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**THE HEAD OF STATE IN PREMIER-PRESIDENTIALISM:
WEAK PRESIDENT OR STRONG PRESIDENT?**

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The literature on presidentialism began with a debate over whether parliamentarism is a better constitutional choice for assuring the consolidation of democracy, the argument being that regime type matters. The general argument leveled against presidentialism is that granting the chief executive a popular mandate separate from that of the legislature and protecting him from the assembly by a constitutionally mandated fixed term act to encourage tug-of-war contests between the executive and legislative branches over control of policy (Linz 1990; 1994; Mainwaring 1993; Stepan and Skach 1993). In the ensuing debate between proponents of presidentialism and parliamentarism, Shugart and Carey (1992) proposed a more nuanced classification for regime type that accounts for both the ability of the government to survive against both legislative opposition and that of the president. Their resulting classification scheme comprises parliamentarism and three variants of presidentialism, one of which is premier-presidentialism, a regime type that has proven a popular choice in post-communist Europe.

Premier-presidentialism has often been referred to as semi-presidentialism, or semi-parliamentarism, because of the presence of a prime minister, who is head of government and subject to the vote of no confidence of the parliament, and a president, who is head of state and exercises political powers, among them the veto and appointment. Unlike the head of state in a parliamentary system, the president in a premier-presidential system is an active political player. However, the position is less

powerful than in a US-style presidential system, in which the government is responsible to the chief executive. In a premier-presidential system, while the president is not subject to parliamentary no confidence, the government is.

Nonetheless, the fact that the government is under the prime minister and subject to a legislative majority would suggest that the president possesses a relatively modest ability to influence policy in premier-presidential systems. After all, the veto can be over-ridden by legislative majority and an appointment can be rejected by the same majority. We argue that in spite of these limitations in premier-presidential systems, the president is not irrelevant. We look at two of the most important powers exercised by presidents, legislative initiative and the veto. Employing veto player theory (Tsebelis 2002), we demonstrate the political salience of the president under a number of conditions. Our demonstrations make use of actual political situations occurring in one post-communist premier-presidential system, Lithuania. We find that the president's power to return the vetoed law together with her amendments allows her to locate the final political outcome closer to her ideal point.

Veto Player Theory

Scholars have recently eschewed the debate over which regime type is more likely to lead to democratic stability in favor of a concern with the implications of institutional design on *policy stability*, the likelihood that an existing policy can be changed. A major proponent of this agenda, Tsebelis (1995; 1999; 2002) contends that regime type (presidentialism versus parliamentarism) fails to adequately capture the characteristics of institutional design necessary for explaining political outcomes. He argues instead for a

focus on the number of institutions (veto players) whose consent is required for a political decision to be enacted. The more veto players and the greater the policy distance between them, the greater the policy stability in the system. His theory demonstrates that, if the number of veto players and the policy distance between them is the same, then there is no difference in policy stability whether the system be parliamentary, presidential, or premier-presidential.

The key concepts in Tsebelis's (2002) theory are veto players, the unanimity core, and the winset of the status quo (SQ). A veto player is an institution whose agreement is necessary in order to move from SQ to a new political outcome. Veto players can be individual or collective. The former represent institutions with a single decision-maker, which is commonly the case with the head of government. The latter comprise a number of decision-makers, such as in a legislature. If an individual veto player's ideal point (v^*) is represented as a point in an n -dimensional coordinate space where each dimension corresponds to a single political issue, such as defense, economics, or the environment, for any two possible outcomes x_1 and x_2 , x_1 is higher on the veto player's preference ordering list if and only if the distance from v^* to x_1 is less than the distance from v^* to x_2 . Tsebelis (2002) demonstrates that a collective veto player's preferences are somewhat more difficult to map. (The possibility of a cycling problem in collective decision-making institutions further seriously complicates the estimates.) However, the area within a relatively small circle can be used to estimate the number of points that would be preferred to all others, but not necessarily to each other.

The unanimity core is a set of stable points. These stable points are policies that can not be changed because any attempt to change them would be vetoed by one or more

veto players. (Given any point x in the unanimity core, there does not exist a point y such that y would be preferred to x given the institutional rules.) For example, if the unanimous consent of the players A, B, and C are needed to move from SQ to a new political outcome, then the unanimity core would consist of all the points inside the triangle ABC, including the edges, provided A, B, and C are not on the same line.

The winset of any point is simply the set of points that all players prefer to that point under a set of institutional rules. Since veto players operate under unanimity rules, the winset of SQ is the set of policies that all veto players prefer to SQ. These policies, if proposed, can defeat SQ. When SQ is an element of the unanimity core, the winset of SQ is empty. Both the unanimity core and the winset of SQ can be used as indicators of the stability of the system. A large unanimity core or a small winset of SQ are indicators of policy stability (Tsebelis 2002, 20-21).

Modeling the Lithuanian Policy Process

Lithuania's constitution establishes three veto players in the policy process, the president, the national legislature (the Seimas), and the Constitutional Court. All legislation must ultimately be passed by the 141-member unicameral Seimas. It is also subject to judicial review by the Constitutional Court. The Court itself may not initiate the process, only the Seimas, the government, or the regular courts have that right. The president has two important legislative powers, the right to initiate legislation (the power of first proposal) and the power to veto. The president's veto is attended by a set of recommended amendments. The Seimas may accept the president's amendments by a majority of a sitting quorum (substantially less than an absolute majority of the 141-seat

chamber). An absolute majority is required in order to over-ride the president's veto and pass the original (un-amended) bill.¹

Shugart and Haggard (2001) distinguish between proactive and reactive powers of the president. Proactive powers give the president the potential to set the agenda by changing the status quo. The power to initiate legislation is among such powers. Reactive powers on the other hand permit the president to defend the status quo against the legislature, which is acting as the agenda setter (pp. 72-75). The veto is a reactive power. Their argument suggests that the exercise of the legislative initiative gives the president a greater likelihood of achieving a policy to his liking than does the veto. We argue that this is not the case. Using veto player theory, we demonstrate that the virtual unanimity required of the legislative coalition to over-ride a presidential veto creates a larger core in comparison to that of the simple majority required to reject a legislative initiative. A larger core gives the president greater latitude to move the outcome closer to his own ideal point.

This theoretical observation is borne out by the record on presidential vetoes and legislative initiatives. We compare that record with the hypotheses generated by the mapping of veto players' preference points in Euclidean space in each of two periods since the instauration of the Lithuanian Constitution of 1992.² The relative positions of the president, Seimas majority, and Constitutional Court on economics and defense as estimated by our panel of political observers are plotted for the periods 1997 and 1998-2000.

Algirdas Brazduokas was the country's first president in the post-communist era, serving from 1993-1997. The Seimas in the early period of his presidency was dominated

by a leftist Lithuanian Democratic Labor Party (LDDP) majority, and the Constitutional Court was an LDDP court (which remained so following the 1996 constitutionally mandated renomination). However, following the end of year parliamentary elections of 1996, Brazauskas and the LDDP court were confronted by a Seimas dominated by a right-wing coalition uniting the Lithuanian Christian Democratic Party (LKDP) and the Homeland Union (Conservatives of Lithuania) (TSLK). The constellation of veto players is depicted at Figure 1. President Valdas Adamkus assumed office in 1998 and faced the LKDP-TSLK Seimas and LDDP Constitutional Court until 2000 (Figure 2). Despite some turnover in the composition of the court in 1999, the median justice on the Constitutional Court supported the policy positions of the LDDP during this period.

Given that the president is an individual veto player who strictly prefers one outcome to all others, we can map the institution of the presidency as a single point. Both the Constitutional Court and the Seimas, however, are collective veto players. A collective veto player is comprised of the set of ideal points of all the members of the institution (the 141 members of the Seimas or the nine justices of the Constitutional Court). A major difference between a collective and an individual veto player is that the preference ordering in the former need not be transitive; a condition that may induce a majority cycling problem.³ Tsebelis (2002, 57-59) demonstrates that the possible outcomes for a collective player are restricted to its uncovered set.⁴ The uncovered set, which comprises the winset of SQ, is the set of possible collective preferences.

Tsebelis (2002) adopts McKelvey's (1976) proposal of approximating the collective preferences of a veto player by a wincircle.⁵ Given the complexity involved in estimating the wincircle for a 141-member parliament, we use an estimate of the

unanimity core of the ruling legislative coalition. Our estimates comprise what we call variance circles constructed for each party to the coalition. Being probabilistic representations of likely outcomes on policy choices within each party, the variance circles are estimates of party cohesion. As such, they bound the preferences of all deputies based on their votes on the annual budget bill. (Appendix A discusses how we estimated the variance circles.) The budget is the single most important bill considered by the Lithuanian legislature. It funds all government priorities and establishes both the legislative and government agenda for the coming year.

Since the votes of individual justices are not a matter of public record, estimating the variance circle for the Constitutional Court presents special problems. Since the members of the First Constitutional Court, like the members of the First Seimas were all drawn from the LDDP, it seems reasonable to assume that the dispersion of opinions among them are similar. However, the fact that a decision requires a five-ninths (qualified) majority to pass means that the court's variance circle will have a smaller radius than that of the unanimity core for the Seimas in the same period (1993-1996). In the best of cases it would be no more than one-fourth the radius of the variance circle bounding the unanimity core of the Seimas for that timeframe.

From this initial discussion of the geometry of the rules governing the legislative process, what are the implications for the legislative power of the president? Our first theoretical observation is that the presidential veto is a more powerful instrument than the right of first (legislative) proposal. While it makes intuitive sense that giving the president the initiative in proposing legislation would give him a stronger legislative tool than the veto (a reactive measure), the fact that a simple majority can reject his proposal

means that the qualified majority core necessary to reject legislation is quite a bit smaller than the virtual unanimity core required to over-ride a veto.

As Tsebelis (2002) has demonstrated, a unanimity core for any player is always larger than that for a qualified majority. In the case of a majority party, the unanimity core is the variance circle of the party. For a coalition, the unanimity core includes the variance circles for all parties to the coalition as well as the area between them bounded by lines connecting the extremes of the circumferences of the respective variance circles. Since a legislative vote to over-ride a presidential veto requires an absolute majority, the ruling coalition (or majority party) must be virtually unanimous in order to successfully over-ride. Hence, the unanimity core is a good approximation of the area bounding all bills (vetoed and) amended by the president that are not likely to be defeated by the Seimas. (Conversely, the Seimas majority is likely to defeat any (vetoed and) amended bills lying outside of the unanimity core.) On the other hand, the core for a qualified majority, in this case a simple majority, to defeat a presidential initiative is quite a bit smaller than the unanimity core. Hence, the president's options are limited to a smaller space in the policy spectrum.

Our second theoretical observation is that the president's options may be even further reduced by the positioning of the Constitutional Court. The closer the Court is to the policy position of the president, the more the president's legislative hand is strengthened. While the Court may not choose the legislation that it reviews, any Seimas opposition group may request that it do so. The fact that its rulings, unlike the presidential veto, are not subject to over-ride makes it a stronger veto player in the system.

Initiative versus the Veto: The President's Legislative Power

Right-Left Conflict

We turn now to an empirical consideration of these theoretical expectations using data from two timeframes since the instauration of the 1992 Lithuanian Constitution during which the positioning of the veto players were distinctly different. Figure 1 depicts the estimated position of each institution and the variance circle for the Second Seimas (the larger of the two circles) during the Brazauskas presidency in 1997 when President Brazauskas and the Constitutional Court were all virtually at the same location on both economics and defense. The Seimas was in opposition to both.

Cox and McCubbins (2001) contend that institutional conflict is more likely to emerge when veto points (which by definition reflect a separation of power) are in the hands of political forces with differing policy agenda. When separation of power is attended by a separation of purpose, the inability to effect change (political stability) may engender institutional conflict. The 1997 Lithuanian political system (mapped at Figure 1) appears ripe for precisely such conflict. Despite the lack of discipline of one of the two parties to the ruling coalition (LKDP), the president does not have much freedom to gain control of the legislative agenda.

Under these conditions, the power of first proposal is a stronger tool than the veto. If the status quo is at SQ, then the president and both parties of the legislative majority prefer B to SQ. Hence, the president could successfully propose legislation at this point, but he can do no better. The veto power leaves him even worse off. Were he to waive the right of legislative initiative to the Seimas, he would likely be faced with a bill at A.

The best he could do would be to propose amendments moving the bill to C. This is a position quite removed from the president. Were he to attempt to move a proposal to D, the attempt that would surely fail.

Neither the veto nor the legislative initiative gives the president particularly satisfactory results. Further, a resolute majority coalition seizing upon the power of first initiative might be equally frustrated with the president. The result would be institutional conflict. The record bears this out. President Brazauskas employed the veto only slightly more than half as many times in 1997 as he had for each of the years of the First Seimas. Further, he succeeded on only two of nine attempts to get his desire changes approved. His legislative initiatives fared better, but not as well as they had during the First Seimas. He submitted nine legislative initiatives in 1997 (compared to an average of almost 16 per year from 1993 to 1996). The success rate was reduced to 44.4%

The Constitutional Court, whose power of judicial review is not subject to legislative over-ride, would appear to be in a position to be more aggressive in the exercise of judicial review against LKDP-TSLK legislation. However, such was not the case. The Court was surprisingly tame, annulling legislation on only seven occasions, only a slight increase, if any, from the previous two years.

The Court in Isolation

The 1998 presidential elections replaced left-leaning Algirdas Brazauskas with a right-wing, Lithuanian-American, Valdas Adamkus. Figure 2 represents the resulting positioning of the veto players, a constellation that was in place from 1998 to 2000. The Constitutional Court was no longer located close to the position of the president, who was

now closer to the Seimas majority, particularly the TSLK. The graph also depicts a larger variance circle around the Constitutional Court owing to on-going turnover of the justices. While the new appointees were more likely to diverge from the previous court majority, the median position on the court remained the same.

Both the president and the TSLK would prefer policy position A to those at B and C. However, the other member to the coalition, the LKDP, would prefer B and C to A. In this situation, the president's veto power is the most effective of his legislative powers. If he were given a bill at C, he could amend it moving it to A. Since A is in the veto core, no legislative majority could be mustered against the president's amended bill. On the other hand, if the president were to propose a bill at A, the legislature could change the bill to B and pass it. Hence, both his power of first proposal (legislative initiative) and the veto were effective. However, he preferred the veto since it was far less likely that a legislative majority could form against his amendments. Hence, the president was able to move the policy position close to A. Thirty-five of his forty vetoes (87.5%) were sustained, and eleven of fifteen legislative proposals (73.0%) were adopted.

If the president found himself at the center of the policy process, the Constitutional Court was increasingly marginalized. Given the position of the president, few bills were proposed at C, or points closer to the Court's preferred position. Not surprisingly, the Court became quite active striking down ten pieces of legislation adopted by the Seimas in 1998, twenty-nine in 1999, and twenty-seven in 2000.

A Final Consideration: The Power to Nominate

Unlike the legislative process, presidential appointments are not subject to the review of the Constitutional Court. Their confirmation requires a qualified majority (simple majority) vote of the Seimas. As Tsebelis (2002) argues, state agencies charged with implementing policy, may in the course of implementation move the policy position as long as the outcome remains within the unanimity core of the veto players. In this concluding section we wish to comment on how this may have changed the political “game” in each of the two periods that we previously reviewed.

Only the president and Seimas are relevant veto players in the nomination and confirmation process of important state agents - to include the director of the state security organization, judges, the procurator general, and the state budget inspector among others. Since only a simple majority of the Seimas is required for confirmation, the triangles uniting the president with the (first proposal) core of the Seimas coalition at Graphs 1 through 6 comprise the unanimity core. The president can nominate with confidence anyone whose position falls within the unanimity core.

Both President Brazauskas’s position relative to the Seimas in 1997 put the president in a relatively difficult position. However, the very large unanimity core of the legislature permitted him to make appointments whose policy positions fell much closer to him than the ideal point of either the TSLK or LKDP. President Adamkus benefited as well from the large legislative unanimity core. His own position being relatively closer to that of the TSLK, most of his appointments were quite far from the Constitutional Court, which was otherwise able to thwart some of his legislative initiatives. However, in one notable case he was unable to push through the nomination of a state controller,

Kestutis Lapinskas, whose position was too close to that of the president himself and therefore outside of the legislative qualified majority unanimity core uniting the TSLK and LKDP.

Appendix A: The Construction of Variance Circles

We use variance circles, instead of wincircles, to estimate the policy preferences of the Seimas, a collective player. Variance circles are similar to Tsebelis's (2002, 48) 'yolk,' which varies inversely with the size of a collective veto player. Tsebelis's wincircles include all points in the winset of the status quo (points that cover the status quo). Being probabilistic, variance circles do not include all covering points, but all points inside the variance circle are preferred to the status quo, given the status quo lies outside of the variance circle. The variance circles bound the possible set of ideal preferences of the Seimas, just as a point represents the ideal preference of the president. Any point outside of the variance circle is not strictly preferred to a point within the circle. The center of the variance circle is the location of the center of the yolk. The variance circle is an upper limit on the size of the yolk. Larger parties with roughly randomly distributed party members will have smaller yolks than smaller parties with densely distributed party members, though our circles do not draw this distinction; instead, ours are an upper limit on the yolk's size.

The major advantage of using circles is that they provide a fairly simple presentation. An alternative method for mapping collectives would have been to determine the location of a point that represents each actor within the collective's preferences. In this case that would include every member of the Seimas, 141 points. From those points, the core of agreement can be determined, which provides a more complex, and perhaps more accurate representation of the collective. Tsebelis (2002, 40) provides an example of a collective with seven members, an already complex web of

lines and circles. Some of his graphs of EU procedure use the same logic of mapping the individual members (Tsebelis 2002, 268 and 271). However, no diagram provided by Tsebelis maps 141 members. Indeed, the complexity introduced would be overwhelming.

We use the annual budget vote to estimate the radius of the variance circles. The major proposal put forth by the government each year, the vote on the budget represents an important measure of the cohesion of each party in the ruling coalition. In essence, we are using party discipline as a proxy for preference variation among the members of a legislative party that is part of a ruling coalition. The more cohesive a party is, the less variation will exist in preferences. That is, higher party discipline is correlated with smaller variance circles. Because 100% party discipline corresponds to no variance, parties with 100% party discipline on the budget are represented as a single point, effectively a single player's preference. In this case we say the circle has radius $r = 0$.

The annual Seimas budget votes that we used to approximate the radius of the variance circles are available on-line.⁶ We calculated the percentage of members to each party of the coalition supporting the budget each year, and averaged over the years for each timeframe in our analysis. For example, in 1993, 66 of the 76 voting members of the LDDP voted in favor of the budget, yielding a discipline rate of 86.8%. The years 1994, 1995, and 1996 yielded discipline rates of 73.6%, 64.4%, and 80.2% respectively. Hence, the average discipline rate for the majority party in the First Seimas, from 1993-1996 is 76.25%. The Second Seimas, from 1996-2000, saw a coalition of the TSLK and LKDP, with discipline values of 94.9% and 73.4% respectively. The first coalition in the

Third Seimas, in 2000, had a discipline value of 100% for both the LF and NS/SL, while the second coalition in the Third Seimas, 2000-2003, united the LSDP (100% discipline) with the NS/SL (97.3% discipline).

Once we calculated party discipline, we estimated the size of the variance circles relative to one another using the LDDP majority faction in the First Seimas as a base line. Given that there were members of that faction who supported a Soviet-style socialist economy, we estimated that the circle representing variance or party discipline in the LDDP during the first Seimas term extended to the y-axis. This gives the circle that represents 76.25% variance a radius of 6 units (four units on the graph span one whole number; our graph of one to ten covers 36 units). Knowing that a party discipline factor of 76.25% yields a circle with radius 6 and that a variance of 100% yields a circle with radius 0 permits us to estimate the size of the remaining circles. Hence, the radius of the circle for the TSLK from 1996 to 2000 (with a party discipline score of 94.9% can be calculated as

$$(23.75/6)=(5.1/x)$$

Cross multiplying gives the result $x = 1.28$ units. The radius of the circle corresponding to 94.9% is 1.28. We repeated the calculation for the other coalition parties in each period.

Once the sizes of the circles were approximated, the next step was to estimate the location of the circles on the two dimensional graph. The point estimates provided by our political observers approximate the center of mass for a coalition, not each party to the coalition. We use plots of the locations of parties in the Lithuanian political system along economic and defense dimensions used by Clark and Prekevicius (2003) that employ a

scale similar to our own. Graphing this data with economics as the x-axis and defense as the y-axis places the TSLK in the upper right (higher on both axes) and the LKDP closer to the lower left (lower on both axes). The slope of the line connecting both points is $.51/.49$. The distance between the LKDP and the TSLK along the x-axis, or the economic difference, can be set as $.49$, the x value from the slope. That distance happens to be 4.8cm , so every 4.8cm on the graph represent $.49$ units from the zero-to-one graph. Likewise, the vertical distance between the LKDP and the TSLK along the y-axis, or the defense difference, can be set at $.51$, the y value from the slope. That distance is 1.04 cm , so every 1.04 cm vertically on the graph represents $.51$ units on the zero-to-one graph. The distance from the LDDP to the LKDP is 7.28 cm up, 2.4 cm to the right, which on the zero-to-one graph would be 3.75 units up, $.245$ units to the right of the LDDP. Performing the same calculation for the distance from the LDDP to the TSLK gives a distance of 4.08 units up, $.735$ units to the right of the LDDP on the zero-to-one graph.

The location of the LKDP and the TSLK can be plotted on the one-to-ten graph to give the location of the parties relative to each other. The absolute location of the two parties on the one-to-ten graph is too far removed from the location our panel of Lithuanian political analysts chose for the Seimas during 1996-2000. The difference reflects a difference in scale. Since we are concerned with relative location, not absolute location, the locations of the parties were moved, keeping the slope between them constant and ensuring that the location of the Seimas remains centered between the parties. Once the parties were relocated, the variance circles were drawn with their centers at the party location. The locations of the remaining parties were determined in a similar manner.

Figure 1

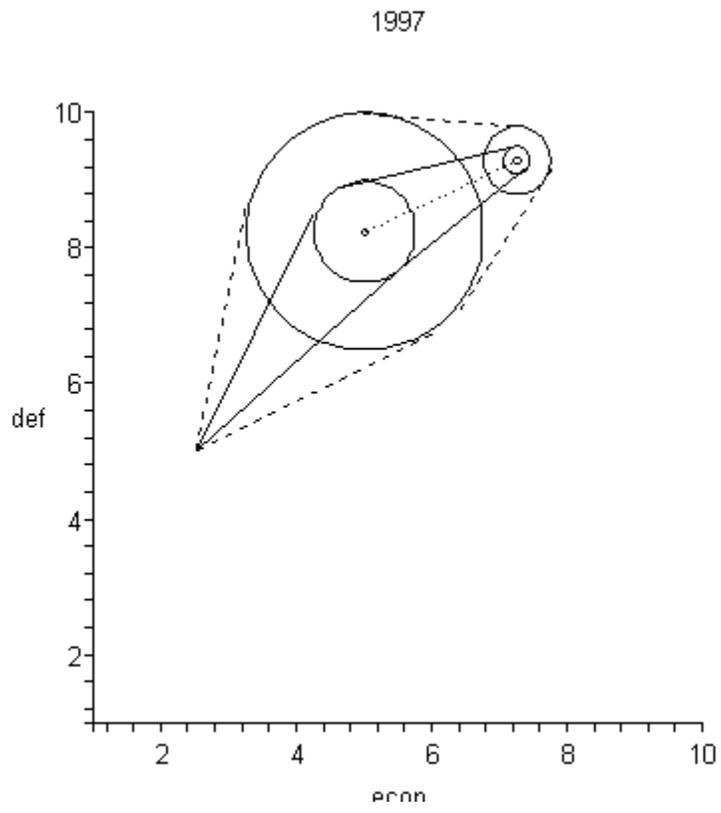
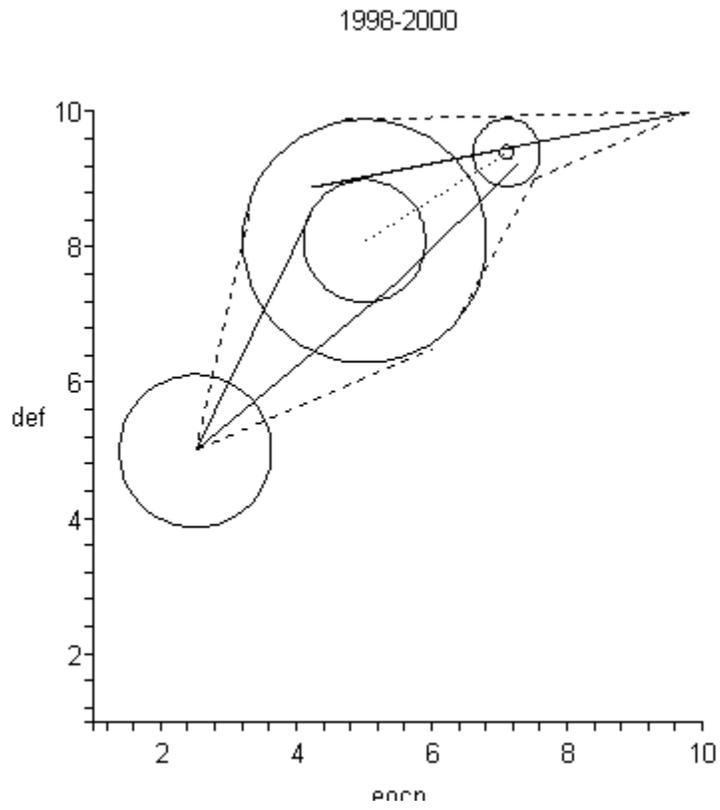


Figure 2



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ENDNOTES

¹ Pérez-Liñán and Rodríguez-Raga (2003) claim that “if congress has the capacity to override a presidential veto by simple majority, the executive is virtually deprived of any effective veto authority.” Despite the fact that the parliament’s ability to override a presidential veto by a simple majority diminishes the president’s power to affect the policy outcomes, it does not eliminate them altogether. The president retains certain significance provided the rules allow him to veto the bill and to return it to the legislature together with his proposed amendments.

² In order to simplify the task, we characterize relevant veto players in $n=2$, two-dimensional, Euclidean space. We use approximations of the location of the three institutional veto players provided by observers of Lithuanian politics on economics and defense issues for this purpose. Unless otherwise noted, the x-axis is on a scale of one-to-ten, with 1 indicating a preference for Soviet-style socialism and 10 for a liberal, Western-style economy. The y-axis represents a one-to-ten scale on defense spending, with 1 representing a low defense budget and 10 representing a high defense budget.

³ A decision may not be possible owing to the existence of cycles, or sequences, of intransitive preference orderings, such as decision A is majority preferred to B, B majority preferred to C, and C majority preferred to A. Given these cycles, the final decision mostly depends on the structure of the agenda, and it is possible to plan the agenda in such a way that the final outcome is almost anywhere in the issue space (McKelvey 1976).

⁴ A covering relationship is defined as follows: point x covers point y if and only if for all z which are majority preferred to x , z is majority preferred to y . The uncovered set consists of all points which are not covered by any other points (Tsebelis 2002, pp. 55-57). The rationale behind the idea of restricting the outcomes to the uncovered set is that it would not make sense for the collective player to arrive at an outcome x which can be defeated by y , and x does not defeat any outcome z which defeats y .

⁵ The wincircle includes all the points belonging to the winset of SQ . However, the opposite is not necessarily the case. Most often there exist points belonging to the wincircle but not to the winset of SQ . One step in constructing the wincircle involves determining the yolk, that is the smallest circle intersecting all the lines dividing the ideal points of the collective veto player into two sets, one of which consists of the minimum number of ideal points exceeding the threshold q . The size of the yolk is an indication of how well the wincircle approximates the winset of SQ . The smaller the yolk, the better the approximation. For the rules on how to construct the wincircle, see Tsebelis (2002) pp. 45-46.

⁶ http://www3.Irs.lid/posedzjai/3/klaus_stadija_1113.htm