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Reflexión

# The perils of presidentialism: Juan Linz's analysis and further reflections

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Political scientists have been interested in the differences between presidential and parliamentary government, and their relative advantages and disadvantages, for a long time. In the days of the "old institutionalism" in political science, which lasted until the 1950s, the debate focused mainly on a comparison between the presidential system of the United States and British parliamentary government. This focus represented two typical features of the old institutionalism: it mainly emphasized the larger countries and the countries in the North Atlantic area.

The behavioral revolution, which started in the late 1950s, stimulated a much broader geographical perspective and an interest beyond the large countries, but also introduced an emphasis on political behavior and an almost complete neglect of institutional factors. As a result, the presidential-parliamentary debate virtually disappeared from political science for a short period of time. It returned with the advent of the "new institutionalism" in the late 1970s. The most important contribution to the debate was made by Juan J. Linz in the early 1990s. His seminal first analysis, entitled "The Perils of Presidentialism," was published in the very first issue of the new *Journal of Democracy* in 1990. His fully elaborated statement, "Presidential or Parliamentary Democracy: Does It Make a Difference?", was published in 1994.

More than 25 years have passed since then, but I think that Linz's analysis is still the most trenchant treatment of the subject, that his critique of the four serious weaknesses of presidentialism is still valid, and that his overall conclusion that presidential government is a grave danger to democratic stability is still entirely correct. The only

additions to his analysis that can be made are a number of relatively small points—all of which serve to strengthen Linz's conclusion. These additions concern three of Linz's four points as well as a new fifth point.

Let me briefly summarize Linz's four-point critique. The first problem of presidentialism is what Linz calls "dual democratic legitimacy." In parliamentary systems, only the legislature is popularly elected and is the clear and legitimate representative of the people, but in presidential systems both president and legislature are popularly elected and are both legitimate representatives of the people—but it is quite possible and even likely that the president and the majority of legislators have divergent political preferences, even if they nominally belong to the same party. There is no democratic principle to resolve such disagreements. The practical result tends to be stalemate—and a strong temptation for the president to assume extraordinary powers or for the military to intervene.

The second problem is "rigidity": presidents are elected for fixed periods of time, which can often not be extended because of term limits, even if a president continues to be popular and successful, and which cannot be shortened even if a president proves to be incompetent, or becomes seriously ill, or is beset by scandals of various kinds. Impeachment may be a possibility, but this process is almost always both very time-consuming and ultimately unsuccessful because extraordinary majorities are required to effect removal.

The third serious problem is the "winner take all" nature of presidential elections. The winning candidate wins all of the executive power that is concentrated in the presidency, and it is "loser loses all" for the defeated candidate who often ends up with no political office and may disappear from the political scene altogether. He recognizes that parliamentary elections can be majoritarian, too, and he therefore adds: "Although parliamentary elections can produce an absolute majority for a single party, they more often give representation to a number of parties. Power-sharing and coalition-forming are fairly common, and incumbents are accordingly attentive to the demands and interests of even the smaller parties"[1]. This is an important qualification because it means that his preferred type of parliamentary government is not British-style democracy with plurality elections and a two-party system but the kind of parliamentarism based on elections by proportional representation and multiparty systems that can be found in Germany, Sweden, and other Continental European democracies. This is also clearly my own preference.

The fourth serious drawback of presidentialism is that presidential election campaigns encourage the politics of personality—with an emphasis on the personal weaknesses and alleged character flaws of the candidates—instead of a politics of

1. LINZ (1990), p. 56.

competing parties and party programs. In representative democracy, parties provide the vital link between voters and the government. Lipset rightly calls political parties "indispensable" in democracies. The democratic ideal is to have strong and cohesive parties with clear programs[2]. Anything that detracts from this ideal detracts from the viability of democracy.

At this point, let me make a slight detour to briefly mention the option of a semi-presidential system as a compromise between presidential and parliamentary government. Juan Linz is highly skeptical of this alternative, but notes that it has operated so differently in different countries, that it is difficult to arrive at general conclusions. He also points out, however, that in stable democracies with semi-presidential constitutions--Austria, Iceland, and Ireland--the actual political practice has been parliamentary rather than partly presidential[3].

Two other democracies that were once semi-presidential have also become mainly parliamentary: Portugal since 1982 and Finland since 1991. The Fifth French Republic, the major and often admired example of semi-presidentialism, has not actually operated as a mixed or n in-between system. Raymond Aron predicted in 1982 (p. 8): "The President of the Republic is the supreme authority as long as he has a majority in the National Assembly; but he must abandon the reality of power if ever a party other than his own has a majority in the Assembly"[4]. In the latter case, the prime minister becomes the top government leader. This is exactly what has happened several times since 1986. France has *alternated* between presidential and parliamentary *phases*[5]. It should also be noted that all of the flaws of presidential government--dual democratic legitimacy, rigidity, winner-take-all elections, and the politics of personality—are also weaknesses of semi-presidentialism with its popularly elected president. Finally, advocates of this type of system should be asked a basic critical question: Why would we want to combine the safer parliamentary system with the flawed presidential system?

Let me now turn to the additions that I should like to make to Linz's analysis. It seems to me, first of all, that an important element needs to be added to the idea of "dual democratic legitimacy." The problem is not only that both president and legislature can formally claim democratic legitimacy, but that almost everyone—including presidents themselves, the public at large, and even political scientists—tend to feel that the president's claim is a great deal stronger than the legislature's. An extreme example of this sentiment is the statement made by French President Charles de Gaulle at a press conference in 1964: "The indivisible authority of the state is entirely given to

2. LIPSET (2000).

3. LINZ (1994) pp. 48-55.

4. ARON (1982).

5. LIJPHART (2012) pp. 109-111.

the president by the people who elected him. There exists no other authority, neither ministerial, nor civil, nor military, nor judicial that is not conferred or maintained by him"—conveniently forgetting that the National Assembly is also popularly elected[6].

A less extreme version of this claim in the United States is the frequent reference to the president (together with the vice president) being the only official elected by the whole people—a fact that supposedly gives the president a unique democratic legitimacy. Like de Gaulle's claim, this interpretation ignores the fact that the U.S. Congress is also popularly elected and that, as a collective body, it is also elected by the whole people—indeed with larger majorities than are usually garnered by successful presidential candidates. The problem of stalemate that is caused by dual democratic legitimacy is therefore aggravated by the frequent disinclination of presidents to seek consensus and compromise, induced by their feelings of superior legitimacy.

In practice, moreover, presidents have tended to be more powerful than legislatures in presidential systems. In earlier writings, I have frequently argued that the separation of executive and legislative powers in presidential systems helps to balance these powers, but I have been forced to change my mind on this point. Many presidents have extensive decree and emergency legislative powers as well as strong powers with regard to the conduct of foreign policy. Foreign policy powers are especially important in the American case because of the status of the United States as a superpower, but they have not always been clearly apparent in the past, because presidents have generally not deviated much from firmly established multilateral and internationalist traditions. However, two recent American presidents--George W. Bush and Donald J. Trump—have embraced radically different foreign-policy orientations, and the president's vast and independent foreign-policy powers have become abundantly evident.

I completely agree with Linz's argument that the "winner take all" nature of presidential elections makes presidential democracy too majoritarian. In fact, they are more majoritarian than British-style parliamentary systems, although those are basically also majoritarian. However, British prime ministers still have to pay attention to their supporters in parliament and other party leaders. The political fate of Conservative Prime Minster Margaret Thatcher, once the powerful "Iron Lady" of British politics, is a clear example. When her party decided that she was becoming a liability to the party, they forced her to retire. Even in the British system, therefore, there is a significant degree of sharing of power. By contrast, because in presidential systems executive power is concentrated in the hands of the president, the degree of concentration of power is even greater than in the British system: power is concentrated not just in one *party* but in one *person*.

6. SULEIMAN (1994) p. 145.

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A crucial point that should be added to Linz's analysis is that "winner take all" elections and the lack of shared power make presidential systems especially dangerous in deeply divided countries. Democracies generally perform best when the emphasis is on broad participation in decision-making, on *inclusion* instead of *exclusion*. This is a desirable objective in all democracies, but of vital importance in deeply divided and polarized societies.

In my work on such societies, I have shown that democracy can work well if there is complete power-sharing among all significant groups and parties. Institutional features that are conducive to full power-sharing are parliamentary government (instead of presidential government) and proportional representation (instead of winner-take-all elections). There have been attempts to combine presidentialism with power-sharing, such as in the Colombian system of alternation of the presidency between the two major antagonistic parties for a period of 16 years (1958-74) and the Lebanese system of earmarking the presidency and other major offices to the different ethnic and religious groups[7]. But these are awkward arrangements: it worked only temporarily in the Colombian case and, while it lasted longer in Lebanon (1943-75), it ended in civil war and was not resurrected, with minor improvements, until 16 years later. When complete power-sharing is not possible, at least some degree of shared power is necessary, and presidential government presents a big obstacle to it. In general, when there are sharp cleavages between communities and parties in a country, the excluded groups, which may already feel alienated, may become even more alienated. In a vicious cycle, deep societal divisions can become progressively deeper and more dangerous.

With regard to the dangers of the politics of personality that presidentialism encourages, a striking example is offered by Paul Krugman[8]. He convincingly argues that the outcome of the 2000 presidential election in the United States was influenced greatly by the focus on personality instead of issues: "The public, enthusiastically encouraged by many in the news media, treated the presidential election like a high school popularity contest. The successful candidate [George W. Bush] received kid-gloves treatment—and a free pass on the fuzzy math of his policy proposals—because he seemed like a fun guy to hang out with, while the unsuccessful candidate [Al Gore] was subjected to sniggering mockery over his clothing and his mannerisms." If instead the focus had been on the major issues, on which opinion surveys showed the public to be much closer to Gore, the presidency would certainly have been won by Gore—and political conditions in the whole world, including the United States, would have been dramatically different.

7. LIJPHART (1977) pp. 33-34, 147-157.

8. KRUGMAN (2007).

The new fifth point that I should like to add to Linz's four points concerns the so-called voting paradox, which is more likely to occur in the legislatures of presidential than of parliamentary systems. The problem has been of great concern to democratic political theorists, because it entails a situation in which majority rule does not work and "cyclical majorities" occur. I do not regard this problem to be as serious as Linz's basic four points because there is no strong evidence that it happens very frequently in the real world. I concede, however, that it is not just a theoretical concern; some solid empirical cases of its actual occurrence have been found.

The paradox can manifest itself in any situation where there are at least three players (legislators) and at least three alternatives to choose from. In the following standard example, the preferences A, B, and C of players I, II, and III are:

I A – B – C
II B – C – A
III C – A – B

That is, player I's first preference is for A, second preference B, and third C; for player II, the first preference is B, second C; and so on. Given these preference orderings, there is no clear majority: the group of three players, by 2 to 1 margins, prefers A to B, B to C, but C to A. Voting in legislatures usually takes place between two alternatives at one time. If a paradox occurs, this means that there is no winning alternative if all three alternatives are voted on pairwise, or, more problematically, that one of the alternatives wins purely because only two pairwise votes take place—which is the usual legislative procedure. The simplest example of three such alternatives is a bill (alternative A), to which an amendment is offered (alternative B is the amended bill), and opposition to the bill with or without amendment (alternative C). Voting is limited to two choices: first between A and B, and then between the winner of either A or B on one hand and C on the other.

What this example shows is, first, that there is a winner only because there is no pairwise vote between C and the loser of the A-B choice. Second, it shows that in the final vote the new entrant (alternative C) inevitably wins—that is, the bill, amended or not, is defeated. Conversely, only when a bill is defeated can a voting paradox possibly have occurred. Here we get to the relevance of this discussion for the parliamentary-presidential contrast. In parliamentary systems, amendments are frequently proposed to bills: in majoritarian British-style democracies, these amendments are usually defeated, whereas in consensus-oriented mulitparty democracies, they are often approved, but in both types of parliamentary systems, the bill in its final form is almost always adopted. The conclusion therefore is that voting paradoxes are most unlikely to occur in parliamentary systems—in contrast with presidential systems, where final approval of amended or unamended bills is much less likely.

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The disadvantages of presidentialism are so overwhelmingly clear that all presidential democracies should be advised to switch to parliamentarism, preferably in conjunction with proportional representation. Should we deviate from this advice because the United States and the Latin American democracies have such strong traditions of presidentialism? Let me answer this question by raising two rhetorical questions. Should we tell non-democratic countries to refrain from introducing democracy because of their non-democratic traditions? Should we tell chain smokers to continue their destructive behavior because of their strong "traditions" of smoking? Clearly, presidentialist traditions may be a big *obstacle* to the adoption of parliamentarism, but they are *not a valid* argument against a switch to the healthier parliamentary system of government.

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