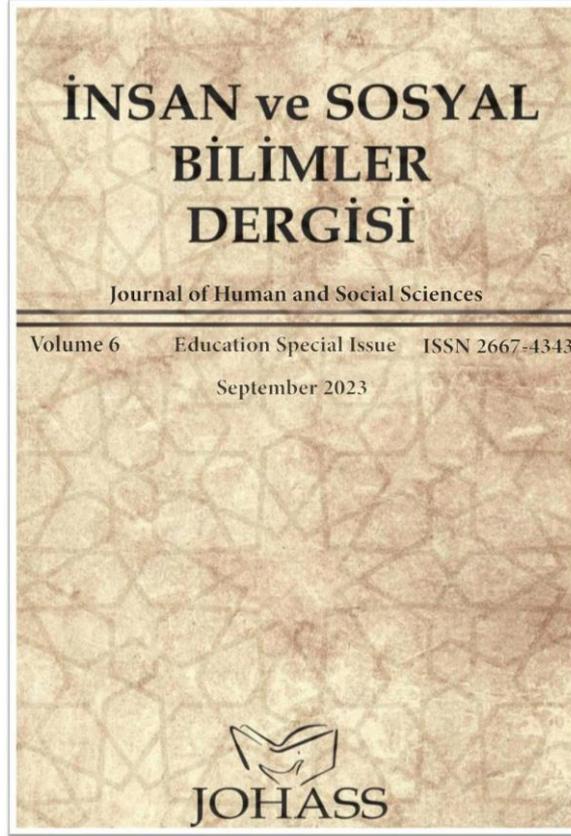


JOURNAL OF HUMAN AND SOCIAL SCIENCES (JOHASS)



<https://dergipark.org.tr/tr/pub/johass>

A Comparative Study on the Semi-Presidential Government System: The Cases of the Russian Federation and Post-Communist Poland

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Orcid ID: 0000-0002-3906-3629

Article Type: Research Article

Received: 18.09.2023

Revision received: 22.09.2023

Accepted: 27.09.2023

Published online: 28.09.2023

Citation: Süzük, E. (2023). A comparative study on the semi-presidential government system: The cases of the Russian Federation and post-communist Poland. *Journal of Human and Social Sciences*, 6(Education Special Issue), 486-509.

A Comparative Study on the Semi-Presidential Government System: The Cases of the Russian Federation and Post-Communist Poland

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Abstract

According to the widely accepted view, the existence of a government accountable to the parliament and a head of state elected by the people and endowed with powerful powers is sufficient to define the system as semi-presidential. However, although there are many unique definitions and qualifications in itself, it is not possible to talk about the existence of a uniform semi-presidential system. The reason for this is that countries interpret the government system within the framework of their own political culture and administrative tradition. Therefore, government systems are not typical models and can take different forms within the states' own administrative traditions. In this direction, in this study, the semi-presidential model of the Russian Federation and the semi-presidential model of post-communist Poland will be examined comparatively. Making a comparative study on the semi-presidential government systems of Poland and Russia will not be a comparison only in terms of revealing the differences, as it is thought. This study aims to make a contribution to the studies of the government system by comparing the states of Poland and Russia, which use the semi-presidential government system in a unique way. In addition, the main purpose of this study is to reveal that each country interprets the system of government it uses within the framework of its tradition of governance and political cultures.

Keywords: System of government, semi-presidential system, semi-presidential in Poland, semi-presidential in the Russian Federation

Research Article

Received: 18.09.2023

*Revision received:
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Accepted: 27.09.2023

*Published online:
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Introduction

A semi-presidential system is usually characterized as a hybrid of a parliamentary and presidential system. Because of this characterization, one cannot speak of a uniform semi-presidential system. In fact, while the system functions in different ways in different countries, it is sometimes close to a parliamentary system and sometimes close to a presidential system. The reason why there are differences in the implementation of the semi-presidential system is that countries have different political cultures and administrative traditions. Indeed, in countries with a more democratic and constitutionalist tradition of governance, the system operates closer to a parliamentary system, while in countries with a more authoritarian tradition of governance, it operates closer to a strict presidential system. From this point of view, it may be interesting to examine the government systems of two countries such as Russia and Poland, which use semi-presidential systems but have differences in their functioning and have different traditions of governance, through a comparative analysis.

Sharing a common communist past, Russia and Poland also share a common characteristic in that they have undergone administrative transformation to overcome the negative effects of the communist order. In order to erase the traces of the post-1989 Soviet order, both countries wanted to move from a rigid order to a more democratic one, in an administrative transformation that swept all Central and Eastern European countries. After the collapse of the Warsaw Pact, both Poland and Russia opted for a semi-presidential system of government in their new constitutions to establish democratic values in their countries. In this period, the semi-presidential system was a method used by the former Soviet countries to strengthen the executive against the legislature. As a matter of fact, countries have resorted to this system of government during periods of instability.

Poland and Russia interpret the system differently as they represent different political cultures and administrative traditions. It is therefore interesting to examine how both countries have adapted the semi-presidential system of government in their state traditions. Accordingly, the aim of this study is to analyze the governmental systems of Poland and Russia in a comparative manner with a special focus on the semi-presidential system. Thus, this study is expected to contribute to the literature by showing that having different political cultures and administrative traditions can cause differences in the way the government system functions.

In this context, the study consists of four parts. In the first part, general information about the semi-presidential system of government will be given. In the second and third chapters, Poland's and Russia's semi-presidential systems will be explained by taking the legislative and executive branches as criteria, and the judiciary will be excluded from the study since it is considered to have no impact on the system. In the last part of the study, a comparative evaluation of the semi-presidential systems in both countries will be made. Although this is a qualitative study, the data obtained will be analyzed comparatively.

1. General Information on the Semi-Presidential Government System

The semi-presidential government system, which is one of the democratic systems to rule a country, combines the qualities of the presidential system and the parliamentary system at the same time. The French political scientist Maurice Duverger used the term semi-presidential for the first time (Ataöv, 2011; Polater, 2014). Although the Weimar Constitution and the Constitution of Finland were the first constitutions to envisage a semi-presidential model, it was France that made it remarkable (Yüzbaşı, 2014). Duverger defines the system based on the following three elements; (1) the President is elected by the people (2) the Prime Minister and the Council of Ministers, who exercise the executive power, remain in office as long as they do not oppose the parliament (3) the President is equipped with strong powers (Duverger, 1980; Yıldız, 2014). In order for the system to be defined as semi-presidential, in addition to the popularly elected President being endowed with strong powers, the existence of a government formed with the support of both the parliament and the president is also required.

The main characteristics of a semi-presidential system are a dual executive authority, a soft separation of powers, a bicameral structure of legislature, the existence of a check and balance mechanism and the potential for political instability. The executive authority is composed of a President, who represents the country at the international level and is elected by popular vote, and the government, which is responsible to the parliament and produces policies (Erdoğan, 2010). Countries using the system usually have a legislature with two chambers. In a semi-presidential system, the soft separation of powers functions smoothly. So much so that while the executive authority can intervene in the legislative agenda through draft laws, members of the government such as prime minister or ministers can be also members of the legislature. Additionally, in the system each organ of the state can limit the powers of the others, thus creating a system of balance by preventing the strengthening of one

authority beyond others. However, as a disadvantage of the system, if the president and the prime minister are from different political parties, the situation can lead to political instability.

Executive branches: The dual executive in a semi-presidential system has a popularly elected President on one side and a parliamentary elected government on the other. While the President, who is the main power to govern, is responsible to the people who elected him, he is not accountable to the parliament and can dissolve it. In contrast, the government, which is accountable to the parliament, takes office with a vote of confidence and leaves office with a vote of no confidence. The members of the government, consisting of the prime minister and ministers, are elected and can be dismissed by the parliament. Here, the President is the irresponsible wing, while the government has political responsibility (Zirjawi, 2017; Aydın & Kösecik, 2016).

As can be seen, in a semi-presidential system, there are two key executive chairs: the President and the Prime Minister. The roles and responsibilities of these two executives who share the executive power, in other words, the functioning of the system varies depending on various dynamics such as the specific administrative tradition, political culture and constitution of the countries. Within the system, some countries give more authority to the head of state, while others give more authority to the prime minister, bringing the system closer to a parliamentary or presidential system.

Legislative branch: In a semi-presidential system, the legislature is bicameral, with a national assembly and a senate. However, the legislature is elected by popular vote. While the National Assembly is composed of deputies elected from the whole country for a certain period of time, the Senate is composed of deputies elected according to the regional or state structure within a certain quota. The bicameral nature of the system here is likened to a presidential system. In addition, the national assembly has similar qualities to a parliamentary assembly in a parliamentary system. The legislative body has basic duties such as enacting laws, preparing budgets and making amendments to existing constitutional articles (Akıncı, 2016). The government can participate in the legislative work of the parliament, which consists of the national assembly and the senate, by proposing legislation. The draft law created by the council of ministers is presented by the prime minister and discussed as a priority (Yazıcı, 2011).

The Relationship between the Legislature and the Executive Authorities: In a semi-presidential system of government, the legislature and the executive authorities are based on mutual cooperation, because the system differs from the presidential system due to the

cooperation of powers. However, the fact that the president, who is the head of the state, is directly elected by the people is similar to the presidential system. In addition, the existence of both the head of state and the council of ministers is considered a feature similar to the parliamentary system. However, the system differs from the parliamentary system in terms of democratic legitimacy. While the parliament is the sole source of legitimacy in the parliamentary system, the election of the president by the people in the semi-presidential system provides a double legitimacy (Gül vd., 2017).

In a semi-presidential system, the executive body is active in the legislature. As a matter of fact, the government can participate in the functioning of the parliament through draft laws, and the legislature can create laws under the influence of the executive. In addition to the executive's participation in the law-making process through draft laws, there may be interaction between both powers in the system on issues such as budget and international agreements. As mentioned before, since there is a soft separation of powers in the system, government members are also members of the legislature (Aydın & Kösecik, 2016).

There are some advantages and disadvantages attributed to the semi-presidential system. First, it is an advantage that the semi-presidential system does not have the rigid conditions of waiting for the expiration of the term of a president who has lost legitimacy, such as in a presidential system, by not removing him/her from office. A second advantage is that the dual executive structure allows for a culture of compromise. Indeed, the fact that the President is in a more powerful position compared to the parliamentary system and has the power to dissolve the parliament, which even the US president does not have, forces the government to compromise and cooperate and prevents the emergence of unstable governments. Conversely, in countries where there is less culture of compromise, the fact that the head of state shares executive power with the government can create an environment of turmoil in case of possible disagreements on both sides and cause gridlock in the system. (Akıncı, 2016; Durkal & Karahöyük, 2017).

Another disadvantage attributed to the semi-presidential system is the risk of undermining the importance of the legislature when members of the government are also members of the legislature. As such, the legislature may be influenced by the government to enact laws. Another risk is that the intertwined nature of the legislature and the executive branches may make it difficult for the legislature to oversee the executive force. In addition, any crisis between the powers can be averted by means of a vote of confidence or dissolution

and the existence of a senate elected by local governments have an important effect on the solution (Aydın & Kösecik, 2016).

As can be seen, the semi-presidential system bears the characteristics of neither a full parliamentary system nor a full presidential system. While the system differs from the presidential system in terms of having a two-headed executive structure, it also differs from the parliamentary system in that the executive authority is exercised by the head of state rather than the prime minister (Yüzbaşı, 2014). The semi-presidential system is considered a softer system compared to the presidential system. On the other hand, the division of executive authority between the President and the government causes the system to oscillate between parliamentary and presidential systems (Demir, 2013). Moreover, the system is considered closer to a presidential system if the President and the parliament are close in political thoughts, and closer to a parliamentary system if they are opposites (Zirjawi, 2017; Yüzbaşı, 2014). However, this system of government is more often seen as an alternative to an unstable presidential or parliamentary system.

Not every system may show similar results in every country. It may be misleading to say that a pure legislative-executive relationship represents a definitive system of government. Therefore, each system may have some advantages or disadvantages in each country. This is because countries have different political, economic, social and administrative backgrounds. Although the semi-presidential system is mostly associated with France, there are many different applications of the system in countries with different political cultures and administrative traditions.

In this part of the study, the qualities of the semi-presidential system in Poland and Russia will be discussed by focusing on the legislative and executive powers on both countries. The judiciary will be excluded from the study since it is assumed that judicial independence will exist in all countries as long as the democratic structure is preserved.

2. Semi-Presidential System in the Republic of Poland

Throughout its history, Poland has experienced heavy occupations, its people were deprived of their lands for more than a century, and even disappeared from the stage of history for a short period. Although it regained its independence, this time it was occupied by the Nazis and came under the rule of the Soviet Union after the Red Army attacked the Nazi army. Thus, Poland was ruled by a strict and authoritarian system under Soviet influence from the Second World War until 1989. With the collapse of the Soviet system in 1989, the

administrative transformation in the Iron Curtain countries aimed to establish a similar democratic order. During this period, Poland, with the support of the European Union, drafted the 1997 Constitution,¹ which it uses today, thus attempting to erase Soviet influence from the country (Uğur & Doğan, 2017; Yücel, 2003).

The political and cultural history of the Poles, who belong to the Western Slavs, goes back to ancient times. The people, who established their first small state in 800-960, faced constant invasions due to their geographical location over the centuries. While in the 15th and 16th centuries it was a powerful state, towards the end of the 18th century it began to lose its power and came under the sovereignty of other countries. Poland was divided by Austria, Russia and Prussia between 1792-1795 and disappeared from the stage of history for a while. After this heavy collapse, it was only able to re-establish a state after the First World War (Uğur & Doğan, 2017).

After the Second World War, Poland signed the Warsaw Pact in its capital Warsaw and came under the influence of the Soviet Union, an order it had never experienced before. The country, which was ruled by the socialist system until the collapse of the Union, became the first Central and Eastern European country to break away from the Soviet Union after 1989. Poland took a different line in the Soviet order from other countries under the control/influence of the Soviet Union. This is because Poland has a democratic and constitutional administrative tradition. In fact, in 1791 Poland established the World's second and Europe's first written constitution, thus becoming the first state in Europe to use a constitution (Kutlu & Usta, 2013).

Poland's deep history of constitutional movements and its ability to recognize the importance of the constitution enabled it to adopt its written constitution in 1791, almost at the same time as the French (Uğur & Doğan, 2017). However, these early constitutional developments were perceived as a threat and were subject to a partition between Austria, Prussia and Russia, with Russia having the largest share between 1792 and 1795. After Russia's transform to Soviet Union, it's desire to spread communism in Eastern Europe led to the delay of constitutional activities in the democratic sense in Poland (Yücel, 2011). Nevertheless, Poland's deep-rooted constitutional and democratic history has been seen as the reason why its transition from communist to democratic rule has been smoother than in other Soviet-influenced countries.

¹ The Copenhagen criteria of the European Union were influential in the drafting of Poland's 1997 Constitution and modern, democratic and pluralist values were adopted as a principle.

Another important development that supported the post-Soviet administrative transformation in Poland was the Round Table Talks. These talks, which shaped the Poland of today, took place between the Polish United Workers' Party (PZPR) and the Solidarity Group led by President Walesa. The aim of the talks was to create a more democratic administrative order based on the separation of powers. The result of these negotiations was the 1997 Constitution, which Poland uses today, and the country moved to a semi-presidential system, empowering the President within the system (Uğur & Doğan, 2017). In addition, the 1997 Constitution recognized the election of the President by the people and the election of the government from within the legislature. Thus, the President has become a position that derives its power from the people and is granted significant constitutional powers (Yücel, 2011).

Article 3 of the 1997 Constitution emphasizes the unitary structure and Article 10 the independence of the legislative, executive and judicial powers. Legislative power is vested in the National Assembly, executive power in the President and the Council of Ministers, and judicial power in the courts at the national level. Furthermore, the 1997 Constitution was drafted taking into account the European Charter of Local Self-Government. Accordingly, local governments are guaranteed in Chapter 7 of the Constitution (Çınar, 2013). The 1997 Constitution aims to get rid of the traces of the Soviet model. In this context, values such as democracy, liberal political tendencies, human rights and freedoms were prioritized (Candan, 2014).

Poland has a democratic parliamentary and constitutional background with its political culture and administrative tradition. Its semi-presidential system of government, shaped in line with these qualities, allows it to be considered more democratic among its peers. Another striking aspect of Poland's semi-presidential system is the balance of power between the president and the prime minister. Indeed, as will be detailed further, the powers of the president and the prime minister are distributed in a balanced manner in Poland, preventing each power from being symbolic or superior to the other (Elgie, 2005).

2.1. Executive Branches

According to the Constitution of the Republic of Poland, established by referendum in 1997, executive power is shared jointly by the President of the Republic (Office of the President) and the Council of Ministers.

2.1.1. President of the Republic

The 1997 Constitution recognized the popular election of the President¹ and the election of the government from within the legislature. The President of the Republic has thus become a position that derives its power from the people and has been granted considerable constitutional Powers (Yücel, 2011).

The President of the Republic, one of the parties to the executive power, is directly elected by the people through equal, universal and secret ballot for a term of 5 years, and may be re-elected for another term. Candidates for the presidential elections must be over 35 years of age and eligible to be voted for the Sejm. A two-round vote is envisaged in the presidential election. The candidates must receive more than half of the votes cast in the first round to be the president. If there is no winner in the first round, the two candidates with the highest number of votes go to the polls on the 14th day for the second round. This time the candidate with the highest number of votes is elected president (Candan, 2014; Article 127 of the Constitution of the Republic of Poland).

The President's main task is to represent his country in foreign policy, and he is also the commander-in-chief of the Polish armed forces and appoints the chief of staff and the force commanders. The President convenes and chairs the Council of Ministers on certain issues and is also authorized to issue regulations and decrees. The President, who is not accountable to the Parliament, can be tried in the Supreme Court for crimes committed or violations of the Constitution and laws (Kutlu & Usta, 2013).

The president, who derives his legitimacy from the people, is vested with significant constitutional powers. The President can dismiss the government or dismiss a minister who fails to obtain a vote of confidence from the Sejm. He can dismiss ministers at the request of the prime minister. He can also shorten the term of office of the Sejm after consulting the presidents of the Sejm and the Senate. It has the power to dissolve the legislature under the conditions set out in the Constitution. However, this does not apply in times of emergency. Before enacting a law, the President may submit it to a constitutional review. If the Constitutional Court decides that the law is constitutional, the President does not have the power of veto (Yücel, 2011).

The President can participate in the legislative process. He can, however, propose laws to amend the constitution. The President has the power to put the decision to a referendum if it is adopted by an absolute majority in a vote in the presence of Senators. The President of

¹ Chapter V of the Constitution of the Republic of Poland is devoted to information on the election, term of office, duties and powers of the President of the Republic of Poland.

Poland also has the power to declare martial law for a period not exceeding ninety days (Yücel, 2003). Although the Polish President is active in the system, he is less active than in the French model semi-presidential system. However, it is closer to the parliamentary system. Therefore, it can be said that the Polish President is stronger than in the parliamentary system and weaker than in the semi-presidential system.

2.1.2. Council of Ministers

Another wing of the executive power in Poland is the Council of Ministers.¹ The Council of Ministers, which shares this power with the President, consists of the Prime Minister and Ministers. The members of the Council of Ministers, who are responsible for Poland's domestic and foreign policy, are appointed by the Prime Minister with the authorization of the President. The Prime Minister supervises and coordinates the work of the Council of Ministers. The members of the Council of Ministers are collectively responsible to the Sejm. The Prime Minister can exercise executive power by obtaining a vote of confidence from the National Assembly (Senate and Sejm) within two weeks. Members of the Council of Ministers are tried before the Supreme Court for violations of the constitution and laws and for crimes committed in the course of their duties (Kutlu & Usta, 2013).

The Council of Ministers has the power to pass by-laws or make regulations. Legislative regulations are submitted by the government to parliament as draft laws. In addition, only the government can submit a budget bill. The President has the power to recommend the Prime Minister to the Sejm. In addition, the President appoints the Prime Minister and other members of the Council of Ministers. If the President's nominee fails to win a vote of confidence, the Sejm nominates the Prime Minister. The Sejm holds a vote of confidence in the newly appointed Cabinet. In the absence of a vote of no confidence, the President decides to renew the elections. A vote of no confidence can be cast against the Prime Minister or against an individual Minister (Candan, 2014).

¹ Chapter VI of the Constitution of the Republic of Poland is devoted to the Council of Ministers and State Administration.

2.2. Legislative Branch

The power to exercise legislative power in Poland is constitutionally vested in the National Assembly. The National Assembly consists of two wings, the Sejm and the Senate.¹ Therefore, all members of the Sejm and the Senate together constitute the National Assembly (Çınar, 2013). The Senate has one quarter of the number of members of the Sejm. Members of these two chambers are elected every 4 years by direct universal suffrage. A candidate cannot be nominated for the Senate and the Sejm in the same election. However, the Sejm is more powerful than the Senate (Çınar, 2004).

2.2.1. Sejm

Under the 1997 Constitution of the Republic of Poland, the Sejm is the traditional name for the effective wing of parliament. It has various checks on the Council of Ministers. However, it is the dominant element in law-making. The Sejm is composed of 460 deputies. Members are elected for a 4-year term in general, equal, secret and proportional elections. However, while the voting age for the Sejm is 18, the election age is 21 (Candan, 2014; Article 98-99 of the Constitution of the Republic of Poland).

One of the main powers of the Sejm is to make laws. Adopting the annual budget and national socio-economic plans is another of its powers. One of the important activities of the Sejm is to oversee the implementation of the laws or decisions it adopts. 15 members of parliament can ask questions written or verbally to members of the Council of Ministers on current issues. Another important task of the Sejm is to appoint the Prime Minister and the Council of Ministers. The Sejm makes important appointments to public institutions, sometimes with the approval of the Senate and sometimes with the proposal of the President. It also presides over the National Assembly and can declare a state of war and peace on behalf of the Republic of Poland (Zakrzewski, 1986).

2.2.2. Senate

The Senate is another branch of the legislature and consists of 100 senators elected by universal, direct and secret ballot for a 4-year term. To be eligible for election to the Senate, one must be over 30 years of age. The legislative term is the same as that of the Sejm. Therefore, when the Sejm goes to early elections, the Senate must also be re-elected. The Senate's primary power is to propose laws. In addition, it must review bills and proposals

¹ Chapter IV of the Constitution of the Republic of Poland provides information on the elections, term of office and functioning of the Sejm and the Senate.

received by the Sejm within 30 days and resubmit them to the Sejm.¹ The Senate has the right to adopt, amend or reject a piece of legislation. It can also authorize the President of the Republic to hold a referendum on certain issues. However, the Senate has no oversight power over the executive. In special cases provided for in the Constitution, the President of the Republic is deputized by the President of the Senate in the absence of the President of the Sejm (Candan, 2014).

In the absence of the Sejm president, the president of the Senate presides over the National Assembly. In the legislative process, the Sejm has an upper hand over the Senate. In law-making, the proposal passed by both chambers is submitted to the President of the Republic. The President signs the legislation within 21 days and sends it to the Official Gazette and the law thus enters into force. The President has the power to send the law back to the Sejm for reconsideration (Çınar, 2013).

3. Semi-Presidential System in the Russian Federation

Russian political history is usually divided into three periods: the Tsarist Period from the 18th century until the 1917 Revolution, the Union of Soviet Socialist Republics between 1917 and 1991, and the Russian Federation after the dissolution of the USSR in 1991. In this historical process, the 1993 Constitution, adopted after long struggles, established a semi-presidential system with strong powers of the President (Acar, 2016). Therefore, Russia adopted the semi-presidential system with the adoption of the 1993 Constitution. The reason for Russia's transition to this system can be explained as creating a strong executive branch and thus ensuring stability.

In Russia's political history, unlike in Poland, there is no popular demand for democracy. In fact, Russians have a history of being a local community, a closed commune. Until the 20th century, lacking an urban culture, the people lived as a village community and maintained the land administration and slave system of the Middle Ages. Having such a social tradition prevented the formation of an opposition among the people and the development of civil society as a requirement of democracy (Durkal & Karahöyük, 2017). Therefore, the Russian people have remained far away from civil society awareness compared to a European country. As a matter of fact, an oppressive and authoritarian order like the USSR also supported such a tradition of governance, and the order in which the public remained unresponsive to the authoritarian rule of the President continued.

¹ Within 14 days when there is an urgent law

Shugart divides the semi-presidential system into two as presidential-presidential and presidential-parliamentary systems. In this distinction, he characterizes Russia as a presidential-parliamentary system since the Prime Minister and the government are accountable to the parliament and the Head of State (Shugart, 2005). Russia's semi-presidential system of government represents more of a semi-presidential model with strong presidents. In such a semi-presidential model, the system operates more closely to a presidential system (Elgie, 2005). Indeed, since its creation in 1991, the Russian Federation has used a semi-presidential model similar to the presidential system. Moreover, it is sometimes characterized as "authoritarian presidential" or "super-presidential". (Dursun, 2006).

Throughout its history, Russia has a tradition of strong and authoritarian leadership. It can be said that this understanding is reflected in the 1993 Constitution and the system of government adopted by Russia. In the semi-presidential system of the Russian Federation, the head of state is closer to being characterized as an authoritarian president due to his unorthodox powers. Some argue that the presidency has been strengthened in Russia under this system adopted from France. In fact, the president can rule the country by decree (Durkal & Karahöyük, 2017; Roskin, 2013). Therefore, although Russia is classified as a semi-presidential system of government, it is closer to being characterized as an authoritarian presidential system in terms of the functioning of the system due to its political culture and tradition of governance.

3.1. Executive Branches

According to the 1993 Constitution of the Russian Federation, executive power is exercised jointly by the head of state and the government of the Russian Federation.

3.1.1. President of the State

Although the government of the Russian Federation is characterized as semi-presidential, it has a very powerful head of state. The head of state, the President of the Russian Federation¹ is elected by the people in general elections for a term of 6 years.² The President cannot be younger than 35 years. However, he/she must have been a resident of

¹ Chapter Four of the Constitution of the Russian Federation is devoted to information on the election, term of office, duties and powers of the President.

² With the 2008 amendment, the term of office was extended from 4 to 6 years. In this way, the head of state has been strengthened.

Russia for more than 10 years (Constitution of the Russian Federation, Article 81; Durkal & Karahöyük, 2017). The candidate who receives more than 50% of the valid votes shall be elected president. If this majority is not achieved in the first round, the candidate who receives the highest number of votes among the two candidates with the highest number of votes in the second round is elected president. The 1993 Constitution grants the elected Head of State extensive powers in various areas such as legislative, executive, judicial and national security (Candan, 2014). In line with what the Constitution states, such a system places the head of state in a supra-powerful position, not only as an element of the executive branch.

The President has the power to appoint the Prime Minister, subject to approval by the Duma. If the Duma rejects the Prime Minister candidate proposed by the President three times, the President can dissolve the Duma. The approval requirement is therefore not functional. The President, who requires the approval of the Duma when appointing the Prime Minister, does not need approval for ministers and deputy prime ministers (Acar, 2016). The President, who protects Russia's independence, is the commander-in-chief of the armed forces. He has the authority to declare martial law and a state of emergency when the country faces any threat. In addition, the head of state is responsible for the harmonious functioning of the organs of the state. He is responsible for ensuring reconciliation between the state organs of the Federation and the state organs of the federation (Candan, 2014; Constitution of the Russian Federation, Articles 83-90).

The Head of State is inviolable but has no political responsibility. The people or any other power cannot remove the President from office even if they do not like his or her policies. However, the Head of State is accountable to the legislature in any matter related to his/her office or when accused of treason (Durkal & Karahöyük, 2017). The most important legislative duty of the Head of State is the power to propose laws. He is also authorized to return a draft law to the Federal Assembly within 14 days. When the President vetoes a law, the Federal Assembly has two ways to overcome the veto, either by overriding the veto by a two-thirds majority of the total number of members of both chambers or by involving the President more in the legislative process. The Constitution gives the President the right to dissolve the State Duma (Acar, 2016). For these reasons, the parliament is considered to be relatively weak vis-à-vis the president in Russia (Dursun, 2006).

3.1.2. The Government of the Russian Federation

In Russia, executive power is exercised by the Government of the Russian Federation.¹ The Government consists of the Head of Government of the Russian Federation, vice-presidents, federal ministers and heads of institutions (Constitution of the Russian Federation, Article 110). The Head of Government is appointed by the President with the approval of the State Duma. The appointed Head of Government must submit the names of the vice-presidents and federal ministers to the President within one week (Article 111 of the Constitution of the Russian Federation). In the relationship between the government and the Head of State, if the decisions of the government contradict the decisions of the Head of State, the attitude of the Head of State is decisive (Çınar, 2013). In line with what has been explained so far, it can be said that there is no government as the determinant of domestic and foreign policy in Russia. As a matter of fact, state policy is mostly determined by the President. The Russian government is the executor of the decisions taken rather than making important decisions.

3.2. Legislative Branch

The Russian Federation has a bicameral parliament. The lower house is the State Duma and the upper house is the Federation Council (Roskin, 2013).

3.2.1. State Duma

The State Duma consists of 450 members elected for 5 years. Any citizen of the Russian Federation over 21 years of age can be elected as a member of the State Duma (Constitution of the Russian Federation, Articles 95-97). Law proposals are first discussed in the State Duma. If adopted by a simple majority, they are sent to the Federation Council within 5 days. From there, it is submitted to the President for approval (Durkal & Karahöyük, 2017). Duma members enjoy immunity during their term of office. Half of the members are elected according to the proportional representation system based on party lists and the other half according to the one-name majority system. It is forbidden for a person to be a member of both the State Duma and the Federation Council at the same time. The constitutional duties of the Duma are to approve the President of the Republic on the appointment of the Head of Government, to give a vote of confidence to the government, to discuss annual reports on the

¹ The Constitution of the Russian Federation devotes Chapter Six to the Government of the Russian Federation.

results of the government's activities and to declare a general amnesty (Candan, 2014; Constitution of the Russian Federation, Article 103).

3.2.2. Federation Council

The upper house of the federal parliament, the Federation Council, is composed of one representative each from the executive and legislative branches of the 85 federal entities. The federal states are represented in the Federation Council. Although there is no exact number of the Council,¹ It has 178 members, with 2 members from each of the 85 federal entities and 8 senators appointed by the President of the Republic. Proposals for legislation considered by the Federation Council are submitted to the Head of State for approval (Durkal ve Karahöyük, 2017). In general, the Federation Council is competent to adopt changes in the boundaries between the federating units, to adopt the President's decision to declare martial law and a state of emergency, to approve the use of the armed forces abroad, to announce the election of the President, and to appoint members of the Constitutional Court and the Supreme Court (Constitution of the Russian Federation, Article 102).

4. A Comparative Evaluation of the Semi-Presidential Government Systems of the Republic of Poland and the Russian Federation

When we look at the studies conducted in this field, it is generally seen that France, where the semi-presidential system emerged, is compared with any of the countries using this system. However, there is no direct comparative study of the government systems of Russia and Poland, which use the system in a unique way within their own state traditions. The semi-presidential system of government is a system of government that combines the features of both parliamentary and presidential systems. Both Russia and Poland have implemented the system outside the typical French model. As a matter of fact, Poland uses a semi-presidential model with more parliamentary characteristics, while Russia uses a semi-presidential model close to a strict presidential system.

Duverger, who introduced the concept of semi-presidentialism and defined the system, states that the countries that started to use this system of government are generally the countries affected by the third wave of democracy. According to another view, countries that want to adopt a semi-presidential system do so because they want to overcome their political crises or because they need to democratize rapidly. These views may also be valid for Russia

¹ Due to changes in the number of federal districts

and Poland, which want to erase the negative consequences of the Soviet Union from their countries. As a matter of fact, the first thing that both countries aimed for when they switched to a semi-presidential system was to strengthen their executive branch compared to the previous period.

Both countries adopted the semi-presidential system of government in their recent constitutions, taking France as a model. The main feature of the semi-presidential system is not only that the President is elected by the people, but also that the President must be endowed with very powerful powers. In this respect alone, Russia may appear to be closer to the system, but this is not enough. Poland has a strong President, but the Polish President does not have as much power as the Russian President.

After the collapse of the Warsaw Pact, Poland and Russia sought to strengthen their executive by adopting a new system on the wave of democratization. Both countries have popularly elected heads of state, but with different terms of office. The Polish President serves for a 5-year term, while the Russian President serves for 6 years. In addition, the President of both countries can be elected for two consecutive terms. In order to be elected President in both countries, one must be over 35 years of age. In addition, both Russia and Poland envisage two rounds of voting for the election of the Head of State.

Unlike Poland's 1997 Constitution, Russia's 1993 constitution adopts a semi-presidential model with strong powers of the President. In contrast to the President of the Republic of Poland, the President of the Russian Federation is very influential in the executive branch in a way that can be called the sole power. The Russian President has more powers than the government. While the government is not in a position to determine domestic and foreign policy, the President determines the policies. Therefore, the Government of the Russian Federation is more of a decision-maker than a decision-executor. This is not the case in Poland. This is because, although the 1997 Constitution gives the President some powers, he is not powerful vis-à-vis the Prime Minister. While the Russian President is supreme, the Polish President does not have a superior position over the executive. Therefore, while in Poland there is a balance of powers, in Russia the fact that the President is above the executive rather than being an element of it may undermine the principle of separation of powers.

Another difference between the Polish and Russian systems of government is that in both countries, the President has veto and dissolution rights within the executive branch, but this is stronger in Russia. In addition, another important difference is that in Russia, the

President is untouchable and has no political responsibility. In Poland, on the other hand, the President does not have such a sharp immunity. This is because in Russia, a strong mechanism to remove a President who is not successful is not easily established.

Looking at the political history of the two countries, their administrative traditions have been effective in their interpretation of the semi-presidential system in terms of their own traditions. Indeed, the strengthening of the head of state in countries using the semi-presidential system poses the danger of the personalization of power. When we compare the two countries in this respect, it is clear that Poland, coming from a more democratic administrative tradition compared to Russia, interprets this system differently. In fact, the Russian President has superior powers compared to the Polish President. It is not uncommon for the Russian President to issue a decree and propose legislation in a field that is not regulated by law, which is not the case for the Polish President. Therefore, while Russia has a powerful Head of State vis-à-vis the legislature, this is not the case in Poland. In this respect, it can be said that the democratic drawbacks of semi-presidentialism have been relatively eliminated in Poland compared to Russia.

Another characteristic of the semi-presidential system, "bicameralism or bicameralism", is observed in both countries. Both Poland and Russia have a two-headed structure with a lower house and an upper house. However, there is a difference in terms of the number of members. While the Polish upper house has 460 members, the Russian parliament consists of 450 members. The lower house consists of 100 members in Poland and 187 members in Russia. Considering the population of both countries, it can be said that Poland, with a population of 40 thousand, is more democratic in terms of representation. In both countries, it is forbidden for one person to be a member of two parliaments. In addition, the term of office of both parliaments in Poland is 4 years, while in Russia it is 5 years. Finally, the Russian President requires the approval of the Duma when appointing the Prime Minister, but not when appointing ministers and deputy prime ministers. In Poland, the President needs the approval of the Sejm when appointing the Prime Minister and ministers.

At the end of these assessments, it can be concluded that Poland has adopted a more balanced semi-presidential system and Russia a more authoritarian semi-presidential system. This is because both countries come from different administrative traditions and political cultures. As a matter of fact, Russia has created a strong Presidential office under the influence of its political history. Accordingly, it can be said that Russia has a more centralized and rigid structure. On the contrary, Poland, which has a more liberal, democratic and

constitutionalist background, does not position the President in a strong structure even above the executive. Thus, it can be said that Poland uses a parliamentary system and Russia uses a semi-presidential system that is closer to the presidential system. Another conclusion that can be drawn is based on the state structures of both countries. While Poland is a unitary state with regions, Russia has a federal structure. Therefore, Russia may need a strong presidency to keep the federal structure together.

Discussion and Results

The semi-presidential system of government has been the preferred choice of many countries, especially Central and Eastern European countries, especially after the dissolution of the Soviet Union. This is due to the need to get rid of the influence of the rigid, authoritarian and oppressive Soviet order and to quickly establish a constitutional and democratic order. Both Poland and Russia wanted to establish democratic values in their countries after the collapse of the Warsaw Pact and opted for a semi-presidential system of government with their new constitutions. Maurice Duverger, the theorist of the semi-presidential system, believes that the system is generally a product of the former Soviet countries' efforts to transition to democratic order after the collapse of the communist order. As a matter of fact, Russia and Poland, which are within the scope of the study, adopted the semi-presidential system by taking the French system as an example with their constitutions drafted in 1993 and 1997.

Government systems are formed when countries organize their legislative, executive and judicial organs in different ways within the framework of their political culture and administrative tradition in the historical process. Therefore, the main determinant of government systems is how these organs are organized. However, it is seen that countries interpret government systems differently depending on many different variables, especially their political regime, political culture and administrative tradition. For this reason, it can be said that the semi-presidential system of government within the scope of this study functions in different ways in countries with different qualities.

In the study, first of all, the general characteristics of the semi-presidential system of government are tried to be explained. Duverger was the first to use the concept in the literature. However, many different definitions of semi-presidential system have been made based on Duverger's definition. The common opinion is that this system is somewhere

between the presidential system and the parliamentary system, and sometimes the weight shifts to one side or the other. The current political and administrative conditions of the countries determine which side the weight will be on. There are differences between Poland, which has a liberal and constitutionalist tradition, and Russia, which has a repressive and authoritarian administrative history. It can be said that the Russian people have historically chosen a political power that is balanced against democracy or a powerful leader as a state tradition. The Polish people, on the contrary, prioritized democratic criteria.

When Poland and Russia are compared within the scope of the semi-presidential system of government, it is seen that both countries switched to this system in order to get rid of the political chaos and instability they were experiencing. As a matter of fact, while in Russia this led to the establishment of a system closer to an authoritarian presidential regime, in Poland it led to the establishment of a system stronger than the parliamentary system but weaker than the presidential system. This difference in usage between the two countries can be explained by the fact that constitutionalist practice in Poland goes back further than in Russia. Poland has a relatively democratic history to be proud of, having produced the first written constitution in Europe. Therefore, it has rapidly achieved its democratization by emerging from all authoritarian and oppressive conditions brought about by history on a constitutional basis. Compared to Poland, Russia's history consists of periods of strong centralization of power and unresponsiveness of the people against authoritarian governments.

As a result, mainly due to the influence of the tradition of governance, an authoritarian tradition in Russia led to a more powerful presidential office, while a more constitutional and democratic tradition in Poland led to a President with more balanced power. Therefore, the most obvious difference between them is that the Russian president has strong powers, while Poland has a more powerful president compared to the parliamentary system, but a weaker president compared to the semi-presidential system. Additionally, when both state traditions were overlaid with a system that empowered the head of state, such as a semi-presidential system of government, the appearance of the head of state was authoritarian and personalized in Russia, while in Poland it was a head of state who exercised more balanced power. Finally, when we look at the comparison of the government systems of both countries in terms of the impact of unitary and federal state forms on the system, it can be assessed that Russia, which has a federal structure, needs a strong presidency to keep this structure together. Therefore,

although Russia is officially referred to as semi-presidential, it has a functioning that can be characterized as presidential or even super-presidential.

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