Abstract: Semi-parliamentary government is analyzed as a distinct executive-legislative system which mirrors semi-presidentialism. It exists when the legislature is divided into two equally legitimate parts, only one of which can dismiss the prime minister in a no-confidence vote. This system has distinct advantages over pure parliamentary and presidential systems: it can achieve a stable balance between different visions of democracy without reducing the programmatic capacities of political parties. The article analyzes approximations of semi-parliamentary government in Australia and Japan and compares empirical tradeoff patterns in the Australian Commonwealth as well as New South Wales to 20 advanced parliamentary and semi-presidential democracies. New semi-parliamentary designs are discussed, some of which do not require formal bicameralism. Special attention is given to semi-parliamentary options for democratizing the European Union.

Keywords: semi-parliamentarism, bicameralism, Australia, New South Wales, Japan

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1. INTRODUCTION

Almost 40 years ago Maurice Duverger (1980) defined the concept of semi-presidential government and analyzed the diversity of practices in what was then only a small set of semi-presidential countries (see also Elgie 2011). I argue that a similar analysis is needed for the concept of semi-parliamentary government. I propose to understand the latter as the mirror image of the former. A semi-presidential system divides the executive into two equally legitimate parts, only one of which – the prime minister – depends on assembly confidence for its survival in office. Conversely, a semi-parliamentary system divides the assembly into two equally legitimate parts, only one of which possesses the power to dismiss the prime minister in a no-confidence vote. It establishes a formal separation of power between the executive and one part of the assembly. The two parts of the assembly do not need to be separate houses but can be defined by the electoral system. I contend that semi-parliamentary government deserves attention from institutional designers, as it has the potential to balance competing “visions” of democracy (Powell 2000).

1 The term semi-parliamentarism has been used occasionally and inconsistently for executive-legislative systems that are generally labelled differently (Linz 1994: 48-9, Sartori 1994: 110, Fabbrini 2001).

2 Since all existing semi-parliamentary systems are bicameral, I will often refer to lower and upper houses even when the reasoning also applies to two parts within a unicameral assembly.
Of course, other institutional designs can balance these different visions, too, but they have specific limits and downsides. In *pure parliamentary systems*, balancing efforts focus on proportional electoral systems that limit the number of parliamentary parties and/or induce these parties to form two competing blocs (Shugart 2001, Carey and Hix 2011). As recent experiences in countries like Germany, Italy or Spain demonstrate, however, even optimized electoral institutions do not protect parliament systems against cabinet instability, failed cabinet formations or unwanted Grand Coalitions.

*Pure presidential systems* may achieve a more stable balancing of different visions of democracy by giving voters two elected but separated agents. Presidential elections allow voters to directly select a stable government, whereas legislative elections can better achieve local and/or proportional representation (Shugart and Carey 1992, Colomer and Negretto 2005, Cheibub 2006). However, by concentrating executive power in a *single individual* rather than a collective (a party), presidential systems tend to increase personalism and weaken parties’ programmatic capacities (Carey 2007, Samuels and Shugart 2010). Moreover, efforts to keep individualized executive power in check justify institutional rules such as term limits, which reduce electoral accountability. Between 1946-1996 almost three-fourth of all presidents in office could not serve another term, so that they could neither be rewarded nor sanctioned for their performance in office (Cheibub 2009: 1380).

I explore semi-parliamentarism as an option for creating a stable balance between normative design goals without some of the downsides of presidentialism. If the assembly is divided into two equally legitimate parts, only
one of which can dismiss the prime minister, this part of the assembly can be
designed in line with the “majoritarian” or Westminster vision of democracy
(broadly understood). Voters can select a stable cabinet in a quasi-direct manner,
but the prime ministers can be re-elected without limits and removed at any time
by his or her party. The part of the assembly whose majority is fused with the
executive becomes a sort of permanent “confidence college”, so that party-based
and programmatic electoral accountability can be maintained. At the same time,
the separated part of the assembly – without the right to dismiss the prime
minister – can be designed to maximize representativeness and act like a true
legislature. It can deliberate on individual pieces of legislation and achieve
horizontal accountability of the executive.

One way to think about the resulting system is that it institutionalizes the kind
of legislative process associated with (substantial) minority cabinets in
parliamentary systems. It stabilizes such cabinets and gives voters the power to
more-or-less directly select a single party charged with the task of organizing
issue- or dimension-specific legislative coalitions. It constitutes a separation-of-
power system that is majoritarian rather than super-majoritarian.

While semi-parliamentarism is to some extent a theoretical possibility,
empirical approximations exist in a number of democracies, most notably in
Australia. I contend that the semi-parliamentary character of these systems is not
sufficiently understood or highlighted. They are typically analyzed as
(Westminster) parliamentary systems with “strong bicameralism” (e.g. Stone
2002, Bach 2003). Yet this might not be the most useful concept. The concept of
semi-parliamentarism allows us to systematically link the analysis of Australian
bicameralism to the comparative literature on executive-legislative systems and to
draw design lessons in ways that are at the same time more abstract and more
practical. I agree with Sharman and Moon (2003: 3) that a distinctive model of
bicameralism is “Australia’s contribution to the repertoire of representative
democracy.” However, to utilize this contribution in other contexts, we may have
to abstract from the path-dependent Australian peculiarities. I argue that semi-
parliamentarism might be an attractive option for democratizing evolving systems
like the European Union, and that it might be adapted to existing proposals like
the introduction of pan-European lists in the election of the European Parliament
(Leinen 2015).

Section 2 highlights the limits of the concept of strong bicameralism, locates
semi-parliamentarism in a general typology of executive-legislative relations, and
provides a minimal definition of it. Section 3 constructs an ideal-type of semi-
parliamentarism and analyzes how far the (minimally) semi-parliamentary
systems in Australia and Japan approximate it. Section 4 elaborates on the
theoretical argument. Section 5 summarizes the electoral designs in the bicameral
Australian polities and compares the normative balancing potential of New South
Wales and the Australian Commonwealth to 20 parliamentary and semi-
presidential systems, especially to Denmark, Ireland, Italy and the United
Kingdom. Section 6 discussed how semi-parliamentary systems might be
optimized and adapted to other contexts. Section 7 is a brief conclusion.
2. TYPOLOGY: STRONG BICAMERALISM AND SEMI-PARLIAMENTARISM

The dominant concept for classifying Australian bicameralism has been Lijphart’s (2012) “strong bicameralism” (e.g. Stone 2002). It describes the conjunction of three conditions: (1) the upper house must be formally powerful, (2) it must have sufficient democratic legitimacy to use this power, and (3) the electoral systems of the two houses must make it likely that their composition differs. If the first two conditions are fulfilled, bicameralism is called symmetric; if the third is also fulfilled, it is called strong.

Australian bicameralism is certainly symmetric and strong, but it is more than that. While all Australian upper houses are directly elected, this is not required for symmetry (Lijphart 2012: 192-200). The German and Dutch upper houses are considered symmetric even though the latter is indirectly elected and the former directly represents state governments. While all Australian upper houses have an absolute veto over (non-budgetary) legislation, this is also not required for symmetry. Japan’s upper house is deemed symmetric even though its suspensive veto can be overruled by a two-thirds majority, and in Germany the absolute veto only applies to less than half of all laws (Stecker 2016). Finally, the concepts of “symmetric” or “strong” bicameralism neglect executive-legislative relations. This is in line with the general convention in political science to classify a country’s executive-legislative system based on the “lower” house alone. Yet this convention is untenable, in my view, if both houses are directly elected and otherwise equal with respect to democratic legitimacy. In this case, a country’s
executive-legislative system depends on both chambers, and strong bicameralism can co-exist with – or constitute – drastically different systems.

Table 1 presents a general typology of executive-legislative systems. It distinguishes six types based on how the executive comes into and survives in office (Shugart and Carey 1992). The types come in three logical pairs, which are discussed in turn.

The first pair consists of the two pure types. The presidential system is defined by a popularly elected fixed-term president, whose survival in office does not depend on the assembly. If two directly elected and equally legitimate houses exist, the president must not depend on the confidence of either of them. In a parliamentary system, the executive emerges from the assembly and its survival depends on the assembly’s ongoing confidence. If two equal houses exist, it is dependent on both of them (as it still is in Italy after the failed constitutional referendum in December 2016).

The second pair consists of two hybrids that combine one parliamentary with one presidential feature. “Assembly-independent government” (Shugart and Carey 1992: 26) describes a system in which the executive is voted into office by the

3 Note that the Italian Senate is not wholly directly elected but has a few senators for life.
assembly but, once in office, *cannot* be dismissed in a no-confidence vote. If there are two equally legitimate houses of parliament, as is the case in Switzerland, the survival of the cabinet must not depend on either of them. In prime-ministerial government, the prime minister is popularly elected, but can be dismissed in a no-confidence vote of the assembly. If the assembly consists of two equally legitimate houses, both must have this dismissal right. Israel established a unicameral version of this system in the mid-1990s and abandoned it again a few years later (Ottolenghi 2001).

The third pair also mixes elements of parliamentary and presidential government, but it does so by dividing either the executive or the assembly into two parts with equal democratic legitimacy. In semi-presidentialism a fixed-term president is legitimized through popular (direct) elections, but there is also a prime minister dependent on parliamentary confidence (Elgie 2011). If there are two equally legitimate houses, both must be able to dismiss the prime minister, as is the case in Romania (Apahideanu 2014: 84). Finally, in semi-parliamentarism both parts of the assembly (both houses) are legitimized though direct election, but the prime minister and her cabinet are dependent on the confidence of only one of them (author citation). In both hybrids, there is only a partial dependence of the executive on the assembly’s confidence: either only a part of the executive is dependent on confidence (semi-presidentialism), or only a part of the assembly needs to provide this confidence (semi-parliamentarism).

To specify the concept of semi-parliamentarism further, I follow the existing literature and distinguish between a minimal definition and an ideal-type (Strøm
The proposed *minimal definition* builds on Table 1:

1. There are no popular elections of the chief executive or head of state.
2. The assembly has two parts both of which are directly elected.
3. The executive’s survival depends on the confidence of one part of the assembly, but not the other.

This minimal definition does not include any requirements about the legislative power of the upper house, especially its veto power. This is in line with the most recent literature on executive-legislative systems. While earlier work on presidentialism and semi-presidentialism views the formal powers of the president as a defining attribute (Duverger 1980, Shugart and Carey 1992), more recent work does not (Elgie 2011, Cheibub et al. 2014). Yet legislative power is certainly important. I argue below that the *ideal-type* of semiparliamentarism requires that at least the separated part of the assembly (the upper house) have absolute veto power over all (non-budgetary) legislation.

Note also that the suggested minimal definition rules out popular executive elections, but there is no reason why a country cannot be semi-presidential and semi-parliamentary at the same time. This more complex hybrid exists in the Czech Republic, which has a directly elected fixed-term president, a prime minister dependent on lower house confidence and a directly elected upper house without any power over the cabinet. However, neither the Czech president nor the upper house are formally powerful (Roberts 2006, Hloušek 2015).

Based on the minimal definition, we can identify seven semi-parliamentary democracies: the Australian Commonwealth, five Australian states and Japan. The
next section gauges how well these cases approximate a particular ideal-type of semi-parliamentarism.

3. **EMPIRICAL OVERVIEW: THE SEMI-PARLIAMENTARY IDEAL-TYPE AND ITS APPROXIMATIONS**

This section constructs an ideal type that is more demanding than the proposed minimal definition but still focused on the most crucial institutional features. I postulate that in an ideal-typical semi-parliamentary system (1) the democratic legitimacy of the two parts of the assembly is *fully equal*, (2) the survival of the cabinet is *fully independent* from one part of this assembly and (3) the absolute (non-budgetary) legislative veto power of this separated part of the assembly is not compromised in any way. Table 2 specifies six implications of this ideal-type, which are discussed in turn.

[TABLE 2 AROUND HERE]

*Democratic legitimacy.* By the minimal definition given above, all seven systems in Table 1 have directly elected upper houses. However, the relative legitimacy of the upper house may be reduced if it is more malapportioned than the lower house, i.e., if the apportionment of districts violates political equality to a greater extent.⁴ In most upper houses considered here, malapportionment has

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⁴ A good argument can be made that longer and staggered term lengths of upper houses also constitute a deviation from the ideal-type (cf. Bastoni 2012: 231).
been greatly reduced and is not substantially higher than in the lower house. It is completely absent in the upper houses of New South Wales and South Australia due their single statewide districts. However, greater malapportionment than in the respective lower house exists in the Legislative Council of Western Australia (around 25%), the Australian Senate (30%) and Japanese House of Councillors (16% in the constituency tier of the electoral system).\(^5\)

**Upper house confidence.** By the definition of semi-parliamentarism, all upper houses considered here lack a no-confidence vote. However, an absolute veto over the budget may be used as a *de facto* no-confidence vote. New South Wales, Victoria and Japan lack an absolute budget veto and thus come closer to the ideal-type.\(^6\) The other cases have an absolute budget veto and deviate more from it.

**Absolute legislative veto power.** The upper house’s absolute legislative veto power (with the exception of the budget) is not part of the above-proposed minimal definition of semi-parliamentarism, but an important part of the ideal type.\(^5\)

However, this argument is somewhat controversial (Stone 2008) and would lead to an ideal-type that is not fully neutral between different ways of using the semi-parliamentary constitution. Most notably, staggered terms are integral to the Tasmanian model discussed below (Sharman 2013).

\(^5\) Own computations of Samuels and Snyder’s (2001) malapportionment index.

\(^6\) In Japan, the lower house does not have to overrule a budget veto of the upper house (by two-thirds majority). In the case of disagreement, the decision of the lower house becomes the decision of parliament after 30 days. On the role of the upper house in budgetary policy, see Thies and Yanai (2014).
type. If the lower house possesses absolute veto power, as it typically does, and the upper house lacks it— as in the Czech hybrid— the constitution itself makes it clear that the two houses have no equal claim to represent the people in the legislative process. In all minimally semi-parliamentary cases except Japan, upper houses do have absolute veto power.\(^7\)

Even if a veto is formally absolute, though, it may be substantially weakened in the dispute resolution procedure between the two houses. The crucial question is whether dispute resolution can involve a joint session deciding a conflicted issue by simple or absolute majority and thus favoring the larger (lower) house. This is the case in the Commonwealth parliament and in Victoria. All other Australian states maintain the equality of veto power: Tasmania and Western Australia have no provisions for dispute resolution; South Australia’s constitution provides for a double dissolution election but no joint session; and in New South Wales, persistent deadlock can only be resolved in a popular referendum, so that both houses lose their veto power (Stone 2008).

Table 1 is a simplification, but the overall picture is rather clear. New South Wales comes closest to the constitutional ideal-type of semi-parliamentarism, the Australian Commonwealth and Japan are farthest away, and the other Australian states are somewhere in-between. Note that this rough ranking is not connected to the hypothesis that upper houses will be more assertive, the closer they are to the semi-parliamentary ideal-type. In all Australian polities, Westminster norms and

\(^7\) Note that the ideal-type does not require that the veto power of the lower house equals that of the upper house (see below).
conventions remain strong, and the legitimacy of the lower house is widely
perceived as being superior (e.g. Reynolds 2011). This is partly explained by the
fact that Australian upper houses at the state level had a long anti-democratic
history and were only democratized rather recently, 1978 in the case of New
South Wales (e.g. Clune and Griffith 2006). Another reason for the greater
perceived legitimacy of the lower house is precisely its exclusive authority to
dismiss the cabinet. This, I have argued, is a public misconception that political
science should not replicate. After all, we do not question the democratic
legitimacy of the assemblies in the United States, Uruguay or Switzerland because
they lack a no-confidence vote. The existence or lack of confidence authority does
not matter for democratic legitimacy but for the executive-legislative system. For
the empirical analysis, though, the path-dependent cultural context certainly
matters and must be taken into account when we draw lessons for other
democracies.

4. THEORY: SEMI-PARLIAMENTARISM AND THE INSTITUTIONAL
   DESIGN OF DEMOCRACY

This section analyzes theoretically the potential of semi-parliamentarism to
balance conflicting goals in the institutional design of democracy. My starting
point is the seminal study of Shugart and Carey (1992: Chap. 1). It focuses on
basic tradeoffs in the institutional design of democracy and argues that a
parliamentary system of government exacerbates them. As voters elect only one
agent, parliament, which then selects a cabinet, a stark tradeoff emerges between
an “efficient” government and a “representative” assembly. The authors’ notion of
efficiency relates to the so-called “majoritarian” or Westminster model of democracy (Powell 2000, Lijphart 2012). Their particular focus is on identifiability, i.e., “the ability of voters to identify the choices of competing potential government that are being presented to them in electoral campaigns” (Shugart and Carey 1992: 9). “Representativeness” has two different aspects. First, the institutional logic of parliamentarism weakens local representation. National policy concerns expressed by parties become paramount and the “assembly formally constructed to represent local interests … becomes principally an ‘electoral college’ for determining which party holds executive power” (ibid.: 10-11). Second, even if representation is understood solely in terms of programmatic party platforms, parliamentary government creates a strong tradeoff in the choice of the electoral system. A highly proportional electoral system leads to a representative assembly but thereby tends to undermine identifiability.

To be sure, it has been argued that pure parliamentary systems can be designed to achieve an optimized balance between conflicting goals. One prominent optimization idea is to use mixed or bonus-adjusted electoral systems in order to achieve bipolar competition between two competing blocs of proportionally elected parties (Shugart 2001), another is proportional representation (PR) with small district magnitudes (Carey and Hix 2011). However, recent experiences in countries like Germany, Italy or Spain demonstrate that our ability to “engineer” stable patterns of party competition through the electoral system is limited. With the emergence of new (partly anti-system) parties, these countries have been unable to maintain bipolar competition, which led either to unwanted Grand Coalitions or to severe problems in building
and stabilizing cabinets (e.g., Poguntke and von Dem Berge 2014, Pasquino and Valbruzzi 2015, Medina 2016).

Shugart and Carey (1992: 12-15) argue that presidential systems may facilitate the balancing of conflicting design goals by allowing voters to elect two separate agents: popular elections of a fixed-term president are inherently majoritarian and thus can achieve identifiability and efficiency – regardless of the fragmentation of the party system in the assembly (see also Cheibub 2006). At the same time, assembly elections can be designed to achieve geographical and/or ideological representativeness.

Yet presidential systems have one major disadvantage: they tend to undermine the programmatic capacities of political parties (Samuels and Shugart 2010). Since executive power is concentrated in a single individual who does not require assembly confidence, political parties lose much of their control over presidential candidates, both before and after the election. Furthermore, this concentration has undesirable downstream implications for constitutional designs. Most notably, it helps to justify constitutional limits on the reelection of presidents, which greatly reduce electoral accountability and give last-term presidents an incentive to circumvent the constitution (Carey 2003, Cheibub 2009: 1380).

My argument is that a semi-parliamentary system has a similar potential to balance democratic design goals, while being more conducive to programmatic parties, electoral accountability and constitutional loyalty. In semi-parliamenterism, too, voters elect two agents: the two parts (houses) of the assembly. Hence, the part of the assembly whose majority is fused with the cabinet (the lower house) can be oriented towards the goals of “majoritarian”
democracy, but without undermining parties’ control over the chief executive (prime minister). This part of the assembly is not merely an “electoral college” for the prime minister but a permanent confidence college. Its majority keeps the prime minister in power or removes her if this is in the party’s interest. The prime minister remains an agent of the party, which is the actual agent of voters. The other part of the assembly (the upper house) emerges as a true legislature that can be oriented towards the fair representation of geographical and/or ideological interests. Most notably, it can be elected in highly proportional manner.

Semi-parliamentarism can thus also reconcile different aspects and conceptions of accountability. First, there is potentially more electoral accountability, because the chief executive, as an agent of the party, can always be reelected. Second, the prime minister remains responsible to his or her party and can be removed at any time. Third, there is horizontal accountability of the cabinet to the separated part of the assembly (Stone 2008). Finally, if this separated part of the assembly is elected in highly proportional manner, there is also a form of “bottom-up” accountability in that voters can easily form and elect new parties (McGann 2013).

Note how the three aspects of the above-proposed minimal definition are important here. First, the absence of popular executive elections is important in reducing personalism, the weakening of parties’ programmatic capacities and party disunity in the assembly (Carey 2007, Samuels and Shugart 2010). Second, the equal legitimacy (direct election) of the two parts of the assembly is crucial in enabling the upper house to increase the representativeness of the overall system. If the legitimacy of the lower house were clearly superior, even an upper house
with absolute veto power would need to practice self-restraint in the use of its veto power in order to avoid constitutional reform pressures. The Canadian Senate is a well-known example.

Finally, the upper house’s lack of a confidence authority is also crucial for establishing two different modes of voter representation. Comparative research suggests that if upper houses can dismiss the prime minister, they become a greater constraint on cabinet formation which results in one of two scenarios (on the following, see author citation). First, if the composition of the upper house differs from the lower house in ways that favor certain cabinets over others, this is likely to create strong pressures for constitutional reform, as it did in Sweden. Second, institutional designers can avoid these pressures by ensuring a similar or identical composition of the two houses, as they have done, for long periods of time, in Belgium and Italy. Yet if congruence is necessary to stabilize bicameralism, the upper house cannot achieve more “representativeness” after all.

One last point should be noted. Political theorists often view strong bicameralism as largely equivalent to super-majoritarian decision-rules (e.g., Tsebelis 2002, McGann 2006, Przeworski 2010). Partly as a result, some emphasize that an upper house should not be used to “plug the hole created by the [non-proportional] electoral system” in the lower house (Przeworski 2010: 143-4, n. 10). While these arguments are generally correct, they do not necessarily apply to a semi-parliamentary system. If PR is used in an upper house without confidence authority, it does not merely plug a hole but liberates parties and/or members in this house from the imperative of cabinet stability. Moreover, when PR in the upper house is combined with majoritarian electoral rules (such as
Alternative Vote) in the lower house, it is quite likely that the governing party is the median party on most salient issue dimensions (McGann et al. 2002). If this is the case, the legislative coalitions in the upper houses will usually “absorb” the lower house as an institutional veto player (cf. Tsebelis 2002).

Furthermore, there is nothing in the minimal definition or ideal-type of semi-parliamentarism that requires that the part of the assembly with confidence authority possesses an absolute legislative veto. There might be good reasons to give the lower house strong proactive agenda-setting powers but to deny it an absolute veto in order to induce cooperation with the (issue-specific) median in the upper house (cf. Colomer and Negretto 2005)(author citation). After all, minority governments in pure parliamentary system have no constitutional veto over legislation. Semi-parliamentarism can be seen as a way to institutionalize stable one-party “minority” cabinets that are quasi-directly selected by voters and embedded in a proportional legislature.

5. EMPIRICAL ANALYSIS: SEMI-PARLIAMENTARY DESIGNS IN AUSTRALIA AND THEIR PERFORMANCE

This section analyzes the specific designs of semi-parliamentarism in Australia (see Table 3) and analyzes aspects of their performance in comparison with parliamentary systems. I briefly discuss the Tasmanian focus on local

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8 As argued above, semi-parliamentarism’s main advantage over presidentialism has to do with parties. The strong discipline and programmatic
representation in the upper house and then turn to the more common focus on proportional representation.

**Balancing party-programmatic and local-individualist representation**

Tasmania uses semi-parliamentarism to achieve local, non-partisan representation in the upper house (Sharman 2013). Alternative vote in single-member districts is one important element of this design; staggered yearly elections and a small assembly size are others (Table 3). Partly due to these features, the Tasmanian upper house is dominated by independents. The resulting normative balance is that “[p]rogrammatic choices can be made through parties at lower-house elections, supplemented with local representation through Independents in the upper house” (Sharman 2013: 344). The semi-parliamentary constitution is crucial here. If the upper house possessed the right to dismiss the prime minister, it would be democratically unacceptable that voters can never hold the upper house as a whole accountable for its actions and that these actions are not organized in terms of programmatic choices (cf. Fewkes 2011: 91).

As to the tradeoff between “majoritarian” and “proportional” goals, Tasmania adopts the above-mentioned compromise solution of using PR in small districts in the lower house (five members since 1998). Indeed, it manages to have both a low effective number of legislative parties and low empirical disproportionality (Table 3).

nature of the Australian parties are well-established (but see Gauja 2015). On the case of Japan, see Thies and Yanai (2014).
Balancing “majoritarian” and “proportional” democracy

The more prevalent approach of using the semi-parliamentary constitution exists in the other bicameral polities in Australia (Table 3). It uses upper houses to achieve greater ideological, policy-based representativeness. This strategy combines Alternative Vote (AV) in single-member districts in the lower houses with PR (STV) in upper houses. The degree of proportionality achieved in the upper houses varies due to the variation of assembly sizes and district magnitudes (Farrell and McAllister 2006). Again, New South Wales stands out with the highest district magnitude and lowest disproportionality.

To map the normative balance achieved by these semi-parliamentary systems more precisely, I focus on New South Wales and the Australian Commonwealth (for which expert estimates of party positions are available) and compare them to parliamentary systems. I compare these systems’ capability of simultaneously achieving six goals, three for each “vision” of democracy (Powell 2000, author citation). The details of the six resulting indicators are given in the appendix. All of them take account of directly elected upper houses. The three majoritarian goals are as follows.

9 Ireland is semi-presidential, but the president is endowed with relatively few powers of any substance. Presidential elections are neglected in the analysis.
1. **Identifiability (Ident):** The indicator combines information on how much votes are concentrated on two competing pre-electoral blocs, on whether the government consists of a single bloc and whether it has majority status (cf. Shugart 2001; author citation).

2. **Clarity of responsibility (CoR):** The indicator measures the ability of voters to determine who is responsible for past policies. The ranking of cabinet types is similar to the one proposed by Powell (2000: 53).

3. **Cabinet stability (Stab):** This indicator relates the average term length of cabinets to the constitutional maximum.

The three “proportional” goals are as follows.

1. **Proportionality (Prop):** This indicator is the inverse of Gallagher’s (1991) disproportionality index for the more proportional house.\(^{10}\)

2. **Dimensionality (Dim):** If voters’ issue preferences are latently or potentially multidimensional – if their positions are “right” on some issues and “left” on others – then “representativeness” requires that this multidimensionality be reflected or constructed in the assembly (e.g. Stecker and Tausendpfund 2016).\(^ {11}\) We use expert survey data by Benoit

\(^{10}\) We do not use an institutional measure of electoral systems here, because we do not want to bias the analysis against the “sweet spot” argument advanced by Carey and Hix (2011).

\(^{11}\) The theoretical variable of interest is how much institutions reduce the dimensionality of preferences in the assembly relative to that in the electorate or to some counterfactual standard. Actual dimensionality is the best proxy available.
and Laver (2006) as well as Pörschke (2014) to compute an effective number of dimensions (author citation) in the house with higher dimensionality.

3. **Legislative flexibility (Flex):** One way to allow potentially all parties in the assembly to participate in decision-making is to seek flexible, issue-specific coalitions rather than establishing the members of a portfolio coalition as veto players (Powell 2000: 256, n.9, Ward and Weale 2010). The indicator measures the extent to which governments *commit* themselves to a fixed coalition or remain free to choose between different support parties.¹²

[FIGURE 1 AROUND HERE]

Figure 1 presents the tradeoff profiles of six countries on these six variables for the period from 1995 to 2015. All variables are period averages standardized between zero and one. This standardization is based on the minimum and maximum values in a sample of 21 advanced democratic nation-states and New

¹² In one-party cabinets, flexible and issue-specific coalition-building is to some extent possible *within* the party, but it lacks transparency and voters cannot determine the weight of the factions.
South Wales (see appendix). The distribution of values between minimum and maximum is visible along the six dimensions in Figure 1.

The United Kingdom and Denmark exemplify the polar “visions” of pure parliamentarism. They achieve the goals from one vision at the expense of those from the other (cf. Powell 2000). Ireland and Italy are examples of parliamentary systems that try to balance the competing visions. The Irish strategy has been based on PR in moderately sized districts (Carey and Hix 2011), the Italian on moderately disproportional systems that – until recently – encouraged the formation of competing pre-electoral alliances (Shugart 2001, Chiaramonte 2015, Pasquino and Valbruzzi 2015). We see that both cases do have somewhat more balanced tradeoff profiles, but they are neither fully balanced nor do they achieve very high values on any variable (perhaps with the exception of cabinet stability in Ireland).

New South Wales and the Australian Commonwealth represent semi-parliamentarism. Both cases realize greater normative balance in that they realize the majoritarian goals about as well as the United Kingdom but also achieve fairly high degrees of proportionality and flexibility in their upper houses. They only fall short, in comparison to PR-parliamentary system like Denmark, in representing the (potential) multidimensionality of voter preferences. However, I suggest that this is less an inherent limitation of the semi-parliamentary

13 The other Australian states could not be included because we lack comparative data on party positions and hence on the dimensionality of the assembly.
constitution but a result of the path-dependent designs that evolved in Australia. Most notably, the effective number of parties and dimensions is probably limited by the small sizes and/or district magnitudes of upper houses (Taagepera 2007, Li and Shugart 2016). The next section will discuss ways to overcome this limitation.

This quantitative comparison of tradeoff profiles is based on a number of simplifying assumptions, but the picture painted for the semi-parliamentary cases is largely confirmed by in-depth case studies (e.g. Bach 2003, Clune and Griffith 2006, Uhr 2009, Russell and Benton 2010, Smith 2012, Ward 2012, Pörschke 2014). This literature shows that the winning major party – the Labor Party or the permanent “Coalition” of Liberals and Nationals – never responds to a minority position in the upper house by including minor parties into a government coalition. The majority party, which is often (but not always) the median party on the most important issue dimensions, governs with shifting, issue-specific legislative coalitions whenever this is possible or necessary. Governments’ legislative proposals – even controversial ones – rarely ever fail, largely due to governments’ institutional agenda-setting power and their ability to choose the proximate and accommodating support party or parties. On the other hand, minor parties use the veto power of upper houses to put issues on the agenda, negotiate amendments and concessions, scrutinize executive activity and – sometimes – block legislation.

6. LESSONS FOR THE DESIGN OF DEMOCRACY

The bicameral systems in Australia have evolved in a long political process that often reflected the self-interest of, and compromises between, partisan elites
rather than some grand democratic design (e.g. Clune and Griffith 2006). If constitutional designers in other systems were to consider semi-parliamentarism, which design aspects would be worth keeping and which might be changed? In providing some initial answers to this question, I focus on the aim of balancing of majoritarian and proportional democracy.

Let us start with a bicameral version of semi-parliamentarism as it exists in Australia. If the goal is to reconcile majoritarian and proportional democracy, the relative size of the two houses in Australia is the opposite of what would be desirable. If the lower house is most of all a “confidence college” for the government, whereas the upper house assumes the role of the actual legislature, the latter should be larger than the former. A larger upper house would provide better conditions for proportional representation, multidimensional voter representation and scrutiny of legislation.

A further advantage of a larger upper house would be that constituency representation, if deemed necessary, could be located in this house. It would then be less constrained by the logic of parliamentarism. At the same time, the majoritarian elections to the lower house could be organized in a single system-wide district. This would guarantee identifiability, prevent hung parliaments and allow all votes to count for the selection of the prime minister (regardless of where they are located). For example, a modified AV-system could be used for a single lower-house district, in which voters rank all (closed) party lists in their order of preference, and the parties with the fewest votes are sequentially eliminated until only two parties are left (author citation). These parties gain seats according to their final two-party vote share. This AV-election of the lower house
would be similar to a presidential election, except that the elected prime minister remained responsible to his or her party as well as to the majority in the lower house. All voters’ preference rankings would matter for selecting the majority party. Voters, whose first choice was not for one of the two seat-winning parties in the lower house, would still be proportionally represented in the upper house.

As noted, bicameralism is not a necessary condition for semi-parliamentarism. Since the members of in a unicameral parliament have equal legitimacy, all that would be needed is a differentiation of their right to participate in the no-confidence vote. Hence, a simple way to implement semi-parliamentarism in a unicameral parliament would be to set two distinct legal thresholds. Consider the example of Germany, which currently has a five percent legal threshold of representation. In the 2013 election, this threshold caused almost 16 percent of voters to waste their votes on parties that gained no representation, but it could still not prevent the formation of a Grand Coalition of the two major parties, Christian and Social Democrats (Poguntke and von Dem Berge 2014). Had there been a two percent threshold of representation (as in Denmark), and a 10-percent threshold for participating in the no-confidence vote, at least three more parties would have gained representation, so that proportionality and dimensionality would have increased (ibid.). At the same time, only the two major parties would have had confidence authority, so that the Christian Democrats would have been able to build a stable cabinet seeking issue-specific support in a more representative assembly.

Another unicameral option would be to rely on the mixed-member electoral system. In Germany, half of the members of parliament are elected from party
lists, the other half by plurality rule in single-member districts (SMD), but without affecting overall proportionality. If the right to participate in the no-confidence procedure had only been given to the SMD representatives, and the legal threshold reduced to two percent, the results would have been essentially the same as in the previous scenario.

Finally, if one is willing to give up explicit constituency representation, as institutional designers were in parliamentary systems like Israel or the Netherlands, a semi-parliamentary system could be established without requiring voters to cast two different votes. Elsewhere I describe a combined AV/PR-system in a single system-wide district (author citation): Voters rank as many parties as they wish in order of preference, and whilst their first preferences determine the proportional composition of the assembly, their fuller preference rankings are used to determine the two top parties gaining seats in the “confidence committee”. The seats in this committee are part of the two parties’ proportional seat share and thus have no effect on the overall proportionality in the assembly.

It might be unlikely that established democracies will switch to semi-parliamentarism. Yet there are certainly systems for which some constitutional creativity seems desirable. The European Union (EU) is an example. As long as a common European currency exists, there is an urgent need to legitimize – and give voters a choice about – the European regime of economic governance (Hix 2014). Political scientists have mainly discussed the parliamentary and presidential options of doing so, but both seem seriously flawed in the EU-context. Given the fragmentation of the European parliament, parliamentarism could easily result in a permanent “Grand Coalitions” of the two major party
groups rather than giving voters a substantive choice between different mandates. Presidentialism, in contrast, could undermine, and forever prevent, what a democratic EU would desperately need: the emergence of truly European programmatic parties.

To see how semi-parliamentarism might be attractive, consider the proposal of transnational lists for European elections (Leinen 2015). The basic idea is to elect a fixed number of members of the European Parliament (MEPs), say 20 or 30 percent, in a single pan-European district. Voters would thus have two votes, one of which would be truly Europeanized. This system could be turned into semi-parliamentarism by giving only the “Europeanized” MEPs the right to participate in a vote of no-confidence against the European Commission. The elections to this pan-European “confidence college” or lower house could be based on majoritarian principles (Alternative Vote), thus giving all voters a clear choice between competing programmatic mandates. The election of the rest of the European Parliament (or upper house) could be based on PR in national or local constituencies.

7. CONCLUSION

Every institutional design of democracy has downsides and risks. One risk of any separation-of-power design is deadlock. One downside of any regime that concentrates executive power in one party is that executive experience might not be spread in an optimal manner. More work is needed to analyze these and other risks and downsides, and ways to minimize them – such as the New South Wales solution of deciding deadlocked bills in a popular referendum. My point has been
that in the logical space of potentially optimizing democratic designs, semi-parliamentarism is a neglected but potentially attractive option. Like any other option, it is unlikely to be a global optimum in the entire space of possibilities. In particular, if a democratic society has made a pure parliamentary system work without reducing proportionality too much, there might be little reason for constitutional experiments. Yet many presidential democracies seem stuck in excessively personalist forms of power-separation; and many parliamentary democracies have had a hard time finding a stable and satisfactory balance between competing visions of the democratic process. Under specific historical and societal background conditions, therefore, semi-parliamentarism may well be worth a try.
References


Table 1: A Typology of Executive-Legislative Systems

<table>
<thead>
<tr>
<th>Is the executive (partly or wholly) popularly elected?</th>
<th>Does the executive’s survival depend on the legislature?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes</td>
<td>Wholly Prime-ministerial, Partly Semi-presidential, No Presidential Assembly-independent</td>
</tr>
<tr>
<td>No</td>
<td>Parliamentary Semi-parliamentary</td>
</tr>
</tbody>
</table>

Source: Adapted from (author citation).
<table>
<thead>
<tr>
<th>Table 2: Approximations of Semi-Parliamentary Ideal-Type</th>
<th>NSW</th>
<th>VIC</th>
<th>TAS</th>
<th>SA</th>
<th>WA</th>
<th>AUS</th>
<th>JAP</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>At least equal legitimacy of UH?</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>UH directly elected?</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>UH apportionment at least as fair as LH?</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td><strong>Unequal confidence authority?</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>UH lacks confidence vote?</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>UH lacks absolute budget veto?</td>
<td>Yes</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
</tr>
<tr>
<td><strong>At least equal veto power?</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>UH has absolute veto (except budget)?</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>UH has at least equal veto power in conflict resolution?</td>
<td>Yes</td>
<td>No</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
</tr>
</tbody>
</table>

Notes: UH = Upper house, LH = Lower house, NSW = New South Wales, VIC = Victoria, TAS = Tasmania, SA = South Australia, WA = Western Australia, AUS = Australian Commonwealth, JAP = Japan.

Sources: Stone (2008) as well as the respective constitutions and electoral statistics.
Table 3: Electoral Systems in Australia

<table>
<thead>
<tr>
<th></th>
<th>TAS</th>
<th>NSW</th>
<th>VIC</th>
<th>SA</th>
<th>WA</th>
<th>AUS</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Lower house</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Assembly size</td>
<td>25</td>
<td>93</td>
<td>88</td>
<td>47</td>
<td>59</td>
<td>150</td>
</tr>
<tr>
<td>Electoral System</td>
<td>STV</td>
<td></td>
<td></td>
<td></td>
<td>-----</td>
<td></td>
</tr>
<tr>
<td>District magnitude</td>
<td>5</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td></td>
</tr>
<tr>
<td>Effective parties (votes)</td>
<td>2.7</td>
<td>3.0</td>
<td>2.9</td>
<td>2.9</td>
<td>2.5</td>
<td>3.0</td>
</tr>
<tr>
<td>Effective parties (seats)</td>
<td>2.2</td>
<td>2.1</td>
<td>2.1</td>
<td>2.2</td>
<td>1.9</td>
<td>2.0</td>
</tr>
<tr>
<td>Disproportionality</td>
<td>6.8</td>
<td>10.6</td>
<td>12.8</td>
<td>12.1</td>
<td>10.2</td>
<td>12.5</td>
</tr>
<tr>
<td><strong>Upper house</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Assembly size</td>
<td>15</td>
<td>42</td>
<td>40</td>
<td>22</td>
<td>36</td>
<td>76</td>
</tr>
<tr>
<td>Electoral System</td>
<td>AV</td>
<td></td>
<td></td>
<td>-----</td>
<td>-----</td>
<td>-----</td>
</tr>
<tr>
<td>District magnitude</td>
<td>1</td>
<td>21</td>
<td>5</td>
<td>11</td>
<td>6</td>
<td>6-12</td>
</tr>
<tr>
<td>Effective parties (votes)</td>
<td>-</td>
<td>3.4</td>
<td>3.9</td>
<td>4.0</td>
<td>2.6</td>
<td>4.5</td>
</tr>
<tr>
<td>Effective parties (seats)</td>
<td>-</td>
<td>3.0</td>
<td>3.3</td>
<td>3.5</td>
<td>2.1</td>
<td>3.4</td>
</tr>
<tr>
<td>Disproportionality</td>
<td>-</td>
<td>3.6</td>
<td>5.4</td>
<td>6.2</td>
<td>6.8</td>
<td>5.3</td>
</tr>
</tbody>
</table>

Notes: All values are based on the latest election and, where necessary, own computations. Disproportionality is measured by the Gallagher (1991) index. Sources: Own computations based on electoral statistics.
Figure 1: Tradeoff profiles of non-presidential democracies (1995-2015)

GBR

DNK

IRL

ITA

AUS

NSW
### Appendix: Sample, measurement and sources

**Sample:** Australia, Austria, Belgium, Canada, Denmark, Finland, France, Germany, Greece, Iceland, Ireland, Italy, Japan, Luxembourg, Netherlands, New South Wales, New Zealand, Norway, Portugal, Spain, Sweden, United Kingdom.

<table>
<thead>
<tr>
<th>Variable</th>
<th>Measurement</th>
<th>Sources</th>
</tr>
</thead>
</table>
| Identifiability     | Average of *Blocvote* and *Linkage*.  
*Blocvote* = share of votes of the two biggest blocs (a bloc being a party or a pre-electoral coalition of parties)  
*Linkage* = average of *Pecgov* and a majority status (dummy)  
*Pecgov* = dummy that is 1 for each cabinet that consists of a bloc | Döring and Manow (2016) for electoral results, own collection for New South Wales results. Own data collection on pre-electoral coalitions based on case-specific sources, e.g. *EJPR* Yearbooks. |
| Clarity of Responsibility | Duration-weighted average of cabinet types, based on the following ranking:  
1 = single-party with majority in all directly elected houses  
.85 = single-party with majority in lower house only  
.66 = multi-party with majority in all directly elected houses  
.50 = multi-party with majority in lower house only  
.33 = single-party minority  
| Cabinet Stability | Average length of a cabinet divided by the constitutionally maximal term length. A new cabinet begins when elections take place or the party composition of the cabinet changes. | Döring and Manow (2016), own data collection on constitutional term lengths and on New South Wales. |
| Proportionality    | Inversed Gallagher (1991) index for the more proportional house, elections weighted by length of the following term.                                                                                         | Best and Zhirmov (2015) and own data collection for New South Wales.                                                                      |
| Dimensionality     | Effective Number of Dimensions = Sum of the number of factors identified in a factor analysis of issue-specific party positions weighted by the size of the factors’ eigenvalues – for the house with higher dimensionality, Party | Benoit/Laver (2006) and, for New South Wales, Pörschke (2014).                                                                         |
positions are based on expert surveys and do not vary over time.

| Flexibility | Duration-weighted average of cabinet types, based on the following ranking: 0 = majority cabinet .5 = formal minority cabinet 1 = substantial minority cabinet Values reflect the house with greater overall flexibility in the period under consideration. | Strøm (1990) and Döring and Manow (2016) for lower houses, Eppner and Ganghof (2016) for upper houses, own data collection based on case-specific sources. |

References


