

# Parliamentary Form of Government

[UPSC Notes]

## What is the Parliamentary Form of Government?

India adopted a parliamentary system of governance primarily because the English system had a significant effect on the constitution's writers. The parliamentary model will only function to accommodate the diverse and numerous groups that make up our nation, as the founding fathers also understood. Additionally, the presidential system's strong separation of powers would lead to confrontations between the legislative and executive departments, which our newly independent nation could not afford.

There are more parliamentary governments than there are presidents in the globe. In this structure, the legislative normally has the final say, and the administration answerable to it. It is also referred to as "Responsible Governance," the Cabinet system of government, and other names.

## Elements of a Parliamentary Government

There are some significant elements of a parliamentary system of government. They have been listed down below;

- **Real and Nominal Executives:** The Prime Minister is the true executive (de facto executive), while the President serves as the nominal executive (also called as the titular executive or de jure). As a result, the Prime Minister serves as the Prime Minister of the Government, while the President serves as the President of the State.
- **Dual Membership:** The Parliament is the legislature, while the Prime Minister along with the Council of Ministers form the executive. The Prime Minister and other ministries are chosen by the members of parliament, hence the executive is derived from the legislative.
- **Collective Responsibility:** Together, the executive is accountable to the legislature. There is a collective accountability, which means that the Council as a whole is responsible for each minister's obligations.
- **Secret Procedure:** This kind of management stipulates that cabinet meetings must be private and not publicly disclosed.
- **Leadership under the Prime Minister:** This type of governance is under the control of the Prime Minister.
- **Majority Party Rule:** The leader of the party that wins a majority in the lower house typically appoints the prime minister.
- **Bicameral Legislature:** In the majority of parliamentary democracies, legislatures are bicameral.
- **Political Homogeneity:** Because they typically come from the same political party, the members of the ministers' council share similar political philosophies. A coalition government's ministers are obligated by agreement.

- **No fixed term:** The majority support of the lower house determines the length of the government's mandate. If a motion of no confidence in the government is unsuccessful, the ministers must resign. Elections will take place, and a new administration will be established.

## Constitutional Provisions for Parliamentary Government

There are four provisions for a parliamentary form of government in the constitution of India. They have been briefly explained below;

- **Article 74:** It focuses on the assistance and counsel provided by the Cabinet of Ministers to the President in carrying out his duties.
  - If the President requests that the Cabinet of Ministers reconsider, then the revised advice must be followed.
  - The Council of Ministers' recommendations to the President are not subject to judicial review.
- **Article 75:** It covers the following;
  - The Prime Minister is chosen by the President, and the President chooses other ministries based on the Prime Minister's recommendations.
  - For the duration of the President's time in office, ministers are selected by the President.
  - The Cabinet of Ministers is collectively accountable to the Lok Sabha.
- **Article 163:** It focuses on the assistance and counsel provided by the Cabinet of Ministers to the Governor as he performs his duties.
  - The assistance and counsel of the Ministerial Council are not required if the Governor is operating at his or her own discretion.
  - The Council of Ministers' recommendations to the Governor are not subject to judicial review.
- **Article 164:** It covers with the following:
  - The Chief Minister is appointed by the Governor, who also names other ministries at the Chief Minister's recommendation.
  - For the length of the governor's time in office, ministers are selected by the governor.
  - The state's Legislative Assembly holds the Ministers jointly liable.

## Advantages of a Parliamentary Form of Government

The advantages of the parliamentary system are as follows:

- **Better functioning between the executive and the legislature:** Since the executive is a component of the legislature and the majority of lawmakers often support the government, passing legislation and putting them into effect is made easier.
- **Prevents authoritarianism:** Since the legislative is in charge of the executive and has the power to remove it through a motion of no confidence, authoritarianism is avoided. Furthermore, power is not centralised like it is under the presidential government.
- **Responsible government:** The legislators have the power to interrogate the executive branch, debate issues of public concern, and apply pressure. The executive's actions are subject to scrutiny by the parliament.
- **Representing different groups:** Under this arrangement, the parliament provides various national groups with representation. This is particularly significant for a nation like India.

- **Flexibility:** The system is flexible because it is simple to replace the PM when necessary. Winston Churchill succeeded Neville Chamberlain as Prime Minister of Great Britain during the period of the Second World War. Contrary to the presidential system, where a president can only be removed at the end of his or her term or in the event of an impeachment or disability.

## Disadvantages of a Parliamentary Form of Government

The disadvantages of the parliamentary system are as follows:

- **No separation of powers:** Absence of a true separation of powers makes it impossible for the legislative to always make the executive accountable. If the government holds a sizable majority in the house, this is particularly true. Additionally, lawmakers are unable to employ their independent will and cast votes in accordance with their beliefs and understanding due to anti-defection laws. They must adhere to the party line.
- **Unqualified lawmakers:** The system produces lawmakers with the sole goal of advancing to the executive branch. They lack the necessary qualifications to pass laws.
- **Instability:** There is uncertainty if there is no clear winner after the elections since governments can only last as long as they can demonstrate a majority in the parliament. Coalition governments typically have a limited lifespan and are highly unstable. As a result, the administration must concentrate on maintaining power rather than worrying about the welfare or state of the populace.
- **Ministers:** The ruling party should be represented in the executive. As a result, hiring subject-matter specialists is out.
- **Failure to make a quick decision:** The Ministerial Council frequently defers making big, long-term policy choices because it does not have a defined tenure.
- **Party politics:** In the parliamentary system, where partisan interests motivate legislators more than national concerns, party politics are more obvious.
- **Bureaucratic control:** Civil officials have a great deal of power. They provide the ministers with advice on a variety of issues, and they are not answerable to the legislature.

## What is the Presidential Form of Government?

A presidential system has a separate executive from the legislative that is led by the head of state. In this situation, the head of the state and the government's top official are one and the same. The fact that the executive is not answerable to the legislative is another important element.

Here are some of a presidential system's key characteristics:

- Legislative acts are subject to the executive's (President's) veto.
- A vote of no-confidence in the legislature cannot be used to oust the President because of his set term in office.
- In general, the President has the authority to commute or pardon criminal sentences.
- Direct popular vote or an electoral college are both used to choose the president.

## Advantages of a Presidential Form of Government

The advantages of the presidential system are given below:

- **Separation of powers:** Since the three branches of the government are autonomous from one another, administration efficiency is significantly increased.

- **Expert government:** Because the president can appoint experts in numerous fields to lead pertinent departments or ministries, the executive branch is not required to be made up of legislators. This will guarantee that the government is made up of skilled and knowledgeable individuals.
- **Stability:** This form of government has stability. He need not be worried about losing the government because the president's tenure is fixed and not dependent on legislative support. There is no threat of the government abruptly falling. The president is not under any political duress to make choices.
- **Limited influence of the party system:** Since the tenure of the government is set, political parties do not try to overthrow it.

## Disadvantages of a Presidential Form of Government

The disadvantages of the presidential system are given below:

- **Less accountable executive:** Since the president and the executive branch are unaffected by the legislative, they are capable of taking a totalitarian stance.
- **Executive and legislative deadlocks:** Since the division of powers is more clearly defined here, there may be regular clashes between the two branches of government, particularly if the president's political party is not the majority in the legislature. Due to time wastage, this may cause efficiency to decline.
- **Inflexible Government:** Presidential regimes are sometimes criticised for having rigid government. It's not flexible enough.
- **System spoils:** The system grants the president broad patronage rights. He is free to pick the executives he wants here. As a result, those connected to the president gain positions in the government under the spoils system.

## Difference between the Parliamentary and Presidential Forms of Government

A tabulated comparison of Presidential and Parliamentary systems, important from the UPSC exam perspective have been discussed below:

Basis	Parliamentary	Presidential
Accountability	Executive is accountable to the legislature	Executive is not accountable to the legislature
Executive	Dual form	Singular form
Dissolution of lower house	The Prime Minister can dissolve the lower house before the expiry of its term	President cannot dissolve the lower house.

Ministers	Ministers are picked only from among the selected MPs	People outside the legislature can be appointed
Tenure	Not fixed	Fixed

