

PRESIDENTIAL FORM OF GOVERNMENT

The presidential form of govt is based on the principle of separation of power between the executive and legislature. Under this system the executive is independent from the control of legislature.

Definition: in the opinion of Gettell,” presidential government is that form in which the chief executive is independent of the legislature as to his tenure and to a large extent, as to his policies and acts. In this system, the head of the state is real executive.”

According to D.V. Verney.” The term presidential has been chosen because in this system the office of the head of the government and head of state is combined in president.”

The above definitions summarize two features of the presidential executive i.e its independence and non-responsibility to the legislature as well as its definite tenure and united structure. At present countries like USA, Brazil, Sri Lanka etc are having presidential form of government.

FEATURES OF PRESIDENTIAL FORM OF GOVERNMENT:

1. **Real head of the state:** in this system the head of the state is the real executive head.
2. **Seperation of powers:** the presidential form of government is based on the principle of separation of power among the three organs of the government. The executive is not responsible to legislature. The executive cannot dissolve the legislature. And the judiciary is independent from executive and legislature.
3. **Principle of checks and balances:** All the three organs of the government is separated from each other but all are checking each other and restraining each other from any type of transgression of their power and functions.
4. **Superior position of president:** the president occupies a superior position because all the power of the government are concentrated with him.
5. **Political homogeneity not necessary:** it is not necessary that all cabinet should belong to same political party.

MERITS OF PRESIDENTIAL FORM OF GOVERNMENT:

1. **Stable government:** president is elected for fixed tenure of four years. His fixed tenure brings stability and efficiency in the administration.
2. **Separation of power:** This checks the despotism of any branch of the government and ensures citizens rights and liberties.
3. **Suitable in emergency:** Since the president is head of the state and government, he can take important decisions promptly and effectively.
4. **Government by able men:** the president generally makes the appointment of experts to head the portfolios without any consideration of party affinity.

DEMERITS OF PRESIDENTIAL FORM OF GOVERNMENT:

1. Executive may become despotic: President enjoy vast power and his tenure is fixed. So there is every possibility that he may act like despot.
2. Deadlocks between the organs: there is every possibility of deadlock between executive and legislature.
3. The checks and balance is antithetical to economic planning.
4. Rigidity of constitution is also criticized because flexibility is required to cope with the changing circumstances.
5. Less possibility of enactment of good laws as there is less harmony between executive and legislature.

However, despite above weaknesses, the presidential system of government proves to be successful in United States of America.

Thank You!

B.A. LLB. (H) Semester II