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## **Semi-presidentialism, Cohabitation and the Collapse of Electoral Democracies, 1990–2008**

SEMI-PRESIDENTIALISM IS THE SITUATION WHERE A CONSTITUTION makes provision for both a directly elected fixed-term president and a prime minister and cabinet who are responsible to the legislature. Since 1990, semi-presidentialism has become the preferred constitutional choice for new democracies. However, in academic terms, the proliferation of semi-presidentialism seems worrying. The prevalent view is that semi-presidentialism is a poor constitutional choice for new democracies. There are various reasons why semi-presidentialism is generally rejected by the academic community, but the most common objection, and one that is specific to semi-presidentialism, is the inherent potential for cohabitation. This is the situation where a president from one party holds power at the same time as a prime minister from an opposing party and where the president's party is not represented in the cabinet. The worry is that the president and prime minister will be unwilling to share power. As a result, either the military will intervene to assure effective decision-making at the expense of both the president and the prime minister, or the president or the prime minister will try to seize power unilaterally at the expense of the other actor. Both scenarios are destructive of democracy.

In this article, we show that since 1990 only one semi-presidential democracy has collapsed while experiencing cohabitation – Niger in 1996. However, we explore whether the mere threat of cohabitation has been a factor in other collapses. If cohabitation is so problematic, then actors may intervene to prevent it from happening, but in so doing they may also precipitate the collapse of democracy. If that is the case, we would not observe cohabitation, but it may still be a factor in the collapse. In this article, we specify the conditions under which cohabitation can occur. Having done so, we still find little evidence to suggest that the threat of cohabitation has been associated with collapse. Overall, we show that cohabitation refers to a very

specific situation, that it occurs only under certain circumstances and that these circumstances are unlikely to combine very frequently. So, while cohabitation can be perilous for young semi-presidential democracies, we suggest that cohabitation is less problematic than the established wisdom would suggest. This does not mean that semi-presidentialism is a good constitutional choice for young democracies. It simply means that if semi-presidentialism is a problematic choice, then it is problematic for reasons other than the prospect of cohabitation.

#### SEMI-PRESIDENTIALISM AND THE PROBLEM OF COHABITATION

The concept of semi-presidentialism was first introduced by Maurice Duverger in the 1970s.<sup>1</sup> His work focused solely on a small number of West European countries as these were the only countries at the time with semi-presidential constitutions. However, the wave of democratization that began in the early 1990s greatly expanded the number of semi-presidential countries and their geographical spread. Indeed, one recent article identified over 55 countries with semi-presidential constitutions.<sup>2</sup>

The spread of semi-presidentialism seems worrying. Following the debate about the most appropriate institutional choices for new democracies in the early 1990s, semi-presidentialism has generally been rejected. There are various objections to semi-presidentialism, but one that is common to all of this work is the problem of 'cohabitation'. First identified in France in the period 1986–88, cohabitation is more than the situation where representatives from different coalition parties hold the two main positions within the executive. Instead, cohabitation is the situation where a president from one party holds power at the same time as a prime minister from an opposing party and where the president's party is not represented in the cabinet.

Cohabitation is said to be particularly dangerous for new democracies because both the president and prime minister can legitimately

<sup>1</sup> M. Duverger, 'A New Political System Model: Semi-Presidential Government', *European Journal of Political Research*, 8 (1990), pp. 165–87.

<sup>2</sup> R. Elgie, 'What is Semi-presidentialism and Where is it Found?', in R. Elgie and S. Moestrup (eds), *Semi-presidentialism Outside Europe*, London, Routledge, 2007, pp. 1–13.

claim to have the authority to speak on behalf of the people – the president by virtue of direct election and the prime minister by virtue of parliamentary support. Given that the prime minister is responsible to the legislature under semi-presidentialism, the president has either to accept the will of the legislature and co-exist with a political opponent or, if the constitution allows, to defy the legislature and dismiss the head of government in the knowledge that the legislature may simply appoint as prime minister someone who is equally opposed to the president. The prospect of ongoing intra-executive conflict or a prime ministerial merry-go-round until the next presidential or legislative election – and perhaps beyond – is said to be particularly problematic in young democracies. It may lead to a gridlock situation in which neither the president nor the prime minister is willing to compromise and where decision-making comes to a halt. In this case, the military may decide to intervene in order to restore executive authority. Alternatively, it may lead one or other of the executive actors, usually the president, to seize power themselves so as to resolve the impasse.

In their work, Linz and Stepan are explicit about the dangers of cohabitation for young democracies:

When supporters of one or the other component of semi-presidentialism feel that the country would be better off if one branch of the democratically legitimated structure of rule would disappear or be closed, the democratic system is endangered and suffers an overall loss of legitimacy, since those questioning one or the other will tend to consider the political system undesirable as long as the side they favor does not prevail . . . [I]n a semi-presidential system, policy conflicts often express themselves as a conflict between two branches of democracy.<sup>3</sup>

For Stepan and Suleiman, the ‘main theoretical and political worry about semi-presidentialism, of course, is precisely the question of deadlock and constitutional conflict between the dual executive. A deadlock can become particularly dangerous if the president has special authority over the security forces and some emergency powers.’<sup>4</sup> Fabbrini sums up the potential problem:

<sup>3</sup> J.J. Linz and A. Stepan, *Problems of Democratic Transition and Consolidation: Southern Europe, South America, and Post-Communist Europe*, Baltimore, Johns Hopkins University Press, 1996, p. 286.

<sup>4</sup> A. Stepan and E. N. Suleiman, ‘The French Fifth Republic: A Model for Import? Reflections on Poland and Brazil’, in H. E. Cheibub and A. Stepan (eds), *Politics, Society, and Democracies. A Comparative Study*, Boulder, CO, Westview Press, 1995, p. 399.

When the president is the leader of the party that controls the National Assembly, the executive gaze rests on him. When a different party controls the Assembly, the executive gaze focuses on the premier, with some conditions imposed by the president. Herein lies the main weakness of semipresidentialism: the possibility of a rift between the president with his popular majority and the premier with his legislative majority. Such a split could hamper or even paralyze the executive.<sup>5</sup>

The academic consensus against semi-presidentialism as a function of the potential for cohabitation runs very deep. Indeed, the supposed perils of cohabitation continue to influence the thinking of those who are called upon to advise new democracies about constitutional choices. For example, in a document by Barnett R. Rubin for the Constitutional Drafting Commission of Afghanistan, the problem of cohabitation was cited as a reason why the adoption of semi-presidentialism might be problematic: the semi-presidential system ‘risks creating two competing centers of power, which is probably not healthy for a polarized society emerging from conflict’.<sup>6</sup> The next section examines the basic association between cohabitation and democratic collapse.

#### COHABITATION AND THE COLLAPSE OF DEMOCRACY

The identification of countries with semi-presidential constitutions is very straightforward. Whereas Duverger’s original definition of semi-presidentialism required a judgement call to be made as to whether a president possessed ‘quite considerable powers’,<sup>7</sup> we adopt a slightly different definition of semi-presidentialism. Here, we make no reference to presidential powers. Instead, a country is deemed semi-presidential if the constitution makes provision for both a directly elected fixed-term president and a prime minister and cabinet who are responsible to the legislature. This definition has

<sup>5</sup> S. Fabbrini, ‘Presidents, Parliaments, and Good Government’, *Journal of Democracy*, 6 (1995), p. 133.

<sup>6</sup> B. R. Rubin, ‘Forms of Government and Electoral Systems. Summary of Briefing Papers for the Constitutional Drafting Commission of Afghanistan’, Center on International Cooperation: New York University, 2003 available at: <http://www.cic.nyu.edu/afghanistan/constitution.html#government> (accessed 3 February 2009).

<sup>7</sup> Duverger, ‘A New Political System Model’, p. 166.

been used by Elgie, Shugart and Skach.<sup>8</sup> The advantage of this definition is that there is little or no dispute as to which countries are semi-presidential.

The identification of semi-presidential countries where democracy has collapsed is more contested. There are various data sets that try to capture cases of democratic collapse. The Przeworski et al. data set<sup>9</sup> is widely used, but it is not helpful for the purposes of this article because it covers only the period 1950–90. We are interested in the period since 1990, when the spread of semi-presidentialism has been most noticeable. The Polity data set is also widely used and now covers the period up to and including 2007. However, Polity's methodology has been heavily criticized recently.<sup>10</sup> Specifically, the Polity scale has been accused of giving a false sense of precision. For example, imagine we consider the collapse of democracy to be associated with a move in a Polity score from  $\geq +1$  to  $\leq 0$ . The problem is that the scores themselves are the aggregation of various indicators. Thus countries may arrive at the same Polity score as the result of combination of various individual codings. By the same token, a small shift from above to below a particular threshold of democracy/non-democracy may be the result of factors unrelated to anything that corresponds to any purported collapse. The same is true of Freedom House scores. Indeed, Freedom House's methodology has been the subject of particular criticism over the years.<sup>11</sup> In this way, neither Polity nor Freedom House scores provide an entirely satisfactory basis for identifying cases of democratic collapse. Instead, in this article we use Freedom House's notion of an electoral democracy as a proxy for democratic collapse. Here, there are no problems with the

<sup>8</sup> Elgie, 'What is Semi-presidentialism and Where is it Found?'; M. S. Shugart, 'Semi-presidential Systems: Dual Executive and Mixed Authority Patterns', *French Politics*, 3 (2005), pp. 323–51; C. Skach, *Borrowing Constitutional Designs: Constitutional Law in Weimar Germany and the French Fifth Republic*, Princeton, Princeton University Press, 2005.

<sup>9</sup> A. Przeworski, M. E. Alvarez, J. A. Cheibub and F. Limongi, *Democracy and Development. Political Institutions and Well-being in the World. 1950–1990*, Cambridge, Cambridge University Press, 2000.

<sup>10</sup> For example, S. Treier and S. Jackman, 'Democracy as a Latent Variable', *American Journal of Political Science*, 52 (2008), pp. 201–17.

<sup>11</sup> For example, Munck and Verkuilen state that Freedom House scores exemplify the problems of 'conceptualization, measurement, and aggregation'. G. Munck and J. Verkuilen, 'Conceptualizing and Measuring Democracy. Evaluating Alternative Indices', *Comparative Political Studies*, 35 (2002), p. 28.

aggregation of individual codings. This means that the loss of the status of an electoral democracy will correspond to an explicitly political event rather than any host of other factors that might have changed during a given year. Moreover, there is no need to decide an arbitrary score as a threshold for democracy/non-democracy. The loss of the status of an electoral democracy is itself the threshold. So, for the purposes of this article, we identify a young democracy as a country with a semi-presidential constitution that has been classed as an electoral democracy at any time from 1990 onwards. If a country loses this status, we assume that a collapse has occurred.<sup>12</sup>

To identify periods of cohabitation, we take the list of semi-presidential countries that have achieved the status of electoral democracy since 1990 inclusive, and identify all those cases where [www.worldstatesmen.org](http://www.worldstatesmen.org) identifies a president from one party and a prime minister from another. We then check these cases with secondary literature to establish whether the president's party was represented in cabinet. If it was, then we do not include these periods as examples of cohabitation. If it was not, then we do. If the president is classed as non-partisan but the prime minister has a partisan affiliation, we do not count this situation as a case of cohabitation.<sup>13</sup> Table 1 lists the periods of cohabitation in semi-presidential countries that have attained the status of an electoral democracy since 1990 inclusive.

Table 1 shows that there have been 12 cases where a country with a semi-presidential constitution has lost the status of an electoral democracy since 1991. However, in only one case did the loss of this status coincide with a period of cohabitation – Niger 1 in 1996. This case is well documented and constitutes a textbook example of the perils of cohabitation.<sup>14</sup> On 26 December 1992 Niger adopted a new constitution following a national conference that had sovereign

<sup>12</sup> The data on electoral democracies is available at: <http://www.freedomhouse.org/template.cfm?page=439> (accessed 3 February 2009).

<sup>13</sup> To be clear, this means that the situation where the president is from one party and the prime minister is from another party is not necessarily classed as a period of cohabitation. It is only classed as such if the president's party is not represented in the cabinet.

<sup>14</sup> For example, L. A. Villalón and A. Idrissa, 'Repetitive Breakdowns and a Decade of Experimentation. Institutional Choices and Unstable Democracy in Niger', in L. A. Villalón and P. VonDoepp (eds), *The Fate of Africa's Democratic Experiments. Elites and Institutions*, Bloomington, Indiana University Press, 2005, pp. 27–48.

**Table 1**  
*Cohabitation and the Collapse of Young Semi-presidential Democracies*

| <i>Country</i>       | <i>Semi-presidentialism and first year of electoral democracy (since 1990)</i> | <i>Year when electoral democracy was lost (to 2008 inc.)</i> | <i>Cohabitation (to end 2008 inc.)*</i>                                  |
|----------------------|--|--|--|
| Armenia              | 1999   | 2003   |  |
| Bulgaria             | 1991   | –  | Jan 1995–Jan 1997<br>Jul 2001–Aug 2005                                   |
| Cape Verde           | 1991   | –  |  |
| CAR 1                | 1993   | 2001   |  |
| CAR 2                | 2005   | 2008   |  |
| Congo-Brazzville     | 1992   | 1997   |  |
| Croatia              | 1991   | –  |  |
| East Timor           | 2002   | –  |  |
| Georgia              | 2004   | 2008   |  |
| Guinea-Bissau 1      | 1994   | 2003   |  |
| Guinea-Bissau 2      | 2005   | –  |  |
| Haiti 1              | 1990   | 1991   |  |
| Haiti 2              | 1994   | 2000   |  |
| Haiti 3              | 2006   | –  |  |
| Kyrgyzstan           | 1995   | 2000   |  |
| Lithuania            | 1991   | –  | Nov 1996–Feb 1998<br>Feb 2003–Apr 2004<br>Nov 2002–May 2004<br>Aug 2006– |
| Macedonia            | 1992   | –  |  |
| Madagascar           | 1993   | –  |  |
| Mali                 | 1992   | –  |  |
| Mauritania           | 2007   | 2008   |  |
| Moldova <sup>†</sup> | 1995   | –  |  |
| Mongolia             | 1991   | –  | June 1993–Jul 1996<br>June 1997–Jul 2000                                 |
| Montenegro           | 2006   | –  |  |
| Mozambique           | 1994   | –  |  |
| Namibia              | 1990   | –  |  |
| Niger 1              | 1993   | 1996   | Feb 1995–Jan 1996  |
| Niger 2              | 1999   | –  |  |
| Poland               | 1990   | –  | Dec 1991–Dec 1995<br>Oct 1997–Oct 2001<br>Nov 2007–<br>Apr 2007–Dec 2008 |
| Romania              | 1992   | –  |  |
| Russia               | 1993   | 2004   |  |
| Sao Tome             | 1991   | –  | Oct 1994–Sep 2001<br>March 2004–June 2005                                |
| Senegal              | 2000   | –  |  |
| Serbia               | 2006   | –  |  |
| Slovakia             | 1999   | –  | June 2004–July 2006  |
| Slovenia             | 1991   | –  | Nov 2004–Jan 2006  |
| Taiwan               | 1996   | –  |  |
| Ukraine              | 1994   | –  |  |

*Source:* <http://www.freedomhouse.org/template.cfm?page=439> and [www.world-statesmen.org](http://www.world-statesmen.org).

\*There are other cases of cohabitation, such as in France from 1997 to 2002, but these occurred in countries that were classed as electoral democracies prior to 1990.

<sup>†</sup>Moldova adopted a parliamentary constitution in 2000.

decision-making authority.<sup>15</sup> The February 1993 elections to the National Assembly did not provide a majority for any party. In March 1993 Mahamane Ousmane, the candidate of the Convention Démocratique et Sociale (CDS), was elected as president, winning nearly 55 per cent of the vote at the second ballot. In April 1993 Ousmane appointed Mahamadou Issoufou of the Parti Nigérien pour la Démocratie et le Socialisme (PNDS) as prime minister. The PNDS had supported Ousmane at the second ballot of the presidential election. However, in September 1994 the PNDS withdrew from the coalition and joined forces with the Mouvement National pour la Société de Développement (MNSD), the former ruling party. As a result, in October President Ousmane dissolved the National Assembly and a new election took place in January 1995. The elections returned a majority opposed to the incumbent president and in February 1995 the National Assembly accepted the appointment of Hama Amadou of the MNSD as prime minister. There were no representatives of the president's party in the government. A period of cohabitation began. This period was marked by an 'institutional crisis'.<sup>16</sup> There was a stand-off between the two parts of the executive: 'As both president and prime minister went "on strike", refusing to carry out duties prescribed by the constitution for the normal functioning of the government, a near-total breakdown in constitutional procedures resulted.'<sup>17</sup> On 27 January 1996, the day when it was rumoured that the president was going to dissolve the legislature for a second time, the military stepped in and Niger's first experiment with electoral democracy came to an end.

The Niger case may well be a textbook example of the perils of cohabitation, but it is also the only case among 12 where the collapse of electoral democracy has coincided with cohabitation. Moreover, ten countries have experienced cohabitation from 1990 to 2008, and some have experienced multiple periods of cohabitation, yet Niger is the only one to have collapsed during a period of cohabitation. For example, Mongolia experienced seven years of cohabitation in the first ten years of its history as an electoral democracy, but democracy survived. Poland experienced six years of cohabitation in the same

<sup>15</sup> J.-J. Raynal, *Les institutions politiques du Niger*, Saint-Maur, Sépia, 1993.

<sup>16</sup> B. Issa Abdourhamane, *Crise institutionnelle et démocratisation au Niger*, Bordeaux, Centre d'étude d'Afrique noire, 1996.

<sup>17</sup> Villalón and Idrissa, 'Repetitive Breakdowns and a Decade of Experimentation', p. 38.

period and it too survived. Sao Tome also experienced a long period of cohabitation in the early years of its democratic process and survived. In this article, there is insufficient room to explore why these young democracies were able to avoid collapse, specifically whether or not they survived despite cohabitation. It is quite possible that cohabitation caused extreme executive conflict, as the literature predicts, but that other factors cancelled out such conflict and allowed these countries to survive. That said, it is worth recording that of the 14 cases where a period of cohabitation came to end between 1990 and 2008 inclusive (and excluding Niger), it did so by way of an irregular political crisis on only three occasions.<sup>18</sup> Overall, there is little *prima facie* evidence to support the association between cohabitation and the collapse of young semi-presidential electoral democracies.

#### THE THREAT OF COHABITATION AND THE COLLAPSE OF ELECTORAL DEMOCRACY

In the previous section we showed that there were 12 cases where a country with a semi-presidential constitution lost the status of an electoral democracy since 1991, but that in only one case did the collapse of democracy coincide with a period of cohabitation. If cohabitation is such a problem, though, then it is at least possible that the mere threat of it has been enough to provoke a collapse. In the context where political actors expect cohabitation to occur, they may take pre-emptive action that successfully prevents cohabitation, but that also results in the collapse of democracy. If so, we would not observe cohabitation, but we could still say that there was a link between cohabitation and collapse. To see whether there is a link between the threat of cohabitation and the other 11 cases of collapse,

<sup>18</sup> The cases of cohabitation ending irregularly are Bulgaria in 1997 (coalition collapses), Lithuania in 2004 (president impeached), and Sao Tome in 2005 (president/prime minister conflict). The other cases mainly ended by way of a regular election: Bulgaria in 2005 (parliamentary), Lithuania in 1998 (presidential), Macedonia in 2004 (the president died just before the end of his term), Mongolia in 1996 and 2000 (both parliamentary), Poland in 1995 (presidential) and 2001 (parliamentary), Romania in 2008 (parliamentary), Sao Tome in 2001 (presidential), Slovakia in 2006 (parliamentary) and Slovenia in 2006 (the president left his party in January 2006 and became non-partisan).

we need to specify the circumstances under which cohabitation can occur and then determine whether these circumstances were present in these cases.

Recall that cohabitation is where the president and prime minister are from different and opposing parties and where the president's party is not represented in government. Given this definition, cohabitation can only occur in specific circumstances. Outside an election, it can only occur if the existing legislative majority collapses midway through a parliamentary term and a new one emerges that is opposed to the president. In the context of an election, cohabitation can occur in three ways. It can occur when concurrent presidential and legislative elections return opposing majorities, when a presidential election returns a president who is opposed to the existing legislative majority, or when a legislative election returns a parliamentary majority that is opposed to the president. Given the ways in which cohabitation can occur, we can conclude that if the threat of cohabitation is associated with collapse, then it must occur in the context of legislative and/or electoral politics. If the collapse is associated with extra-parliamentary events, then the threat of cohabitation is not related to the collapse.

In the 11 remaining cases of collapse, four were associated with extra-parliamentary events. Specifically, four cases were provoked by military coups: Central African Republic in 2001 and 2008, Haiti in 1991 and Mauritania in 2008. For example, in Haiti Jean-Bertrand Aristide won the December 1990 presidential election in a manner that was generally considered free and fair.<sup>19</sup> In January 1991 the parliamentary election was completed and Aristide's party emerged as the largest force in both chambers of the legislature. The collapse occurred in November 1991 when the military staged a coup that was designed to oust Aristide from power. The military were opposed to what they saw as Aristide's populist policies. Thus, the coup occurred only a short while after elections had returned a president who was supported by the legislature. Cohabitation was not a threat. Similarly, in Mauritania parliamentary elections were held in late 2006 and Sidi Ould Cheikh Abdallahi was elected as president in March 2007. The

<sup>19</sup> National Democratic Institute for International Affairs, *The 1990 General Elections in Haiti. International Delegation Report*, 1991, available at: <http://www.cartercenter.org/documents/electionreports/democracy/FinalReportHaiti1990.pdf> (accessed 6 February 2009).

government supported the president and had a working majority in the legislature. In August 2008 the military ousted President Abdalahi and both the president and Prime Minister Yahya Ould Ahmed El Waghf were placed under arrest. The military were particularly opposed to the president's policy towards Islamic extremism. In the Central African Republic the collapse of democracy occurred both times in the context of ongoing armed conflict between the president's supporters and insurgents. Elections were not due until late 2003, but in June 2001 there was an attempted coup. President Ange-Félix Patassé blamed General François Bozizé and in October dismissed him as chief of staff. General Bozizé then went into armed opposition to the president and tried to stage a coup in November. In this context, the collapse of electoral democracy was clearly provoked by a more general power struggle involving military forces, rather than shifting parliamentary majorities or electoral politics. Overall, in these four cases collapse occurred outside the realm of electoral and parliamentary politics and the threat of cohabitation was not a consideration.

In the remaining seven cases, the collapse of democracy occurred during an election year. Therefore, we can set aside any consideration of examples where the parliamentary majority switched sides and opposed the president midway through a legislative term. Moreover, there are no examples of concurrent elections. Thus, we ignore this scenario. In the remaining cases under consideration, the collapse of democracy occurred twice in the context of a presidential election alone – Congo-Brazzaville in 1997, and Russia in 2004 – twice in the context of a presidential election followed in the same year by legislative elections – Armenia in 2003, and Georgia in 2008 – twice in the context of legislative elections followed in the same year by a presidential election – Haiti in 2000, and Kyrgyzstan in 2000 – and once in the context of legislative elections alone – Guinea-Bissau in 2003.

When the collapse of democracy occurs in the context of a presidential election, the threat of cohabitation can be associated with the collapse only if the collapse is provoked by the opposition and not if it is provoked by the incumbent president.<sup>20</sup> This is because the legislative majority will remain the same whatever the result of the

<sup>20</sup> It can also be provoked if the military intervenes to prevent the opposition candidate from winning.

presidential election. If this majority supports the incumbent president, then cohabitation will occur only if the opposition wins the presidential election. Thus, if the opposition provokes the collapse, perhaps because it refuses to envisage having to share power with a legislature that continues to support the previous president, then the threat of cohabitation may have been a factor in the collapse. By contrast, if the incumbent provokes the collapse of democracy, presumably fearing that s/he is going to lose the election, then the threat of cohabitation cannot be a factor in the collapse. Instead, the collapse is caused by the incumbent's desire to remain in power.

In the two cases where collapse occurred in the year of presidential elections alone, it was associated with the actions of the incumbent. In Congo-Brazzaville President Pascal Lissouba's term was due to expire in 1997. In the run-up to the scheduled election armed conflict broke out between Lissouba and his supporters and those of his main opponent, Denis Sassou-Nguesso. According to one observer, this conflict was generated by 'Lissouba's fears that he would either lose the elections or lose a military contest to Sassou if the elections were challenged'.<sup>21</sup> Lissouba was 'obsessed'<sup>22</sup> with his political survival. He calculated that he might not be able to win the presidential election at the first round, which was his best chance of success overall.<sup>23</sup> The level of violence increased, and in June 1997 a civil war broke out between the supporters of Lissouba and Sassou. The presidential election was never held and democracy collapsed. This example suggests that the fear of the incumbent losing power was the main motivation for the collapse, rather than the opposition seizing power so as to avoid any power sharing. In Russia the situation was less conflictual, but the same logic applies. President Putin's United Russia Party was the largest party following the December 2003 legislative elections and, in effect, it commanded a parliamentary majority. In March 2004 Putin was re-elected as president by an overwhelming majority on the first ballot. The problems with the election were associated with the lack of any genuine opposition and

<sup>21</sup> J. F. Clark, 'The Collapse of the Democratic Experiment in the Republic of Congo. A Thick Description', in Villalón and VonDoepp, *The Fate of Africa's Democratic Experiments*, p. 106.

<sup>22</sup> P. Yengo, *La guerre civile au Congo-Brazzaville 1993–2002. 'Chacun aura sa part'*, Paris, Éditions Karthala, 2006, p. 261.

<sup>23</sup> *Ibid.*, p. 262.

the absence of a genuine democratic debate.<sup>24</sup> The collapse was not caused by the actions of the opposition. Instead, it was associated with an incumbent maintaining a hold on power to the extent that electoral democracy collapsed.

A similar logic applies to the two cases where presidential elections were followed by parliamentary elections in the year of collapse. In Armenia the collapse was initiated by the conduct of the February/March presidential election. The Organization for Security and Cooperation in Europe (OSCE) report stated, '[T]he overall process failed to provide equal conditions for the candidates. Voting, counting and tabulation showed serious irregularities, including widespread ballot box stuffing.'<sup>25</sup> This election resulted in the re-election of President Robert Kocharyan. In other words, as in the cases of Congo-Brazzaville and Russia, the collapse was associated with the desire of the incumbent to remain in power, however fraudulently, rather than the opposition provoking collapse because it wanted to avoid power-sharing. Almost exactly the same scenario occurred in Georgia in 2008. President Mikheil Saakashvili was returned in a January election. While the OSCE reported that the election was 'in essence consistent'<sup>26</sup> with democratic standards, it also concluded that 'the campaign was overshadowed by widespread allegations of intimidation and pressure' and that '[O]ther aspects of the election process, notably vote count and tabulation procedures, as well as the post-election complaints and appeals process, further presented serious challenges'. The absence of the threat of cohabitation in these two cases is confirmed by the conduct of the legislative elections that followed shortly afterwards. In both cases, the OSCE reported that the legislative elections were conducted in a fairer manner than the previous presidential election.<sup>27</sup> In other words, the loss of electoral democracy status refers

<sup>24</sup> See the report by the Parliamentary Assembly of the Council of Europe, <http://assembly.coe.int/main.asp?Link=/documents/workingdocs/doc04/edoc10150.htm> (accessed 8 February 2009).

<sup>25</sup> Organization for Security and Cooperation in Europe, *Final Report on the Presidential Election in Armenia, 19 February and 5 March 2003*, Warsaw, OSCE/ODIHR, 2003, p. 1.

<sup>26</sup> Organization for Security and Cooperation in Europe, *Final Report on the 5 January 2008 Extraordinary Presidential Election in Georgia*, Warsaw, OSCE/ODIHR, 2008, p. 1.

<sup>27</sup> Organization for Security and Cooperation in Europe, *Final Report on the Parliamentary Elections in Armenia, 25 May 2003*, OSCE/ODIHR, 2003, p. 1; Organization for

particularly to the presidential contests in these countries and to the desire of the incumbent to remain in power.

All else being equal, the threat of cohabitation is likely to be strongest when it relates to the anticipated outcome of a legislative election. If the collapse occurs in the context where actors expect the election to return a majority opposed to the president and where they precipitate the collapse in order to prevent such a scenario, then the threat of cohabitation can be considered a factor in the collapse. Indeed, the threat of cohabitation is all the more likely to be a factor in this context because both the incumbent president and the opposition may have an incentive to precipitate the collapse. For example, even though the president knows that s/he would remain in office if the opposition were to win a legislative majority, s/he may not wish to share power and may provoke the collapse in advance of having to do so. By the same token, even though the opposition know that they would control the legislature and the government, they may feel that they now have the support of the country as a whole and that they deserve all the power in the system, including the presidency. Thus, they may encourage the collapse in order to ensure that they obtain such power.

That said, if the threat of cohabitation really is a factor in these cases of collapse, then it must be associated with the situation where there is the realistic possibility that the election will return a coherent and cohesive opposition majority. In the absence of such a majority, even if the election fails to return a coherent and cohesive pro-presidential majority, the president may still have the opportunity to form a coalition that includes his/her supporters – thus allowing some participation in government to be maintained. In this context, if the president's actions precipitate the collapse, perhaps by rigging the election to ensure that his supporters do better than expected, then the threat of cohabitation cannot be a factor in the collapse. Here, the collapse is provoked by the president's desire to minimize any loss of control over government. Equally, if the opposition calculate that they will fail to enjoy a coherent and cohesive majority and provoke the collapse, then again the threat of cohabitation cannot be a factor in the collapse. In this event, the collapse is caused by the

Security and Cooperation in Europe, *Statement of Preliminary Findings and Conclusions on the 21 May 2008 Parliamentary Elections in Georgia*, p. 1, available at: [http://www.osce.org/documents/odihr/2008/05/31268\\_en.pdf](http://www.osce.org/documents/odihr/2008/05/31268_en.pdf) (accessed 8 February 2009).

opposition's frustration at the prospect of not gaining a proper legislative majority. So, for the threat of cohabitation to be a factor in the collapse, we need to be sure that the legislative election will return a coherent and cohesive opposition majority.

In Haiti, legislative elections were held in May 2000, while the presidential election was held in November of the same year. The collapse was associated with irregularities that occurred during the legislative election and that provoked the opposition to boycott the presidential election.<sup>28</sup> The Electoral Mission from the Organization of American States (OAS) noted particular problems with the counting of the votes in the legislative election and with the organization of the second round of the Senate election.<sup>29</sup> It is, of course, impossible to know what the result would have been had the election proceeded fairly, but we can be sure that the incumbent Fanmi Lavalas Party was the largest party within the system and that the opposition was scattered across a variety of parties and independents.<sup>30</sup> In this scenario, while the OAS clearly reported that the Fanmi Lavalas gained a fraudulent advantage in the election, there is little to suggest that a free and fair contest would have returned a coherent anti-presidential majority that would have precipitated a period of cohabitation. Thus, we can be sceptical as to whether the threat of cohabitation was really present. Instead, the collapse seems to have been precipitated by the incumbent party's desire to maintain as much control as possible over the system.

A similar scenario applies to the elections in Kyrgyzstan in 2000. A major difference between the two cases, though, is that organized political parties were very weak in Kyrgyzstan. In fact, 407 of the 420 candidates standing in the legislative election were identified as independents.<sup>31</sup> Given that President Askar Akayev was also classed as

<sup>28</sup> E. Mobekk, 'Enforcement of Democracy in Haiti', *Democratization*, 8 (2001), p. 184.

<sup>29</sup> Organisation des États Américains, *Observation Électorale en Haïti. Élections Législatives, Municipales et Locales Février à Juillet 2000*, Washington, DC, Secrétariat général de l'Organisation des États Américains, 2000.

<sup>30</sup> *Ibid.*, pp. 106–14. See also an opinion poll in *Haïti Progrès*, 17: 50, 29 February–7 March 2000. This poll was criticized, but it showed the Fanmi Lavalas on 33.86 per cent with a 7 per cent lead over its nearest rival.

<sup>31</sup> Organization for Security and Cooperation in Europe, *Kyrgyz Republic. Parliamentary Elections. 20 February and 12 March 2000. Final Report*, Warsaw, OSCE/ODIHR, 2000, p. 19.

non-partisan, then the election was not fought in the context where an opposition party or coalition risked winning a coherent legislative majority and forcing a period of cohabitation on the president. Instead, it was fought in the context of clan politics, competition between regional groupings and individual support for, or opposition to, the incumbent regime.<sup>32</sup> The regime certainly promoted a fraudulent election, but not out of a fear of cohabitation, more out of a desire to keep control of valuable state resources.

By contrast, the situation in Guinea-Bissau in 2003 does provide some evidence that the threat of cohabitation was a real factor in the collapse of electoral democracy. In November 1999 a coalition of the Social Renewal Party (PRS) and the Resistance of Guinea-Bissau-Bafatá Movement (RGB-MB) won a legislative majority, and Kumba Ialá, the candidate of the PRS, headed the poll at the first ballot of the presidential election. In January 2000 Ialá was overwhelmingly elected at the second round, ahead of the candidate of the historic ruling party, the African Party for the Independence of Guinea and Cape Verde (PAIGC). There were severe tensions within the coalition over the next two years<sup>33</sup> and there were three prime ministers between February 2000 and November 2002. At that time, President Ialá dissolved the Assembly, but the promised elections were delayed. President Ialá was accused of acting in an increasingly authoritarian manner and the military had little loyalty towards the him.<sup>34</sup> In September 2003, the day after President Ialá announced a further delay to the legislative election, the military intervened in a bloodless coup. In this context, the president's desire to hold on to power and the military's opposition to the president certainly contributed to the collapse. However, it is reasonable to suggest that the president delayed holding legislative elections because of the fear that the PAIGC would return to power. Indeed, when the legislative election was finally held in March 2004 the PAIGC was returned as the largest party, with 45 of the 100 seats in the legislature. Given that Ialá was no

<sup>32</sup> R. Abazov, 'The Parliamentary Elections in Kyrgyzstan, February 2000', *Electoral Studies*, 22 (2003), pp. 545–52.

<sup>33</sup> E. Azevedo and L. Nijzink, 'Semi-presidentialism in Guinea-Bissau. The Lesser of Two Evils?', in R. Elgie and S. Moestrup (eds), *Semi-presidentialism Outside Europe*, London, Routledge, 2007, p. 149.

<sup>34</sup> J. Forrest, 'Democratization in a Divided Urban Political Culture. Guinea-Bissau', in L. A. Villalón and P. VonDoepp (eds.), *The Fate of Africa's Democratic Experiments. Elites and Institutions*, Bloomington, Indiana University Press, 2005, p. 260.

longer president by this time, we can conclude that at least part of the reason for the dissatisfaction with the old regime had already disappeared. If an election had been held in late 2002 or early 2003, then the chances of a PAIGC victory were probably even greater.

Clearly, it is difficult to ascribe explanatory power to something that cannot be observed. However, by specifying the conditions under which cohabitation can occur and by examining whether those conditions have been present in the cases where electoral democracy has collapsed since 1991, we can provide some evidence to suggest whether or not the threat of cohabitation was a factor in the collapse. Having done so, we find that on only one occasion is it reasonable to suggest that the threat of cohabitation was even a proximate cause of collapse.

#### DISCUSSION: WHY HAS COHABITATION NOT BEEN MORE PROBLEMATIC?

The failure to find compelling evidence for a link between cohabitation or the threat of cohabitation and the collapse of young semi-presidential democracies is significant because it casts doubt on one of the main criticisms of semi-presidentialism. Why is there little evidence to link cohabitation with collapse? We suspect that the answer lies in the fact that the concept of 'cohabitation' refers to a very specific political situation and that this situation only occurs in a very specific set of circumstances. Therefore, while in theory, quite rightly, cohabitation is a potential problem for young semi-presidential democracies, in practice cohabitation is likely to be less problematic than might be expected.

Cohabitation refers to a very specific political situation – where the president and prime minister are from opposing parties and where the president's party is not represented in government. In the context of this situation, the problems identified by writers such as Linz, Stepan and Suleiman may well be valid. Indeed, we saw that the collapse in Niger followed almost exactly the scenario outlined by Linz. Equally, events in Guinea-Bissau in 2002–3 also suggest that the threat of cohabitation may have been a factor in the collapse of democracy there. However, cohabitation is a very specific event. It refers to the situation where the president is totally isolated within the executive. Yet presidents usually have control of political and other

resources. They can use these resources to forge alliances. Therefore, presidents can usually manage to avoid a situation where they are completely alone; in this way, they can usually avoid the problem of cohabitation. In this event, while cohabitation can certainly occur, we would not expect it to be an extremely common occurrence. The relatively low frequency of cohabitation identified in Table 1 tends to substantiate this point.

When cohabitation does occur or when the threat of it occurring is present, then this can be only in very specific circumstances. Outside elections cohabitation can occur only if an anti-presidential majority forms in the legislature part-way through the legislative term. Given presidential control of resources, while such a shift is possible, perhaps if the president is extremely unpopular or if resources are being hoarded, we suspect that the fundamental shift that is required to bring about cohabitation – namely the shift to a coherent and cohesive anti-presidential majority – will occur only in exceptional circumstances. For example, presidents may lose the support of a coalition party part-way through the legislature term, but they may have the resources to win the support of a replacement party, they may be able to win the support of independents, they may be able to appoint a minority government that is able to survive in office because of a divided opposition. In each of these scenarios, presidential power may be diminished, but again cohabitation can be avoided. Thus, outside elections, while there are scenarios under which cohabitation is possible, there are also plenty of scenarios under which it can be avoided.

In fact, cohabitation is much more likely to occur in the context of an election. Here, it can occur in three circumstances. First, it can occur when concurrent elections return opposing majorities. In countries with semi-presidential constitutions, concurrent elections are very rare. They occurred only in Mozambique, Namibia and Romania up to and including 2004. Thus, concurrent elections are unlikely to be a frequent source of cohabitation in semi-presidential systems.

Second, cohabitation can also occur when a presidential election returns a candidate who is opposed by the majority in the legislature. Even in this case, cohabitation can often be avoided because the newly elected president usually has the option of dissolving the legislature. The subsequent election is likely to return a coat-tails presidential majority, or it is at least unlikely to return a coherent and

cohesive anti-presidential majority. If the president does not have the option of dissolving the legislature, then there is still the option of trying to form a government from among the existing set of parties in the legislature, including the president's party. Again, this may not be possible, and cohabitation may still occur. What these scenarios demonstrate, though, is that even in the context of a president being elected who is opposed to the existing legislative majority, we find that cohabitation is not inevitable. In fact, we find that when a presidential election returns a candidate who is opposed by the majority in the legislature, cohabitation is only likely to occur when the president does not have the power of dissolution and when the legislature contains a coherent and cohesive majority that is opposed to the new president. In reality, such a combination of circumstances can often be avoided.

Third, cohabitation can occur when legislative elections return a majority opposed to the president. This is the most likely scenario under which we might find cohabitation. This is because even if the president has the power to dissolve the legislature, this power is effectively obsolete. Therefore, if the elections return a coherent and cohesive anti-presidential majority, the president has little option but to cohabit with the opposition majority. Often, though, legislative elections do not return such a majority. Such a majority is likely to be most closely associated with a two-party or two-bloc system. However, the party system may be fragmented and presidents may be able to cobble together a working majority. Even if there is a two-bloc system, the anti-presidential bloc may be divided. The president may be able to win the support of opposition deputies and avoid an opposition majority. In short, while cohabitation is most likely to occur when legislative elections return a majority opposed to the president, it still requires a particular set of circumstances to combine. These circumstances can occur, and have occurred, but they combine perhaps less frequently than the established academic wisdom implies. Indeed, in unconsolidated democracies – the ones that are most likely to collapse – the presence of two-party systems or cohesive two-bloc systems is rare.

What does this discussion tell us about the apparent perils of semi-presidentialism? It tells us that writers such as Linz were right to warn about the problems of cohabitation. Textbooks should continue to point out that cohabitation can occur under semi-presidentialism and that it can be dangerous in the context of young

democracies. However, it also tells us that we need to qualify the argument about the perils of cohabitation. Cohabitation is a very specific situation that occurs only in very specific circumstances, which, in many cases, can be avoided. Therefore, even without any attempt to control for the impact of other explanatory factors that are commonly associated with democratic collapse, such as wealth and ethnic fragmentation, we should not be surprised to find that there are very few cases that link cohabitation with collapse either directly or indirectly.

Overall, nothing in this article suggests that semi-presidentialism is anything other than perilous. For example, there is good evidence to suggest that the president-parliamentary form of semi-presidentialism is more dangerous than the premier-presidential form.<sup>35</sup> Moreover, we should investigate the effects of the situation where the president's party is represented in the cabinet but where the prime minister is from a separate party. These situations may well be more common in young democracies where inchoate party systems are prevalent and they may well be the source of potentially problematic intra-executive conflict. What this article does suggest, though, is that, if semi-presidentialism is a perilous constitutional choice for a young democracy, then it is likely to be perilous for reasons other than the problem of cohabitation.

## CONCLUSION

A common argument against the adoption of semi-presidentialism by a new democracy is the problem of cohabitation. Writers have suggested that cohabitation can cause executive gridlock that motivates either the military to intervene to restore decision-making effectiveness or the president or prime minister to seize full power at the expense of democracy. Therefore, cohabitation is seen to be a threat to the survival of young semi-presidential democracies. We have shown that the problem with this argument is that there appears to be little empirical evidence to support it. In all nascent semi-presidential democracies since 1990 when cohabitation has occurred democracy has usually survived. In only one case is cohabitation

<sup>35</sup> R. Elgie, 'The Perils of Semi-presidentialism. Are they Exaggerated?', *Democratization*, 15: 1 (2008), pp. 49–66.

directly associated with the collapse of a young democracy. Moreover, we have specified the conditions under which cohabitation can occur and shown that the threat of cohabitation has been associated with collapse in only one further case. Overall, this article has shown that there is little evidence to support one of the most well-known and long-standing arguments against semi-presidentialism. We suggest that this is the case because cohabitation refers to a very specific situation that can only occur under a certain combination of circumstances that can often be avoided. While cohabitation can provoke the collapse of young semi-presidential democracies, we suggest that it is more important to explore other reasons for such collapses.