

## Presidential versus parliamentary systems

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*This article is a comparison of presidential and parliamentary systems. They are the two most popular types of democratic governments. They have common and dissimilar features. In both presidential and parliamentary systems the chief executive can be removed from office by the legislature but the way of it is different. Dissimilar feature is the election of the chief executive and the debate styles. I present the two best examples of these systems: the USA (presidentialism) and the UK (parliamentary system). Consequently nations can choose which system they sympathise: the more classic parliamentary system or the less rigid presidential system, or the mixture of them. I do not want to stand by neither of them in my essay. I just want to show and compare them.*

### Introduction

A nation's type of government refers to how that state's executive, legislative, and judicial organs are organized. All nations need some sort of government to avoid anarchy. Democratic governments are those that permit the nation's citizens to manage their government either directly or through elected representatives. This is opposed to authoritarian governments that limit or prohibit the direct participation of its citizens. Two of the most popular types of democratic governments are the presidential and parliamentary systems [1].

First I write about presidential systems then parliamentary systems in general and in the USA and UK. After these I show the differences and the common features of the two systems, and give a conclusion.

### Presidential systems

My aim is to show the presidential systems in general and after the American presidential system. I am going to write about the president in more details, his power and his limitations.

There are presidential republics that have a full presidential system (e.g. the USA), semi-presidential system (e.g. South-Africa), and executive presidency (e.g. France) linked to a parliament [2].

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The office of President characterizes the presidential system. The President is both the chief executive and the head of state. The President is elected independently of the legislature. The powers invested in the President are usually balanced against those vested in the legislature. In the American presidential system, the legislature must debate and pass various bills. The President has the power to veto the bill, preventing its adoption. However, the legislature may override the President's veto if they can muster enough votes. The American President's broadest powers rest in foreign affairs. The President has the right to deploy the military in most situations, but does not have the right to officially declare war. More recently the American President requested the right to approve treaties without the consent of the legislature. The American Congress denied this bill and was able to override the President's veto [1].

A presidential system is a system of government where an executive branch exists and presides (hence the name) separately from the legislature, to which it is not accountable and which cannot, in normal circumstances, dismiss it.

It owes its origins to the medieval monarchies of France, England and Scotland where executive authority was vested in the Crown, not in meetings of the estates of the realm (i.e., parliament): the Estates-General of France, the Parliament of England or the Estates of Scotland. The concept of separate spheres of influence of the executive and legislature was copied in the Constitution of the United States, with the creation of the office of President of the United States. Perhaps ironically, in England and Scotland (since 1707 as the Kingdom of Great Britain, and since 1801 as the United Kingdom) the power of a separate executive waned to a ceremonial role and a new executive, answerable to parliament, evolved while the power of the United States' separated executive increased. This has given rise to criticism of the United States presidency as an "imperial presidency". Some analysts dispute the existence of an absolute separation, referring to the concept of "separate institutions sharing power".

Although not exclusive to republics, and applied in the case of absolute monarchies, the term is often associated with republican systems in the Americas. The defining characteristic of a republican presidential system is how the executive is elected, but nearly all presidential systems share the following features.

The President does not propose bills. However, the president has the power to veto acts of the legislature and, in turn, a supermajority of legislators may act to override the veto. This practice is derived from the British tradition of royal assent in which an act of Parliament cannot come into effect without the assent of the monarch.

The President has a fixed term of office. Elections are held at scheduled times and cannot be triggered by a vote of confidence or other such parliamentary procedures. In

some countries, there is an exception to this rule, which provides for the removal of a president in the event that they are found to have broken a law.

The executive branch is unipersonal. Members of the cabinet serve at the pleasure of the president and must carry out the policies of the executive and legislative branches. However, presidential systems frequently require legislative approval of presidential nominations to the cabinet as well as various governmental posts such as judges. A president generally has power to direct members of the cabinet, military or any officer or employee of the executive branch, but generally has no power to dismiss or give orders to judges.

The power to pardon or commute sentences of convicted criminals is often in the hands of the heads of state in governments that separate their legislative and executive branches of government.

Presidential governments make no distinction between the positions of head of state and head of government, both of which are held by the president.

Some political scientists consider the conflation of head-of-state and head-of-government duties to be a problem of presidentialism because criticism of the president as head of state is criticism of the state itself.

Presidents in presidential systems are always active participants in the political process, though the extent of their relative power may be influenced by the political makeup of the legislature and whether their supporters or opponents have the dominant position therein.

Supporters generally claim four basic advantages for presidential systems: direct mandate, separation of powers, speed and decisiveness, stability. Direct mandate means that the President is often elected directly by the people. To some, this makes the President's power more legitimate than that of a leader appointed indirectly. In the United States, the President is elected neither directly nor through the legislature, but by an electoral college [2]. In the system of Electoral College people vote for electors, who vote for a particular candidate, in each state. All the electoral votes of a state go to one candidate. It is therefore possible for the President to be elected without getting a majority of the American people's votes. Many US people think that this system should be changed because it is old fashioned [3].

Separation of powers establishes the presidency and the legislature as two parallel structures. Supporters claim that this arrangement allows each structure to supervise the other, preventing abuses.

Speed and decisiveness is some argue that a President with strong powers can usually enact changes quickly. However, others argue that the separation of powers slows the system down.

Stability is in connection with a president, by virtue of a fixed term, may provide more stability than a prime minister who can be dismissed at any time [2].

In presidential systems the legislators are free to vote their consciences with fewer repercussions from their party. The legislators make use of a filibuster, or the right to prolong speeches to delay legislative action. The chief executive can be removed from office by the legislature [1].

### **The presidential system of the USA**

The President represents one of the three branches of power in the federal government of the United States. The rules governing the election and functions of the President are contained in Article II of the US Constitution. The official residence of the President is the White House in Washington D.C.

The President possesses all executive powers in the federal government. He is the only person in the government to be elected by the entire nation; therefore his prestige and respect are unique in the US. He is elected for four years together with a Vice-President who steps in his place if the President dies, resigns, is removed from office or becomes unable to exercise his duties. He must be at least 35 years old and a born citizen of the United States.

The President has a wide range of powers. He can turn bills of Congress into law, or Acts of Congress. He has veto power over bills of Congress so he may refuse to sign any bill he doesn't like. He has ten days to decide if he signs or vetoes. If he vetoes, Congress may override his veto by passing the same bill again with two-thirds majority in both houses. In such a case, the President can no longer prevent the bill from becoming law, but during the American history, only in about 4% of veto cases Congress was able to override the veto by collecting the two-thirds majority behind the bill.

He appoints all major federal officials, including all federal judges, all the members of the President's Cabinet, all foreign ambassadors, all the directors of federal agencies and other organizations. The American President both chooses his candidates for the various positions and appoints them, with one single limitation: his appointments must be approved by the majority of the Senate.

He can give pardons for federal offences, receives foreign ambassadors, convenes Congress for special sessions, etc.

He is the chief executive officer; it means that as head of the US government, the President is responsible for enforcing the laws of Congress. He governs the country with the help of 14 executive departments, which are led by Secretaries. These Secretaries form the President's Cabinet, which the President usually consults before

making important decisions. The President is not obliged by law to hold regular Cabinet meetings or discuss any issues with his Secretaries. He has the right to make all decisions on his own if he wishes.

The President is the commander-in-chief of all the armed forces of the US. So he appoints all the generals of the armed forces. The President has the exclusive right to issue commands and orders to the US armed forces, especially during wartime.

Despite his wide range of powers, the President also has to face strong limitations created by the principle of the separation of powers in the Constitution. The President is elected independently from Congress, and has no institutional connection to any of the two houses. The President has the right to propose bills to Congress, but cannot force Congress to pass them, just as Congress cannot force the President to sign bills passed by them.

Congress has a very radical and rarely used weapon against the President: the impeachment. It is a legal procedure against the President which can be initiated if he is suspected to have committed something illegal. It is not a criminal trial in the normal sense, because it is not conducted by the judicial branch but by Congress: the House of Representatives has the exclusive right to initiate impeachment by majority vote, while the Senate has the exclusive right to hold impeachment hearings and ultimately, to convict or acquit the President. The impeachment procedure is led by the Chief Justice of the Supreme Court, while the whole of the Senate acts as a huge jury. In the end, at least two-thirds of Senators must vote against the President to convict him. Impeachment is the only legal way to remove an active President from office. Besides removal, there is no other penalty, but once the President has been removed, he can be brought to trial in a standard criminal court, because he is no longer protected by the immunity of his office [4].

### **Parliamentary systems**

Parliamentary comes from ‘parley’, a discussion. The word was first used in the 13th century to describe meetings between Henry III and his noblemen in the Great Council. Over time the Great Council became the House of Lords. The people from counties and towns became the House of Commons. Now the three parts of Parliament: the sovereign (king or queen), the House of Lords, the House of Commons.

The House of Commons is elected by the adult population of Britain. The members are called ‘Members of Parliament or MPs’. There are 659 MPs representing constituencies in England, Wales, Scotland, and Northern Ireland. Elections are held in every five years. Until the 20th century MPs did not have a salary.

There are 1200 people in the House of Lords. Their power has been reduced over time. At various time people have suggested that it should be abolished or the composition and functions should be changed [3].

In parliamentary governments the head of state and the chief executive are two separate offices. Many times the head of state functions are in a primarily ceremonial role, while the chief executive is the head of the nation's legislature.

Most European nations follow the parliamentary system of government. Britain is the most well known parliamentary system. Although Great Britain was once a pure monarchy, the function of the head of state was given to the royal family, while the role of chief executive was established with Parliament [1].

Parliamentary systems usually have a clear differentiation between the head of government and the head of state, with the head of government being the prime minister or premier, and the head of state often being a figurehead, often being either a president (elected either popularly or by the parliament) or by a hereditary monarch (often in a constitutional monarchy). Countries like Australia and New Zealand, who have gained independence from the British Empire, have no royal family and so the queen of England forms the figurehead of the constitutional democracy.

The term *parliamentary system* does not mean that a country is ruled by different parties in coalition with each other. Such multi-party arrangements are usually the product of an electoral system known as proportional representation. Many parliamentary countries, especially those that use "first past the post" voting, have governments composed of one party. However, parliamentary systems in continental Europe do use proportional representation, and tend to produce election results in which no single party has a majority of seats. Proportional representation in a non-parliamentary system does not have this result.

Students of democracy such as Arend Lijphart divide parliamentary democracies into two different systems, the Westminster and Consensus systems. *The Westminster system*, usually found in Commonwealth countries, although they are neither universal within nor exclusive to Commonwealth countries. These parliaments tend to have a more adversarial style of debate and the plenary session of parliament is relatively more important than committees. Some parliaments in this model are elected using a plurality voting system (first past the post), such as the United Kingdom, Canada, and India, while others use proportional representation, such as Ireland and New Zealand. This model does allow a greater separation of powers than the Western European model, since the governing party will often not have a majority in the upper house. Consensus systems are identified by proportional representation, where there is more of a tendency to use party list systems than the Westminster Model legislatures. The committees of

these Parliaments tend to be more important than the plenary chamber. This model is sometimes called the West German Model since its earliest example in its final form was in the Bundestag of West Germany (which became the Bundestag of Germany upon the absorption of the GDR by the FRG). Switzerland is considered one of the purest examples of a consensus system.

We can distinguish a Hybrid Model, the semi-presidential system, drawing on both presidential systems and parliamentary systems. Much of Eastern Europe has adopted this model since the early 1990s [5].

### **Differences in parliamentary and presidential systems**

Differences in Parliamentary and Presidential Systems are the election of the chief executive and the debate styles.

The most striking difference between presidential and parliamentary system is in the election of the chief executive. In *parliament systems*, the chief executive is not chosen by the people but by the legislature. Typically the majority party in the parliament chooses the chief executive, known as the Prime Minister. However, in some parliaments there are so many parties represented that none hold a majority. Parliament members must decide among themselves whom to elect as Prime Minister. The fusion of the legislative and executive branches in the parliamentary system tends to lead to more discipline among political party members. Party members in parliaments almost always vote strictly along party lines. *Presidential systems*, on the contrary, are less disciplined and legislators are free to vote their consciences with fewer repercussions from their party.

Debate styles also differ between the two systems. *Presidential system* legislators make use of a filibuster, or the right to prolong speeches to delay legislative action. *Parliamentary systems* will call for cloture or an end to debate so voting can begin.

### **Common features in the two systems**

In both presidential and parliamentary systems, the chief executive can be removed from office by the legislature. *Parliamentary systems* use a 'vote of no confidence' where a majority of parliament members vote to remove the Prime Minister from office. A new election is then called. In *presidential systems*, a similar process is used where legislators vote to impeach the President from office.

### Conclusion

Since the fall of the Soviet Union, democracy has begun to flourish around the world. As emerging nations struggle to identify themselves, they are also debating which form of democracy is the best for them. Depending on the nation and its citizens, they may choose the more classic parliamentary system or the less rigid presidential system. They could also blend to two popular systems together to create the hybrid government that works best for them [1].

In this essay one main point of view was to show the presidential systems in general and the American way of it. The presidential system is widespread in the world. There are different types: full presidential systems, semi-presidential systems, and executive presidencies. The USA has a full presidential system. Some elements of it are old fashioned and lots of people think that they should be changed.

The other democratic governmental type is the parliamentary. There are differences and common features in the two systems. The main differences are the election of the chief executive, the debate styles, and the President is both the chief executive and the head of state. The main common feature is that the chief executive can be removed from office by the legislature in both systems.

I hope that I could reach my aim to show the presidential and parliamentary systems with a particular attention to the USA and the UK.

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