



UNIT

1

FORMS OF GOVERNMENT



Learning Objectives

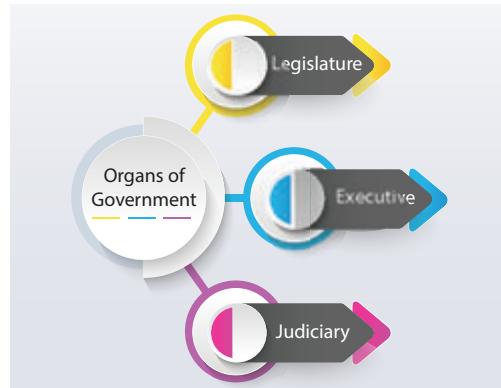
- To know about the type of constitutions
- To understand the forms of government
- To learn the merits and demerits of the different forms of government
- To understand the differences between the Unitary and Federal, Presidential and Parliamentary forms of governments



Government is the main agency of the state. It comprises of several members belonging to political and administrative wings. It serves as the instrument for delegation and execution of the state policies for the welfare of the people. It formulates, expresses and realises the will of the state. It exercises certain legislative,

executive and judicial powers based on the constitution and the laws. There are three organs in government, namely – Legislature, Executive and Judiciary. These organs carry out the activities of the state. Governments are classified into unitary, federal, parliamentary and presidential forms.





Meaning

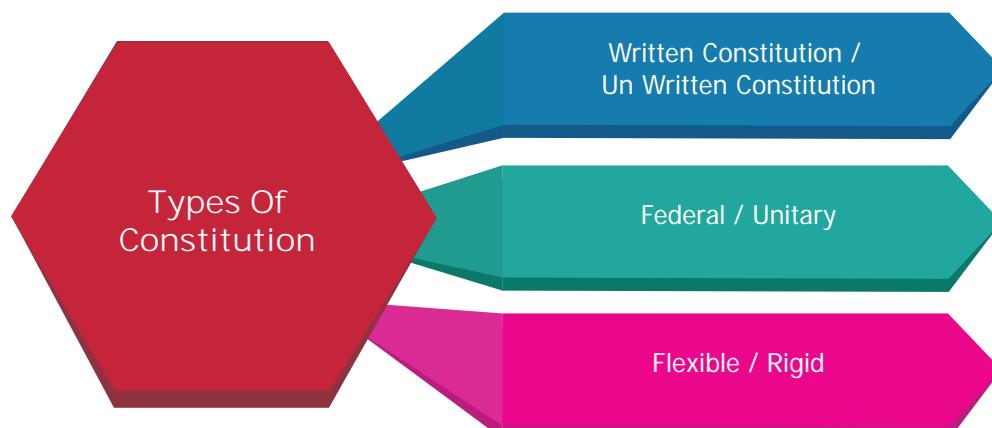
'Government' refers to the executive functions of the state. It denotes a body having authority to make and enforce laws applicable to the civil, corporate, religious, academic or other groups.

The term Government is derived from Old French 'gouverner', derived from Latin 'gubernare' to direct, rule, guide, govern".

Which is the oldest form of government?

Monarchy is the oldest form of government in the United Kingdom. In a monarchy, a king or queen is Head of State. The British monarchy is known as a constitutional monarchy. This means, while The Sovereign is Head of State, the ability to make and pass legislation resides with an elected Parliament.

TYPES OF CONSTITUTION



Unitary Form of Government

A unitary system of government or unitary state, is a sovereign state governed as a single entity. The central government is supreme and the administrative divisions exercise only powers that the central government has delegated to them.

England, France, Japan and Sri Lanka are examples of Unitary Form of governments.

In a Unitary form of government, all the authority and power is vested in a

single centre, whereas in a federal form of government authority and power is distributed between centre and the constituent units. Even in a Unitary form of Government, there might be a lot of decentralisation of authority, but we cannot claim it as a federal system.

Merits of unitary form of government

- Suitable for small countries.
- There is no conflict of authority and responsibility.
- A unitary government will make prompt decisions and take speedy action.



- A unitary government is less expensive.
- Amendments to the constitution are easy.
- There is unity, uniformity of law, policy and administration.

De-merits of unitary form of government

- It is not suitable for big countries.
- The central government will have to tackle so many complex problems that lead to administrative delay
- The central government will not concentrate on local problems, local interest and initiative.
- The concentration of powers may pave way for the despotism of the central government.

Unitary features of the Indian Constitution

- Strong Centre
- Central Government's control over state territory
- Single Constitution
- Flexibility of the Constitution
- Unequal representation of states
- Emergency Provisions
- Single Citizenship
- Single Integrated Judiciary
- All India Services
- Appointment of Governor by the central government

Federal form of government

The classification of governments into unitary and federal is based on the nature of relations between the national and the regional governments.

A federal government is one in which powers are divided between the national government and the regional governments by the Constitution itself and both operate in their

respective jurisdictions independently. U.S.A, Switzerland, Australia, Canada, Russia, Brazil, Argentina have federal form of governments. In a federal model, the national government is known as the Federal government or the Central government or the Union government and the regional government is known as the state government or the provincial government.

Merits of federal form of government

- Reconciliation of local autonomy with national unity
- Division of power between centre and states leads to administrative efficiency
- It gives rise to big states
- Distribution of powers check the despotism of central government
- More suitable for bigger countries
- It is good for economic and cultural progress

De-merits of federal form of government

- Federal government is weaker when compared to the unitary government.
- Federal government is more expensive
- Provincial tendencies are very common
- Lack of uniformity in Administration
- Threat to national unity
- Distribution of powers between centre and states lead to conflicts
- Double Citizenship
- Rigid constitution cannot be mended easily for changing needs
- The state governments sometimes place hindrances in the foreign policy

Country	Name of Parliament
Israel	Knesset
Germany	Bundestag
Denmark	Folketing
Norway	Storting
U.S.A	Congress



Federal features of the Indian constitution

- Dual Government
- Written Constitution
- Division of Powers
- Supremacy of the Constitution

The Constitution is the supreme law of the land. The laws enacted by the Centre and the states must conform to its provisions.

- Rigid Constitution
- Independent Judiciary
- Bicameralism

Difference between Unitary form and Federal form of Government

Unitary Form of Government	Federal Form of Government
Only one Level of Government or Sub units	Two Levels of Government
Mostly Single Citizenship	Dual Citizenship
Sub Units cannot operate independently	Federal Units are answerable to Central Government
No Division of Power	Division of Power
Centralisation of Power	Decentralisation of Power

Parliamentary form of government

Modern democratic governments are classified into parliamentary and presidential on the basis of the nature of relations between the executive and the legislative organs of the government.

The parliamentary system of government is the one in which the executive is responsible to the legislature for its policies and acts.

The parliamentary government is also known as cabinet government or responsible government or Westminster model of government and is prevalent in Britain, Japan, Canada and India among others.

Features of parliamentary form of government

- Nominal and Real Executives
- Majority Party Rule
- Collective Responsibility
- Dual Membership
- Leadership of the Prime Minister

Merits of the parliamentary form of government

- Harmony between Legislature and Executive
- Responsible Government
- Prevents Dictatorship
- Wide Representation

Demerits of the parliamentary form of government

- Unstable Government
- No Continuity of Policies
- Dictatorship of the Cabinet
- Against Separation of Powers

The presidential form of government

The Presidential Form Of Government is also known as non-responsible or non-parliamentary or fixed executive system of government, basically built on the principle of separation of power and is prevalent in the USA, Brazil, Russia and Sri Lanka among others.



Features of presidential form of government

The American President is both the head of the State and the head of government. As the head of State, he occupies a ceremonial position. As the head of government, he leads the executive organ of the government.

The President is elected by an electoral college for a fixed tenure of four years. He cannot be removed by the Congress, except by impeachment for a grave unconstitutional act.

The President governs with the help of a cabinet or a smaller body called 'Kitchen Cabinet'. It is only an advisory body and consists of non-elected departmental secretaries. They are selected and appointed by him, are responsible only to him and can be removed by him any time.

The President and his secretaries are not responsible to the Congress for their acts. They neither possess membership in the Congress, nor attend its sessions.

Historic Transition in Bhutan

Third King - Abolishment of slavery

Fourth King - Abdication of regal title

Fifth King - Democratic elections and establishment of local self-government

Transition from the hereditary monarchy to the Parliamentary Democracy. In 2006, the king abdicated the throne 34 years after ascending it. His son Crown Prince Jigme Khesar Namgyel Wangchuck became the fifth monarch and head of the state of the Himalayan kingdom. Now Bhutan is a Parliamentary Democracy and King Jigme a constitutional monarch.

HISTORIC TRANSITION IN BHUTAN



Courtesy: The Hindu - 3.11.2008
Cartoon by Keshav

The President cannot dissolve the House of Representatives—the lower house of the Congress.

The doctrine of separation of powers is the basis of the American presidential system. The legislative, executive and judicial powers of the government are separated and vested in three independent organs of the government.

Merits of the presidential system of government

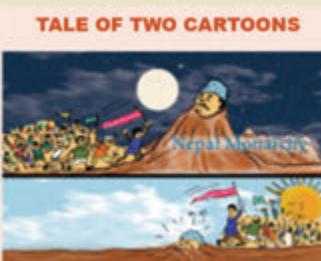
- Democratic
- Effective Control by the President
- Facilitate decision-making
- State government

Demerits of the presidential system of government

- Can degenerate into Dictatorship
- Strain relationship between executive and legislature
- Lack of Harmony between the Legislature and Executive

April Revolution and democracy in Nepal

On April, 2006 the leaders of Nepal vibrant pro-democracy civil society movement "Seven Party Alliance" (SPA) called for a million strong demonstration to be staged at 7 different points along the Ring road encircling the capital Kathmandu. The millions of citizens who made up the people's movement demanded an end to autocratic rule of monarchy and Restoration of total democracy in the Himalayan kingdom. An unprecedented development forced King Gyanendra to step down and paved the way for democracy.





Difference between the Parliamentary Form of Government and Presidential Form of Government

Presidential Form of Government	Parliamentary Form of Government
President is directly elected by the People	Prime Minister is from the majority party
President is Supreme	Central Legislature is supreme
Separation of Powers	Absence of Separation Powers Centralisation
Independent branches	Independent branches with Overlapping functions
President - Head of the State	President - Head of the State
President - Head of the Government	Prime Minister - Head of the Government
Individual Leadership	Collective leadership
President is not accountable to Congress	Collective and Individual Responsibility

The relationship between the Centre and the State in India

India is a union of States where the power is shared between the centre and the states, as per the procedures mentioned in the Constitution of India. Though the powers are shared between the Central and State Governments, the final decision is by the Central government in all matters. The relationship between the centre and the states are

1. Legislative relations (Articles 245-255)
2. Administrative relations (Articles 256-263)
3. Financial relations(Articles 268-293)

Both the Central and State governments have the power to make laws, but the matters differ. The centre can make laws applicable to the whole nation on certain matters called as the union list. The States have the powers to make laws in some matters only, applicable to their own state, called as the State list. The concurrent list includes the subjects on which both Central and State government have the power to make laws.

Union List: Union list has 100 subjects. These include Foreign affairs, Defence, Armed forces, Posts and Telegraphs, inter-state trade and commerce and so on.

State List: The state list consists of 61 subjects, which include Public order in the state, police, prisons, Local Governments, agriculture and so on.

Concurrent List: The Concurrent list has 52 subjects which include Criminal and Civil procedures, marriage and divorce, economic and special planning, newspapers, books and printing presses, population control and so on.



THE CONCEPT OF GOVERNANCE

From Government to Governance

Good governance is an indeterminate term used in the international development literature to describe how public institutions conduct public affairs and manage public resources. Governance is 'the process of decision-making and the process by which decisions are implemented'.

'Government' and 'governance' are synonyms, both denoting the exercise of authority in an organization, institution or state.

Characteristics of good governance

- Participation
- Rule Of Law
- Transparency
- Responsiveness
- Consensus Orientation
- Equity
- Effectiveness And Efficiency
- Accountability

Gross National Happiness (GNH):

Gross National Happiness is a developing philosophy as well as an 'index' which is used to measure the collective happiness in any specific nation. The concept was first mentioned in the constitution of Bhutan, which was enacted on 18 July 2008.

The term 'Gross National Happiness' was coined by the fourth king of Bhutan, Jigme Singye Wangchuck, in the 1970s. The GNH's central tenets are: "Sustainable and equitable

socio-economic development; environmental conservation; preservation and promotion of culture; and good governance".

GNH is distinguishable by valuing collective happiness as the goal of governance and by emphasising harmony with nature and traditional values.

A-Z

GLOSSARY

Consensus	General agreement on an issue
Despotism	Exercise of absolute power
Executive	Having to do with carrying out laws
Judiciary	The judges of a court considered as a group
Legislature	Law making body
Monarchy	A form of government in which a single person is the hereditary head of the state
Rigid	Hard to change

Recap

- Government refers to the executive function of the state.
- Legislature, Executive, Judiciary are the three organs of government.
- The four important forms of Governments are Unitary, Federal, Parliamentary and Presidential forms.
- India practises a Parliamentary form of Government.
- Governance is the process of decision making and the process by which they are implemented.



Exercise

I. Fill in the blanks

1. _____, _____ are a few examples for unitary form of government.
2. The Parliamentary government is also known as _____.
3. In the parliamentary form of government _____ is the leader of the majority party.



II. Fill in the blanks

Country	Name of the Parliament
1. USA	_____
2. Norway	_____
3. _____	Folketing

III. Distinguish Between

1. Unitary and federal forms of government.
2. Parliamentary and presidential forms of government.

IV. Give short note on

1. Democracy in Nepal
2. Unitary form of government

V. Answer the following

1. List out the types of constitution.
2. What are the merits of a federal government?
3. Write down the differences between unitary form of government and federal form of government.

VI. Answer in detail

1. Write about the merits of unitary form of government.
2. Write about the presidential form of government and what is the difference between presidential and parliamentary forms of government.



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4. The Oxford Hand Book of The Indian Constitution
5. Anup Chand Kapur, Principles of Political Science, New Delhi, S.CHAND



INTERNET RESOURCES

1. <http://www.worldbank.org/>
2. <https://openknowledge.worldbank.org/handle/10986/5980>
3. <http://www.grossnationalhappiness.com/articles/>