UNDERSTANDING PRESIDENTIAL SYSTEM
A COMPARISON OF AMERICAN AND FRENCH PRESIDENCY
Chapter-1

Introduction

Presidential form of government has become one of the leading democratic political institutions along with the parliamentary system of government. However, Presidential system exists in different forms in various countries depending upon the political situation and environment of the given time when it was established. For instance American presidency, which is regarded as the oldest and purest form of presidential government, came into being under different circumstances and situation as compared to the French presidency which is considered by the academicians as semi-presidential because of its peculiar co-existence of the presidency and the cabinet. Hence any study of presidential system will be incomplete without understanding these two different kinds of presidency. This chapter as an introduction will dwell on the theoretical aspect of leading political systems (presidential system, semi-presidential system and parliamentary system) and will further dwell on the definition of political executive and concepts like 'separation of power' and 'checks and balances' for clarity. It will also discuss the merits and demerits of presidential system and parliamentary system. Finally, the chapter will try to briefly analyse the above two mentioned presidential systems for better understanding.

(I)

DEFINITIONS AND CONCEPTS

Regime Type Defined

There is confusion in the existing literature as to the precise meaning and bases for classification of regime type. The classification is made only for better understanding while disusing and analyzing the specific criteria for each regime type. As Troxel (2002:7) argued, it is important that an analysis of the constitutional, structural, and actual powers of the president and parliament must be considered before conclusions can be made about regime type and then democratic transition or consolidation, e.g. the concept of semi-presidentialism referred to is one in between presidentialism and a system of dual powers, where the president has slightly more power than the parliament. Premier-presidentialism is better understood as a system of
semi-parliamentarism and not as a sub-category within semi-presidentialism because it is defined by Shugart and Carey (1992: 15) as a system where parliament has more power over the executive (the cabinet) than the president. Often the above classifications of semi-presidentialism, dual powers, and semi-parliamentarism are combined into one system referred as 'semi-presidentialism', mixed, or confused. Holmes defines systems where the president has 'swollen' powers as super-presidentialism, this system is termed as super-presidentialism and it is considered as more or less undemocratic (Holmes 1994: 23-26).

Neo-institutionalism considers and treats institutions and democracy, the concepts of power, and democratic transition and consolidation as interrelated issues. Within the neo-institutionalist framework, the powers of the president and parliament are used as a basis for determining regime types. In neo-institutionalism several models can be used to determine the type of political system in a given country. The problem is that these models consider different elements from country’s constitution to judge regime type depending on what model one uses. This makes it possible to arrive at drastically different conclusions about a country’s regime type depending on what model one uses. One model may classify country X as semi-presidential while other may characterize country X as presidential. This is especially problematic because regime type is used as a basis for making conclusions about democratic stability and consolidation. If the method for classifying regime type is not appropriate, conclusion drawn about democracy may also be flawed (Troxel 2002: 7).

**Regime Type Defined Based on Constitutional Power**

Shugart and Carey (1992:15) used constitutional powers of presidents to determine regime type. They define “(presidentialism as) a regime type based on the ideal of maximum separation of powers and full and exclusive responsibility of the cabinet to the president. Premier-presidentialism has been defined as a type in which the president has certain significant powers, but the cabinet is responsible only to the assembly. The third type is president-parliamentary, a common type with shared-or confused responsibility over cabinets between the president and the assembly”.

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Definition of Political Regime Based On Structural Factors

Political regimes cannot be classified or described accurately without considering structural factors. Structural factors employed to characterize systems vary between studies in the existing literature. There are three apparent structural factors for creating a typology of political regimes: how the executive and legislature are selected (by voting or by another body) (Lijphart 1995: 6), whether the executive (either collegial or one person) or legislature has fixed electoral mandate or is dependent on the confidence of another body (Linz and Valenzuela 1994: 6), and whether the president and parliament control the government (Duverger 1980: 166). The first two factors are the most widely accepted in the literature for classifying political systems on a structural basis.

Amalgamating these theories, a presidential system, then, is one where the president is elected by voters. He/she is one person who has a fixed mandate and is not dependent on legislative confidence, and he/she directs government. In contrast, a parliamentary system has a collegial executive which is selected by the legislature and dependent on legislative confidence and parliament controls the governments. Systems with other combinations of these factors are considered to be mixed or semi-presidential forms.

Olson and Norton (1996: 13) in their assessment argue that structural powers, along with constitutional and actual powers (or, what they define as attributes of policy), can demonstrate ‘the ability of legislature to function actively and autonomously in the policy formation process of their respective democratic political system’. However, it is important to extend this analysis to the structural powers of the president. After all, parliamentary power is, in many respects, relative to other branches of power. It seems incomplete to consider it without explaining the president’s structural powers, i.e. if the president has little opposition in parliament, he/she is better able to ensure that his/her policy agendas are passed. Conversely, if parliament has a political party or coalition with majority of votes, which opposes the president, it is more likely that it will function as an independent body. Dependent on the power of the president, it will negotiate with the president in some instances and adamantly uphold its own position in other circumstances. Only by considering the
powers of both bodies can we truly understand the structural powers of the legislative branches in Russia.

**Presidential system**

The term “presidency”, “presidential system” or “presidential government” was coined by Walter Bagehot in 1867 (Bogdanor 1987: 493). Presidential system is one of the greatest Americas contributions to political system. President today is a common title for the head of state of most republics, often adopted by dictators as well, whether popularly elected, chosen by the legislature or a special electoral college.

There are many definitions for presidential system. Oxford dictionary defines president as “the elected head of a republican state.” In other words, president is a formal head of state, a title which is held in some states by the constitutional monarch or emperor. However, the definition of presidentialism offered here involves a sharp distinction between two key roles found in representative governments: that of head of state and head of government.

This distinction is basic because non-presidentialist systems often have elected "presidents" who are heads of state but not heads of government. In parliamentary systems, the two roles are easily distinguishable. The head of government is a prime minister, while the head of state is either a constitutional monarch or an elected president. Such "presidents" usually also serve for a fixed term and cannot be discharged by a parliamentary vote of no confidence, but this does not make their regimes presidential. "In presidentialist regimes the elected head of government always serves concurrently as head of state. A regime is presidentialist only if the effective head of government (President) is elected for a fixed term: the mode of election may be direct or indirect" (Riggs 1994: 72-152).

According to Garner (1910: 190), the executive presidential system is that “in which the executive is constitutionally independent of the legislature in respect to the duration of his or their tenure and responsible to it for his or their political policies”. For Heywood (2000: 179), “presidential system of government is characterised by a constitutional and political separation of powers between legislative and executive branch of government”. Sartori (1987: 1) further elaborates that a polity should be
defined as presidential only if (1) head of state is popularly elected; (2) during his pre-established tenure parliament can neither appoint nor remove the government; (3) the head of state is also the head of the government (cabinet).

From the above given definitions it can be said that the executive in a presidential government has a fixed tenure and is not responsible to the legislature. The president is not an organic part of the legislature. The president is also not merely the titular executive but he is the real executive and actually exercises the power, which the constitution and the law confer upon him. Executive power is thus vested in an independently elected president who is not directly accountable to or removable by, the assembly or parliament. This type is found in USA and in many Latin American countries.

The principle strength of presidential government is that, by separating executive power from the legislative power, it creates internal tensions that help to protect individual rights and liberties. Further advantages are that the president, as both head of the state and head of the government and as a single politician who is nationally elected, serves as a strong focus for patriotic loyalty and national unity. The dispersal of power between the executive and the legislature also allows the government to be more democratic in the sense that it is responsive to competing minorities. However, presidential system may also be ineffective and cumbersome because it offers an 'invitation to struggle' (Heywood 2000: 180) between the executive and legislature branch.

Semi-presidential system

A third system is the semi-presidential system, also known as the French system. The term was first used by French journalist Hubert Beuve-Mery and in academic context, the concept was first elaborated by French political scientist Maurice Duverger in 1970 (Lovecy 1992: 385-408). Semi-presidential system is the one in which like Parliamentary system there is both president and a prime minister, but unlike the parliamentary system, the president may have significant day-to-day power. The president can operate closely with the parliament and prime minister, and

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2 The separation of powers ensures checks and balances this often leads to internal tension between the executive and legislature. For more detail discussion on separation of power, see Vile, M. J. C. (1967), Constitutionalism and the Separation of Powers, Oxford: Oxford University press.
work towards a common agenda when his party controls the majority of seats in the National Assembly. When the National Assembly is controlled by opponents the president can find himself marginalized with the opposition party prime minister exercising most of the power. Though the prime minister remains an appointee of the president, the president must obey the rules of parliament, and select a leader from the majority party. Thus, sometimes the president and prime minister can be allies and at times rivals, the latter situation is known as ‘cohabitation’.

“Semi-presidential regime is characterised by the fact that the head of state is directly elected by universal suffrage and that he posses certain powers which exceed those of a head of state in a normal parliamentary regime, however, the government still consists of a cabinet formed by prime minister and ministers who can be dismissed by a parliamentary vote” (Duverger 1980: 277). Further, in 1980 he discussed the concept and established three criteria for semi-presidentialism: “a political system is considered as semipresidential if the constitution which established it combines three elements; he (president) possesses quite considerable powers; he has opposite him, however, a prime minister and ministers who possess executive and governmental power and can stay in office only if the parliament do not show its opposition to them” (Duverger 1980: 166). Bahro et al. (1998; 201-24) revised Duverger’s third criterion and further say that “the president must face a prime minister possessing executive and governmental powers and remains in office only if parliament does not express its opposition”. Many scholars distinguish semipresidential as a system in which, the executive power is divided between prime minister as head of government and president as head of state where substantial executive power resides with the presidency.

Among all the definitions of semi-presidentialism, Elgie (1999: 9) proposes a concise one in order to avoid the confusion of measuring the president’s powers in practice. According to Elgie’s definition, semi-presidentialism is where a popularly elected fixed-term president exists alongside a prime minister and cabinet who are responsible to the legislature. This definition is based on the constitutional situation and is more comprehensive than other’s definitions by identifying more than 55 countries as semi-presidential (Elgie, 2007: 9).
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Parliamentary System

Unlike presidentialism, parliament government was not the product of a deliberate institutional design. Rather it gradually evolved in Britain over several centuries (Gamble 1990: 407-408). The terms “Parliamentarism”, “parliamentary government”, and “parliamentary democracy” are often used interchangeably. The term “parliamentary government” was not used until 1832 in Britain (Kaare et al. 2003: 9). Many (competing) terms were used by scholars instead of parliamentary government, including “representative government” (Mill 1861: 240), “responsible government” and “cabinet government” (Bagehot 1867: 206). Parliamentary regimes are characterised by a number of specific and interrelated institutional features, many authors, including Bryce (1921). Loewenstein (1957), Verney (1959), have sought to provide comprehensive definitions of parliamentary government. Despite differences they all agree on following criteria:

1. Dual executive split between the head of state and the head of government.
2. Parliament has formal or informal investiture powers.
3. The cabinet is a collective decision making body.
4. Cabinet ministers are usually also members of parliament.
5. Parliament has control over cabinet.
6. The parliamentary majority can force the cabinet to resign.
7. This power is in most cases is balanced by the prime minister’s power to dissolve the parliament.

Many contemporary scholars are still trying to define the parliamentary system. Lijphart (1984: 68) defines it as ‘a form of constitutional democracy in which executive authority emerges from, and is responsible to, legislative authority’. Similarly, Sartori (1987: 101) states that ‘parliament is sovereign” under Parliamentarytism and that this regime type requires “government to be appointed, supported and, as the case may be, dismissed by parliamentary vote’. Stephan and Skach (1993: 3) define parliamentary regime as a system of mutual dependence: “1) the chief executive power must be supported by a majority in the legislature and is removed with a vote of no confidence. 2) The executive power (normally in conjunction with the head of state) has the capacity to dissolve the legislature and call
for elections". Shugart and Mainwaring (1997: 14-15) defined parliamentary system in contrast to presidential democracy and assert "while in presidential systems the head of government is popularly elected, this is not the case with the prime minister in parliamentary systems. Furthermore, the electoral terms of the government and assembly are fixed in presidential systems but not in parliamentary system". Likewise, Finer (1997: 15-19) distinguishes between monarchy and parliamentary government and says that, while under monarchy the cabinet ministers, "are appointed by and dismissed by the monarch and are responsible to him alone," under parliamentary government "they are responsible to the legislature which can force them to retire or if the legislature is very strong, can actually impose them on monarch". Strong (1963: 73-75) maintains that "if the assembly has the power to remove the executive, the regime is parliamentary". Finally, according to Riggs (1988: 252) "the crucial difference between parliamentary and presidential system is whether or not the head of government can be replaced by an assembly vote".

Hence, parliamentary government refers to the institutional arrangement by which the executive is accountable to a parliament. It is a system of government in which the prime minister and his/her cabinet are accountable to any majority of the members of parliament and can be voted out of office by latter through an ordinary or constructive vote of no confidence.

Separation of Powers

In all modern democratic states the governments are organised on the basis of 'separation of powers': separating the functions of government into executive, legislature and judiciary. Today, this doctrine is respected in all liberal democracies even at its barest minimum. The separation of powers is an amalgam of concepts and ideas drawn from centuries of political thought and practice, from the time of ancient Greece to the present day (Bogdanor 1987: 562). Separation of powers is a term coined by French political thinker Baron de Montesquieu. The modern view of separation of power emerged fully in eighteenth century when Montesquieu established a threefold division of the functions of government - legislature, executive
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and judicial. To Montesquieu, separation of powers is an institutional arrangement that ensures the rule of law and thereby the liberty and security of the individual.

Earlier Locke also talked about separation of powers. He regarded the judicial power as part of the executive but recognized an additional power he calls the "federative", which deals with what we would today describe as foreign policy or national security. In practice, though, the same person or persons usually wield the executive and federative powers; thus, the fundamental distinction is between executive and legislative power.

Separation of power refers to the independent authority of the executive and legislative and judicial branches where "each branch possesses certain powers for the efficient disposition of issues of public policy and private dispute and to enhance the public's confidence in the fairness of the process that led to those dispositions" (Campbell and Campbell 2004: 1). Haggard and McCubbins (2001: 1) assert "Separation of powers can be thought of as the extent to which different components of government have the ability to exert influence through the exercise of a veto on the formation of public policy".

The separation of power proposes that the three chief functions of government (legislation, execution, and adjudication) should be entrusted to separate branches of government viz. legislature, executive, and judiciary respectively. In formal sense the separation of power demands independence, in which there should be no overlap of personnel between the branches. However, it also implies interdependence, in the form of shared powers to ensure that there are checks and balances- a mechanism in which the equilibrium between parts of the system of the government is maintained, not only simply by juxtaposing them, but by giving each branch a means of influencing or controlling the other (Bogdanor, 1987: 88-89).

3 Although there was separation of powers in the earlier times, the doctrine became popular and it was put into use in strict sense with Montesquieu's publication of The Spirit of Laws in 1784.
4 For further detail discussion, see John Locke, Treatises of Government and A Letter Concerning Toleration, republished digitally in 2005 by Digireads.com, 115-116.
5 For further detail discussion, see Gwyn, W. B (1971), The Meaning of Separation of Power, Oxford: Oxford University Press.
Separation of power between the three organs of the state viz. Legislature, Judiciary and executive is the defining feature of presidential system. It is applied most strictly in the American presidential system. The framers of the American Constitution were influenced by the writings of Locke and Montesquieu, the new constitution was an innovation, based on principles derived from modern political Science (Haggard and McCubbins 2001: 3).

Executive (Political)

Daintith and Page (1999: 2) believe that “the executive governs us; it comprise the individual-mostly ministers and civil servants-who actually control, from day to day, the state’s instruments of coercion, wealth and information”. Likewise according to Gargan (2000: 131) “Political executive is understood to mean that these executive positions operate at the extreme end of public continuum characterized as the state. These positions have been granted by public authority emanating from constitutional or legislative mandates to oversee governmental operations”.

The political executive, in its broadest sense, is the branch of government responsible for the implementation of laws and policies made by the parliament. The executive branch extends from the head of government, or chief executive to the members of the enforcement agencies. More commonly, the term is now used in a narrow sense to describe the smaller body of decision makers who take overall responsibility for the direction and coordination of the government policies (Heywood 2000: 201) However, the organisation of the political executive differs significantly depending whether it operates on presidential or parliamentary system of government. The executive is organized in different countries on the basis of its relationship with the legislature - presidential and parliamentary executive.

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\(^6\) For more detail discussion, see Hague, R and M. Harrop (1982), *Comparative Government*, London: Macmillan.
(II)
THE DEBATE ON PRESIDENTIAL VERSUS PARLIAMENTARY FORM OF GOVERNMENT

The academic debate over the relative merits of the Parliamentary system and Presidential system of government is far from over. The supporters of the presidential system say that the presidential executive provides a national leadership within the framework of the constitutional system. Likewise, the presidential system offers great opportunity for popular choice in selection of the executive, and thus permits the voter to identify oneself more closely with the national politics and leader. They further argue that president's fixed term of office ensures executive stability, particularly advantageous during times of crisis. Moreover, the executive is separated from and independent of legislature thereby upholding the doctrine of separation of powers. The legislature is also independent of the executive in the same fashion, and thus each has important means of restraining the other against possible excess. Generally, the system has distinct merit of providing a stable executive even without the presence of stable legislative majorities.

Advocates of presidentialism

Proponents of parliamentary forms of government seem to have had the better of the argument in the 1980s, but work by Shugart and Carey (1992) among others began to question the supposed “Perils of Presidentialism” (Linz 1990: 72-84). While not seeking to undermine parliamentary forms of government, these authors noted that the presidential forms of government were far more diverse than typically depicted. In their view, presidential forms of government were often as different from each other as they were from parliamentary forms of government.

They also noted that presidential systems have some significant advantages over parliamentary form of government. Presidential systems can be more accountable than parliamentary governments. In the former, it is far more difficult for executives to avoid responsibility for failed policy by hiding behind coalition partners. Moreover, given that presidents are elected directly, voters can sanction them for misbehavior far more easily than Prime Minister who is elected indirectly.
According to Mainwaring and Shugart, presidential form of government can also reduce political conflict because the assembly is elected independent of the executive. Legislators can consider bills based on their merits rather than on their effect on the fate of the prime minister and the government because the tenures of the executive and the assembly are not tied in a presidential system. In their view, the mutual independence of parliament and the executive can make political conflict more manageable (Mainwaring and Shugart 1997: 37).

Empirically, the skeptics of parliamentarism point to democratic breakdowns in the parliamentary governments of inter-war Europe to bolster their argument. They also question the strength of quantitative studies that support parliamentarism by noting that these studies sometimes include micro-states that tend to be parliamentary, because small country size has been shown to be conducive to democracy. They question the importance of parliamentary government for democratic consolidation in these settings (small countries). Moreover, they observe that these studies typically suffer from "selection bias and hence, spurious correlation" (Mainwaring and Shugart 1997: 19). They argue that because parliamentary governments were more frequent than presidential governments in societies with background conditions conducive to democracy (e.g. small, wealthy populations) it is difficult to analyze the independent impact of parliamentarism on democratic stability and consolidation. They add that since Latin America is dominated by presidential regimes and have background conditions that are not conducive to democracy, selection bias may be a real danger in quantitative studies that lack proper controls.

Burke visualised parliamentary government as a system functioning under the leadership of a compact but public spirited minority, which in general the country was willing to follow, with parliament mainly a place where the leaders of this minority could be criticized and called to account by their party but in the interests of the whole country. At the same time his views permitted some sound criticism of representative government as it then existed. He pointed out that "parliament is too a great detail".7

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Criticism of Presidentialism

Since World War-II, string of presidential regimes in various parts of the world have collapsed into authoritarian rule. This has led to sharp polemic among scholars on the subject of whether presidential or parliamentary democracy is a better form of representative government. Some of the arguments put forth against presidential system are: presidency gives one person too much of power and discourages consensus because politics becomes a game of "the winner takes all" (Bogdanor 1987: 493). The separation of powers gives way to conflict as it estranges presidents from legislature. Further, the executive and the legislature may fall under the control of different parties and thus produce the possibility of a deadlock between them over certain important issue (Hitchner and Harbold 1965: 330). With fixed incumbency, any ordinary cabinet crisis becomes an institutional and constitutional crisis, because there is no legitimate way to get rid of a bad president before his term expires i.e. it makes the system rigid. Since, presidents may appoint officials, and enjoy rights to legislative initiative and of veto along with fixed term of office, they retain power despite virtual loss of party support (Robinson 2002: 72). Hence, presidential system leads to the neglect of party development.9

Advocates of parliamentarism

The advocates of parliamentary government stress that it encourages democratic form of conflict resolution; development of lively party system; clear formulation of alternative policy choices; constant scrutiny of government; prevents and allows mistakes to be corrected and extremes to be tempered. They claim that the strength of the parliamentary government is that it delivers responsible government. The responsible government is maintained because the government can govern as long as it retains the confidence of the parliament. Thus, parliamentary system creates an executive which is an excellent vehicle through which popular mandate can be expressed (Hitchner and Harbold 1965: 321). Moreover, parliamentary government is often seen to promote democracy, in which the parliament plays a vital deliberative

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role as a forum for national debate constitutes a popular check upon the government

Linz (1994 3-87) praised the parliamentary form of government as more likely to promote democratic consolidation for at least four reasons. Parliamentary government can better represent diverse groups through the use of proportional representation. It is also more flexible than a presidential form of government that has fixed terms. In a parliamentary system, the prime minister has to maintain support in the assembly or lose her position. For this reason a parliamentary form of government is far less likely to succumb to immobilism due to a lame duck executive. For same reason, it is less likely to fall victim to weak support in the assembly for extended periods as, it is claimed, often happens in presidential systems. Parliamentary forms of government also ensure that the executive has a wealth of political experience because potential prime ministers have to work their way through the party ranks before assuming office. On the contrary, direct vote in the presidential systems encourage outsiders with little political experience to run the administration / government. This can lead to the election of 'dark horse' executives with little experience and strong incentives to rule outside of the existing institutional rules.

To support the argument, Linz and other advocates of parliamentarianism (Linz 1990; Lijphart 1992; Shugart and Carey 1992; Linz and Stephan 1996) typically point to the difficulty of building democracies in presidential regimes in Latin America and Africa in the 1960s and 1970s. Their arguments find some empirical support in large countries that achieved independence after World War II. They found that of the 36 countries in the post-war world that chose presidential systems at independence, none were continuously democratic between 1980 and 1989. In contrast, 15 of the 41 countries that chose a parliamentary system at the time of independence were democracies at all times between 1980 and 1989. These findings were initially seen as strong support for the argument that parliamentary system promotes democratic consolidation.
Criticism of parliamentarism

The criticism put forth against the parliamentary form of government rests on its association with the problem of executive domination, if the executive has majority and can maintain party discipline. It is alleged that in this event, the parliament can be reduced to little more than a 'talking shop' and its member become mere 'lobby fodder.' Further the critics say that parliamentary system also leads to political instability. This usually occurs when the party system is fractured. Likewise, lack of fixed tenure of office for cabinet creates a degree of uncertainty. They point out that French fourth republic 1945 – 58 is best example where 25 governments came and went in 13 years (Heywood 2000: 174). Moreover, the parliamentary system is unpredictable in terms of continuity of policy for a definite period. They also say that due to the absence of a separation of policy that sets apart legislature and the executive branches, there is lack of means to prevent one branch from overextending itself. Thus, a common consequence tends to be a failure to achieve equilibrium between the two branches of the government (Hitchner and Harbold 1965: 322).

Both parliamentary and presidential systems have their advantages and disadvantages. Experience shows that both the systems of government have worked successfully in and around the world, although they face difficulty and inconsistency in some other countries. In fact, the success or the failure of any system depends much on the condition under which it came into existence and situation within which it functions. Renewed theoretical and empirical debates continue over the merit of "presidentialism and parliamentarism", which began more than 15 years back with the Linz (1994)11 article "Presidential or Parliamentary Democracy: Does it Make a Difference?" Academicians are yet to resolve conclusively the fundamental question asked in the title. While there are still debates on the merits of presidentialism and Parliamentarism, an impressive body of research is growing on the workings of each of these political systems (Shugart and Carey 1992; Mainwaring and Shugart 1997; and Cheibub 1999). Work in this area has even begun to exhibit some points of agreement. First, scholars seem to agree that there is a need to know more about how

parliamentary and presidential regimes actually function before making strong claims about their ability to influence the consolidation and stability of democracy. Second, one needs to examine how other variables interact with the institutional setting to promote particular outcomes.

(III)

THE AMERICAN PRESIDENCY

One of the American contributions to political invention is the presidential type of chief executive that came into existence in America in 1789. Any study on presidential system, therefore, can hardly be complete without reference to constitutional system of the United States of America (USA). One of the main features of American constitution of 1789 is the separation of executive from the legislature. This was done in order to guard against the risk of concentrating powers in the hands of single man or set of men. Although the constitution framers almost unanimously agreed on the need for a strong central government and greatly empowered Congress, they did not agree upon the proper role of the president. Distrust of the chief executive led to the constitution’s intentionally vague prescription for the president’s power (Friedrich 1974: 398-402).

In contrast to many countries with parliamentary forms of government, where the office of president or head of state is mainly ceremonial, in the United States of America, the president is vested with great authority and in present times he is arguably the most powerful elected official in the world. But the nation's founders originally intended the presidency to be a narrowly restricted institution. They distrusted executive authority because their experience with colonial governors had taught them that executive power was inimical to liberty. They also considered a strong executive to be incompatible with the republicanism embraced in the Declaration of Independence (1776). Accordingly, their revolutionary state constitutions provided for only nominal executive branches, and the Articles of Confederation (1781-89), the first “national” constitution, did not have provision for executive branch.

Qualification and Tenure

Article 2 section 1 of American Constitution says that, "The executive power shall be vested in a President of the United States of America. He shall hold his Office during the Term of four Years, and, together with the Vice-President chosen for the same Term". Accordingly, the American president is elected for four-year term with the eligibility for re-election. The constitution originally raised no obstacle to someone getting re-elected for more than two terms. It was limited to two terms by the twenty-second constitutional amendment ratified on 27 February 1951. According to the constitution, the formal qualifications for holding the post of the presidency are few. It states that, "No person except a natural born Citizen, or a Citizen of the United States, at the time of the Adoption of this Constitution, shall be eligible to the Office of President; neither shall any person be eligible to that Office who shall not have attained to the Age of thirty-five Years, and been fourteen Years a Resident within the United States" Article II Section 1.

Impeachment and Succession

Article 2 section 4 stipulates of the American constitution that the president can be impeached for committing treason, bribery, or other high crime and misdemeanors. In America "The Senate shall have the sole Power to try all Impeachments. When sitting for that Purpose, they shall be on Oath or Affirmation. When the President of the United States is tried, the Chief Justice shall preside: And no Person shall be convicted without the Concurrence of two thirds of the Members present" (Article I section 3). Hence, the power to impeach the president solely rest with the Congress, which is used by the congress as its ultimate oversight on the president.

In the event of the president's removal from office, resignation, death, or inability to discharge his duties, the office of the president is taken over by the vice president. According to the original constitution it is only the vice president who can succeed the president. This provision was first amended by the 20th constitutional amendment.

For further detail on 22nd American Constitutional amendment, see [Online: web] Accessed 23 February 2006 URL: http://www.usconstitution.net/const.html#Am25
amendment rectified on 23 of January 1933\(^\text{14}\) and was further Amendment by 25\(^\text{th}\) Constitutional Amendment rectified on 10 February 1967.\(^\text{15}\) Accordingly, after the 20 and 25 constitutional amendment the paraphrasing law of succession reads as, “In Case of the Removal of the President from Office, or of his Death, Resignation, or Inability to discharge the Powers and Duties of the said Office, the same shall devolve on the Vice President, and the Congress may by Law provide for the Case of Removal, Death, Resignation or Inability, both of the President and Vice President, declaring what Officer shall then act as President, and such Officer shall act accordingly, until the Disability be removed, or a President shall be elected” (Article II section 1).

**President’s Cabinet**

It is obvious that the position of the cabinet in the United States is very different from that in Switzerland. The American cabinet consists of the head of departments (Fenno 1959: 252-255). Since Washington’s administration, they have been president’s secretaries. The president appoints the cabinet. According to Article II section 2 “he (president) shall nominate, and by and with the Advice and Consent of the Senate...public Ministers and Consuls...and all other Officers of the United States”, beyond this nothing has been said by the constitution about the president’s cabinet.

Yet the exigencies of party support give certain secretaries a position of their own. Often the choice fell upon men whom the president owes his election victory. It is unrealistic to look upon them as merely the administrative subordinates of the president. Today, they are of vital importance to him in his national representative function. It is only through them that he can associate with himself a number of different social forces, which make up the support of his political party. Overall, the president must take into account personalities which have become associated with broad groupings in the electorate in order to make his administration representative of the nation.

\(^{14}\) For further details on 20\(^\text{th}\) American Constitutional amendment, see [Online: web] Accessed 23 February 2006 URL: http://www.usconstitution.net/const.html#Am20

\(^{15}\) For further details of 25\(^\text{th}\) American Constitutional amendment, see [Online: web] Accessed 23 February 2006 URL: http://www.usconstitution.net/const.html#Am25
The growth of president's power and institutionalised policy control, having been invested with monocratic powers, no president is likely to distribute this power to others. If a particular president should, out of indolence or altruism, move in that direction, his successor is likely to redress the balance on assuming office. The concentrated powers of the American president are a part of the pattern of constitutional relationship established by the separation of powers. They are durable only because the pattern provides other restrains through limiting the concentrated powers themselves. It is another method of coping with the greatest problem which (in the opinion of many liberal thinkers) confronts free peoples: how to enable the citizens at large to conduct and control the executive business of the government.

Nevertheless, these meager constitutional powers (which have grown enormously over the period of time) when coupled with the president’s own personal style and abilities allow him to lead the nation. The presidential system of government in United States of America is unique. The constitutional authority, statutory powers, and a burden of the presidency make it a powerful position with awesome responsibility (O’Connor and Sabato 2000: 264). Hence, the more carefully this office is studied the more its unique character appears (Laski 1940: 23).

Powers and Functions

One of the remarkable features of the American political system is the concentration of governmental (executive) function in the office of presidency, one of the reasons being that the constitution assigns the role of “The executive Power…” to the president (Article II Section 1). Therefore, American presidency is frequently characterised as one of the most powerful single office in the contemporary politics. The tremendous potential underlying in the office of the president and the demand of presidency on the man who occupies the office is not only because of the president being the ‘administrative head’. It is also because, “the general structure and the mode of operation of American politics have thrust upon the presidential office a combination of functions and responsibilities that has no parallel in other constitutional democracies” (Harvard 1996: 60).

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The president's functions, powers, and responsibilities are succinctly defined in the United States Constitution under Article II Section 2 and 3. His chief duty is to make sure that the laws are faithfully executed, and he performs this duty through an elaborate system of executive agencies that includes cabinet-level departments. Article II section 2 states that, "...he shall nominate, and by and with the Advice and Consent of the Senate, shall appoint Ambassadors, other public Ministers and Consuls, Judges of the supreme Court, and all other Officers of the United States...". Accordingly the president appoints all cabinet heads and most other high-ranking officials of the executive branch of the federal government. He also nominates all judges of the federal judiciary, including the members of the Supreme Court. The president's appointments to executive and judicial posts must be approved by a majority of the Senate (one of the two chambers of Congress, the legislative branch of the federal government, the other being the House of Representatives). The Senate usually confirms the president's appointments, though it occasionally rejects a nominee to whom majority of members have strong objections.

One of the important constitutional executive powers is the president's military power Article II section 2 states that "The President shall be Commander in Chief of the Army and Navy of the United States, and of the Militia of the several States..." As provided by constitution, the president is the commander in chief of the nation's armed forces and has unlimited authority to direct the movements on land, sea, and air force, as well as of nuclear forces, although, the constitution specifically grants Congress the authority to declare war (Article I section 8). Nevertheless, presidents have used the commander-in-chief clause along with the executive's duty to "take care that the law be faithfully executed" (Article II section 3) to wage wars. However, there is always a conflict between the president and the Congress in this regard. In 1973, the Congress passed the 'War Powers Act', limiting president's authority to introduce American troops into hostile foreign land without Congressional approval. Practically, presidents have ignored this Act many times. Once again in 1999, the Congress passed a similar resolution, which barred president from sending ground troops to Yugoslavia without its prior approval (O'Conner and Saboto 2000: 275).
Chapter-1

According to Article II section 2 “He (president) shall have Power, by and with the Advice and Consent of the Senate, to make Treaties, provided two thirds of the Senators present concur” and “he shall nominate, and by and with the Advice and Consent of the Senate, shall appoint Ambassadors” (Article II section 2). Accordingly, president appoints Ambassadors to foreign countries and makes treaties with foreign governments provided the Senate approves such treaties by a two-thirds majority. Although the constitution has not given great detail about president’s role in foreign affairs, he receives ambassadors and important dignitaries of other countries, and conducts highest level negotiation with foreign countries on behalf of his country. These roles best explains the important place that the president has in the foreign affairs.

With regards to the veto power of the president the constitution states that, “Every Bill which shall have passed the House of Representatives and the Senate, shall, before it become a Law, be presented to the President of the United States; If he approve he shall sign it, but if not he shall return it...” has given the president substantial veto power. The threat of presidential veto often prompts members of Congress to fashion legislation that will receive presidential acquiescence if not supported, despite the fact that, Congress can override the president's veto by summoning a two-thirds majority in favour of the measure. This power has further enabled the president to influence the law making by the Congress. Therefore, presidential veto power has also been vital to the development of powerful presidency in America (Shields and Huang 1997: 431-432).

The classical function of the American president is that of chief administrator. The constitution states that “The executive Power shall be vested in a President of the United States of America” (Article II section 1). In this capacity, the president is responsible for the work of the complicated administrative structure. In America, the administration is organised into various major departments, branches, authorities, commissions, and agencies. These various machineries help and carry out the administrative work in the name of the president. The tremendous growth of administrative function in recent years has resulted in gradual enlargement of powers of the president.
"He shall from time to time give to the Congress Information of the State of the Union, and recommend to their Consideration such Measures as he shall judge necessary and expedient; he may, on extraordinary Occasions, convene both Houses, or either of them, and in Case of Disagreement between them, with Respect to the Time of Adjournment, he may adjourn them to such Time as he shall think proper" (Article II section 3). As the chief legislator, the president takes to congress a package of programmes together with budget requests that effectively mould the national political agenda. He also has power to convene either or both houses on extraordinary occasions. Constitutionally, he is also required to inform the congress of the state of the union periodically. The president by having "a truly national constituency... is the natural coordinator and organizer of national policy" (McKay 1983: 127). Having a national constituency, these huge tasks are made easier for president, since this permits the executive to influence public policy on major issues and enhances presidential power (Harvard 1996: 67).

The American constitution grants judicial power to the president "...he shall have Power to Grant Reprieves and Pardons for Offenses against the United States, except in Cases of Impeachment..." (Article II section 2). The president can exercise these powers completely over federal offences, except in the case of impeachment. This power is considered as one of the key presidential powers. In the past, however, whenever the presidents used this power, it has made them unpopular with the electorate. This has put constraint on the president from 'abusing and using this power very often.

The president's position at the apex of the constitutional system has also attracted number of informal powers and influences, in addition to those constitutionally assigned to the presidency. These include his position as the party leader, national leader, and also world leader for being the president of the most influential country and sole superpower in the world. Another reason is that Americans expect something more than the efficient execution of policy from their president. They also expect him to embody the spirit of the nation, the voice of the people (Denton 2000: 4-5), and the institution of presidency helps fill this gap by providing Americans with a sense of national identity (McKay 1983: 173). Moreover, over the years, the powers of president has greatly increased in response to factors
such as war, economic depression, the failure of the Congress to act in time, and popular demand for leadership, without respect to the party of the White House incumbent.

**Limitation**

The president’s authority is limited by the formal powers bestowed upon the president by the constitution, the Supreme Court’s interpretation of those constitutional provisions and by the Congress through checks and balances. However, these formal checks on presidential power are also affected by the times in which the president serves and by the president’s leadership and personal abilities. A president’s authority can also be limited or expanded by the demand of the times in which he governs (O’Connor and Sabato 2000: 281). Crises in particular have triggered the expansions of the presidential power. Despite, checks on the president’s power, the responsibility and scope of presidential authority have grown over the years.

**Evolution of President Power**

Certainly the presidential executive has met the test of time in the country of its origin, demonstrating its capability of bringing forward national leadership within the framework of the constitutional system (Hitchner and Harbold 1965: 329). Over the years, the power of the president has been increasing not by reason of any fundamental alteration in legal aspect of balance of power among the three branches of the government, or through constitutional amendments. It has rather increased through subtle and usually informal changes. This is attributable mainly, to the fact that the president is the literal embodiment of American masses, democracy and the symbol of the pervasive egalitarianism (Egger 1967: 4), which from the beginning has characterised the emergent forces of the American democratic ideal.

The growth of presidential power has also been greatly shaped by the time and phase the county was undergoing. This can be particularly traced to the presidency of Franklin D. Roosevelt (FDR), who led the nation through several crises, including the Great Depression and the World War-II. To jump-start the American economy, “FDR asked Congress for and was given broad executive powers...” (O’Connor and Sabato 2000: 281). Since then, the power of the president has increased manifold. Despite the
growth of power of the president, the range of powers that are vested in the Congress protects the danger of executive domination over other branches of the state. For instance, Congress has the right to declare war and raise taxes. The Senate may ratify treaties and confirm presidential appointments and the two houses can combine to charge and impeach president.

America may have one of the purest forms of presidential system with clear division of powers. However, it has its own share of problems. Critics point out that, since ‘the president proposes and congress disposes’ it is nothing more than a recipe for institutional deadlock or government deadlock. This may be more likely when rival parties control the White House and the Congress (Heywood 2000: 180).

The president in whom the constitution vests the executive power of the United States holds one of the most powerful and spectacular political offices in the world (Bombwall 1985: 189). He is head of both the state and the government. Thus, “the president is the central and dominant figure in the American political system from whom the leadership initiatives and management functions emanate” (Dragnich 1987: 1). It is therefore, potentially the most majestic democratic executive office in contemporary world, although, it rests on a modest grant of authority by the constitution (Egger 1967: 2).

At the beginning of the 21st century, presidential power, while nominally still enormous, was institutionally bogged down by Congressional reforms and the changing relationship between the presidency and other institutional and non-institutional actors. Moreover, the end of the Cold War shattered the long-standing bipartisan consensus on foreign policy and revived tensions between the executive and legislative branches over the extent of executive war-making power. The presidency also had become vulnerable again as a result of scandals and impeachment during the second term of Bill Clinton, and it seemed likely to be weakened even further by the bitter controversy surrounding the 2000 presidential election, in which Republican George W. Bush lost the popular vote but narrowly defeated the Democratic candidate, Vice President Al Gore, after a divided U.S. Supreme Court intervened to halt the manual recounting of disputed ballots in Florida, thereby giving
Bush enough electoral votes to capture the presidency. It is conceivable, however, that this trend was welcomed by the public. For as opinion polls consistently showed, though Americans liked strong, activist presidents, they also distrusted and feared them.

(IV)

PRESIDENCY IN THE FIFTH FRENCH REPUBLIC

A study of presidency remains incomplete without understanding French Presidency, which is different from American Presidency and is considered by many academicians as semi-presidential system in which a president elected by universal suffrage coexists with a prime minister and cabinet responsible to the legislature. Moreover, the study of French presidency becomes significant since, during the evolution of Russian Presidency the academicians in Russia and elsewhere debated whether the French type of Presidency will be suitable for Russia.

From 1870 to 1958, the institution of French government was always weak and unstable. This convinced Charles de Gaulle that the chronic instability was one of the major causes of the French decline. In 1958, Charles de Gaulle established a new regime in which the presidency emerged as the focus of authority in France. One of the main features of the French Fifth Republic was the presidentialisation of the political system. The constitution of the Fifth Republic of France has been described by many political analyst as tailor made for Charles de Gaulle: quasi-monarchical; quasi-presidential a parliamentary empire; and semi-presidential system (see, Pickles 1965: 26, Bell 2000: 243, Blondel 1974: 129).

The Fifth Republic displays a governmental system with curious blend of features from both the parliamentary and presidential types of executive, as well as the reminiscent of Napoleonic plebiscitary type of government. An attempt has been made to apply both the limited separation of powers, which Charles de Gaulle insisted is the essential basis for the executive responsibility, and also the ministerial responsibility (Hitchner and Harbold 1965: 318).

One fundamental importance of the French Fifth Republic is that it is both in line with Republican and Presidential traditions. The constitution provides for a president who is the head of state, but is not the head of government in normal circumstances. The functions of directing the government and directing of its policies are specifically entrusted by the constitution to the prime minister (Article 20). A president can, and therefore, should take the back seat. At the same time the president is intended to be much more than a titular head of the state, and is given power, which permits him to act as an arbiter between the government, the parties and the parliament.

Election

"The President of the Republic shall be elected for five years by direct universal suffrage" (Title II Article 5). The constitutional amendment of 1962 extended the term to seven years term (Law no. 62-1292 of November 1962). In case of presidential vacancy, the president of the senate replaces until the president resumes his/her function. If the constitutional council declares the president to be permanently incapacitated, the president of the Senate replaces the president until the election of the new president (Title II Article 7).

Powers and Functions

Political analysts have explained the source of French presidential power in two different ways, the ‘state power thesis’ and the ‘majority power thesis’. According to the former, the source presidential power is structural being derived from the organisation of the state. For the latter, it is conjunctural being dependent on the nature of parliamentary majority (Elgie 1996: 275-91). However, instead of going deeper in the controversy about the source of power, efforts will be made to understand constitutional powers and functions of the president. The powers and functions of the French president can be divided into two categories. The ‘traditional

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powers’ - carried out by the republican presidents and the ‘new powers’ - that are assigned by the constitution of 1958 which was not there in former republics.

The traditional powers of the president are manifold. He appoints the prime minister and accepts his resignation. He appoints and dismisses the members of the government at the request of the prime minister (Title II Article 8). The president presides over the meetings of the Council of Ministers, council of National Defence and of the High Council of the Judiciary (Title II Article 8, 15 and Title VIII Article 65). He negotiates and ratifies treaties, accredits ambassadors, makes appointments to some higher civil and military posts (Title II Article 13 and 14 and Title VI Article 52). He also signs decrees and promulgates laws (Title II Article 13). Moreover, he also enjoys the power to pardon (Title II Article 17). In exercising these formal functions, the president acts with the concurrence, and (theoretically) on the initiative of the prime minister (Pickles 1965: 133).

The constitution of Fifth Republic has given more space to the president even in the traditional function as compared to previous republics. For instance, the president now negotiates treaties, while previously he/she was only kept informed. Likewise, the list of offices to which he has the right to appointment has enlarged. However, in some areas the president seems to have somewhat less opportunity of independent action. For instance, the exercise of right to pardon now requires a countersignature of the prime minister, where as the previous constitution did not mention this requirement. Nevertheless, the powers and functions of the president have increased greatly, compared to previous republic.

The ‘new powers’ possessed by the president can be further classified into those exercised during normal circumstances and in emergency. The president exercises his power in the normal circumstances by virtue of the functions assigned to him in Article 5 as the guardian of the constitution. The president exercises these powers along with the prime minister, since the constitution stipulates that the president in exercising these powers requires the prime minister’s countersignature. Hence, under normal circumstances, the executive power is shared between the president and the prime minister.\textsuperscript{21}

\textsuperscript{21} For more in-depth understanding of the role of Prime Minister see, Elgei, Robert (1993), \textit{The Role of Prime Minister in France, 1981-91}, London: Macmillan.
The president of the French Fifth Republic also has powers and prerogatives that belong to him alone. However, by their very nature and restriction to which they are subjected, they are powers that can be exercised only at rare intervals and emergencies. In these cases, the president does not require the countersignature of the prime minister and they are truly and substantively presidential act. These powers are:

Firstly, the president could dissolve the Assembly in special circumstances, after having consulted the prime minister and the presidents of the two chambers of the parliament though it is not binding on the president, but the president’s power to dissolve the house is limited to once a year (Article 12). A great deal of debate has been created in the French thinking about the dissolution of the house. The usual justification being that the government needs a mechanism to resolve a deadlock between the executive and the legislature. They argue that deadlock can be resolved either by dissolving the house, or by threatening to dissolve the house which may itself be sufficient to bring deputies to heel and reconsider their position (Blondel 1974: 133). Thus, in the event of deadlock between the government and the parliament, if the president feels appropriate he can invoke this provision to solve the deadlock.

Secondly, according to Article 11 of the constitution the president may decide that the constitutional amendment proposed by the government to the parliament need not be approved by referendum. This can be done if the parliament adopts the amendment in joint sitting and not by going through the separate chambers. This provision was designed to accelerate the procedure in case of technical amendments.

Thirdly, the president is entitled to refer certain government bills, which would affect the functioning of the constitution to the electorate. The president power’s to use referendum is limited to three types of measure. They are those concerning the organization of public authorities, carrying approval of a community agreement, or proposing to authorize the ratification of a treaty (Article 11). In theory, the president decides on a referendum at the request of the prime minister or of parliament, in practice it is the president who decides. For instance, in the past, the question on the method of presidential election and regionalism, initiatives came directly from the president and not from the government.
Fourthly, the emergency power of the president is given in Article 16 of the constitution. Accordingly, the President after consulting the prime minister, presidents of both the chamber and the Constitutional Council, can invoke his emergency power. This can be enforced in a situation when there is an immediate and serious threat to republican institutions, national independence, territorial integrity, the application of international agreements, and in which the regular functioning of the constitutional public authority is interrupted. This article has attracted more criticism than any other article from the beginning till date. The main objection of the critics of the article is that this provision could be deliberately abused by a president seeking personal power, and could even serve as technically legal cover for a coup d'etat.

**Growth of President's Power**

Factors other than constitutional have increased the power of the French president as against that of the government. Usually, presidents have not only decided who holds ministerial posts but also have drawn up national policies. The president's influence over the government is on the account of two factors. Firstly, the popular election of the president that makes him a symbol of the whole country. Secondly, if the political party to which he belongs also has majority in the assembly. However, when his party and allies do not command majority in the assembly the whole situation changes with the prime minister taking over the driving seat. Bealey (1999: 114) says that in this event, the president's power over the government is "limited only to signing of decrees, formulation of foreign policy and those of commander in chief".

**Recent Developments**

One of the main problems faced by the French presidency is the president's power during cohabitation, whereby a president and the prime minister from opposing parties share power in loosely defined way. Its advocates say that cohabitation provides a useful system of checks and balances, which traditional coalition cannot provide (Coomarasamy 2002: 21-22). For critics, it creates the prefect condition for watered down legislation and stagnant policy. It also makes institutional reforms very difficult by their very nature that demands agreement between the president and the
government who are from opposing party (Marian 2002: 258-65). The cohabitation provides a good vantage point for making a preliminary assessment of the factors involved in presidential leadership in France (Bell 2000: 241). During the earlier two period of political cohabitation between the left wing president and right wing prime minister (1986-89 and 1993-95) the degree of president's influence was substantially reduced. Rather than the president being superior, he became co-equal to the prime minister (Elgie 1996: 275). The result was the ambiguous position of the executive and certain blandness prevailed, making it difficult to distinguish president from the prime minister when it comes to policy.22

Although the head of state (president) is elected for a fixed term of office, the head of government (prime minister) must command parliamentary majority. So long as the president's party has such a majority, the president may choose a premier of his own party, thereby permitting him to rule as the de facto head of government. Otherwise, the head of government (premier) may come from an opposition party in order to gain parliamentary support, as happened between 1986 and 1988 when President Francois Mitterand had to name an opposition leader, Jacques Chirac, as premier (Suleiman 1989: 11-15) paving the way for cohabitation. The cohabitation lasted from 1997-2002 between President Chirac and Prime Minister Jospin who had control over the National Assembly. On both the occasions, the prime minister had advantage over the president and the government held all the power in running domestic policies. The president was reduced to countersigning the laws enacted under government initiative (Marian 2002: 258-65).

However, as 2002 presidential elections approached, both Chirac and Jospin arrived at consensus on the desirability of a restored executive presidency (Bell and Criddle 2002: 642-663). In April- June 2002, France went to polls in four consecutive ballots to elect the president and the National Assembly. In the presidential race, the socialist Jospin came third behind the extreme-right front national leader Jean-Marie Le Pen. Chirac and his Conservative Party won both presidential and parliamentary election, polling 82% of vote and 69% of seats in the National Assembly respectively.

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22 For further understanding of the different French presidents see, Hayard, Jack (1986), De Gaulle to Mitterrand: President Power in France, London: Hurst and Co.
Finally, in France after five years of cohabitation of Right and Left, presidential dominance has returned (Bell and Criddle 2002: 642-663).

The Fifth Republic, which was used by Charles de Gaulle to create an executive presidency immune from the 'ebullience' of the parties, has seen two distinct phases, before 1981 and thereafter. The two-decade up to 1981 were characterised by dominant presidency, and the absence of alternance, with the Right winning presidential and parliamentary elections uninterruptedly. The second phase, since 1981 has seen nothing but alternance and presidentialism largely compromised, either by cohabitation or a hung parliament.

Since 1981, apart from the three periods of cohabitation, presidentialism has also assumed different forms (Knapp and Wright 2001: 110-120). First was interventionist presidentialism of the traditional sort where the president commanded huge parliamentary majority and all policy areas. Then it was arm-length presidentialism, where the president was relatively distant from the policy making. Finally, came less interventionist presidentialism, beginning with Chirac presidency, where president allowed his trusted prime minister to lead policy-making on his behalf (Bell and Criddle 2002: 643-663).

The new executive structure of France thus has evolved in an intricate and convoluted fashion since 1958. No one could forecast at the beginning, what the relationship between president, prime minister and the government would become. This confusion and uncertainty is far from over. France still seems to be lacking the permanent and effective institution, which it has been seeking since 1789, when the ancient regime was overthrown (Blondel 1974: 135). Nevertheless, due to the creative leadership of Charles de Gaulle, today the institution of the presidency has emerged as the focus of authority in the Fifth Republic. The presidency has been able to provide some “elusive ingredient of contemporary leadership, which the Fourth Republic had been unable to find” (Bell 2000: 241).

One of the most striking aspects of the modern government is the constant tendency towards aggrandizement of the executive. In the extreme cases, the process has been consummated in the creation of dictatorship, with the governmental powers concentrated entirely in the hands of the executive. Dictatorship has generally been instituted where there has been little experience with representative institutions
(Hitchner and Harbold 1965: 352). For instance, the presidents have commonly exercised dictatorial authority in many countries in Latin America, Eastern Europe, Africa and Asia, where democracy as has not taken deep roots. Therefore, presidential system as such does not prevent the establishment of dictatorial government.

There are also similar tendencies of the executive expansion in states where democratic institution has been firmly established. For instance, after the September 11 2001 terrorist attack on America, Congress has been receptive to rapid enactment of a number of legislative initiatives proposed by Bush administration (Abramowitz: 2002: 71-82). One such example was Congress conceding to the long-standing demand of the executive by authorising the president to use military force. This has strengthened the presidency vis-a-vis the legislature in this regard. The White House justified this authorisation by saying that, "in the event of armed attack against the United States, the president’s commander-in-chief powers under the constitution fully authorize him to use U. S. armed forces to respond to national emergencies created by such attack". Still another example we see is the expansion of the presidential powers in the Fifth Republic of France, which was ensured by the constitution itself. Therefore, in France "the power relationship between the executive and legislature branches is distinctly shifted to the advantage of the former" (Hitchner and Harbold 1965: 353).

Perhaps the ultimate paradox of the modern presidency is, as Cronin (1980: 22) says that it is always too powerful and yet it is always inadequate. It is too powerful because it is contrary to our ideals of “government by the people” and because it now possesses the capacity to wage nuclear war. Yet, always inadequate because it seldom achieves our highest hope that we place in it, not to mention its own stated intention. Therefore, from the above analysis it is clear that, we need to appreciate the limits of the presidency, the constraints on president and the exaggerated expectation on the presidency. There is a tendency to overestimate the powers of the office and underestimate the economic, social and cultural factors that so often shape the presidency.

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Conclusion

The general trend in democracies today seems to be in the direction, if anything, of further strengthening of the executive element, especially at the expense of legislature. This trend appears most obviously in the growing appeal of directly elected chief executives, whether in hybrid presidential regimes like France or in more traditional parliamentary systems. It is also evident in the growth of administrative staffs and bureaucratic coordinating mechanisms answerable to the chief executive personally. Finally, it is a feature of many of the newly emerging democracies of the developing world or the former Soviet bloc.

The creation of the Fifth Republic is a milestone in modern French history. In Third and Fourth Republics, the regimes that governed France from the fall of Napoleon III in 1870 until 1958, were dominated by parliament and parties (Lord 2003: 97). Charles de Gaulle, who rallied the nation when it was defeated and occupied by the Germans in 1940 and France’s ultimate victory in World War II, became convinced that revitalizing French political life after the war required a major reform of its constitutional arrangements, so as to provide greater governmental stability, continuity, and direction. De Gaulle’s reform program, which was first laid out in a speech shortly after he left office in 1946, had little immediate impact. An opportunity came however, during the protracted political crisis arising from the Algerian revolution in 1950s.

The Constitution of the Fifth Republic, endorsed in a popular referendum in 1958 was the price for de Gaulle’s return to power in order to avert a looming coup de’etat or civil war (Noonan 1960: 464). Its most important feature was an office of the presidency with real powers including, notably – sweeping powers to deal with national emergencies, the right to dismiss Parliaments, and the right to call for a referendum. This was to be overlaid on the traditional French parliamentary system and charged with the overall mission of maintaining the unity of the nation from a vantage point above everyday partisan policies. Following a constitutional amendment in 1962 (Law no. 62-1292 of November 1962), the president has been directly elected by the people. De Gaulle himself held the presidency throughout its

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formative first decade and shaped the new regime in ways that has proven surprisingly permanent given the eclipse of Gaullism as political movement. Indeed, de Gaulle is a striking example of the lasting impact a founding leader can have not only on the institutions of a regime but on its defining spirit or culture.

Much writings on the political system of the Fifth Republic has centered on the question of the relationship between president and prime minister, particularly when these offices are held by individuals of different parties a situation referred as "cohabitation". Initially it was like a divided executive, each enjoying an independent popular mandate and with no clearly defined sphere of authority. It seems a kind of weakness foreseen and feared by the American founders. Especially during periods of cohabitation, high-level French decision making has certainly given evidence of confusion. Yet, the fundamental reality of the current system is the over weaning power of the presidency. Well before de Gaulle left office, the monarchic tendencies of his regime were becoming apparent. Far from dissipating, however, they only become more pronounced, even-or perhaps one should say particularly-during the long reign (1981-95) of the socialist Francois Mitterrand (Bell 2003: 24).

Mitterrand regime affected the actual functioning of the French political system. Instead of enhancing its performance, the result was very nearly the opposite. Sheltered from criticism and challenge, the president tends to lose touch with the country and its problems and lacks incentives to address them seriously. The method of governing is sudden and ill-considered demagoguery. Hence, Mitterrand’s poor record in undertaking major projects of reform in spite of having control over the necessary levers of power and favorable time horizon to see them through.

What is more, the personalised power radiating from the office of the presidency is profoundly corrupting. Moreover, concentration of power in the hands of the president stifled initiative and competence throughout the government. This is the paradox of a strong and stable executive which, however, is unable to govern well. By his excessive weight, the president prevents his ministers from doing it and however, great his intelligence may be, it is not sufficient to allow him to do it by himself. The president acts like "incapacitating gas" (Lord 2003: 98) that paralyzes all around it, including political rivals in the president’s own party and even in the
opposition, who are consumed with the game of preserving their own standing as future candidates for the only office in the land that can truly reward ambition.

The final lesson however, is the difficulty to resist the autocratic temptation, particularly—for leaders of the stature of de Gaulle. Aristotle observes that in a “situation where the virtue and political capacity of a single individual is so great that it is no longer commensurable with that of others, there are only two choices: to exile such persons of this sorts, or for everyone to obey (him) gladly, so that persons of this sort will be permanent kings in their cities”25. However, de Gaulle undertook a sustained effort to create the institutions that would enable him to withdraw gracefully from power while preserving his larger political legacy of nation building and constitutional construction. In France, deep cultural memories of the divine right of the king (“God” was Mitterrand’s affectionate nickname) seem to stand in the way of such salutary developments. All these are lessons to be taken to heart by the various leaders engaged today in the founding or building of democratic regimes in places lacking solid traditional of liberal constitutionalism (Lord 2003: 97-100).

Laski has said that the presidential system of America “is both more and less than a king; he is, also, both more and less than a prime minister” (Laski 1940: 11). The issue of executive leadership is dramatically projected in such a comparison. The American president was conceived by the makers of the American constitutions as a republican equivalent to the heredity monarch of British constitutionalism. Hamilton, in the ‘Federalist’, went to the great length of comparing the two offices, insisting that “there is no pretence for the parallel which has been attempted between him and the king of Great Britain”26. He felt that anyone who thought that the president enjoys anywhere near the power of the British king was absurd. Since comparison was made, kings have vanished or become shadows of their former selves, while the American president has assumed the central position in the American polity. In the meantime, in Britain the prime minister has emerged as the keystone of the arch of what is today a cabinet rather than a parliamentary government.

Along with the chief executives, their cabinets or councils have undergone considerable change. Their relationship both to the chief executive and to the elected representative assemblies has evolved in accordance with the increasing emphasis upon executive leadership. Cabinets are older than parliaments. Princes surrounded themselves with councils or cabinets for the direction of their bureaucracies as soon as central administrative systems arose. In fact, there are bodies composed of leading administrative officials that are core to such centralized systems. It is therefore no wonder that the cabinet tends to occupy a somewhat independent position and is not ordinarily, as the phase used to go, “an executive committee of parliament” (Friedrich 1974: 372). Cabinets today depend once again upon the chief executive, as they always have in the United States.

The above theoretical clarification and discussion about American and French presidency has lead to understanding two important kinds of existing democratic presidential systems. However, both institutions which came into existence under different circumstances are functioning under different environment. Moreover, over the years both are becoming more powerful.

The above discussion will not only help in understanding Russian presidential system within the parameter of democracy which has only existed for the last one and half decade, but will also help understand the circumstances under which the Russian presidency is evolving.