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Parliamentary vs Presidential Form of Government

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Why in News

Recently, it has been suggested that India **should adopt the presidential form of government** instead of the **parliamentary** style of democracy, inherited from the British.

These suggestions have been given in the **backdrop of frequent elections** and related administrative as well as financial burden owned by India.

Parliamentary System of Government

- There are **two executives**:
The nominal executive is the head of state e.g. President while the real executive is the Prime Minister, who is the head of government.
- In such a system, the role of president or monarch is primarily ceremonial and the Prime Minister along with the cabinet wields effective power.
- Countries with such a system include Germany, Italy, Japan, United Kingdom as well as Portugal.
- The Constitution of India provides for a parliamentary form of government, both at the Centre and in the States.
Articles 74 and 75 deal with the parliamentary system of government at the Union level and **Articles 163 and 164** contain provisions with regard to the States.
- **Executive is responsible** to the legislature for its policies and acts.

Presidential System of Government

- There is only **one executive**.
- In this system, the President is both head of state and government, e.g. USA, South Korea etc.

- The executive is **not responsible to the legislature** for its policies and acts, and is constitutionally independent of the legislature in respect of its term of office.

Key Points

- **Arguments Against the Parliamentary System:**

- **Unqualified Legislators:** The parliamentary system has created unqualified legislators, who have sought election only in order to wield executive power.

It limits **executive posts to those who are electable** rather than to those **who are able**, e.g. the prime minister cannot appoint a cabinet of his choice; he has to cater to the wishes of the political leaders of several parties.

- **Powerful Executive:** Most of the laws are drafted by the executive and parliamentary input into their formulation and passage is minimal. It has been seen that the ruling party issues a whip to its members in order to ensure unimpeded passage of a bill.

- Since defiance of a whip itself attracts disqualification, MPs blindly vote as their party directs.
- Hence, the parliamentary system does not permit the existence of a legislature distinct from the executive.

- **Fickle Legislative Majority:** It has forced governments to concentrate less on governing than on staying in office, and obliged them to cater their coalitions.

It puts insurance on **defections and horse-trading**. The **anti-defection Act of 1985** has failed to cure the problem, since the bargaining has shifted to getting enough **MLAs to resign to topple a government**, while promising them offices when they win the subsequent by-elections.

- **Distorted Voting Preference:**

It has distorted the voting preferences of an electorate that knows which individual it wants to vote for but not necessarily which party.

- **Arguments in Favour of Presidential System:**

- **Stable Executive:** It establishes a stable executive which does not depend upon the **fluctuating will of the legislature** especially in case of coalition governments.

A system of directly elected chief executives at all levels – panchayat chiefs, town mayors, Chief Ministers (or Governors) and a national President – elected for a fixed term of office, invulnerable to the whims of the legislature, and with clearly defined authority in their respective domains – would permit India to deal more efficiently with its critical economic and social challenges.

- **Ability Over Electability:** Cabinet posts would not be limited to those who are electable rather than those who are able.

The President can appoint anyone as secretaries (equivalent to minister).

- **Effective Check and Balance:** It establishes the presidency and the legislature as two parallel structures. This allows each structure to **monitor and check the other**, hence preventing the abuse of power.
- **Role of Citizens:** At the end of a fixed period of time, the public would be able to judge the individual's performance, rather than on political skill at keeping a government in office.

Further, the Indian voter will be able to vote directly for the individual he or she wants to be chosen as a head rather than a majority of **Members of Parliament** and **Legislative** assembly.

- **Argument Against the Presidential Form:**

- **Lack of Cooperation:** A weakness of the system is its failure to ensure the **co-operation between law-makers and administrators.**

Frequent conflicts between the legislature and the executive may lead to **deadlocks.**

- **Autocratic:** A presidential system **centralises power in one individual** unlike the parliamentary system, where the Prime Minister is the first among equals. The surrender to the authority of one individual, as in the presidential system, is dangerous for democracy.
- **Concerns over Separation of Powers:** If the legislature is dominated by the same party to which the **President belongs**, he may prevent any move from the legislature.

- **Benefit of Parliamentary System:**

- **Ensures Diverse Representation:** By looking at the diversity and the number of parties from different states, India needs a diverse cabinet to fulfill the aspirations of millions.

Hence, the parliamentary system ensures the **regional representations** by selecting candidates from different parts of the country.

- **Basic Structure of Constitution:** It is part of the **basic structure of the Constitution**. Altering the parliament system would face legal hurdles.
- **Prevents Authoritarianism:** Since the executive is responsible to the legislature, and can vote it out in a motion of no confidence, there is no authoritarianism. Also, unlike the presidential system, power is not concentrated in one hand, rather in a **group of individuals** (Council of Ministers).
- **Better Coordination:** Since the executive is a part of the legislature, and generally the majority of the legislature support the government, it is easier to pass laws and implement them.
- **Matured System:** It is an old system and can give new ideas with its experience in a democratic setup.

Way Forward

- We should ensure a system of government whose leaders can focus on governance rather than on staying in power. The present parliamentary system has been tried and tested for nearly 70 years. It can be reformed thoroughly to remove the challenges thrown up by it.
- Further there is a need to reform the electoral processes to make democracy more robust. The debate should be on **various loopholes in electoral processes** i.e from limiting expenditure of political parties and deciding the ceiling on the expenditure, to holding simultaneous elections, declaring the results for a combination of booths instead of constituencies, etc.

Source: IE