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**The Roles of Presidents and Prime Ministers in
Semi-Presidential Systems**

In parliamentary systems, the President typically exercises limited powers. In Presidential systems there is a President but no Prime Minister. In Semi-Presidential Systems, both a Prime Minister and President exercise significant powers. Some powers are the exclusive domain of the President or Prime Minister, while other actions require the consent or signature of both officials.

In Semi-Presidential Systems, the President exercises more than merely ceremonial powers. Traditionally, these powers are concentrated in the fields of foreign affairs and defense. However, Presidents often also have broad power to ensure the constitutional order. Domestic policy usually resides in the portfolio of the Prime Minister and Government. Usually the power to promulgate laws passed by the parliament resides with the President, while the issuance of executive decrees may be done solely by the President or by signatures of both the President and Prime Minister.

One significant issue is the method of selection of the Prime Minister and President. Some Presidents are popularly elected, while others chosen by the parliament. The President may appoint the Prime Minister, but usually is legally or practically required to have the support of the parliament. A related issue is the dismissal of the Prime Minister and President. Even where the President selects the Prime Minister, the power to dismiss the Prime Minister and other Ministers lies with the Parliament; though the President issues the formal act of dismissal. The removal of a President is typically more difficult than that of a Prime Minister and requires impeachment rather than a vote of no-confidence.

The executive systems of France, Lebanon, Romania, Poland, and Lithuania, demonstrate a number of similarities in the relative powers of the President and Prime Minister and illustrate a few differences in state practice.

France

In France, the President of the Republic holds the highest office in the state. The public elects the President to a five-year term.¹ The President shares powers with the

¹ FRANCE CONST. art. 6, *available at* http://www.elysee.fr/elysee/elysee.fr/anglais/the_institutions/founding_texts/the_1958_constitution/the_1958_constitution.20245.html.

Prime Minister however. The President appoints the Prime Minister, but cannot dismiss the Prime Minister and Ministers, except following resignation.² The Parliament can force the resignation of the Prime Minister and Ministers through a vote of no confidence.³ In practice, the President's selection for Prime Minister must enjoy the support of the Parliament.

The President shares powers with the Prime Minister.⁴ Some powers are exclusively within the domain of the President, while others require counter-action by the Prime Minister. The President may dissolve the National Assembly after consultation with the Prime Minister and leaders of the National Assembly and Senate.⁵ The President may also call extraordinary sessions of the National Assembly.⁶

The President has the sole authority to refer a matter for popular referendum, based on a proposal from the Government or both chambers of Parliament.⁷ The President's other powers over the passage of laws include: promulgating laws passed by Parliament, including the ability to once refer a bill back to Parliament for another reading; and promulgating ordinances passed by the Council of Ministers.

The President has the authority to negotiate and ratify international treaties;⁸ and traditionally the President has broad authority over the international affairs of the state. The President also appoints members of the Constitutional Council and can refer legislation to the Council.⁹ The President's power of appointment also extends to civil and military posts, though some require approval by the Council of Ministers.¹⁰

The President also serves as Commander-in-Chief of the Armed Forces,¹¹ and Chairman of the High Council of the Judiciary¹² and Council of Ministers.¹³

Lebanon

The structure of Lebanon's executive is similar to that of France. One difference though is that the President of Lebanon is elected by the Chamber of Deputies rather than popularly.¹⁴ Another difference is that by unwritten agreement the positions of President,

² FRANCE CONST. art. 8.

³ FRANCE CONST. art. 50.

⁴ For a listing of the exclusive and conditional powers of the President, *see* the website of the French President at

http://www.elysee.fr/elysee/elysee.fr/anglais/the_president/his_function/powers_and_remits/powers_and_remits.20029.html.

⁵ FRANCE CONST. art. 12.

⁶ FRANCE CONST. art. 30.

⁷ FRANCE CONST. art. 11.

⁸ FRANCE CONST. art. 52.

⁹ FRANCE CONST. arts. 56, 61.

¹⁰ FRANCE CONST. art. 13.

¹¹ FRANCE CONST. art. 15.

¹² FRANCE CONST. art. 65.

¹³ FRANCE CONST. art. 9.

¹⁴ LEBANON CONST. art. 49(2), *available at* http://www.servat.unibe.ch/law/icl/le00000_.html.

Prime Minister and President of the Chamber of Deputies are divided among different religious groups.

The President of Lebanon exercises powers similar to those of the President of France. The President is the Commander-in-Chief¹⁵ and chief representative of the state abroad. The President possesses responsibility for promulgating laws passed by the Chamber of Deputies,¹⁶ and may return a bill to the Chamber for further consideration.¹⁷

The President appoints the Prime Minister in consultation with the President of the Chamber of Deputies.¹⁸ Ministers are appointed by the President on the recommendation of the Prime Minister.¹⁹ Like in France, the power to dismiss the Government lies with the Parliament, not the President, but the President must sign the decree from the Chamber of Deputies dismissing the Government.²⁰

The President does share some powers with the Prime Minister. Decrees must be signed by both the President and the Prime Minister to be enacted.²¹ The motion calling the Parliament into session must be signed by the Prime Minister.²² The dissolution of Parliament requires the consent of the President and Council of Ministers.²³

Like in France, the Prime Minister of Lebanon holds responsibility for overseeing the work of the government and setting national policy. The Prime Minister traditionally cedes authority in the area of foreign affairs to the President, but has considerable power over other areas. The President negotiates international treaties, but requires the approval of the Council of Ministers for ratification.²⁴

Romania

The people of Romania elect the President.²⁵ The President appoints a Prime Minister and Government, subject to a vote of confidence by the Parliament.²⁶ The President may dismiss the Parliament, following consultations with parliamentary leaders, if the Parliament is unable to form a government.²⁷ The Constitution expressly forbids the President from dismissing the Prime Minister.²⁸ The Prime Minister cannot

¹⁵ LEBANON CONST. art 49(1).

¹⁶ LEBANON CONST. art. 56.

¹⁷ LEBANON CONST. art. 57.

¹⁸ LEBANON CONST. art. 53(2).

¹⁹ LEBANON CONST. art. 53(4).

²⁰ LEBANON CONST. art. 53(4).

²¹ LEBANON CONST. art. 54.

²² LEBANON CONST. arts. 64(5), 64(6).

²³ LEBANON CONST. art. 55.

²⁴ LEBANON CONST. art. 52.

²⁵ ROMANIA CONST. art. 81(1), available at http://www.servat.unibe.ch/law/icl/ro00000_.html.

²⁶ ROMANIA CONST. art. 85(1).

²⁷ ROMANIA CONST. art. 89.

²⁸ ROMANIA CONST. art. 107(2).

remove the President from office, as impeachment by the Parliament is required to oust the President.²⁹

The President promulgates laws passed by the Parliament and may return the legislation to the Parliament for reconsideration or forward to the Constitutional Court for consideration of conformity with the constitution.³⁰ Like in France, the President may call for a popular referendum on an issue after consultation with the parliament.³¹

Like in other states, the President serves as Commander-in-Chief³² and exercises powers in foreign affairs.³³ Ratification of international treaties requires Parliamentary consent, in addition to negotiation by the President.³⁴ The President may also institute a state of emergency, but must confer with the Parliament.³⁵ The other powers of the President are commonly within the domain of presidents, and include: conferring decorations; making military promotions; appointing public officials; and issuing pardons.³⁶

Poland

The population of Poland elects the President.³⁷ The President tasks a candidate for Prime Minister with the formation of a government; the government takes office if it receives a vote of confidence from the House of Representatives.³⁸ If the proposed Government does not receive a vote of confidence, then the House of Representatives has the ability to form a Government, which the President must appoint. If these processes fail to produce a Government, the President has constitutional authority to dismiss the House of Representatives and call for elections.³⁹

The Constitution of Poland grants to the President authority over foreign affairs, but requires the President to work in cooperation with the government.⁴⁰

The President of Poland is the Supreme Commander of the Armed Forces, but shares authority over the armed forces with the Government. In times of peace, the President exercises authority through the Minister of Defense.⁴¹ In times of war the President may designate a Commander-in-Chief on a request from the Prime Minister.⁴²

²⁹ ROMANIA CONST. art. 96.

³⁰ ROMANIA CONST... art. 77.

³¹ ROMANIA CONST. art. 90.

³² ROMANIA CONST. art 92(1).

³³ ROMANIA CONST. art. 91.

³⁴ ROMANIA CONST. art. 91(1).

³⁵ ROMANIA CONST. art. 93(1).

³⁶ ROMANIA CONST. art. 94.

³⁷ POLAND CONST. art. 127(1), *available at* http://www.servat.unibe.ch/law/icl/pl00000_.html.

³⁸ POLAND CONST. art. 154.

³⁹ POLAND CONST. art. 155.

⁴⁰ POLAND CONST. art. 133.

⁴¹ POLAND CONST. art. 134(2).

⁴² POLAND CONST. art. 134(4).

The powers of the President and Prime Minister are in accordance with the practice of other states. The President appoints judges and other public officials,⁴³ calls for referenda,⁴⁴ signs or rejects legislation,⁴⁵ issues directives with the counter-signature of the Prime Minister,⁴⁶ and issues pardons,⁴⁷ decorations,⁴⁸ and citizenship.⁴⁹

The Council of Ministers (including the Prime Minister) carries out all governmental tasks not assigned to other organs of the government.⁵⁰ The Council of Ministers carries out the internal affairs and foreign policy of the state.⁵¹ The Prime Minister and Council of Ministers have broad responsibilities, but do not possess control over the President.

Lithuania

The President of Lithuania possesses fewer powers than those of France and Lebanon, and functions more like the President in parliamentary systems. The people of Lithuania elect the President.⁵² The President appoints a Prime Minister and Government, subject to the approval of the Parliament.⁵³ The President also removes the Prime Minister upon approval of the Parliament.⁵⁴ The President may also charge a Minister to serve as Prime Minister in case of vacancy.⁵⁵

To issue decrees, the President requires the additional signature of the Prime Minister.⁵⁶ Laws passed by the Parliament require the signature of the President, though the Parliament may override a presidential veto by an absolute majority of its members.⁵⁷ Like in most parliamentary and semi-presidential systems, the Prime Minister and Government are not officially involved in the promulgation of laws; however the Government may introduce legislation in Parliament.⁵⁸

The President of Lithuania exercises the traditional presidential functions of Commander-in-Chief and chief official for foreign policy and security.⁵⁹ The Defense Minister, Government, and Chief Commander of the Army also bear responsibility for

⁴³ POLAND CONST. arts. 144(17), 144(20-27)

⁴⁴ POLAND CONST. art. 144(5).

⁴⁵ POLAND CONST. art. 144(6).

⁴⁶ POLAND CONST. arts. 144(1-3).

⁴⁷ POLAND CONST. art. 139.

⁴⁸ POLAND CONST. art. 138.

⁴⁹ POLAND CONST. art. 137.

⁵⁰ POLAND CONST. art. 146(2).

⁵¹ POLAND CONST. art. 146(3).

⁵² LITHUANIA CONST. art. 78(2), available at http://www.servat.unibe.ch/law/icl/lh00000_.html.

⁵³ LITHUANIA CONST. art. 84(3).

⁵⁴ LITHUANIA CONST. art. 84(5).

⁵⁵ LITHUANIA CONST. art. 84(7).

⁵⁶ LITHUANIA CONST. art. 85.

⁵⁷ LITHUANIA CONST. art. 72.

⁵⁸ LITHUANIA CONST. art. 94(5).

⁵⁹ LITHUANIA CONST. arts. 140(2); 84(1-2).

the armed forces and must report to the Parliament.⁶⁰ The President also appoints judges, military officers, and heads of administrative agencies, subject to parliamentary approval.⁶¹

The Government holds broad authority to set national policy, implement laws, draft bills, and otherwise conduct the business of the state.

⁶⁰ LITHUANIA CONST. art. 140(3).

⁶¹ LITHUANIA CONST. arts. 84(11-15).