 4 3	2 2		24.5
<b>Russia</b>	4 4	0 0	4 4 4 4	4 0 2	2 2	4 4	2 4 4 2 3	2 2	0 4 2	4 4	3 3	4 0 2	4 0 4 4 3	2 2	4 4	41

<b>Tajikistan</b>	4 4	2 2	4 4 - 4	4 0 2	2 2	2 2	2 4 4 4 3.5	2 2	0 0 0	2 2	0 0	2 2 2	- 0 4 4 2.6	2 2	2+4 6	<b>36.1</b>
<b>Turkmenistan</b>	4 4	4 4	4 4 4 4	4 2 3	1 1	4 4	4 4 4 4 4	4 4	4 4 4	4 4	4 4	4 0 2	4 4 4 4 4	3 3	2+4 6	<b>55</b>
<b>Ukraine</b>	4 4	1 1	4 4 4 4	2 0 1	2 2	2 2	2 2 4 2 2.5	4 4	0 0 0	2 2	1 1	2 2 2	4 0 4 4 3	3 3		<b>31.5</b>
<b>Uzbekistan</b>	4 4	2 2	4 - 4 4	4 0 2	2 2	2 2	2 4 4 2 3	4 4	4 4 4	2 2	4 4	2 0 1	4 4 4 4 4	4 4	4+2 6	<b>48</b>

**\* Extraordinary powers granted to post-Soviet presidents according to constitutions:**

Armenia – the president may sanction arrest of any judge in the country (article 55.10-11) - 4 points.

Azerbaijan – the president not only appoints the prime minister and ministers but, according to the Constitution, the Cabinet of Ministers is “the executive body of the president” and accountable only to him (article 114.2-3) – 4 points.

Belarus – the president has a right to defer a strike or suspend it for three months (article 84.23) – 4 points.

Georgia – in case of a state emergency or martial law, the president may restrict certain fundamental rights of citizens and this decision should be approved by the parliament within two days (article 46.1) – 2 points.

Kazakhstan – the country is officially proclaimed to have a “presidential form of governance” (article 2) – 2 points; and according to article 65.3 “the Government shall take an oath to the people and President” – 2 points.

Kyrgyzstan - the president has a right to judicial review, e.g. suspension or annulment of acts of the government or local administration (article – 46.5.4) – 4 points.

Russia – the president has a right to judicial review, e.g. suspension of acts of the subjects of the federation if they contradict, in his opinion, the constitution and federal laws (article 85.2) – 4 points.

Tajikistan – the president has a special reserve fund (article 69.17) – 2 points; and he has a right to judicial review, suspending acts of the government if they contradict, by his opinion, the constitution and laws (article 69.6) – 4 points.

Turkmenistan – the constitution declares the country a “presidential republic” (article 1) – 2 points; and all amendments to the constitution are made in the name of the president, e.g. “death penalty in Turkmenistan is prohibited forever by Saparmurat Turkmenbashi” (article 20) – 4 points.

Uzbekistan – the president has a right to judicial review, abolishing acts of the government (article 97) and local administration (article 93.16) – 4 points; and nominates a chairman of the Senate (93.9) – 2 points.

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