

Troubled Semi-Presidentialism: Stability of the Constitutional System and Cabinet in Ukraine

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THE EVOLUTION OF A CONSTITUTIONAL FRAMEWORK is at the heart of the complex political transition experienced by the former Soviet republics during the first post-communist decade. Ukraine, like many other countries in the region, has opted for a semi-presidential constitutional model.¹ As several scholars have already pointed out, both negotiating several constitutional arrangements and practising the norms prescribed by these arrangements proved to be difficult. The first post-communist decade in Ukraine was plagued with numerous conflicts among branches of government, political polarisation and dangerous challenges to democratic legitimacy.²

While constitutional debates about the underlying institutional framework in most of the countries in the post-communist region have already settled down, allowing politicians to turn to everyday political issues, the debates about the basic issues of government organisation in Ukraine are as topical as ever. Some of the major political parties persistently question the rationality of principles that guide the separation of powers in Ukraine. Both parliamentary factions and individual deputies have repeatedly mounted attacks on the existing constitutional system, proposing radical amendments to the 1996 constitution. And finally, the incumbent president, whose second term in office is about to expire in 2004 and whose chances of securing the election of a favoured successor are slim, declared to the surprise of many observers that the constitutional provisions guiding the separation of powers in Ukraine had to be changed.³

This article examines how the choice of this constitutional model affects both the relationship among key institutional actors and the prospects of institutional change. It starts by analysing the character of the relationship between the president and parliament in the context of their competition over control of the cabinet. While the issue of constitutional system stability is more fundamental than the problem of cabinet stability, I start with the latter because understanding the conflict over cabinet formation and the cabinet's stay in office allows illumination of the principal lines of institutional rivalry in the Ukrainian political system. I then proceed by examining how the institutional interests and preferences of key political actors who inhabit the presidency, the legislature and the cabinet affect the prospects of maintaining or changing the constitutional status quo in Ukraine.

Intra-executive competition and cabinet stability in Ukraine

The president and prime minister effectively constitute a dual executive in a semi-presidential regime. The relationship between these two institutional actors is profoundly affected by the third key institutional player, parliament. Building on the principal–agent literature, I propose to conceptualise the relationship among these three political actors in a way which emphasises the lines of superiority and subordination in their complex interactions.⁴

The principal–agent model of a semi-presidential institutional relationship

Both the president and parliament, who jointly appoint the cabinet and have various monitoring and sanctioning powers including the power of cabinet dismissal, are effectively the principals of the prime minister and his/her cabinet. The position of a prime minister and cabinet in a semi-presidential regime can be conceptualised as that of an agent who faces two principals.

Competing political legitimacies, rigid terms of office, differing electoral bases and often opposite ideological orientations of the president and parliament are built-in characteristics of semi-presidential constitutional frameworks which lay the groundwork for potential conflict between the president and parliament. Their political interests may be in conflict and their preferences with regard to the identity and political behaviour of the cabinet may differ.

Cabinets in semi-presidential regimes find themselves in a precarious situation. They face two principals; the president and the legislature, who may be rivals trying to ensure the cabinet's compliance with their distinct objectives. Since the principals' objectives often contradict each other, the cabinet's pursuit of either principal's goals may hurt the interests of the other principal. Both principals have various means of screening the agent's behaviour and sanctioning the cabinet's non-compliance. Constitutional provisions regulate how the principals can sanction the cabinet. The constitution also specifies which of the principals has control over the ultimate sanction against the cabinet, which is cabinet dismissal.

The distribution of dismissal powers between the principals can be the single most important predictor of cabinet behaviour vis-à-vis the president and the parliament, if it is characterised by a formal asymmetry. When either of the principals has exclusive control of cabinet dismissal powers, the cabinet is likely to conform with the interests of the side that controls this sanctioning power. In premier–presidential regimes, where only the parliament has the power to dismiss cabinet, prime ministers respond more to pressures from the legislature than from the president.⁵ In president–parliamentary regimes that severely limit the legislative ability to censure cabinets, like the one in Russia since 1993, prime ministers tend to follow the preferences of the president.⁶

When a more symmetrical distribution of dismissal powers between president and parliament characterises the president–parliamentary constitutional framework, as was the case for most of the first post-communist decade in Ukraine,⁷ it becomes more difficult to use the dismissal criterion to predict whether the president or parliament

will be more likely to secure the cabinet's compliance and cooperation most of the time. Factors other than constitutional rules have to be incorporated into the analysis.

Technocratic nature of cabinets and character of party system development as intervening variables

None of the ten cabinets formed in Ukraine since 1991 has had genuine party affiliation.⁸ The primary criteria for individual ministerial selection were some sort of 'technical' expertise in a specific area of government functioning. Non-party status of the prime minister in particular and the technocratic nature of the cabinet in general were often perceived and continue to be upheld by some politicians and political analysts as the means to combat excessive partisanship in government.⁹

The technocratic nature of the Ukrainian cabinets reflects the underdeveloped character of the party system. Parties became well-organised and popularly-based relatively late in the process of democratic consolidation. A high level of fragmentation and organisational instability characterised the party system's evolution throughout the decade. SMD and later mixed electoral systems did not provide sufficient incentives to accelerate party system maturation and consolidation. A strong presidency provided additional disincentives for party development by denying parties the responsibilities of forming and supporting the cabinet.¹⁰

The evolution of political parties was also conditioned by the specific post-Soviet socio-economic environment. The formation of citizen-party linkages and inter-party competition during the first post-communist decade proceeded mainly along clientelistic rather than ideological lines. The primary transactions in clientelistically structured party systems are centred around the exchange of votes for some sort of club goods—specific material benefits—that parties promise to deliver to their supporters.¹¹ The prevalence of horizontal and vertical clientelistic linkages made political parties especially vulnerable to the pressures of the executive government and special interest groups.

The Ukrainian presidents used the fragmentation and clientelism of the party system to form a majority around their choice of cabinets. While these characteristics of the party system made the aggregation of legislative preferences over the choice of cabinet difficult, the president repeatedly used his power of cabinet nomination to construct a situational majority around his choice of prime minister. In this sense, the parliamentarians tended to rely on the president in solving their problem of collective action with regard to cabinet formation.

During the first post-communist decade the Ukrainian presidents were generally able to secure the appointment of prime ministers who were more to their liking than to the liking of parliament. The presidents used their 'first move advantage'¹²—the power of cabinet nomination—as well as various administrative resources of the executive government to gain the support of fragmented and primarily clientelistically-oriented parliamentary factions in the process of cabinet formation. Evidence suggests most of the cabinets formed during the first post-communist decade were closer to the president's rather than parliament's ideal point.¹³

Given the role the presidents played in this process, the newly selected prime ministers were generally expected to follow the preferences of the presidents rather

TABLE 1
CABINETS IN UKRAINE, 1991–2002

Prime minister	Office term	Level of intra-executive conflict	Cabinet dismissal initiated by		Running or planning to run for the presidency after dismissal?
			President	Parliament	
Fokin, Vitold	12/91–10/92	Low		Yes	No
Kuchma, Leonid	10/92–9/93	High	Yes		Yes
Zvyahil'ski, Yuhym (acting)	9/93–6/94	–	–	–	No
Masol, Vitali	6/94–4/95	Low	Yes		No
Marchuk, Yevhen	6/95–5/96	High	Yes		Yes
Lazarenko, Pavlo	5/96–6/96	Low	Yes		Yes
Lazarenko, Pavlo	6/96–6/97	High	Yes		Yes
Pustovoitenko, Valeri	7/97–12/99	Low		Yes	No
Yushchenko, Viktor	12/99–4/01	Low		Yes	Yes
Kinakh, Anatoli	4/01–11/02	Low	Yes		No
Yanukovych, Viktor	11/02–	–	–	–	–

Sources: Author's calculation; data from *Radio Free Europe/Radio Liberty Newswire Archive*, *East European Constitutional Review* and *Dzerkalo tyzhdnia*.

than parliament. While in office, prime ministers were expected to confirm the presidential preferences also because the ultimate sanction against the cabinet—the power of cabinet dismissal—was more effectively used by the president. Although the semi-presidential institutional framework adopted in Ukraine awarded the power of cabinet dismissal both to the president and parliament, the latter was less able to produce credible threats to cabinet survival owing to the above-mentioned collective action problems. Whenever the idea of no confidence was gaining support in parliament, the cabinet was almost always successful in producing selective incentives for individual parliamentary factions to stay away or defect from a no-confidence coalition.

Despite the presidents' ability to secure the selection of prime ministers more to their liking, and despite their ability to threaten credibly the very survival of cabinet, several prime ministers chose to engage in an open conflict with the president. In a number of other instances the co-existence of the president and prime ministers was not openly competitive. Table 1 summarises the data on cabinets in Ukraine.

The third column in Table 1 shows which prime ministers opted not to comply with the president by indicating that the level of intra-executive conflict during that cabinet term was high. The co-existence of the president and the cabinet was classified as an instance of intra-executive conflict when either the president or prime minister at any stage of their co-existence contested the status quo interpretations of constitutional

and statutory norms that regulate power relations inside the executive, or contested the very norms.¹⁴

Table 1 indicates that during the incumbency of three cabinets the prime ministers chose to engage in intra-executive competition with the president.¹⁵ The Marchuk (1995–96) and Lazarenko (1996–97) cabinets at the time of their appointment were considered to be very close to the president, which makes the fact of their subsequent conflict with the president especially puzzling.¹⁶ The fourth column, which provides information on whether cabinet dismissal was initiated by the president or parliament, shows both rebellious prime ministers as well as several others who were dismissed on presidential initiatives.

Table 1 shows that both the president and parliament exercised their power to sanction the cabinet and took turns in initiating cabinet dismissals. The majority of cabinet dismissals, however, were initiated by the president and not by the parliament, reflecting the former's control of the initiative in cabinet formation matters.

Despite presidential domination over the cabinet, several prime ministers chose to engage in an open confrontation with the presidents. This choice has to be explained, given that such confrontation almost automatically leads to cabinet dismissal. One of the key assumptions about politicians' behaviour is that staying in office is the first-order preference for the office holder. It may seem irrational for the prime minister to risk cabinet dismissal by contesting openly the presidential leadership over the executive.¹⁷

Data from the last column in Table 1 might give some answers to this puzzle. That column's entries provide information on whether the dismissed prime ministers entered the presidential race or were, at least, considered to be serious contenders in the next presidential elections. Prime ministers' political behaviour after their cabinets were dismissed can help to reveal the structure of preferences that prime ministers had in office.

Why do prime ministers challenge the president?

The explanation for the prime ministers' 'defection' should be sought in the specific structure of the incentives that the president–parliamentary framework produces for prime ministers, and in the prime ministers' subjective calculations of the political strength of the presidents they dare to challenge. One issue that immediately emerges from examining the details of intra-executive competition in all cases considered here is the presidential ambition of the prime minister. Under the president–parliamentary arrangements adopted in Ukraine, as well as in Russia and Kazakhstan, the presidency is the office that is vested with the highest degree of power and prestige. While in premier–presidential regimes the larger share of executive powers is awarded by the constitution to the prime minister and political practice drifts toward a higher degree of prime ministerial control over the executive branch, president–parliamentary regimes experience both formal and informal consolidation of executive power in the hands of the president.¹⁸ Therefore the post of president is the most desired one for ambitious politicians.

The office of prime minister, on the other hand, does not have a similar promise of prestige and power for office seekers. What it does, however, is to immediately

promote its holders to a position of national recognition and place in their hands some substantial powers over the state apparatus. These are very important assets, especially for political systems which are dominated by personalistic political networks and where both national and local politics are organised around clientelistic rather than ideological appeals. Prime ministers, because of their control of government resources and name recognition on a national level, have the ability to organise electoral coalitions and party machines for seeking the highest office. In other words, serving as a prime minister has the potential to put the politician in the race for the presidency.¹⁹

It is difficult to determine empirically all the range of motivations that led prime ministers to political confrontation with the president. The political behaviour of prime ministers after their cabinets' resignation can be to some extent indicative of their motivations while in office. Two types of evidence can be considered as providing some support for the arguments offered above: former prime ministers' participation in presidential races and their efforts to build political party machines to support their presidential bids.

Two out of three former prime ministers whose level of confrontation with the president was classified as high in Table 1, and whose dismissal was initiated by the president, entered the presidential race challenging the incumbent president's determination to renew his electoral mandate. In the 1994 presidential election the former prime minister Kuchma, who during his time in office in 1992–93 repeatedly contested the presidential leadership of cabinet, faced the incumbent President Kravchuk in the run-off and won by a comfortable margin. Prior to the 1999 presidential election Marchuk and Lazarenko, rebellious prime ministers during President Kuchma's first term in office, were seen as major potential competitors of the incumbent president. While Marchuk ran and managed to foster quite a substantial following, Lazarenko had to forget about his presidential aspirations after a grandiose corruption scandal, which led to his indictment and imprisonment, erupted soon after his resignation.²⁰

Taking into account the presidential ambitions of prime ministers helps to explain why cabinet leaders were willing to engage so often in open political confrontation with presidents. It does not, however, always predetermine strategies that ambitious prime ministers choose in dealing with the presidents. The former prime minister Yushchenko, the public opinion poll leader for the 2004 presidential election, chose not to confront the president during his term in office. He did so despite the fact that Kuchma was very substantially weakened by the so-called cassette scandal.²¹ That prime minister's decision to avoid an open conflict with the president was based on a number of calculations that still await thorough analysis. This unwillingness, however, does not change the fact that the relations between the president and prime minister in the context of the Ukrainian political system regularly become highly competitive.

Although the state apparatus, and not party politics, has so far generated the main contenders for presidential and cabinet posts, the growing maturity of political parties and their increasing ability to produce political (and not technocratic) candidates both for the presidency and the premiership may change the dynamics of intra-executive relations in Ukraine. The 2002 parliamentary campaign provided a powerful impetus

TABLE 2
LEGISLATIVE ACTIVITY OF CABINETS IN UKRAINE, 1994–2002

<i>Prime minister</i>	<i>Office term</i>	<i>Law drafts introduced</i>	<i>Law drafts enacted</i>	<i>Law drafts failed</i>	<i>Success rate (%)</i>
Masol, Vitali	6/94–4/95	133	77	56	58
Marchuk, Yevhen	6/95–5/96	206	88	118	43
Lazarenko, Pavlo	5/96–6/96	33	14	19	42
Lazarenko, Pavlo	6/96–6/97	326	135	191	41
Pustovoitenko, Valeri	7/97–12/99	743	289	459	39
Yushchenko, Viktor	12/99–4/01	316	145	171	46
Kinakh, Anatoli	4/01–11/02	244	89	155	36

Sources: author's calculation; data from Upravlinya komp'yuternykh system Apparatu Verkhovnoi Rady Ukrainy.

for organisational strengthening of political parties and for party system consolidation.²² The support of a strong political party or party coalition with a majority of seats in the legislature may politically empower either the president or the prime minister and secure his/her leadership over the executive.

Cabinet performance and cabinet stability

The lack of disciplined and stable political support in parliament explains the poor record of Ukrainian cabinets in securing the success of their legislative agenda. Cabinet ability to successfully pass cabinet-sponsored bills is one of the key indicators of cabinet political strength. It also provides important information about relative cabinet performance. Table 2 captures the variation in the legislative success of Ukrainian cabinets.

Table 2 lists the number of draft laws introduced by each cabinet since 1994.²³ It provides information on how many draft bills became laws, and measures the success rate that individual cabinets achieved in securing parliamentary support for their legislative agenda. As the numbers indicate, with the exception of the Yushchenko cabinet, there was a downward trend in the percentage of draft bills that cabinets were able to turn into laws. In other words, cabinets' ability to fulfil their legislative agenda was declining during 1994–2002.

This trend is contrary to a growing tendency in advanced democracies to strengthen cabinet power in forming the legislative agenda. Cabinet ability to pass cabinet-sponsored bills is enhanced through the introduction of procedural norms that allow cabinets to submit their draft laws in a package, to declare a draft law a confidence vote and to designate certain draft laws as issues that require priority in legislative consideration.²⁴

The longevity of a cabinet in Ukraine, as already discussed, depends not only on

the president but also on parliament. Although Ukrainian parliamentarians traditionally faced the collective action problem in constructing a coalition for cabinet dismissal, Table 1 indicates that parliament was occasionally successful in bringing cabinets down. The dismissal of the Yushchenko cabinet was the most publicised case of parliament taking the initiative in changing the cabinet.²⁵

We argued earlier that the semi-presidential constitutional framework in Ukraine was characterised by a more symmetrical distribution of cabinet dismissal powers than the versions of semi-presidentialism adopted in other countries of the region. The premier–presidential model of semi-presidentialism, which is in place in several Central and Eastern European countries, awards the power of cabinet dismissal to parliament but not to the president. President–parliamentary regimes in Russia and Kazakhstan, on the other hand, impose constitutional constraints on the ability of parliament to censure cabinets, thus effectively putting cabinet dismissal power in the hands of the president only.

While the degree of party fragmentation and procedures regulating a no-confidence vote have a decisive effect on cabinet stability, constitutional symmetry in cabinet dismissal powers is an additional factor that contributes to a higher rate of cabinet turnover in Ukraine in comparison with other semi-presidential regimes. The ability to dismiss the cabinet unilaterally and without consequences for its own survival produces incentives for both president and parliament to use this option whenever either of them finds the cabinet performance unsatisfactory. Table 3 summarises the data on cabinet turnover in a number of semi-presidential and parliamentary regimes.

Table 3 lists the total number of cabinets in each country between 1991 and 2002.²⁶ Interim cabinets are not included. The countries are grouped according to their regime type. As Table 3 indicates, a cabinet in Ukraine lasted on average 15.3 months. The rate of cabinet turnover was higher in Ukraine than in two other president–parliamentary regimes, Russia and Kazakhstan. The differences in the level of cabinet instability in Ukraine and Russia become even more pronounced if one looks into the details of cabinet changes. A period of extremely high cabinet volatility in Russia—four cabinet dismissals in less than 18 months—is often attributed, among other things, to a uniquely severe economic crisis and to the eccentric behaviour of the former president El'tsin. With the exception of the 1998–99 period, Russian cabinets were very stable.²⁷

Table 3 also indicates that cabinet turnover in Ukraine was as high as the cabinet turnover average for premier–presidential regimes found in Central and Eastern Europe. The average cabinet turnover was substantially lower for the group of countries that adopted parliamentarism, a constitutional framework that is often associated with a high level of government instability. The data on cabinet stability, especially in parliamentary regimes, suggest that other variables, and first of all the degree and quality of party system fragmentation, have to be taken into account in any scholarly analysis aimed at explaining the variation in cabinet turnover rates in post-communist regimes.

Sources of cabinet instability should be studied because of the multiple negative effects this type of instability has on the functioning of the political system. In the

TABLE 3
AVERAGE CABINET TENURE IN POST-COMMUNIST COUNTRIES, 1991–2002

<i>Country and regime type</i>	<i>Number of cabinets since 1991</i>	<i>Average length of cabinet stay in office (months)</i>
<i>President–parliamentary</i>		
Ukraine	9	15.3
Russia	7	19.7
Kazakhstan	6	23.0
<i>Average for president–parliamentary regimes</i>	7	19.3
<i>Premier–presidential</i>		
Lithuania	11	12.6
Moldova	8	17.3
Poland	9	15.3
Romania	7	19.7
<i>Average for premier–presidential regimes</i>	9	16.2
<i>Parliamentary</i>		
Czech Republic	5	27.6
Estonia	9	15.3
Hungary	5	27.6
Latvia	9	15.3
Slovakia	6	23.0
<i>Average for parliamentary regimes</i>	7	21.8

Notes: Data collected as of 30 June 2002. The regime type is the one that was in place for most of the 1991–2002 period; in some cases there were changes in regime type during the period. *Source:* Author's calculation; data from *Europa World Yearbook* and *Europa Yearbook on Eastern Europe and the Commonwealth of Independent States*.

case of Ukraine, a high rate of cabinet turnover undermines the efforts at creation of a stable political environment, which is an important ingredient of any recipe for successful democratic consolidation. It also adversely affects the evolution of various decision-making practices inside the government. For example, cabinet instability encouraged the development of such alternative arenas for decision making as various presidential councils and corporatist bodies.²⁸ By providing additional stimulus for strengthening the role of the presidential administration as the second centre of executive power, it contributed to the excessive diffusion of executive responsibilities and the evolution of parallel channels of decision making.²⁹ It generally complicates the decision-making process by making policy objectives more volatile and policy outcomes less predictable.

In the Ukrainian context the discussion of cabinet instability is directly linked with constitutional debates. The high rate of cabinet turnover is perceived by many in Ukraine as a direct consequence of a flawed constitutional design. While, as I argued earlier, looking for sources of cabinet instability only in the features of constitutional design is problematic, cabinet instability undoubtedly undermines elite and popular support for the institutional status quo, stimulating continuous debates about the need for constitutional reform.

Constitutional system stability in Ukraine

The high rate of cabinet turnover in Ukraine has contrasted, so far, with relative stability of the semi-presidential institutional framework. The adoption of the constitution in 1996 indicated the end of the first stage of institutional experimentation. A compromise over the distribution of constitutional powers was achieved only after a prolonged period of political confrontation and deadlock. The difficulty with which the principal political actors arrived at this compromise implied that the institutional status quo would be subjected to further tests.³⁰

The question whether a semi-presidential constitutional framework constitutes an equilibrium institutional solution for those post-communist polities which opted for semi-presidentialism at the beginning of democratic transition remains topical for both policy makers and academics across the region. The recent constitutional developments in Moldova, which led to the transformation of a semi-presidential regime into a parliamentary one, represent one type of challenge that semi-presidential regimes face.³¹ The 1993 events in Russia, which led to the painful transformation of a semi-presidential regime into a more presidential system-like constitutional regime, are indicative of other types of endogenous shocks to which semi-presidentialism may be prone.

Changing or maintaining the institutional status quo implies, first of all, modifying or preserving the existing distribution of executive, legislative and appointment powers among president, cabinet and parliament. To understand how stable the institutional equilibrium is and what are the most serious challenges to the semi-presidential constitutional framework currently in place in Ukraine, the following three factors have to be analysed: the preferences of institutional actors, constitution amendment rules and party system characteristics.

The preferences of institutional actors

The president and the legislature are two key institutional actors whose preferences with regard to the choice of constitutional framework, and whose ability to change the institutional status quo, are of central importance for understanding the dynamics of institutional evolution in Ukraine. Discerning the true effects of the institutional framework on the preferences of politicians in the different branches of government is, however, methodologically difficult given the short time span these institutions have been in place. Especially with regard to the institution of the presidency, it is difficult to determine whether the explanations for certain patterns of political behaviour should be sought in the personal idiosyncrasies of the president or in the institutional imperatives of the presidential office.

Presidents. The two Ukrainian presidents, Kravchuk and Kuchma, have interpreted the president's role in the political system differently. Leonid Kravchuk, Ukraine's first president, had to define what powers a newly established presidency needed and what role in the political system the president had to play. While analysts disagree about the exact configuration of presidential powers that Kravchuk favoured at the

various stages of the constitution-making process, they agree that Kravchuk's vision was one of a limited presidency.³²

President Kuchma's record on the distribution of power issues has been different. Both the first term and the first half of the second term of Kuchma's presidency have been marked by persistent attempts on the part of the presidential administration to increase the formal powers of the president, which led to periods of intense confrontation between president and legislature over control of key executive, legislative and appointment powers. Both prior to and after the adoption of the constitution, the president was willing to challenge the institutional status quo at the time.

The president's behaviour at the different stages of the constitution-building process—Constitutional Accord of 1995, Constitution of 1996 and Referendum of 2000—reveals a persistent interest on the part of the head of state in securing a constitutionally stronger presidency. Using his constitutional powers and relying on the omni-powerful machine of executive government, the president has been able to bring the issues of constitutional reform to the top of the political agenda. Although not always successful, as was especially the case with the implementation of the 2000 referendum results, the president has consistently played the role of a challenger to the existing constitutional status quo.

What was for many observers of Ukrainian politics a sudden change in Kuchma's position, with regard to constitutional reform, took place in summer 2002, when Kuchma completely reversed his earlier position. The president's new proposals constituted a programme of transforming the Ukrainian political system into a premier-presidential republic, where the prime minister and cabinet would enjoy greater powers and the presidency would be constitutionally weakened.³³

The president's radical change of heart becomes more understandable if one takes into account the prevailing expectations about political developments in Ukraine in the near future. Former prime minister Yushchenko is widely regarded as the politician most likely to win the next presidential election. Given the fact that political forces that support Yushchenko are very hostile to Kuchma, the incumbent president's personal future, and the sustainability of his policies after he leaves office, become very uncertain. Facing the end of his second term, Kuchma is in a much more difficult position and has much greater need to secure favourable (to himself) terms of power transition than Russian president El'tsin had at the end of his presidency. Since the likelihood of maintaining control over the presidential office either by Kuchma himself or by any loyal or even neutral politician remains low, it is logical to assume that the incumbent president has decided to weaken the office he will no longer be able to control directly or indirectly.³⁴ The alternative and more benign explanation of presidential motivations in pushing a new version of constitutional reform has to do with the role of ideational factors. Integration into European structures has been repeatedly declared by the incumbent president as one of the strategic goals for Ukraine. Reforming the political system according to the norms and principles of European parliamentary democracies is an important idea, which, according to this line of reasoning, has affected the president's thinking and has led to the change in his position on constitutional reform.³⁵

Irrespective of the reasoning one may favour in explaining President Kuchma's

stand on constitutional reform, the evolution of presidential views on constitutional issues is quite important in another respect. It warns the analyst against the dangers of oversimplifying the motivations of political actors, by reducing their preferences either to the institutional imperatives of the office they occupy or to the immediate necessities of the contextual circumstances in which they find themselves.

Parliament. Parliament is another institutional actor with the ability to change the status quo. The collective character of parliament as an institutional actor makes it problematic to attribute to the legislature a single institutional preference over the distribution of constitutional powers. One recent study cites ideology, consensus on prior agreement and institutional learning as factors that determine the individual deputies' support for the existing system of separation of powers.³⁶

While these findings are undoubtedly significant for understanding the deputies' preferences with regard to maintaining or changing the constitutional status quo, it is important to note that attitudes expressed in surveys are not automatically translated into political behaviour. Another recent study, which examined the voting behaviour in the Ukrainian parliament during the 1994–98 and 1998–2002 parliamentary terms, indicates that clientelistic rather than ideological or learning-based patterns of voting characterise the deputies' behaviour in parliament. The Ukrainian president, relying on a variety of means available to him through control of the executive government, and including such tactics as buying votes and intimidating opponents in parliament, has been able to secure the deputies' support on a number of critical issues.³⁷

The aggregate preferences of the legislature are critical because they affect not only the chances of amending the constitution but also the prospects of adopting key pieces of legislation that either interpret or detail the constitutional provisions. Constitutions provide only the general frameworks for the functioning of the polity and a number of other legal documents are needed to elaborate the norms and procedures. Laws passed by the parliament are the most important sources of such norms and procedures.

In terms of regulating power relations inside the executive and between the executive and legislature no other document after the adoption of the 1996 constitution proved to be as controversial as the draft law on the cabinet. It has been put to a vote at least nine times. Whenever the draft law gained majority support in parliament, the president vetoed it. Attempts to overcome the veto proved unsuccessful. The fierce struggle over the adoption of the law on the cabinet indicates how consequential this law is expected to be for the balance of power among president, cabinet and legislature.³⁸

Given a number of diverse factors that condition the deputies' stand on the issue of constitutional reform, the complex motivations found in the legislature cannot be reduced to the institutional self-preservation model. Institutional affiliation may motivate the deputies to defend the existing powers and privileges which holding office brings them, but it does not guarantee that institutional self-preservation will be an overriding concern. The growing importance of the party system in the organisation and functioning of the legislature, discussed later in this article, suggests that party affiliation can provide an important starting point for the theoretically informed

study of deputies' preferences and behaviour with regard to the issues of constitutional reform.

Constitution amendment rules

The 1996 Ukrainian constitution makes it difficult to amend the basic law. The constitutional restrictions, of course, are important if the rule of law is respected and all political players are bound by the existing constitutional norms. While the degree of commitment to playing by the rules among the Ukrainian politicians varies, very few would argue that formal rules and procedures were inconsequential in the Ukrainian context.

The constitution is restrictive in defining who can initiate the process of amending the constitution. It grants the power of initiative in introducing constitutional amendments only to the president and legislature. The latter can serve in the role of an initiator only if one-third of the constitutional composition of parliament supported a draft law on introducing amendments to the constitution. The amendment procedure itself is a two-stage process that must take place over two consecutive sessions of parliament. A simple constitutional majority is required to approve a draft law in its first reading. A draft law is considered adopted if a two-thirds constitutional majority approves it during the consecutive session (Article 155).

The constitutional court plays the role of a veto gate in the constitution amendment process. Draft amendment laws have to be submitted to the constitutional court to review their compatibility with two articles of the constitution. One article (Article 158) imposes time limits for the resubmission of drafts, and the other (Article 157) states that amendments that limit citizens' rights and freedoms, threaten the country's independence or violate Ukraine's territorial integrity are impermissible. Since the review has to take place prior to deliberations in the legislature, the constitutional court can effectively stop the amendment process. Room for the court's discretion is, however, formally limited, given that the constitution specifies the exact criteria on which the review should be based.

While amendment introduction and voting procedures are rigid and straightforward, the limits of the constitutional court's involvement in the amendment process are open, as practice shows, to various interpretations. The role that the constitutional court played in political and legislative battles over the implementation of the April 2000 referendum has been far greater than the role formally stipulated for the court in the constitution. For example, analysts argue that the constitutional court exceeded its authority while reviewing two alternative draft amendment laws introduced, respectively, by the president and opposition deputies. While the president's draft law was 'cleared', the opposition's version was halted, thus directly affecting the subsequent legislative process.³⁹

The growing importance of the constitutional court in Ukraine, which confirms the general tendency of strengthening judicial power in the post-communist world, is likely to make the constitutional amendment process less straightforward and predictable.⁴⁰ The procedures that guide the appointment of constitutional judges, and judges' legal orientation and political identity, are important factors in shaping the court's future. The chances of changing or preserving the constitutional status quo

will be increasingly affected by the political and legal preferences of the constitutional court.

Party system

Ukraine's traditional political forces and their representatives in parliament have well articulated positions with regard to the optimal constitutional distribution of powers among the different branches of government. The positions of major left parties (Communist Party of Ukraine, Socialist Party of Ukraine) and parties that compose the core of the so-called national-democratic camp (Rukh factions, Reform and Order Party) are especially important in this respect. These parties have traditionally participated in the constitutional debates in Ukraine and have been able, through their factions in parliament, to affect the legislative agenda on constitutional issues.

Major left parties in Ukraine have favoured a parliamentary republic. As several analysts note, the left has a strong preference for a parliamentary model for ideological reasons.⁴¹ Parliament is perceived by the left as the most legitimate institution of government. The left, in accordance with Soviet ideological doctrines, also considers parliament as the ultimate repository of legislative, executive and control functions. The left also has pragmatic reasons for favouring a parliamentary model. The logic of electoral competition suggests to the Communists that a parliamentary system would be likely to increase their chances of becoming a governing party.

The level of electoral support the left parties enjoy in Ukraine, however, does not allow them to overhaul the constitutional system. As the several rounds of parliamentary elections in Ukraine since 1991 suggest, the left parties do not receive more than 40% of the popular vote and thus are unable to construct a legislative majority to implement constitutional changes.⁴²

The national-democratic camp in Ukraine has traditionally supported the idea of a strong presidency. A strong president was seen as a consolidating figure for a country divided along many political and cultural lines. The presidency was also seen as an institution that had an ultimate responsibility to protect one of the national-democrats' ultimate values, the country's independence. Like the left, national-democrats have never been able to control single-handedly the legislative agenda in the parliament. The 2002 parliamentary elections again proved that their electoral base did not exceed 25% of votes.

The idea of strengthening the presidency even further receives mixed support among national-democrats. Those who oppose such constitutional changes cite their fear of authoritarianism as grounds for their stand on the issue of constitutional reform. Those who favour such a reform rely on arguments about the greater effectiveness of a strong presidency in the context of a fragmented and deeply divided party system. The attitudes of all politicians in this camp, however, are significantly affected by the good prospects of their leader, former prime minister Yushchenko, winning the 2004 presidential election. The national-democrats would like to start discussing the issue of constitutional reform only after the 2004 election.

With these two traditional political forces favouring radically different constitutional solutions, the position of so-called 'centrist' political parties on the issue of

constitutional reform becomes critical for understanding the prospects of maintaining or changing the institutional status quo in Ukraine. So far the political centre has been predominantly structured along clientelistic rather than ideological lines. Political parties that claim to be centrist differ primarily not in terms of their programmatic appeals but in terms of access to state resources, political loyalty to the government and virtual image making.⁴³

Centrist factions as well as independent deputies have tended to conform most to the presidential vision of constitutional reform during all three parliamentary terms since 1991. Their stand on the issue is, however, largely opportunistic. Their conformity continues to depend on the presidential ability to reward their compliance with patronage appointments, preferential access to administrative resources of the executive government, legal and economic favours for their businesses etc.

The growing consolidation of party politics across the ideological spectrum, including the political centre, could provide an important impetus for strengthening the role of political parties in Ukrainian politics. If political manoeuvring prior to the 2004 presidential election, coalition building and, most of all, the expected changes in rules guiding parliamentary elections and party discipline in parliament help to sustain party consolidation momentum, the competition among institutional actors could be shifted from the constitutional to the political terrain. Both the presidential hopefuls and the candidates for the prime minister's position may subsequently be forced to concern themselves more with fostering and maintaining the political support of a strong political party or party coalition than with changing the constitution.

Implications and conclusion

The proliferation of semi-presidential regimes in the post-communist region stimulated a substantial amount of academic interest in studying institutional relationships under semi-presidentialism. The literature in the field proceeded from an initial focus on the reasons for adopting a semi-presidential framework to an analysis of the implications of having a system of so-called 'dual executive'.⁴⁴ By analysing the effects the choice of a semi-presidential framework has on political system and cabinet stability in Ukraine, this article aims to make a contribution to this body of literature.

The semi-presidential institutional framework, Ukraine's constitutional choice made at the earlier stages of democratic transition, profoundly affected how the political process is structured in Ukraine. Our analysis has shown how this particular institutional setting influenced the motivations of the politicians occupying the different branches of government, and how it contributed to high levels of intra-executive conflict, cabinet instability and executive-legislative confrontation. I have also emphasised that the context of a weakly institutionalised and highly fragmented party system is of major importance for understanding the motivation and behaviour of institutional actors.

To examine how stable the institutional equilibrium is, and what are the most serious challenges to the semi-presidential constitutional framework currently in place in Ukraine, the article has analysed the preferences of institutional actors, constitution

amendment rules and party system characteristics. It has shown that there is no general consensus on the direction of constitutional reform and that even completely opposite proposals find strong and well-positioned proponents. It has stressed that the preferences of institutional actors with regard to the issues of constitutional reform cannot simply be derived from their institutional positions. Explaining politicians' choices of advocating a stronger or weaker presidency requires understanding how institutional imperatives interact with specific political circumstances in which politicians find themselves.

The remedies to the problems the Ukrainian political system experiences are not entirely constitutional. The future of semi-presidentialism depends to a significant extent on the direction in which the party system evolves. The evolution of a party system in Ukraine faces multiple challenges. These challenges can, to a large degree, be adequately addressed by modifying individual pieces of legislation, a task less daunting than changing the constitution.

Introducing into electoral law changes such as a system of proportional representation instead of a mixed one, and a substantially higher electoral threshold for political parties to enter the parliament, could encourage party mergers and coalition building. Changing the law on political parties in such a way as to allow budget financing for major political parties would reduce their dependence on special interests and would foster ideological and non-clientelistic structuring of a party system. Adopting the version of a law on the cabinet that strengthens the link between cabinet and parliament would make political parties in parliament more responsible and would encourage them to develop policy-making capabilities. Changing rules of parliamentary procedures as well as electoral rules by raising the parliamentary faction recognition threshold and by 'tying' parliamentary seats to parties would discipline individual deputies' behaviour in parliament and would strengthen parties' internal cohesion.

A consolidated party system has the potential for transforming a conflict over institutional design into political competition over the control of existing institutions. The support of a strong political party or party coalition with a majority of seats in the legislature may politically empower either the president or the prime minister and profoundly affect the nature of intra-executive relations even in the absence of any constitutional changes to the system of separation of powers. Instead of occupying themselves with changing the existing political institutions, politicians who enjoy the support of consolidated political parties may opt to compete for turns controlling these institutions.

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¹ I use the classical Duverger definition to define political systems as semi-presidential: (1) the president of the republic is elected by universal suffrage; (2) he possesses considerable executive powers; (3) there is also a prime minister and ministers who possess executive and governmental powers and can stay in office only if the parliament does not show its opposition to them. See Maurice Duverger, 'A New Political System Model: Semi-Presidential Government', *European Journal of Political Research*, 8, 1980, pp. 165–187. While these characteristics differentiate semi-presidential regimes from 'ideal' presidential and parliamentary regimes, they obviously do not capture the differences within the category of semi-presidential regimes. Shugart & Carey build their distinction between president-par-

liamentary and premier–presidential regimes on a more sophisticated understanding of the potential variation in how much power the president can have over the cabinet; see Matthew S. Shugart & John M. Carey, *Presidents and Assemblies: Constitutional Design and Electoral Dynamics* (Cambridge, Cambridge University Press, 1992), pp. 23–27.

² Bohdan Harasymiw, *Post-communist Ukraine* (Toronto, CIUS Press, 2002); Kataryna Wolczuk, *The Moulding of Ukraine: The Constitutional Politics of State Formation* (Budapest, Central European University Press, 2001); Sarah Birch, *Elections and Democratization in Ukraine* (Basingstoke, Macmillan Press, 2000); Taras Kuzio, Robert S. Kravchuk & Paul J. D'Anieri (eds), *State and Institution Building in Ukraine* (New York, St. Martin's Press, 1999); Andrew Wilson, 'Ukraine', in Robert Elgie (ed.), *Semi-Presidentialism in Europe* (Oxford, Oxford University Press, 1999); Charles R. Wise & Trevor L. Brown, 'The Separation of Powers in Ukraine', *Communist and Post-Communist Studies*, 32, 1999, pp. 23–44.

³ See for example S. Rakhmanin, 'Yaku Ukrainu my buduemo', *Dzerkalo tyzhdnia*, 16–22 November 2002.

⁴ Terry Moe, 'The New Economics of Organization', *American Journal of Political Science*, 28, 1984, pp. 739–777; Terry Moe & Samuel Wilson, 'Presidents and the Politics of Structure', *Law & Contemporary Problems*, 57, 1994, pp. 1–44.

⁵ Premier–presidentialism, according to Shugart & Carey, is characterised by a rather limited role of the president in cabinet appointments: the president has the power to nominate a prime minister and individual ministers for parliament's confirmation but he lacks the power to dismiss the whole cabinet or individual ministers. In president–parliamentary regimes, on the other hand, the president possesses the constitutional powers to appoint and to dismiss the cabinet; see Shugart & Carey, *Presidents and Assemblies*. Although the Ukrainian constitution does not allow the president to appoint the cabinet single-handedly, and requires the joint participation of the president and parliament in cabinet formation, the Ukrainian constitutional framework meets other Shugart & Carey criteria and can be classified as president–parliamentary. This also helps to avoid the unnecessary proliferation of regime-type labels in scholarship on semi-presidentialism.

⁶ Stephen White, 'Russia', in Elgie (ed.), *Semi-Presidentialism in Europe*, pp. 201–223.

⁷ The constitutional accord of 1995, which awarded the president a unilateral right to appoint and dismiss the cabinet between 1995 and 1996, was the most significant departure from the symmetrical distribution of cabinet dismissal powers. See Wolczuk, *The Moulding of Ukraine*.

⁸ A new cabinet was defined as taking office whenever a new prime minister was appointed. Acting prime ministers were not included in the calculations. Cabinets were defined as technocratic whenever a prime minister and/or more than 50% of cabinet members did not have formal party affiliation at the moment of cabinet formation.

⁹ For a comparison of technocratic and party-based cabinets' performances during the periods of democratic transition and consolidation see Stephen Haggard & Robert Kaufman, *The Political Economy of Democratic Transitions* (Princeton, Princeton University Press, 1995).

¹⁰ For a discussion of the inverse relationship between the strength of the presidency and party strength see Matthew Shugart, 'The Inverse Relationship between Party Strength and Executive Strength: a Theory of Politicians' Constitutional Choices', *British Journal of Political Science*, 28, 1998, pp. 1–29.

¹¹ Herbert Kitschelt, 'The Formation of Party Cleavages in Post-Communist Democracies', *Party Politics*, 1, 1995, pp. 447–472.

¹² For a theoretical discussion of 'first move advantage' see Roderick Kiewiet & Matthew McCubbins, 'Appropriations Decisions as a Bilateral Bargaining Game between President and Congress', *Legislative Studies Quarterly*, 9, 1985, pp. 181–201.

¹³ Oleh Protsyk, 'Semi-Presidentialism: The Logic of Institutional Conflict and its Implications for Public Administration Reform in Post-Communist Countries', Ph.D. dissertation, Rutgers University, 2000, Ch.3, pp. 84–94. Only the Kuchma 1992 and Masol 1994 cabinets were classified as being closer to the parliament's ideal point at the moment of cabinet formation. In this study, the prime minister was considered to be closer to the parliament's ideal point if, at the moment of cabinet formation, a) the media described the then to be elected prime minister as being closer to the parliament than to the president and b) the prime minister belonged to the political coalition having a majority in the parliament.

¹⁴ The manifestations of intra-executive competition are ubiquitous. Conflicts arise over the practice of presidential participation in cabinet meetings, over the procedure for issuing executive orders and the scope of their jurisdiction, and over reporting and execution routines inside the executive. The presidents and prime ministers also contest the individual appointments to cabinet or other government positions made by the other side, or try to dispute decisions about dismissals of particular personalities. Although constitutions and other statutory acts, as a rule, provide a detailed description of the powers that belong to the president and prime minister, no legal document can fully regulate all the aspects of power relations

inside the executive. Tensions between president and prime minister are especially likely when these institutional actors have to deal with unregulated aspects of interactions inside the executive branch. The rights to exercise discretionary power in situations that are not explicitly regulated by formal procedures are sometimes described as residual. See for example Timothy Frye, 'A Politics of Institutional Change', *Comparative Political Studies*, 30, 1997, pp. 523–552. Intra-executive conflict is in place when there is no tacit agreement between president and prime minister about who controls the residual rights.

¹⁵ This specific measure of conflict probably underestimates the actual level of intra-executive competition because it captures only instances of open confrontation between president and prime minister. Since not all conflicts are manifested in an open form and reported in the media, this indicator helps to register only explicit conflict.

¹⁶ Marchuk became an independent political figure engaged in rivalry with the president during the term of 'constitutional agreement' which granted the president the unilateral and exclusive right to appoint and dismiss cabinets. Understanding that the president had no constraints on his ability to sanction the cabinet did not however deter Prime Minister Marchuk from acting against the president's interests.

¹⁷ It is certainly political suicide for the prime minister in president–parliamentary regimes, with stronger presidential control over cabinet than in Ukraine, such as Russia and Kazakhstan. Yet in the latter type of president–parliamentary regimes, though at different rates, prime ministers do defect. Intra-executive political conflict developed during both the Primakov 1998–99 cabinet in Russia and the Kazhegeldin 1994–97 cabinet in Kazakhstan. See Protsyk, 'Semi-Presidentialism', pp. 84–94.

¹⁸ In the cases of Russia and Kazakhstan the overwhelming leadership of the president over the cabinet leaves no room for doubt about the direction in which the respective regimes have evolved during the last 5 or 6 years. The experiments with semi-presidentialism in Ukraine have produced a more mixed record with rather limited formal and informal advantages acquired by the president vis-à-vis the prime minister.

¹⁹ An ambitious prime minister's incentives to comply with the president can be further limited by a host of institutional and contextual factors. A president serving only the first term and hoping to be re-elected for a second is likely to use the prime minister as a shield to defend himself from different sorts of political contingencies and crises and not as a likely successor whose political standing should be defended and promoted. The political popularity of the president is one of the contextual variables affecting the prime minister's behaviour. The weaker the president is politically, the stronger are the prime minister's incentives to contest the presidential leadership of the executive. Conflict with the president, under the above-mentioned circumstances, is in the interests of a prime minister who has already exploited the advantages of being in office to promote his political standing.

²⁰ See for example the editorial, 'P. Lazarenku svityt 400 rokiv vyaznytsi', *Dzerkalo tyzhdnya*, 9–15 December 2000.

²¹ Yuliya Mostova, 'Politychni pidsumky—2000', *Dzerkalo tyzhdnya*, 30 December 2000–5 January 2001.

²² Party politicians' learning curves tended to be rather steep: it took only one round of parliamentary elections (1998) for party leaders to realise that the electoral system of proportional representation with a significant threshold barrier rewarded organisationally strong and consolidated political parties. Consolidation momentum may be sustained in the post-election period as Ukraine starts to prepare for the presidential election of 2004.

²³ Complete data were available only for the cabinets that were in office since 1994.

²⁴ See for example John D. Huber, *Rationalizing Parliament: Legislative Institutions and Party Politics in France* (Cambridge, Cambridge University Press, 1996).

²⁵ See for example Serhiy Rakhmanin, 'Vchytysya, vchytysya ta shche raz vchytysya', *Dzerkalo tyzhdnya*, 21–27 April 2001.

²⁶ A new cabinet was defined as taking office whenever a new prime minister was appointed or a successful parliamentary vote of re-confirmation for an incumbent prime minister took place. Scarcity of frequently recorded, reliable and consistent data on cabinet size and organisation in Eastern Europe prevented the adding of other indicators of cabinet change that can be found in the literature on OECD countries, such as party withdrawal from the cabinet, inclusion of a new party in the cabinet, simultaneous change of four or more cabinet ministers etc. For a discussion of these indicators see for example Richard S. Katz & Ruud Koole (eds), 'Special Issue: Political Data in 2001', *European Journal of Political Research*, 41, 2002.

²⁷ Only prime ministers' dismissals were counted as cases of cabinet change. Especially with respect to the former Soviet republics, this operationalisation does not capture continuity and change on the level of vice-prime ministers and ministers. The critical importance of prime ministers' leadership for understanding cabinets' behaviour as well as lack of comprehensive ministerial level data justifies such a choice.

²⁸ Bohdan Harasymiw, *Post-Communist Ukraine* (Toronto, CIUS Press, 2002); Mykola Tomenko, 'Formal'ni ta neformal'ni mehanizmy vplyvu na pryinyatya derzhavnyh rishen', *Politychny Kalendar*, 5, 1999, pp. 20–35.

²⁹ For a discussion of the diffusion of executive responsibilities see Alex Sundakov, 'The Machinery of Government and Economic Policy in Ukraine', in Peter K. Cornelius & Patrick Lenain, *Ukraine: Accelerating the Transition to Market* (Washington, International Monetary Fund, 1997).

³⁰ For an elaborate discussion of the constitution-making process in Ukraine see Wolczuk, *The Moulding of Ukraine*; Oleksiy Haran', Volodymyr Kulyk & Oleksandr Maiboroda (eds), *Stanovlennya Vladnyh Struktur v Ukraini* (Kiev, Den', 1997).

³¹ 'Moldova Update', *East European Constitutional Review*, 9, Autumn 2000, pp. 35–37.

³² Haran' *et al.*, *Stanovlennya ...*

³³ Serhiy Rakhmanin, 'Tsili i zasoby', *Dzerkalo tyzhdnia*, 31 August–5 September 2002.

³⁴ For an excellent account of political actors' preferences and strategies pursued in this most recent constitutional stand-off see Yuliya Mostova, 'Iskry z kaminy—na kylym Kabminu', *Dzerkalo tyzhdnia*, 11–17 January 2003.

³⁵ Leonid Kuchma, TV address, 24 August 2002, available at www2.pravda.com.ua/archive/20824-1-new.

³⁶ Vladimir Pigenko, Charles R. Wise & Trevor L. Brown, 'Elite Attitudes and Democratic Stability: Analysing Legislators' Attitudes towards the Separation of Powers in Ukraine', *Europe-Asia Studies*, 54, 1, January 2002, pp. 87–107.

³⁷ Oleh Protsyk & Andrew Wilson, 'Center Party Politics in Russia and Ukraine: Patronage, Power, and Virtuality', forthcoming in *Party Politics*, 9, 6, 2003.

³⁸ See the report at <http://www.korrespondent.net/main/62405>.

³⁹ Markian Bilynskyj, 'Amending Ukraine's Constitution: Kuchma, Harry Potter and Godot', *The Ukrainian Weekly*, 2000, 36.

⁴⁰ For a discussion of the multiple roles constitutional courts played during the first decade of post-communist transition in Eastern Europe see Alexei Trochev, 'Enforcing Court Decisions: The Post-Communist Judicial Review in the Past Decade', unpublished paper, University of Toronto.

⁴¹ Kataryna Wolczuk, *The Moulding of Ukraine: The constitutional politics of State Formation* (Budapest, Central European University Press, 2001); Olexiy Haran' & Oleksandr Maiboroda, *Ukrains'ki Livi* (Kiev, KM Akademya, 2000); Pigenko *et al.*, 'Elite Attitudes and Democratic Stability'.

⁴² For an elaborate discussion of electoral behaviour prior to the 2002 parliamentary elections see Andrew Wilson & Sarah Birch, 'Voting Stability, Political Gridlock: Ukraine's 1998 Parliamentary Elections', *Europe-Asia Studies*, 51, 6, 1999, pp. 1039–1068.

⁴³ Protsyk & Wilson, 'Center Party Politics ...'.

⁴⁴ Thomas Baylis, 'Presidents versus Prime Ministers: Shaping the Executive Authority in Eastern Europe', *World Politics*, 48, April 1996, pp. 297–323; Ray Taras (ed.), *Postcommunist Presidents* (Cambridge, Cambridge University Press, 1997); Elgie (ed.), *Semi-Presidentialism in Europe*.

