

The Role of the President in the Context of the Political Changes in Slovakia

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The Role of the President in the Context of the Political Changes in Slovakia. The aim of the article is to introduce a number of determinants that influence the activities of the office of the President of the Slovak Republic. They caused numerous transformations, which were implemented into our constitutional order over the time. The relations between president and government within the executive power is the most common theme of amendments to the Constitution of the Slovak Republic. Even the introduction of the institute of direct election for the head of state in 1999 arose as the result of strained relations between the same power entities. Therefore, there is a clear tendency that only if both components of the executive power come from the same political background, they carry out their activities in a positive way. This statement can be demonstrated by the political development in Slovakia after the year 2010 – throughout the government of Iveta Radičová, as well as Robert Fico.

Key words: president, government, executive power, election for president, political stability, election campaign

Funkcia prezidenta na Slovensku v kontexte politických premien. Cieľom článku je predstaviť viacero determinantov, ktoré vplývali na činnosť funkcie prezidenta v podmienkach Slovenskej republiky. Spôsobili celú radu premien, ktoré sa postupne dostali až do nášho ústavného poriadku. Vzťah prezidenta a vlády v rámci výkonnej moci je vôbec najčastejšou témou novelizácií Ústavy Slovenskej republiky. Aj zavedenie inštitútu priamej voľby hlavy štátu v roku 1999 bolo výsledkom napätých vzťahov medzi týmito subjektmi tej istej moci. Dochádza tak jednoznačne k tendencii, že len v prípade, že obe zložky výkonnej moci sú z jedného politického tábora, vykonávajú svoju činnosť pozitívnym smerom. Toto možno preukázať aj na politickom vývoji na Slovensku po roku 2010 – pri vláde Ivety Radičovej i Roberta Fica.

Klíčové slová: prezident, vláda, výkonná moc, voľba prezidenta, politická stabilita, volebná kampaň

Introduction

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The establishment of the Slovak Republic introduced, inter alia, the need for creation of numerous constitutional statuses, which did not rise from the real historical tradition to the modern history of Slovakia. Even the process of the creation and adoption of the Constitution after the parliamentary elections in 1992 demonstrated that extremely short time considerably influenced the quality of the constitutional documents approved. There have been no other office changed and considerably modified so often as the post of the head of state since 1993. In political terms, this was caused by variety of ambiguous phrasing in the original text of the Constitution, which counted more on coexistence of top constitutional leaders on bases of mutual trust and cooperation. Basically, it did not expect the highest constitutional representatives within the executive power to differ so enormously in view of problem solving or even in interpretation of the individual articles of the Constitution. Ergo, the first five years of the independent Slovak Republic in the period 1993-1998 is significantly marked by almost the "fratricidal" duel between the Prime Minister on the one hand and the President on the other. Political discrepancies between Vladimír Mečiar and Michal Kováč significantly influenced not only everyday Slovak political reality, but often occupied the Constitutional Court by interpretation of the individual articles of the Constitution, sometimes even eventuated in hands of the legislature. The then coalition government did not hold constitutional majority, however not once attempted to recall Michal Kováč, respectively to make him abdicate. Based on the results of this fighting, a fundamental polarization in society was formed, which consequently led to creation of two major political streams controlled by parties HZDS (Movement for a Democratic Slovakia) and SDK (Slovak Democratic Coalition). (Horváth – Juhás, 2012)

All the above mentioned problems of mutual coexistence and cooperation of the head of state and the Prime Minister was one of the reasons of escalation of political situation after the early parliamentary elections in September 1994, when neither the coalition nor the opposition were able to rationally consent on the possible candidate for the office of president instead of Michal Kováč. The situation was even more dangerous, as there was a real imminence of violation of smooth functioning of the constitutional system in case of failure to occupy the presidential office. Substantial competency of the president to appoint or recall the Prime Minister and the Government as such and receive its resignation (including obligatory one after the constituent meeting of the National Council) does not belong within the jurisdiction, which could be overtaken by any other body, such as the Speaker of Parliament while not having a representative of this office. Thus there was a chance of inability to recall the old Government and appoint a new one after the parliamentary elections in September 1998, in case of failure in electing after the end of

Michal Kováč's mandate on March 2nd 1998. In that case, and absurd situation would occur, because despite successful election of new parliament, the old one would continue to govern. Over the years 1996 to 1997 a new alliance of several right- and left-wing politicians was formed on basis of the political situation of this constitutional possibility. Their cooperation led to creation of a new political body as the Slovak Democratic Coalition (SDK). Its main agenda in relation to potential voters has gradually become an effort to introduce direct presidential elections and hence the need of change of the Constitution of the Slovak Republic. Since this option would not have a real chance for success in the parliament, the leaders of SDK decided to promote and politically support this idea by means of principle of the direct democracy established in the Constitution of the Slovak Republic - the referendum. However, this option enclosed its significant constitutional and political risks. As well as for the election for president in parliament, complicated conditions for successful implementation were distinctive for the referendum too. The referendum is in fact becoming valid only in case of major attendance of all eligible voters for the elections to the National Council in regard to their positive voting. (Horváth, 2007)

Election rules for the presidential elections

President and his status in political system of the Slovak republic represents interesting and discussed topic by many aspects. Historic point of view shows, that the formation of office of the head of state and his initial activity had a negative impact to inability of appeal to an acceptable tradition. Neither constitutional establishment of presidential institute can be identify as the most ideal, due to numerous amendments to the catch six of Institution, related to the president in relatively short history of Slovakia

The role of the head of state through the initial existence of the Slovak republic did not correspond to the prevalent model of functioning of president in parliamentary system and the political situation of the period did not help to stabilize presidential authority. Cooperation of both constituents of executive power represented by the president and the government, which is typical for parliamentary model, proved to be unreachable perfection for the diametrically different reality. A remarkable turn is observed by the end of the 90's of 20th century. Stabilization of presidential status appears in frames of his institutional status as well as his relation to the rest of the top political instances. Related to this situation, direct elections for president plays a significant role, even though there was no ambition to empower head of state, but rather to solve an existing institutional problem of malfunctioning mechanism of election for president.. (Kopeček, 2007)

The actual election for the President shall be done by direct elections by secret ballot. The right to vote belongs to all citizens who have the right to vote for the National Council of the Slovak Republic, thus they reached the age of at least 18 years, are eligible to legal acts and are present in the Slovak Republic on election day. Unlike other countries, as well as election to the National Council, persons outside the territory of the Slovak Republic are not allowed to vote. The Speaker of Parliament announces the election date so that the first round hold no later than 60 days before the expiry of the term of the incumbent president's office. The elections are normally held during one day between 7:00 and 22:00. The caller is allowed to determine the division into two days by law on the election for the president allow, however this right is not applied.² The candidate who obtains a majority of valid votes of eligible voters is elected the President. In case of not achieving the majority needed by either of candidates, the second round of elections is hold within next 14 days. The two candidates with the highest amount of valid votes proceed to the second round. The one who obtains the highest number of valid votes of the voters becomes the overall winner. A curiosity of the Slovak presidential election is a mean against the election of radical candidate in the first round. Worldwide, the second round itself generally represents such a mean of prevention in case of failure of an absolute majority in the first one. In case of Slovakia it was strengthened by then-ruling coalition to prevent possible victory of Mečiar in the first round, as, within voters, he had a great support and disciplined electorate. That is why it is not enough to gain an absolute majority of the votes, but for election of the candidate for the President in Slovakia, the majority of all eligible voters is needed. It is the Constitutional Court that decides about the legality of the election at the end. Although the Constitution does not recognize any further restrictions on overtaking the office by the successful candidate, it is bound by incompatibility with another paid office and certain statuses within the political system, as for example a member of the National Council of the Slovak Republic, a member of the Government, a judge, a prosecutor, a member of the armed forces, a member of the Supreme Audit Office, etc. The change of election method has also brought changes in taking over the office. In the past, the president was sworn in by the chairman of the National Council of the Slovak Republic, but after the constitutional editing he has been sworn in by the head of the Constitutional Court and the exact noon on the day of ending of the previous president mandate. In case of an early end of the President's term, the elected candidate shall take the oath and take over the office of the President at noon on the next day after the

² For more information: Law on the Election of the President method č.446/1999 Coll (Bližšie Zákon o spôsobe voľby prezidenta č.446/1999 Z.z.)

announcement of the election results. The actual text of promise reads: "I promise on my honour and conscience to be faithful to the Slovak Republic. I will attend to the well-being of the Slovak nation and the national minorities and ethnic groups living in the Slovak Republic. I will discharge my duties in the interest of citizens and will uphold and defend the Constitution and other laws."³ The ambiguity of interpretation of election and taking office was removed by the amendments to the Constitution. It was the case of Michal Kováč, when the government recourse to the Constitutional Court to demand the calculating of presidential office from the moment of election. Though, this proposal of the Slovak Republic did not succeed at the Constitutional Court. Therefore, we can generally state, that in terms of the political system of the Slovak Republic, it is the date of swearing in to count any office duration from, as given by the constitution or implementing legislation.⁴

Despite of small conflicts with ruling coalition, period of second directly elected president Rudolf Schuster is recognized as inceptive fulfilment of his role arising from parliamentary model. Ivan Gašparovič was elected for the third president of the Slovak republic in 2004 and at the beginning he toed the line of previous heads of state. The Cabinet assigned him to be "opposition" president, however he avoided direct or harsh attacks on government. With the advent of Robert Fico's government in 2006, an unprecedented phenomenon appears. Relationship in between top representatives of executive power, the cooperation of president and prime minister could be identified as, so called, "elemental harmony" (Kopeček, 2008, s. 196). The balance arose thanks to related political orientation of both representatives of executive power.

An interrelatedness of a head of state and political parties is one of the factors significantly influencing relations between president and the government. It also contributes to election or re-election for president in conditions of the Slovak republic, as we observe in case of present president Ivan Gašparovič. All the former presidents' candidacies were strongly supported by background of their political party career that significantly helped to their election. While Michal Kováč could rely on the support from side of the Movement for a Democratic Slovakia and Rudolf Schuster could lean on his Party of Civic Understanding, present-day president Ivan Gašparovič's first candidacy was supported by few smaller nationally oriented parties and party Smer. This phenomenon of important status of political party in election for president become fully evident in the second election of Ivan Gašparovič for

³ Article. 104 of the Constitution of the Slovak Republic (Čl. 104 Ústavy Slovenskej republiky)

⁴ For more information: Article. 101, 103 and 104 of the Constitution of the Slovak Republic (čl. 101, 103 a 104 Ústavy Slovenskej republiky)

Slovak president in 2009, as support of Party Smer-SD (Direction – Social Democracy) with leader Robert Fico helped his victory in a difficult duel with a rival candidate Iveta Radičová. As followed from the facts political parties have been significant support for all the presidents.

The concept allows us to state that reconciling of both elements of executive power, president and government, influences political situation in Slovakia. The amount of laws returned by president to parliament is closely related to cooperation of president and government. In case of president's background identical with government political orientation, the number of returned laws decreases much lower than in opposite situation.

President in election campaign

In Parliamentary elections of 2010, till then ruling party Smer-SD won by margin, however due to lack of suitable partners, it was not able to compose governing coalition. Thanks to this, the ruling coalition was formed by right-wing parties led by SDKÚ-DS (Slovak Democratic and Christian Union – Democratic Party). The coalition was composed also by KDH (Christian Democratic Movement) as well as newcomers on political and party scene of Slovakia SaS (Freedom and Solidarity) and Most-Híd (from the Slovak and Hungarian words for "bridge"). Shortly after the creation of this coalition, the voices predicting its short duration appeared. Not only because of some kind of conflict of interest (especially between SaS and KDH), but in particular due to the fact that the ruling coalition was not composed of four political parties, but of six parties, since SaS included group around Igor Matoviča finally formed other political party Obyčajní ľudia (Ordinary People) and Most-Híd held also representatives of further political party OKS (Civic Conservative Party). Given the large number of political parties forming the coalition and thus hardly reconcilable interests, it was only a matter of time before this unmanageable "conglomerate" of multiple parties freezes itself out. The prognosis become reality and government of Iveta Radičová fall apart after 461 days. The breakdown took place on October 11th 2011, when National Council of the Slovak Republic did not approve an increase in the powers of euro zone bailout fund, which was associated with a vote of no confidence in the Government of Iveta Radičová. Due to negative result in voting for the temporary bailout fund in parliament, the vote for no confidence resulted with the same response and Prime Minister Iveta Radičová was removed from her post in the Presidential Palace by the head of state in presence of Parliamentary Chairmen Pavol Hrušovský. By means of an amendment to the Constitution approved by parliament, he could empower her for implementation of her mandate till the formation of a new government. The termination Cabinet had remained in charge till early parliamentary election, held on March 10th 2012.

Furthermore, the amendment to the Constitution strengthened the powers of the President for the duration of the interim government. A number of experts agreed that such a strong position of President appeared in the Slovak Republic for the very first time. Shortly after the fall of the Cabinet of Iveta Radičová connected to the vote on the EFSF and vote of confidence, the president Ivan Gašparovič responded to these events. It was a month before the early parliamentary elections, when he criticized the called-off right-wing government. According to his opinion Slovak politics seems to score an own goals. In addition, he stated that during the last year Slovakia represented an unpredictable partner for its allies in the EU and in the context of the vote on the temporary EFSF he reminded world media headlines, which did not increase our international status or credibility towards foreign countries. Regardless of how people are frustrated by the current situation in Europe, he considers the EU to be a crucial topic.

During the election campaign, the president acted within the established standards and did not influence its duration significantly, however, during this period he avoided contact with party Smer-SD. The contact on the other side, was initiated mostly by leaders of right-wing parties. At the same time, Mikuláš Dzurinda, leader of the right-wing party SDKÚ-DS accused the President of the Slovak Republic of collaboration with the strongest opposition party Smer-SD, which, according to his opinion, blocked the appointment of the Prosecutor General by these means. Web portal *spravy.pravda.sk* mentions that the leader of SDKÚ-DS asked indignantly, why does Smer-SD prevent the appointment of the legitimately elected prosecutor and why does the president speak about his lack of credibility. Despite of the fact that the President was not an active member of the election campaign and he has expressed a clear and unequivocal support for Smer-SD, he (in)directly involved himself into the election battle by announcing a removal from office of the Minister of Finance Ivan Mikloš representing party SDKÚ-DS for the collapse of the financial report only a day before the early parliamentary elections. By this action he reminded the voters of the inability of by now depressed and almost dysfunctional right-wing government of Iveta Radičová. However, it is interesting that less than a month before, our head of state acknowledged not taking action in deprivation of his function of Minister due to the problems in functioning of the tax information system. He stated: "I consider replacement of Minister for one of the present government members just a few days before the elections to be not really useful. That is why I decided to leave the Minister in his office." Nevertheless, the situation changed in few weeks and the president expressed his intention to appeal the Minister of Finance to the Prime Minister Radičová in a private conversation. President drew an attention to the almost dysfunctional government and indirectly helped the opposition party Smer-SD a just day

before elections. Among other factors contributing on the failure of these political subjects, he provoked even greater apathy towards right-wing parties of the broken-down government, which was also reflected in the actual elections. The usual backgrounder of President just before the end of the election campaign was not held. Despite the fact that the highest constitutional officer was supported by party Smer-SD during the presidential elections, he decided to maintain apolitical, respectively neutral in the election campaign and he did not provide any direct support of this political party. On the other side, the spokesman of President points out that "during his meetings with citizens, he constantly appealed to use their right to vote." (Juhás, 2013)

The early parliamentary elections were held on October 11th 2012 and president Ivan Gašparovič attended them. After voting he claimed them to be the most important since 1990, given that the period of responsible decision-making should follow in relation to the European Union, to economic or social programs, and especially to the upcoming Presidency of Slovakia in the EU for the year 2014. Taking into consideration all that, he encouraged every citizen to participate in elections and to consider the need for a stable government. Thus he indirectly urged citizens to cast their votes for political party Smer-SD often referring to stable government, which was exemplarily not handled by the coalition of Iveta Radičová. The president also stressed his wish for government with pro-European program and at the same time with the vision respecting the status of Slovakia in the EU and feeling responsible for the Slovak citizens. Furthermore, he asked the undecided voters to consider well the promises of each political entity and to cast their vote.

In the early parliamentary elections the political party Smer-SD won again by 44.41% of the valid votes. The second place went to the party KDH with the support of 8.81% voters, which demonstrates the enormous gap. A new political entity Obyčajný ľudia a nezávislé osobnosti (Ordinary People and Independent Personalities) took the third place with 8.55% of votes. Parties Most-Híd, SDKÚ-DS and SaS represent other three parties that have got their place in the Parliament. President Ivan Gašparovič reviewed the parliamentary elections by positive evaluation of their conduct, described them as smooth and appreciated the citizens' participation. Furthermore, he add: "elections are an expression of responsibility and in these elections the citizens demonstrated their together with an awareness." At the same time he expressed the demand for formation of stable government that will declare a firm status of Slovakia in the European Union and hereby will grant solidarity towards the citizens. He repeatedly called for cooperation between ruling government and its opposition, in a view of the fact that the opposition has its important role and together with government it should seek for a common solutions in ensuring an economic growth and the implementation of social programs. The Head of

State congratulated the winning party and expressed his support for the Government and Parliament, appealing not only to the possible coalition partners, but also to the whole society to cooperate and therefore prevent repeating the situation of the early elections. Besides, Ivan Gašparovič announced that he will entrust the winning party leader to form a new government and will fully respect his decision whether to govern by themselves or to create a right-left coalition. In addition, he would welcome formation of a stable and responsible government intent of internal, as well as foreign policy. It needs to be added that the President was now definitely in much more easier post-election situation based on the result of the elections, because there was no solution other than Smer-SD taking the executive power in Slovakia.

Ivan Gašparovič did not affect the elections negatively within the limits of his power, neither did he interfere significantly. During his rare public appearance through the election campaign, he did not express any clear and unequivocal support for Smer-SD despite their proximity-based opinions. Nonetheless, given the evolution of preferences and actual results, he was not obliged to "pay back" the support of Smer-SD throughout his second election for president. The expression "stability", which our president used after the fall of Iveta Radičová's government and before the early parliamentary elections, could be stated as an example of the indirect form of support for political party Smer-SD, by the head of state. This keyword was at the same time the central election motto of Smer-SD. However, the need for stability had been a natural consequence of the government chaos since October 2011. The absolute victory of Smer-SD and the consequential formation of one-party government clearly facilitated president's situation, in view of the fact that any solution other than taking over the state power by Smer-SD was not an option. The president fulfilled his role in the election campaign, the early parliamentary elections and the post-election situation. We can therefore state that he standardized the transfer of power after the elections.

President within the executive power

The President's authority to appoint and recall the members of the Government as well as the Prime Minister⁵ is based on creation of parliamentary form of government in Slovakia and on the constitutional principle of separation of powers and relations between the highest constitutional institutions. The president is involved in the process of formation and existence of the Cabinet in the first phase by appointing the leader and according to his proposal also by

⁵ the powers of head of state are regulated by the Constitution of the Slovak Republic in its provisions in Art. 102 paragraph. 1 point. g), Art. 110, Art. 111, Art. 115, Art. 116

appointing the other members of the Government. The National Council stands at the end of the process and performs the expression of its confidence to the Government on basis of the program.⁶

From a constitutional perspective, the only exclusive decision of the President is the appointment of the Prime Minister. His autonomy is absolute in terms of the Constitution. The only criterion is, that the head of state appoints a person who meets the criteria for citizenship of the Slovak Republic and the conditions of eligibility to the National Council of the Slovak Republic, in particular the age of 21.⁷ Ad absurdum, anyone from Slovakia could become the Prime Minister. Nevertheless, the main principal of parliamentary form of government, sovereignty of parliament over the government, requires the president to respect the results of the parliamentary elections, respectively the current distribution of political powers in the parliament and appoint the Prime Minister, who is able to obtain legislative support for the political program of the government. Another convention in parliamentary form of government is to authorize the leader of the strongest parliamentary political party by formation of a government (it does not mean the appointment of the Prime Minister in practice) or in case of his failure the leader of another party in order of amount of the votes obtained. However, it needs to be emphasized that this process is logical from political point of view, but the head of state is not bound by it. It rather may determine the state of political culture in the country. (Horváth, 2013)

The President is not autonomous in relation to the appointment of other members of the government and he must comply with the proposal of the Prime Minister. At this point, there was a significant change compared to the original version of the Constitution. According to this, even as interpreted by the Slovak Constitution by the Constitutional Court of the Slovak Republic⁸, the President was bound by the proposal of the Prime Minister for the appointment of the other members of the government. However, this commitment was not absolute, because although the President could not appoint a member of government according to his own decision without the Prime Minister's proposal, he could refuse the proposal. Such an example was the case of appointment of Ivan Lexa for the post of the Minister of Privatization proposed by the Prime Minister Vladimír Mečiar by refusal of

⁶pursuant to Art. 113 of the Constitution of the Slovak Republic

⁷Art. 110 Paragraph 2 of the Constitution of the Slovak Republic

⁸ a proposal by the President on an interpretation of Art. 111 and Art. Paragraph 116. 4 of the Constitution of the Slovak Republic - the decision was published as the Resolution of the Constitutional Court Sp. spots. I. U.S. 39/93 of 2 June 1993, published in the Collection of Laws under no. 206/1993 Coll of. and the Collection of findings and resolutions of the Constitutional Court under no. 5/93

Michal Kováč in November 1993. In his statement he claimed that "he does not fulfil the criteria and because I know him well personally too, I do not trust him." Such a relatively free mandate was also present in case of proposal of the recall of a member of the Government. His responsibility to recall the member of the Government was obliged by the Constitution only in case that the National Council of the Slovak Republic expressed distrust to hi, respectively in case of his own resignation. However, if the proposal for recall of member of the Government was given by the Prime Minister, under the same interpretation of the Constitution by the Constitutional Court of the Slovak Republic, the President was required to deal with the proposal of Prime Minister, but after assessing the circumstances of the case he could decide whether to accept such a proposal or whether not to comply the proposal by the Prime Minister and leave the member of the government in his office. (Horváth – Juhás, 2012).

Such a mechanisms is not typical for the parliamentary form of the government, in which the Prime Minister is the one with the decisive power to create his government (as for example in the Great Britain). By this means, the President could negatively influence the activities of the Government and could even cause a government crisis. Therefore the authorisation of the Head of State to assess the proposals of the Prime Minister on the appointment and recall of individual members of the government, and even the possibility not to accept such a proposal was removed by the Amendment of the Constitution with the statement that the phrasing from the original text of the Constitution, Article No. 111

„The President appoints and recalls other members of the Government and entrusts them with the management of the Ministries according to the proposal of the Prime Minister“ was changed into phrasing of the same article of the Constitution: " The President shall appoint and shall recall other members of the Government and shall entrusts them with the management of the Ministries according to the proposal of the Prime Minister ." ⁹ Nonetheless, there is one authorization of the President, which remained strong in this context. If the head of state recalls a member of the Government, he designate another member of the Government, who will temporally manage the uncovered resort until the appointment of a new one. In that case, the President is not required to accept the current proposal of the Prime Minister. ¹⁰ Although this is a relatively insignificant and timed affair, it may be politically very uncomfortable especially to the Prime Minister. A situation of May 2001 can be used as a typical example. After the recall of the Minister of Interior Ladislav Pittner, the then-President Rudolf Schuster did not comply with the proposal of the Prime

⁹ čl. 111 Ústavy Slovenskej republiky

¹⁰ čl. 116 ods. 7 Ústavy Slovenskej republiky

Minister Mikuláš Dzurinda to entrust him as Minister of Law by the temporarily management of the Ministry of the Interior. According to his decision he delegated the Minister of Justice Ján Čarnogurký by the office.

Conclusion

Status of the head of state in our country still seen as unique. Despite the fact that none of its Slovak presidents directly or indirectly followed the tradition, it origins in the First Czechoslovak Republic. The fundamental question is whether the head of state should be non-partial, with a high level of moral authority and long-term vision of development, or the presidency should be led by an experienced party politician.

Although the majority of people wish this authority to be taken by non-partial person, real practice shows that a representative of political parties has greater chance.

Formal powers of the President of the Slovak Republic are relatively weak and have been the subject of several political arguments not only in the parliament. Citizens, however, largely wish the position of head of state to be strong and with wider powers. Power of "the first citizen of the state" does not originate only in the constitutional definition of competencies and their formal declarations, but relies on a degree of moral authority in society. The source of such an amount of non-formal authority originates in shared values, which should be guaranteed by the Head of State.

Any individual who takes the office of president, has shifted into a symbol. In the perception of citizens he should take and maintain the dignity and seriousness of vested authority. The role of the President in the normal conditions of the political system is rather timeless, and it becomes the actual in context of conflicts and tensions, when he is required, to intervene uncompromisingly and with full determination. Any of his activities within the political scene is always perceived and carefully analysed. In parliamentary form of Government, the functions of the head of state should be particularly represented by stabilizing factor. Responsibility of the president is constitutionally emphasized in particular by the fact that the process of selection and appointment of the Prime Minister is not bound by any proposal and finally the choice of the candidate is up to him.

Tradition of parliamentary democracy obliges him to be careful to appoint the Prime Minister who can win the trust of the Parliament. This leads to the close link between parliament and the government, which can eliminate the mutual tension between them.

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