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Beyond Presidentialism and Parliamentarianism introduction to the symposium

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ABSTRACT
Ganghof's *Beyond Presidentialism and Parliamentarianism* advances three main claims: an innovative typology of comparative government, introducing the category of semi-parliamentarianism; an explication of two conceptions of majority rule, simple majoritarianism and complex majoritarianism; and a demonstration that there are viable systems of government embodying the political equality associated with each majoritarian conception. This paper explains these claims and identifies issues discussed in this symposium.

In *Beyond Presidentialism and Parliamentarianism*, Steffen Ganghof (2021) attempts three tasks. The first is a comparative analysis in which Ganghof offers a new typology of governmental forms going beyond the categories of the presidential and the parliamentary to introduce the idea of semi-parliamentary systems. Like presidentialism, semi-parliamentary government is based on the separation of powers but, Ganghof argues, it avoids the dangers of executive personalism from which presidentialism suffers. Ganghof's second task underpins the first, and is an exercise in democratic theory. He argues that there are two competing visions of democracy, which he terms simple and complex majoritarianism, each of which can validly lay claim to embodying the values implicit in political equality. Ganghof's third task is to demonstrate that semi-parliamentary government balances these two distinct majoritarian visions in a justifiable way. The interest of the book for readers of the *Critical Review of International Social and Political Philosophy* will be in the way in which it brings together normative theory and institutional analysis.

A new typology of political systems might seem only of passing relevance to normative democratic theorists, many of whom are prepared to discuss the principles of democracy without going into institutional details. However, the

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methodological interest of Ganghof's approach is that his normative claims about majoritarianism are intrinsically related to institutional claims about actually existing patterns of government. If Ganghof's analysis is correct, our normative understanding of competing visions of democracy is essentially incomplete until we consider the institutional embodiments of the principles associated with those conceptions and find some way of reconciling their competing attractions.

Ganghof's enterprise thus touches on recent methodological debates in political theory regarding the merits of ideal, non-ideal and realist theory (for a valuable recent account, see Favara, 2022). Those who think that political theory should be conducted in an ideal way discuss political values and principles in a mode that abstracts from issues of feasibility and institutional detail in order to derive normative standards. By contrast, realists claim that there are specificities of politics, as such, to which theory needs to be sensitive, so that it is not simply a question of applying ideals to non-ideal circumstances but of acknowledging the distinct characteristics of a practice. For this debate, Ganghof's work is an interesting case-study. By examining varieties of government, he shows how demanding ideal principles, like political equality, are partially exemplified in feasible real-world political systems and so can be said to be sensitive to the realities of government. It is this union of normative theory and institutional analysis that all the contributors to this symposium see as one of the key contributions of *Beyond Presidentialism and Parliamentarianism*. In the rest of this introduction, I offer an exposition of Ganghof's three principal claims, as a way of setting the scene for the discussions of our symposiasts.

The comparative typology

Nineteenth and early twentieth-century discussions of comparative government focused on the contrast between the US and the UK, a focus that left a long-standing legacy in dividing forms of government between the presidential and the parliamentary. The US presidential system was characterised by the separation of powers between legislature and executive. In the UK, by contrast, the 'efficient secret', as Bagehot (1867, p. 65) put it, of the constitution was 'the nearly complete fusion' of the executive and legislative powers. This simple binary division was later augmented by Duverger's (1980) notion of semi-presidential government, exemplified in the Fifth French Republic, in which the president was directly elected by the populace at large, but the viability of the cabinet depended on being able to secure a majority in the National Assembly. Comparativists have generally taken this three-fold classification – presidential, parliamentary and semi-presidential – as sufficient to catalogue the vast bulk of democracies in the world.

What precisely distinguishes these three forms of government? As Ganghof notes, drawing on existing analyses, the crucial differences relate to the origin and survival of the executive found in each type. In presidential systems, the executive is wholly or partly elected directly by voters. In particular, the president's tenure of office has its origins in a popular vote, though in the US the popular vote is mediated by the Electoral College. In terms of survival in office, the president cannot be dismissed by the legislature using ordinary political means. Survival is only threatened by the non-normal method of impeachment. In parliamentary systems, by contrast, the executive – the prime minister together with the cabinet – depends for its existence and survival on establishing and maintaining the confidence of the elected legislative assembly. Semi-presidential systems straddle these two options: the president is directly elected and serves a fixed term, but the origin and survival of the prime minister and cabinet depends upon the confidence of the elected assembly.

Ganghof's innovative claim is that origin and survival can be embodied in more than these three ways. To see the force of this claim, it is useful to identify cases that do not fit comfortably into the existing classification of government types. One anomaly is Switzerland. The Swiss legislative assembly has the task of appointing an executive that contains the four largest assembly parties, but, once appointed, the executive cannot be dismissed by the assembly. So, the Swiss executive depends in no way on a direct popular vote for its origin, but its survival in office is independent of the assembly that brought it into being. A second anomaly is Israel between 1992 and 2001, where, in an attempt to circumvent the hyper-factionalism of the Knesset, the constitution made the prime minister directly elected but the cabinet's continued existence depended on assembly confidence.

The third anomaly, however, is the one that is most important for Ganghof's overall argument and it is the type he claims to be superior to a presidential separation of powers system. It is most clearly exemplified in the Australian Commonwealth and some Australian states. These are bicameral parliamentary systems in which the executive is indirectly elected, as is true of all parliamentary systems, but in which the survival of government in office depends only partly on a directly elected assembly, since only the lower house is responsible for confidence and supply. Yet, as with presidential systems, there is a clear separation of powers because the upper chamber is a full veto player on matters of law and policy. Thus, a cabinet that commands a majority in the lower house cannot be assured of securing all its proposed legislation in the upper house. As Table 1 shows, these bicameral semi-parliamentary systems can be seen as a 'missing link' (Ganghof et al., 2018, p. 211) within the set of non-presidential systems.

The new typology provides the framing for one of the book's major normative arguments, namely the rejection of the democratic credentials of

Table 1. Democratic forms of government.

Is the executive partly or wholly directly elected?	Does the survival of the political executive depend on a directly elected assembly?		
	Wholly	Partly	No
Yes	Elected prime-ministerial (e.g. Israel 1992–2001)	Semi-presidential (e.g. France V Republic)	Presidential (e.g. USA)
No	Parliamentary (e.g. UK)	Semi-parliamentary (e.g. Australia Commonwealth)	Assembly-independent (e.g. Switzerland)

Source: Adapted from Ganghof (2021, p. 33).

presidentialism, which Ganghof sees as prone to executive personalism, a hangover from monarchical rule. Presidential systems tend to expand executive power, weaken the programmatic role of political parties and risk a drift to authoritarianism, all despite the claim that elected presidents are more directly accountable to citizens than are executives in parliamentary systems (Ganghof, 2021, pp. 1–6; 15–19; and Chapter 9). Ganghof claims that the indirect election of the executive in all types of parliamentary system reduces the dangers of executive personalism, whilst the separation of powers found in semi-parliamentarianism has a better claim than other parliamentary systems to embody the majority principle in what Ganghof calls its simple and its complex forms.

Simple and complex majoritarianism

According to Ganghof, simple and complex majoritarianism are each expressions of the majority principle, a principle that is integral to any proper conception of democracy. As Ganghof (2021, p. 67) puts it, 'Democracy is fundamentally built on the idea of majority rule, and our conceptualizations of competing visions of democracy should reflect this.' In this account, then, majoritarianism is not to be contrasted with some other political principle, for example super-majoritarian consensus as in Lijphart (1984). Rather, the political legitimacy of democracy is grounded in the principle of majority rule.

But if majority rule is the concept, what distinguishes the two conceptions of simple and complex majoritarianism? Ganghof's (2021, p. 69) answer is that they differ in the way 'they approach the inherent cognitive and coordinative complexity of politics in modern societies'. Simple majoritarianism makes life as straightforward as possible for voters, reducing cognitive demands on them by presenting the electorate with a limited number of party choices, ideally just two, and with less need for different parties to coordinate with one another in the competition for votes. The central values of simple majoritarianism include identifiability, clarity of responsibility and cabinet stability. Identifiability means that voters can choose between the two

dominant parties as potential holders of government office. Clarity of responsibility, enabling retrospective evaluation, is necessary for electoral accountability. Cabinet stability means that frequent cabinet changes are avoided, so that voters know which office-holders are accountable.

By contrast with this vision of simple majoritarianism, complex majoritarianism 'embraces the cognitive and coordinative complexity that results when multiple parties stake out distinct positions' (Ganghof, 2021, p. 69). In particular, when political differences are multi-dimensional, with voters and activists coalescing in one way on one set of issues but in another way on another set of issues, the ideal of complex majoritarianism allows the proliferation of parties, enabling voters to find the party that is closest to them across a range of issues. From this point of view, the reduction of political differences to just one dimension, say that of left and right on economic policy, is seen as unfair on voters and an over-simplification of political choice. In representative assemblies, complex majoritarianism allows policy and legislative choices to arise from shifting coalitions of parties issue by issue, so that, for example, there may be one winning parliamentary coalition on economic issues but a different winning coalition on defence issues. The ultimate majority choice is defined by the issue-by-issue median in a system of majorities' rule (Ward & Weale, 2010). The central values of complex majoritarianism thus involve a recognition of the multi-dimensionality of political choice, legislative flexibility that allows different parties to join winning coalitions that vary from issue to issue and proportionality in the electoral system.

According to Ganghof, both simple and complex majoritarianism are problematic in different ways. The familiar institutional correlates of simple majoritarianism are single member constituencies and a plurality rule for elections. As a consequence, simple majoritarianism can lead to biased representation, with some parties accumulating wasted votes in constituencies in which their support is strong. It can also lead to a concentration of power by leaders within the party, particularly if they can play off one party faction against another. And a dominant two-party system can lead to political polarization and the demonization of competing parties. Conversely, complex majoritarianism has its own pathologies. Complexity can be confusing for voters, obscuring responsibility. It can also lead to legislative deadlock, unstable government and clientelistic politics. Moreover, coalition bargaining and the exchange of support for parties on different issues may forge a winning coalition, but in such a way that legislative flexibility is lost.

Simple majoritarianism is approximated by the Westminster system; complex majoritarianism is approximated by some western European systems like Denmark. These two systems can be thought of as ends of a polar spectrum. Between the extremes, we can find multi-party systems in which the parties form two competing blocks before an election or systems in which majority coalition cabinets are formed after an election (Ganghof, 2021, pp. 79–80). However, in order to function, these intermediate systems require the

number of parties to be limited, thus restricting the multiplicity of choice that is a beneficial feature of complex majoritarianism. If we are to combine the positive elements of simple and complex majoritarianism – stability and identifiability on the one hand and on the other hand the free association of voters with political positions that are closest to them in a way that reflects the underlying complexity of politics – then we need another way of simultaneously institutionalizing these values.

At this point, it may be asked why there is a need to join the two conceptions together in one system. Why not just say that simple majoritarianism and complex majoritarianism confront us with two systems of values between which we must choose? In answer to this question, Ganghof (2021, chapter 4) introduces an important modification to the familiar distinction in democratic theory between instrumental and procedural justifications of a democratic political practice. An instrumental justification says that a democratic practice has the causal tendency to bring about a particular type of result, for example a better distribution of income. A procedural justification says that a particular way of organizing political life, one person/one vote for example, embodies an important value, for example political equality, independently of any consequences it might have.

To these two approaches, Ganghof (2021, p. 53) introduces a third category, that of democratic process. To illustrate the idea of democratic process, consider the example of voter turnout. It is an empirical question, and so a matter of causal relations, as to whether a first-past-the-post electoral system or a system of proportional representation brings about higher turnout. In that sense, an electoral system is instrumentally related to turnout. However, higher voter turnout, while it is not, strictly speaking, a matter of democratic procedure (outside of systems in which there is mandatory voting), is a matter that defines the quality of democratic practice.

So it is with the values implicit in the two visions of democracy. Whether a particular way of organizing politics gives voters greater clarity as to the responsibility of political parties or whether another way would give voters the opportunity to identify with parties to which they are politically close are not matters of pure procedure. If it were feasible, it would be good to have clarity and accountability together with reflection of the complexity of policy choice in the party system, just as it would be good to have legislative flexibility together with cabinet stability. Ganghof argues that the institutional virtue of semi-parliamentarianism is to provide a reconciliation of these competing demands.

The institutional virtue of semi-parliamentarianism

Suppose a parliamentary system in which there are two chambers with equal political legitimacy. The upper house is not merely an ornament. Nor does it possess only suspensory powers. Rather, it holds an effective veto over the

proposed legislation. Suppose, however, that only the lower house has the constitutional powers to establish or topple a government and to grant or withhold budgetary supply. Then, we have the basic elements of semi-parliamentarianism (Ganghof, 2021, pp. 36–37). Suppose now that the two houses are elected by different methods, with the lower house using a non-proportional method and the upper house using a proportional method. According to Ganghof (2021, pp. 88–91), we have a separation of powers system that reconciles in one design the two visions of democracy. The simple majority features of the lower house provide for the values of government identifiability, cabinet stability and clarity of responsibility, since it is relatively easy for voters to know who is in government and what they stand for. The proportionality of the upper house allows for legislative flexibility and the expression of multidimensional choice in a way that is consistent with complex majoritarianism. Legislation will only pass in the upper house if it has the support of the median representative on any particular issue, or comprises a majority package across a number of issues.

Strictly speaking, as Ganghof (2021, pp. 49–50) points out, semi-parliamentarianism does not require a bicameral legislature. In principle, a similar effect could be achieved by establishing a confidence committee within a single-chamber parliament on a narrower franchise than the whole parliament. However, the empirical examples on which Ganghof (2021, chapter 6) focuses on are all bicameral systems. They include the Australian Commonwealth and the Australian states of New South Wales, Victoria, South Australia and Western Australia. Importantly, then, semi-parliamentarianism is not just a theoretically attractive possibility but is exemplified in existing systems of government.

It might be thought that symmetrical bicameralism would produce legislative deadlock, requiring presidential authority to break the deadlock. But together with Sebastian Eppner, Ganghof (2021, chapter 7) argues on empirical grounds that ensuring that the second chamber lacks powers over cabinet formation is a sufficient restriction on the powers of the upper house to ensure bicameral stability, though there may be other ways of achieving the same end, for example similar electoral systems for both houses creating relatively high congruence of political positions in the composition of both houses.

These then are the main propositions advanced in *Beyond Presidentialism and Parliamentarianism*. The first introduces a new typology, in which semi-parliamentarianism occupies a distinctive place. The second explicates two conceptions of majority rule, simple majoritarianism and complex majoritarianism. The third shows that there are examples of viable systems of government that can lay claim to embody the political equality associated with each conception and which incorporate a separation of powers. Against this background, what issues do our symposiasts raise?

Issues arising

The symposiasts all agree on the importance of *Beyond Presidentialism and Parliamentarianism* not only for the intrinsic interest of its arguments but also for highlighting the ways in which normative democratic theory relates to empirical institutional analysis. Wilson says that the book sets a significant agenda for democratic theory, pointing out that comparativists have regularly examined political values in order to evaluate the relative merits of different varieties of democracy. Ganghof's work thus continues a well-established tradition, but with a more explicit focus on the conceptual questions implied by democratic values. In a complementary observation, Landwehr points out that normative theorists too often take as their reference points the political systems into which they were socialized, whether it be Rawls and the USA or Habermas and the German Federal Republic, so that Ganghof's work is an antidote to this parochialism. Elliott notes that, even when normative theorists have engaged with institutional questions, they have tended to neglect the issues of executive design and performance.

Ganghof's ideas of simple and complex majoritarianism are grounded in a concern with the value of political equality. Birch points out that other values may also be promoted by in a semi-presidential system. Not only may the second chamber help break Arrowian collective preference cycles, but second chambers are often associated with a more deliberative style of politics. Since the majority principle is compatible with varying degrees of political polarization among partisan advocates, a second chamber designed along semi-parliamentary lines may serve to moderate extreme polarization.

Birch's sense that semi-parliamentarianism can foster values in addition to majority rule is shared by Elliott, who sees inclusionary potential in semi-parliamentarianism. For Elliott, inclusion, seen as active participation, is fostered by identifiability, but it is also fostered by proportionality. But how to combine these two? A first chamber with a relatively small number of parties holding a government to account through confidence procedures enables identifiability. Proportional representation for the second chamber enables voters to align more closely with specific party programmes. So, the modest multi-partyism that a semi-parliamentary design fosters is more inclusionary than a simple two-party environment.

In relation to the value of political equality, Wilson questions how plausible is the way that Ganghof treats the distinction between process and procedural equality. Ganghof's distinction is accompanied by a view that procedural equality is more basic than possible resulting consequences, in part because satisfying procedural conditions is more easily observable than outcomes. Wilson suggests that this may be too simple a view, neglecting the extent to which in practice there are likely to be complex trade-offs in

institutionalising procedural equality so that considerations of procedural equality are likely to be less decisive than Ganghof supposes.

If this is a friendly amendment to Ganghof's approach, Landwehr offers a more sceptical criticism, denying Ganghof's assumption that democracy is built on the idea of majority rule and suggesting instead that equal autonomy is a more plausible candidate. Because those who are constrained by democratic decisions are ultimately the ones that make those democratic decisions, citizens play some part in the authorship of the laws that bind them. Of itself, this argument does not offer a decisive critique of semi-parliamentarianism, which is after all another way of thinking about how best to organize democratic self-government, but it does prompt one large issue, namely that of political legitimacy.

Assume, for the sake of argument, that semi-parliamentarianism is normatively legitimate, that is to say that it contains an intellectually satisfactory justification for a particular form of government. Of itself, Landwehr reminds us, this normative legitimacy would not imply empirical legitimacy, particularly in a context in which citizens hold to competing and incompatible conceptions of democracy. In a democracy, even the most well-argued, theoretically informed recommendation needs to be adopted by citizens themselves through reflection and constitutional renegotiation. One might put the point as follows: if citizens do not collectively choose to be Australians, no one is entitled to make them such. The union of normative and empirical legitimacy presupposes a democratic constitutional choice. But under what circumstances does such a choice take place and how might a choice of semi-parliamentarianism be sustained?

Among the symposiasts, Birch is the one who pays most attention to the problems associated with translating the normative legitimacy of semi-parliamentarianism into empirical legitimacy. As she points out, political institutions do not emerge from the heads of normative theorists simply to be implemented. Indeed, Ganghof himself accepts that semi-parliamentary institutions have often arisen by accident. Moreover, although Ganghof takes aim at executive personalism, Birch points to evidence that many publics prefer personalistic rule. Finally, the bicameral design of semi-parliamentarianism risks falling prey to a contest between legislative chambers for superior legitimacy. In this context, Birch suggests a number of ways in which semi-parliamentarianism might be sustained: it could be constitutionally entrenched; it could use concurrent elections so that legitimacy struggles between chambers were reduced; and the composition of the second chamber could be determined by sortition. The last of these three suggestions is echoed by Elliott and Landwehr, both of whom mention the possibility of sortition, relating the idea of semi-parliamentarianism to recent discussions of democratic innovation.

Finally, Wilson raises an important question about the professional responsibility of democratic theorists that reflects on the methodological issues

prompted by the book. What are democratic theorists doing when they make recommendations about constitutional design? Answers to this question might range from large-scale defences of democracy, which in too many democracies these days is more urgent that was once thought necessary, to specific institutional proposals of the sort that Ganghof makes. No doubt the different circumstances of democratic theorists in different societies will lead to different answers to Wilson's question. Yet, wherever they are situated, normative theorists will benefit from reading *Beyond Presidentialism and Parliamentarianism*, a book that like all good works of democratic theory prompts as much by way of further exploration as it offers by way of innovative analysis, as we hope this symposium shows.

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Disclosure statement

Notes on contributor

Albert Weale is Emeritus Professor of Political Theory and Public Policy in the Department of Political Science UCL. His latest book Modern Social Contract Theory (OUP), a study of contract theories since 1950, was published in 2020. It built on his earlier Democratic Justice and the Social Contract (OUP, 2013. In 2018 he published The Will of the People: A Modern Myth (Polity Press, an intervention intended to refute the fallacies of populism and uphold the principles of constitutional democracy, which has been published in both Italian and Greek.

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