

1. DISTINGUISH BETWEEN PARLIAMENTARY AND PRESIDENTIAL FORMS OF GOVERNMENT. DO YOU THINK THAT CHANGING OVER TO PRESIDENTIAL FORM WILL BE A SOLUTION FOR BETTER GOVERNANCE? SUBSTANTIATE YOUR ANSWER.

The essence of parliamentary form of government is accountability of the executive to the legislature. The executive power is vested in the Council of Ministers with Prime Minister at its head and they are collectively responsible to the House of the People, the lower house of legislature. On the contrary, under a presidential arrangement all the executive powers are vested in the President who is not responsible to the legislature, say the Congress in the USA. Stability is the hallmark characteristic of the presidential system of governance.

In the context of India, Parliamentary arrangement has the following advantages.

Firstly, the system has been in existence for quite some time under British rule and people are familiar with its working.

Second, the pluralistic nature of Indian society and the vastness of the country finds parliamentary form of governance congenial to give due representation to regional, cultural and ethnic diversity in the council of ministers, the repository of real executive power.

Third, the conflict between the executive and the legislature, sometimes happening in the United States of America is unlikely to give due representation system.

The benefits of Presidential System are many.

First, it will force all political parties to be more democratic and robust. All political parties will have to choose their best candidates as there will be head-to-head contest.

Second, the President being elected for a fixed term and independent of the legislature is relatively free from sectional and party disputes. So he can devote his whole time to nation building activities.

Third, the president will be fully in charge of the executive. He will be able to attract the best and brightest to his cabinet, irrespective of their political affiliations. He won't have to fix quotas for allies or give important positions to senior but incompetent leaders.

Fourth, the government will be stable. The president will be elected by the people and will be voted out by them. He will not have to appease unreasonable allies and indulge in compromises all the time.

Fifth, the legislature will be free to do its work. The job of parliament is to pass laws.

The centralization of 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 hazardous for democracy.

Even though a powerful president can be stalled by a powerful legislature, a legislature dominated by the same party to which the President belongs, a charismatic President may prevent any move from the legislature.

Need for a shift:

India's fragmented polity, with dozens of political parties in the fray, makes a U.S.-style two-party gridlock in Parliament impossible.

Under existing parliamentary arrangement, people vote for a legislature in order to form the executive. It has created a unique breed of legislator, largely unqualified to legislate, who has sought election only in order to wield executive power.

There is no genuine separation of powers in a parliamentary form. The legislature cannot truly hold the executive accountable since the government wields the majority in the House. The parliamentary system does not permit the existence of a legislature distinct from the executive, applying its collective mind freely to the nation's laws.

From 1990s till 2014, our system has yielded coalition governments which have been obliged to focus more on politics than on policy or performance. The growth of regional parties has led to bargaining federalism in the periphery.

Considering the umpteen challenges faced by the country, political arrangements that permit decisive action is a principal requirement. However, ours increasingly promote drift and indecision. India needs a system of government whose leaders can focus on governance rather than on staying in power.

In fine, the emergence of coalition era in the 1990's led to an incessant debate for changing over to presidential system for political stability and unmarred development. However, it is not the constitutional arrangement that has failed; it is 'We the People' has failed the constitution. A switch over to the presidential system is not possible under our present constitutional scheme because of the 'basic structure' doctrine propounded by the Supreme Court in 1973. To alter the informed choice made by the Constituent Assembly would violate the 'basic structure' of the Constitution. Thus, it is propitious for us to try to strengthen the roots of parliamentary democracy by plugging the loopholes than changing over to Presidential model.