

Presidential System in Russia and US: A Comparison

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DECLARATION

I declare that the dissertation entitled “**Presidential System in Russia and US: A Comparison**” submitted by me in the partial fulfillment of requirements for the award of the degree of MASTER OF PHILOSOPHY of Jawaharlal Nehru University is my own work. The dissertation has not been submitted for any other degree of this university or any other university.

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CHAPTER: 1

CONCEPTUAL FRAMEWORK

Democracy can primarily be defined as the government by the people or people's right to govern them. Democracy first emerged in ancient Greek city state where the economic welfare provided by the forced labor of slaves created a conducive environment for people to deal with sciences, to think and philosophize about the "just" and best form of government. In Those days, People used to assemble on public squares, deliberating and reaching decisions on specific policies as a group. This came to be known as direct democracy. With the passage of time the emergence of representative democracy through the election of representatives by people became the ideal form of democracy. The process of election of the representatives provided people with an opportunity to raise their demands and complaints in the assemblies and parliaments, and take part in the decision making process through their representatives. Nevertheless, different ideas of parliamentarianism were put forward by many thinkers to enhance the development of democracy. Out of these presidential and parliamentary models gained widespread acceptance (also semi-presidential systems).

The comparison between presidential and parliamentary form of government has always been an interesting and conflicting subject for political thinkers. Though European Westminster model has been admired for being the better implementation of democracy by many thinkers but there are still some other writers who claim the superiority of the presidential system.

Distinction between Parliamentary and Presidential System

Presidential and parliamentary systems are the two possible forms of Government in any democratic state. According to Verney, parliamentary government differs from presidential on three fundamental points:

(1) The composition and the policies of the government are dependent on the political composition of parliament.

(2) Through parliamentary elections, the electorate has indirect power over the executive.

(3) The head of state and the head of government have separate functions. The head of state has no political power of its own (Verney 1959: 178).

Juan Linz, criticized presidential form of government and praised parliamentary democracy as the best model. Scott Mainwaring and Matthew S. Shugart set the five main points to the criticism of Linz's in their articles "Juan Linz, Presidentialism, and Democracy". Linz holds that the tricky nature of presidential form of polity caused by the separation between the government and the assembly. In presidential government, the presidents and members of Assembly are elected by popular vote and both are not dependent on each other. Linz holds that, this creates a complexity of governance in presidential governments particularly when there are problems between assembly and the President (Linz 1995)

In the Parliamentary system, the Prime Minister is totally dependent upon their respective Legislatures in the matter of the selection of Ministers. On the one hand, they are expected to choose, men of vision, capability, integrity, practical experience professional knowledge; they are expected to provide sufficient representation to both privileged and unprivileged sections of society, on the other.

In contrast, in Presidential government, the President is not vulnerable by such considerations. He can select his ministers from outside the Legislature; he is not subordinate to the legislature. In this fashion, he can induct capable, qualified and worthy candidate into the government. He can select freely men of vision, integrity, of well qualified.

Under Parliamentary government, the council of ministers are not competent to present successful leadership. As they do not have expertise, they have to depend mostly on the bureaucrats and civil servants. They simply work like puppets under officials, and as a result democracy degenerates into bureaucracy.

In contrast, there is no such demerits in Presidential form of government. In presidential system ministers are not dominated by the civil servants. They are familiar with their functions, and can perceive to it that their policies and programs should be carried out faithfully.

In parliamentary system, the defection politics is the worst fault of the Parliamentary government. Members of parliament and legislative assembly freely change the party without any restraint. Defections has become the order of the day .As a results, corruption, discrimination, nepotism, and often short lived coalitions emerged and because of this many other national and regional political parties formed, this creates instability in politics which comes in the way of development. This evil is unheard of in any other form of government.

Moreover, members of parliaments and assemblies may not vote of their choice in the Parliamentary government. They have to obey the whip of the party or else face exclusion. The Presidential form of government is superior in this respect as well. Such are, without any doubt, merits of the Presidential form of government. It positively means greater stability and sanity in the body politic. nevertheless, it also suffers from one disadvantage that in Presidential system, president and his colleagues are independent of the Legislature, which increase the powers of the executive branch of the country and this carries within it seeds of despotism. This is the worst aspect of the Presidential form of government.

Finally, according to Linz, weak ties between presidents and political parties, may govern the nation in a populist, anti-institutionalist manner in presidential form of government. Furthermore, Linz substantiates his opinion by giving mathematical information which specify that collapse of democracies are more likely to perceive in presidential government especially in a deadlock circumstance (Linz 1993) parliaments go for proportional representation, practiced in New Zealand and Ireland. This system is also called a consensus system identified by proportional representation. Where there is the committees system is more important than plenary chamber, this system is practiced in Germany. Switzerland is the best example for the proportional representation system.

Parliamentary System in United Kingdom

The term parliamentary comes from 'parley', a discussion, a place where people sit and discuss national and international problems and enact legislations for their country. The modern Parliamentary system owes its origin to western countries particularly the United Kingdom. The term parliamentary refers to a kind of democratic polity wherein the supreme power vests to the people through their representatives in parliament.

Democracy can be classified into two systems, the Westminster and the consensus system (Lizphart 1991:76). However, both are neither universal nor exclusive even to commonwealth countries. Parliamentary democracy is usually run by the committees but then the importance of parliament is no way reduced or limited. Parliament, of course, is based on a 'First past the post system.' (Ertl 2008). Chiefly this system is practiced in UK, India and Canada.

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The History of Formation of Parliament

The parliament first emerged and took shape in the year 1215. In this year, King John signed the Magna Carta, and it is one of the oldest symbols in the history of parliament formation.¹ Ever since, the system has gone through the changes. The

¹ The Article 39 of Magna Carta reads – "No free man shall be seized or imprisoned, or stripped of his rights of possession, or outlawed or exiled, or deprived of his standing in any other way, nor will we

United Kingdom of Great Britain and Ireland was created in 1801 by the merger of the Kingdoms of Great Britain and Ireland under the act of union. By 1804 London had become the financial hub of the world. The United States had exploded out of its swaddling clothes of the 13 original states and had acquired the expensive Louisiana Purchase. It was fast sprouting up to become the mightiest nation of all time. But the Britain burst forth to greatness first, and until the World Wars had become the greatest empire, or Commonwealth of Nations in all history. Between them the British and American peoples had acquired all most three- fourths of all the cultivated physical resources and wealth of the world. All other nations combined possessed barely more than a fourth. Britannia ruled the waves- and the world's commerce was carried on by water. The sun never set on British possessions (Armstrong 1967: 9). These circumstances where both Britain and America were situated or in other words, where rest of the world was situated Until 19th century, the House of Lords enjoyed a far more superior position, in terms of power, as compared to the House of Commons, both in theory and in practice. House of Commons, the Lower House was left only for a few members to be elected to. The constituencies for the members of House of Commons steadily reduced as Old Sarun, with Seven voters and could select two members, as for the Borough of Dunwich, it had entirely into the sea due to land erosion. The British House of Commons was properly established in the early 20th century. Consequent to the supremacy, British House of Commons passed the "People's Budget" (Pennington 2012) that made enormous changes to the taxation system in a manner which restraint and restricted the rich British land lords. On this, the upper house (House of Lords) which consisted mostly of dominant land lords discarded the budget. But then, the liberal party though narrowly, but won two general elections in the year 1910, it was all because of the budget's popularity and subsequently the lords' unpopularity.

Despite being the first parliamentary, Great Britain has the Elizabeth II at its head, and moreover the House of Lords consist of spiritual lords and the lords temporal. The later is members of the peerage, in turn, whose members are not chosen directly by the people but are selected by the sovereign on the recommendation of Prime Minister. These lords also performed judicial functions through the lords of law

proceed with forced against him, or send others to do so, except by the lawful judgment of his equals or by the law of the land." Available at-http://www.bl.uk/treasure/magnacarta/translation/mc_trans.html

before the body of Supreme Court was in place. On the other hand, members of House of Commons are chosen directly by the people through elections held after every five years. It is by convention that both the houses meet in separate chambers in the Westminster palace. Ministers and Prime Minister, both are members of the House of Commons. Lords and Commons, both are responsible to their respective house to which they belong.

It was in the year 1707 in which ratification of the Treaty of Union by both the Parliament of England and Parliament of Scotland was ratified and passed Act of Union. And the Parliament was enlarged further by another ratification in the year 1800 in which Great Britain and the Parliament of Ireland which passed the Act of Union in which Irish Parliament was abolished; consequent to this by Act of Union (1800) one hundred Irish members were added to the House of Commons and 32 to the Lords. This was the creation of the Parliament of the United Kingdom of Great Britain and Ireland to which Bright calls "the mother of parliaments" (Bright 1998). The democratic institutions of the mother of parliaments set the standards for many democracies throughout the world and this parliament is the largest Anglophone legislative body in the world. Although, according to BBC, John Bright, the originator of the expression used it in reference to England, and not to her Parliament².

Presidential System in USA

It is not easy to see through the character of American Presidency without being one with it, and at the same time falling apart. The functional range of Presidency is wide enough to make him the president of enormity. Apart from being ceremonial head of the state he is a vital source of legislative suggestions. He is also the final source of all executive policies and decisions. The American president is an authoritative proponent and exponent of the nation's foreign policy. He is viewed individual representative of the nation. (Laski 1940)

² BBC. "US Electoral System." *BBC NEWS Online*. November 5, 2002. <http://news.bbc.co.uk/2/hi/americas/2236285.stm> (accessed May 23, 2013).

The other side of the ceremonial Presidency, is both fatiguing and delicate rather than important. The ceremony is in fact the decorative side of the office. Of course it is in the range of functions this burden may be carried by the president, more so, if the office is conceived positively.

The founders of the constitution in pre-conceiving situation were seemingly enthused of the method they were going to adapt for choosing the president. The presidential candidates are chosen at national conventions of the respective parties; and it is decided by the electorate at large. But the reservation symbolized by the famous Hayes- Tilden case that a plurality of votes does not necessarily carry with it the certainty of election. (Laski 1940)

American presidential convention seems similar to nothing else in a civilized world. The pre-convention campaign for the presidency is of great importance. Bargaining at the convention is a great deal of art and its importance grows either when there are several outstanding candidates among whom the choice becomes difficult. For example in the selection of Franklin Roosevelt in 1932; where the work done by Mr. Farley in the preceding years, was the condition precedent to his nomination and so was the case with the republicans in 1880 and 1920, and with the democrats in 1924; it is important if a powerful group makes up its mind to try to force a "dark horse" on the convention (ibid).

The office of the President is an integral part of the institutional framework of the United States and President's cabinet does not correspond with the cabinet of any government in Europe. Cabinet officers in the United States are essentially the Presidential advisors and the members of presidential cabinet cannot, under the constitution, be members of the either house of the congress. A cabinet officer is supposed to presume that he will live his term in the presidential shadow. Of what substance is he, depends on the will of the president. At the same time there is nothing like collective responsibility in the presidential system of America.

The system as a whole is rooted and based on the concept of "separation of power" and "checks and balances" most discussed and debated issue is the relation between Presidential office and Congress. Here is the point to discuss the powers and authority of Presidential office in comparison to that of Congress. Laski has discussed this

relationship substantially and sufficiently at length. But then, it is an irony of political matters and issues that the search for an act of balancing seems interminable. In this process political thinkers still seem to be on their way to find the solution of an insoluble issue. The criticism of the two polities seems to be unending, especially when the supporters of parliamentary systems talk of republic and republicanism whereas the supporters of the presidential system boast of presidential autonomy.

In other words, in American Presidential system it is the balance of forces to maintain in both legislature and governance. This is always between congress and the president that are to maintain the balance of power. To explain the concept further we should first distinguish between the modern Presidency and the historic conception of monarchy. In American presidency, when president and congress are at odds with one another the former's power of direct appeal to the nation paves the way for public to form the opinion and make up its mind. Though, the division of powers between the President and the congress has been defined. However, the constitution does not seek the president to have the authority to do any more then it intends to.

The US President is elected under a peculiar and unique method. It is a method in which majority of the electoral college could defeat the majority of the nation as happened in the year 1876 and 1888 and almost repeated in 1884 and 1916. The Democratic Party is always confident that it can win the southern states and hence tends to choose its presidential candidate from one of these clusters of these states. On the other hand, the north-east is the constituency of Republicans. The party tends to choose its presidential candidate from the cluster of north-eastern states. In this process of pragmatic politics America is always divided rather than united. The political thinkers often cast their doubts and suspicion whether Presidential system in America genuinely tends to divide the nation or unite the nation. Schlesinger Jr. perhaps has elaborated this issue in his book "*Disuniting America*". If the title has been chosen by Schlinzer Jr. consciously, it seems the title carries substance, moreover holds American presidency as an "imperial presidency" (Schlesinger 2004).

Framers of the constitution of America perhaps did not intent this issue to be flared up in future. But then past amendments in US constitution perhaps failed to find the balancing act. The recent acquittal of the white, accused of murder of the black by jury propels doubt more than it dispels. The reaction of president Obama "it might

have been me 35 years ago”.(Times of India 2013) Seems not pacifying enough to satisfy a section of American public in general. “The fundamental addition which is necessary to enable the president to defy the pressure of local interests incarnate in senators and representatives”. (Brogan 1993) Here lies that something is hidden in the practice of constitution by the practitioners of constitution of United States. Professor Brogan seems to be right when he insists that the transcendence of sectionalism is the most urgent need in American politics. The professor also is of the view that the president is the only instrument through which that transcendence may be most properly affected.

This is known that there is no “liberal” party in the United States, at least in the European meaning of the term. If we go by the history of American parties until 1933, we shall find a remarkable resemblance between their character and that of British parties before The British Labor party in 1906. In fact, the very idea of “checks and balances” emerging out of the concept of separation of powers leads both the parties legislature and executive to the treaty-making process to seek to exert its own role (Jones 2003). For example, the clash between President Wilson and the senate over the approval of the “Peace of Versailles” symbolizes the weakness on the part of the president to make the kind of party appeal to the congress. The treaty making power seems the bone of contention in the whole American scheme of governance. Therefore, this kind of clash makes way for the problems to multiply that are deeply rooted in the separation of power. In American presidential system of democracy the concept of “separation of power” sometimes seem to be reversing the intent of framers of constitution thereby the constitutional intent.

Political Questions

The concept of “Political Questions” is another bone of contentions between the two separate powers, executive and the legislature. In a situation where either of the two branches seek justifiability over any issue and reach out to the judiciary, the third branch of American establishment the Supreme Court occasionally refused to adjudicate such matters on the ground that they involved political questions. In fact, the judiciary in America keeps itself away from such matters by citing “Principle of

judicial self-restraint". This way the doctrine of political questions in America is considered the constitutional element. Usually the courts refused to interfere on political questions for the grounds that "separation of powers" principally does not allow the judiciary in America to interfere (Laski 1940).

The American executive consists of 14 executive departments, with these, the president governs the country. These departments are led by the secretaries and the president of United States consults this team of secretaries before making any decision. The office of the President is not an institutional link to any of the two Houses. The only way out to remove the president from his office is the exclusive right of the Senate to hold impeachment hearings presided over by the chief justice of the supreme court of America.

Ever since the foundation of the American Presidential system this has been the common inference that the stronger the president, the graver was the threat to public freedom. Therefore, the framers of the American constitution found to erect congress to balance the powers of executive. That is perhaps why the founders regarded an absolute separation of these two great branches of the system (the executive and the legislature)

Since due process of law, by definition, a procedural concept under which the procedures provided or employed by legislatures, executive officers, or by courts are subjected to some fundamental examination of fairness this power to test actions by due process standards was proved to be a great temptation to the courts. Hence, a test of the fairness of governmental procedure developed into a test of ability of government to act at all, regardless of procedure. This is true that a substantive due process argument was made by chief justice Taney in the *Dred Scott* case. But a legislatures like Congress seems to be too big and too in appropriate of itself to find an organic and unified approach to the problems of the time. The Congress does not seem to be so effectively organized to take a continuous initiative to device laws. The members of the Congress are not seemingly compelled to think by their position in terms of the problems of the whole nation. Each House of the Congress carries with it a separate prestige; while the common prestige by their nature, is inherently anti-presidential in character. The Congress being something, is forced to take an initiative, otherwise the congress fills being nothing if it merely follows his lead. By

discrediting the president the congress seeks its own existence and alleviation. Consequent to this system, commonly, therefore seems to dissipate strength rather than to integrate it. Under the system, the president seems usually less than he might be. It is not that the stature of Congress is diminished if the president has his way. The congress was never at all if the president was left on his way to, seems nothing but an inherent prejudice of the congress. "that Hayes was not a candidate for re-election accentuated the Question of the succession, and bedeviled his administration with some of the bitterest political conflict in our history- intra party conflicts into ethic Hayes himself was drawn" (Hayes 1939). The dichotomy seems to lie in the antagonistic co-existence between Congress and the President.

In the history of American presidential system no president was found so far in a position to check this integration in normal times; for example George Washington could not do so when in his second term, the forces came together, ultimately becoming the federalist and republican parties. This is considered a loop hole in American presidential system in which a American party is not an unity in the sense of English system, it is a loose confederation of interest in which each player is playing for power. It is therefore, not only the fight against the opposing party but also, is a fight against factions within itself. Hence no president can claim that he will not have to pay the price for factionalism.

Polk Rides "I learned to-night on the 21st april, 1846, "that the senate, by the votes of Mr. Calhoun and his wing of the democratic party, united with the whole whig party, had rejected the nomination of DR. Amos Nourse as collector..... This is in addition to other evidence, a pretty clear indication that Mr. Calhoun intends to oppose my administration. He has embarrassed the administration on the Oregon question. He is playing a game to make himself president..." On June 24, 1846, He is complaining of further rejections through the influence of certain Senators. "The sooner" he comments "such party men go into the ranks of the Whig party, the better." "Democratic and Whig Senators," he writes on 28th February, 1848, ... act solely with the view to the elevation of themselves or their favorites to the presidential office.... Senators act as if there were no country and no public interests to be taken care of."(Polk 1939). Each later president reflected the above sentiments both in his unexpressed intents and the intents practiced.

Presidential leadership is often found insufficient to the problems it confronts. The weakness of the relationship between the Congress and the Presidency. However, seems to be of the greater interest for the political critics. But then, despite the weaknesses of the British system, it makes an executive to act intelligibly.

The very fact that a good deal in the American scheme of presidential system is easily explicable in historic terms and circumstances. But this is the burning question whether past history could be an excuse for the present deficiency and inadequacy. "The modern United States of America, I observe, is in dire need of outbuilding on the foundations, that are inherently suspicious of leadership as such." (Laski 1940).

No doubt, the subsequent presidents have been running in the leading-strings of congressional control, albeit, this control seems not to have presented any clear alternative to the leadership.

Semi-Presidential System

This system has emerged out of deficiencies and inadequacy in the practiced two forms of democratic polities, the parliamentary and presidential. In a sense the 'third-eye connection' this is the process of evolution and the evolution political might have been conceived in search of the third option to stabilize both the concept of democracy and the procedures to implement it in perfection. During the process of conceptualizing Maurice Duverger who in his definition of the semi-presidential system prescribes three general characteristics:- Popular election of the President, Presidential constitutional powers, and the independent Prime Minister with his office (Duverger 1980: 66). While Matthew Shugart and John Carey expanded the scope of concept of Semi-Presidentialism into more specific classification to account for variations among different countries. According to their respective constituencies. Shugart and Carey hold that a semi-presidential system may be classified as either "premier-presidential or president-parliamentary" (Shugrat 1993). The semi-presidential system goes through the three organs of power instead of the two. This is the system of governance based on the optimum balance among three political bodies- a President of the Republic, a Government and a Parliament- each of these three is conferred with fungible legitimacy and effective juridical or *defacto* powers.

Accordingly the system requires for its performance a constitutional frame and specific and effective political reality. There are political thinkers, who, because of eccentricities surrounding the emergence of this third connection feel about this concept “doomed to failure” Parliamentarism built up in England over the decades has proved workable and it has been adopted by other European countries on occasions. For example France and other countries including Portugal have adopted it, but consequent to governmental instability stemming from the principle of ‘all power to Parliament’. France and Portugal underwent a period of such political instability. France, to skip such instability chose to adopt this third political system i.e. Semi-Presidential system. And nobody to answer to the question how long will France survive with this system?

This three bodies- Semi-Presidential system of democracy has been conceptualize, perhaps, to skip and escape the obstacles in governance via two bodies- system of democratic polity. This social and ideological homogeneity of the Semi-Presidential system seems to have been based on the almost absolute separation of powers. The United States adopted a system of government which has at its top and institution similar to the monarchic one, whereby, the emergence of Semi-Presidential system has been attempted to reduce the essence of monarchism particularly from the Presidential system of America.

Semi-Presidential system seems to be dominated by an enduring principle: a balance between three bodies, a Head of State, a Government and a Parliament. Sometimes this third principle seems different from that of Parliamentary and Presidential systems because the question still remains, how is such balance achieved? This problem also has to do with the manner in which the members of the bodies are chosen. Semi-Presidential system, in absence of equivalent legitimacies makes it difficult for the system of government to function as a Semi-Presidential system. This system also seems to be antagonized with negative powers and positive powers of the body politic.

Distribution of Powers in the Semi-Presidential System

The actual powers of the actors of the Semi-Presidential system does not seem to be an issue. In the Presidential system, it is Parliament that legislates and limits the President through political control, on the other hand, the President dictate current policy; in this system each of the two enjoys adequate powers. In the Parliamentary system parliament legislates and controls the cabinet which in turn depends on it, it means the cabinet is responsible for the day-to-day governance of the country, this practice influences over parliament itself by the majority party.

The Semi-Presidential system, on the other hand, claims to provide solutions like attribution of legislative and regulatory powers to all the three bodies, administration of current policy only in the hands of the government which means the president of the republic or dependence of the government on the two other bodies or on just one of them.

Nevertheless, the distribution of power, in a Semi-Presidential determines that none of the three bodies may acquire the permanent influence over either of the two. Finally, this third principle of Semi-Presidential system must be carried out with the distribution of functions under this principle. This way any complacency towards any of the bodies not counter balanced through the power attributed to another may upset the balance of the system (Elgie and Menamin 2007).

The issue of legitimacy apart, the three bodies system infers the proper distribution of powers i.e. none of the three sides of this political triangle is conferred with powers so great that it may upset the balance of system as a whole.

The Impetus Provided to this Third System by the Fifth French Republic

The fragilities of the first experiments by France, it started search for equilibrium among three bodies which could ensure the political stability. This is of course, true that the Semi-Presidential system could not be found operative and functional by European countries at the end of the first-half of the 20th Century. It was in the 70s

when the Semi-Presidential system attracted Maurice Duverger as an option to stabilize the French polity. It was after a few years when the beginning of the Fifth French Republic (FFR) and which coincided with a fresh attempt at inter-institutional equilibrium outside the traditional framework of parliamentarism and the Presidential system which of course caught sight of Portugal too (Duverger 1980: 65).

The idea of Semi-Presidentialism was the result of the coherent search to limit the power. However, it may be democratic. Therefore there arose the two priorities, politico-governmental stability and the limitation of the power of the elected representatives. The supervision of constitutionality and legality of the actions of a political power became the best example. Parliamentary rationalization and models of compromise were sought after. In this context, Semi-Presidential system embedded with balancing politics came to be recognized as evenly balanced as possible.

The first attempt in which we can see all through the records is at the end of the II World War France attempted a relook through the 1962 revision of the 1958 French constitution by the Fifth Republic. In a state where trial and error were still in place the search for new system became the full time occupation of political scientists and civil servants for 200 years. This particular instance the aim of the political actor largely responsible for the constitutional revision of 1962 (General De Gaulle) was fully achieved in practice. General De Gaulle was the person held posthumously responsible for de facto Presidentialism (Canas 2004).

Dual Responsibility

In the Semi-Presidential system dual responsibility is the prime feature of the equilibrium attempted to bring about the balance between President and the office of Prime-Minister. Prime-Minister and the members of the government are nominated by the President on the basis of the proposal extended by the Prime-Minister can only be maintained if the program of the government is passed by the Parliament, if motions of confidence are passed, or if there is an absence of acts of censure, via Parliamentary acts (Mcquire 2012). The government whereby it depends upon the President of the Republic's understanding that the democratic institutions are properly

functioning and that there are no motives for dismissing the government. (Article 195 of the constitution, number 2)

In terms of the duration of the mandate, and some political acts of the government, thus depends upon the will of the President of the Republic, in conjunction to the will of the Parties' which hold a majority in the Assembly of the Republic. The Assembly of the Republic, being the exclusive trustee of derived constitutional powers, some of which are of an absolute nature. Though, the Assembly is not in a position to claim to be the legislative organ par excellence, as this function is shared with the Government. the assembly however, may assert that fundamental legislative decisions are made by it. The Assembly has also mechanisms available to it which enable it to accompany, control and even submit the government to its political logic.

As a result, the Assembly normally restricts itself to the role of reserve force of the system, controlling accompanying, inspecting and serving as a support mechanism to the executive. The Government is responsible for all important decisions, and is also given the responsibility of executing fundamental decisions. The feasibility of making this system of Semi-Presidentialism functional lies in Central and Eastern Europe especially are those of Poland, Romania, Ukraine, Lithuania and Bulgaria (Canas 2004)

Conclusion

Going by the outlines and lay-out of conceptual framework classic or otherwise, this is always for the new nations and for those struggling and facing conceptual difficulties to debate and decide the form of democracy that suits them. However, much depends on the state and its society what form of democracy and democratic polity is feasible and suitable. A nation could also blend to two popular systems together to go for the third eye connection of the Government that could work best for it. In this introductory chapter on conceptual framework the view in point was to show the Presidential systems in general and the American way of it, in particular. Though, the Presidential form of democratic polity is dominant in the world of today. They are of different types: Full Presidential systems, Semi-Presidential systems and Executive Presidencies. United States of America has a full Presidential system some

elements of US system of Presidentialism are too classic to be carried on while many people think the necessary change may be brought about.

The other democratic Governmental form i.e. the Parliamentary. The common feature between these two systems Parliamentary and Presidential is that the chief executive can be removed from office by the legislature.

CHAPTER: 2

EVOLUTION OF PRESIDENTIAL SYSTEM IN U.S AND RUSSIA

Countries around the world are demanding change: new leaders, new realities, and new systems of government. Most of these nations intend to shift toward more democratic forms of government, having lived in the shadows of authoritarian leaders. However, the sustainability of new democratic fervor directly depends on which system is chosen to replace a now defunct authoritarian model and how a chosen system allocates power between major players.

Evolution of Presidential System in America

The presidency may have been invented at the Constitutional Convention of 1787, but the roots of the office run deep in history. To understand the adaptive and flexible nature of this office and the growth in presidential power over time, it is necessary to demonstrate how the institution came into being and the type of leadership the framers expected of this unique office.

In this new configuration, authority and legitimacy that once came from God now transits through something called “the People”. This new secular base of authority made it more difficult to gain compliance. Consent replaced Command; Leadership replaced Rule; Influence and Persuasion replaced Orders. Government officials had to *lead* command and eventually, rule over the people through elected representatives. This made the government the servant of the people through their laws. “In America”, Tom Paine pointed out, “the law is king” (Paine 1979: 98).

The American Revolution took place in the middle of this transformation. As liberal democracy emerged “the leader” (aka, king) was seen as the problem to be solved, not as the solution to the people’s problem. To the colonists, the king became the focal point, the magnet of all complaints and criticisms. At the time of the colonists’ break

with Great Britain, anti-monarchical sentiment was strong. Jefferson's *Declaration of Independence* was, in addition to being an eloquent expression of democratic and revolutionary faith, contained a laundry list of charges leveled against the tyrannical king. And propagandist supreme, Tom Paine, stigmatized England's King George III as "The Royal Brute of Britain".

Anti-executive feelings were so strong that when the post revolutionary leadership assembled to form a government, their *Articles of Confederation* contained no *executive*! But so weak and ineffective were the Articles that Noah Webster said they were "but a name, and our confederation a cob-web" (Webster 1937). Over time, however, the absence of an executive proved unworkable and the inevitability of an executive became more commonly accepted. At the constitutional convention, James Wilson was the first to raise the possibility of an executive officer for the new government, and his comment was met, according to James Madison's notes, with "an embarrassed pause" – so anti-executive were the delegates that even the thought of a new kingly officer led to harsh looks and stunned silence. But Edmund Randolph of Virginia broke the silence reminding the delegates that there would be "no semblance of a monarch" there.

Alexander Hamilton addressed the convention on June 18, 1787 and delivered a speech praising the British system as "the best in the world". (Hamilton 2003:252) "The British monarchy is", he told the convention, "the only good model of executive power available". But the framers knew that to create an American version of the British monarchy invited another revolution, and Hamilton's hopes had to wait for a more receptive audience. The new government would have no strong, independent executive.

The idea on which the framers drew in inventing a presidency are diverse and complex. They took a negative example away from their experiences with the king of England. Their fear of the executive embedded in the framers a determination *not* to let the new American executive squint toward monarchy. Several European political theorists opened the framers' imaginations to new possibilities for governing. John Locke's *Second Treatise on Government* (1690) and Montesquieu's *The Spirit of the Laws* (1748) were especially influential.

From their understanding of history the framers drew several lessons. In studying the collapse of Greek (Athenian) democracy, the founders deepened their already profound suspicions of democracy. Thus, they were determined to prevent what some framers referred to as mobocracy, tyranny of the people was just as frightening as a tyranny of the monarchy. From their examination of the Roman Republic and its collapse from the weight of empire, the founders understood how delicate the balance was between the Senate and the will of the emperor. An emperor armed as tribune of the people, bent on imperial pursuits, led to tyranny just as surely as monarchy and mobocracy.

While less understood, the lessons the framers drew from the native Americans clearly had an impact on the writing of the Constitution. While the framers looked across the Atlantic and saw hereditary monarchies, they looked down the road and could see a sophisticated, democratic, egalitarian government in action: the Iroquois Confederation. This union of six tribes/nations, organized along lines similar to a separation-of-powers system, was the model for Ben Franklin's 1754 Albany Plan of Union, and was much studied by several of the framers.

On July 27, 1787, the drafting committee of the constitutional convention met at the Indian Queen Tavern to agree on a draft of the Constitution to submit to the entire convention. The committee's chair, John Rutledge of South Carolina, opened the meeting by reading aloud an English translation of the Iroquois's tale of the founding of the Iroquois Confederacy (Genovese 2006: 20). Rutledge's purpose was to underscore the importance for the new nation of a concept embedded in the tradition of the Iroquois Confederacy: "We" the people, from whence all power derives. While this concept also has the European roots, nowhere in the Old World was it being practiced. The neighbors of the Constitution's framers, however, had for decades been living under a constitution that brought this concept to life, and one that had an impact on the men who met in Philadelphia in that hot summer of 1787.

The experience with colonial governors further added to the framers' storehouse of knowledge. Those states with weak executives, states dominated by the legislature with a defanged governor, seemed less well run than states like New York, which had a fairly strong, independent governor. Such examples softened the fears of executive tyranny among the founders, and opened their eyes to the possibility of a controlled

but effective executive office. Thus, over time, the anti-executive sentiments began to wane, and there developed a growing recognition that executive tyranny was still to be feared, an enfeebled executive was also a danger to good government.

Under the Articles, the national government was weak and ineffective. In each state, minor revolts of debtors threatened property and order. The most famous of these was Shay's Rebellion (1787). These mini revolutions instilled a fear into the propertied classes. Some longed for the imposed order of a monarchy. "Shall we have a king?" John Jay asked of Washington during the Shay's Rebellion. This was not the first time Washington had been approached with such a suggestion. A few years earlier, in 1782, army units stationed in Newburgh, New York, threatened to meet and make Washington monarch. But Washington found out about the Newburgh Conspiracy and quickly put an end to it. The impact of these pushes toward monarchy further persuaded the framers of a need for an executive in America.

As the framers met in Philadelphia, most of those present recognized the need for an independent executive with *some* power. But what? No useful model existed anywhere in the known world. They would have to invent one.

The Emergence of a Presidency

The American Revolution against Great Britain was in large part a revolt against executive authority. Historian Bernard Bailyn said the rebellion against Britain made resistance to authority a divine doctrine. The colonists were for the most part defiant, independent, egalitarian, and individualistic. The symbols and rallying cries were antiauthority in nature and once it became necessary to establish a new government, it was difficult to reestablish the respect for authority so necessary for an effective government (Bernad 1967). Reconstructing authority, especially executive authority, out of the ashes of revolution, was a slow, painful process. By 1787, when the framers met in Philadelphia to revise the Articles of Confederation, there was general agreement that a limited executive was necessary to promote good government. But what kind of executive? One person or several? How should he be selected? For how long a term? With what powers?

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No decision at the convention was more difficult to reach than the scope and nature of the executive. They went through proposals, counterproposals, decisions, reconsiderations, postponements, reversals, until finally a presidency was invented. The confusion reflected what political scientist Harvey C. Mansfield, Jr. referred to as the framers' "ambivalence of executive power" (Mansfield 1989).

There were widespread and divergent views on the creation of an executive office. Initially, most delegates were considered "congressionalists", hoping to create a government with a strong congress and a plural executive with very limited power. Delegate George Mason proposed a three person executive, one chosen from each region of the nation (Gregg 2005). Delegate Roger Sherman described this executive, according to the notes from the constitutional convention, as no more than an institution for carrying the will of the legislature into effect.

But there were also advocates for a strong, unitary executive. Alexander Hamilton initially wanted to institute a version of the British system of government on American soil, along with a monarch. However, there was little support for such a proposal, and Hamilton quickly backed away.

James Madison, often referred to as the father of the U.S. Constitution, had surprisingly little impact on the invention of the presidency, even going so far as to write in a letter dated April 16, 1787 to George Washington shortly before the convention, "I have scarcely ventured as yet to form my own opinion either of the manner in which the executive ought to be constituted or of the authorities with which it ought to be clothed¹. Probably the most influential framer on the invention of the presidency was James Wilson of Pennsylvania. At first, Wilson sought the direct popular election of the president, but eventually lost that battle and instead helped develop what became the Electoral College. He also greatly influenced the choice of a single over a plural executive.

In the end, the framers wanted to strike a balance in executive power. Making the presidency too strong would jeopardize liberty; making the office too weak would jeopardize good government. But just how to achieve balance remained a thorny issue

¹ URL: <http://www.UChicago.edu/Founders/documents/V1ch8s6.html>. Accessed on June 6, 2013

(Cornin 1989). Unlike the Congress and the Judiciary, for which there was ample precedent to guide the framers, the presidency was truly new, invented in Philadelphia, different from any executive office that preceded it. The president would not be a king, he would not be sovereign. He would swear to protect and defend a higher authority: the constitution.

The framers faced several key questions. First, how many? Should it be a single (unitary) or plural executive? Initial sympathy for a plural executive eventually gave way to a single executive, primarily because that was the best to assign responsibility (and blame) for the execution of policy. The second question was how to choose the executive. Some proposed popular election, which was rejected because the framers feared the president might become tribune of the people. Others promoted selection by the Congress, but this was rejected on the grounds that it might make the president the servant of Congress, and it would undermine the separation of powers. Finally, the framers invented an Electoral College as the best of several unappealing alternatives.

Next, how long? Should the president serve for life? A fixed term? Two years, four years, six years? If for a fixed term, should he be eligible for reelection? After much hemming and hawing they decided on a four year term with reeligibility as an option. But the president could be removed impeached for certain, yet not very clearly delineated, offenses.

Any examination of the invention of the presidency that did not take George Washington into account would be remiss. Each day, as debate after debate took place, the men of Philadelphia could look at the man presiding over the convention, secure in the knowledge that whatever else became of the presidency, George Washington would be its first officeholder. So confident were the framers (and the public as well) of Washington's skills, integrity, and republican sentiments, they felt comfortable leaving the presidency unfinished and incomplete. They would leave it to Washington to fill in the gaps and set the proper precedents.

After the convention, delegate Pierce Butler acknowledged Washington's influence in this excerpt from a letter to Weedon Butler, dated May 5, 1788: I am free to acknowledge that his powers (the President's) are full great, and greater than I was disposed to make them. Nor, *entre nous*, do I believe they would have been so great

had not many of the members cast their eyes towards George Washington as President; and shaped their ideas of the powers to be given to a President by their opinions of his virtue (Ulmer 1960: 63).

Of course, Washington would not always be the president. Thus, while the framers trusted Washington, could they trust all his successors? Leaving the presidency unfinished opened the door for future problems in the executive. Ben Franklin pointed to this when he noted, at the constitutional convention on June 4, 1787 “The first man, put at the helm, will be a good one. Nobody knows what sort may come afterwards².”

Washington, then, was the chief reason for the office of the presidency to be so elastic. The office was left half finished with the expectation that Washington would fill in the gaps. Of course, in many ways he did. But this also left openings that future presidents were able to exploit on the road to an expanding conception of executive power.

The presidency that emerged from the Philadelphia Convention was an office with “very little plainly given, very little clearly withheld, the Convention did not define: it deferred”. This meant that the presidency would be shaped, defined, and created by those people who occupied the office and the demands of different eras. The framers thus invented a very “personal presidency”, and much of the history of presidential power stems from the way presidents have understood and attempted to use the office to attain their goals. As Alan Wolfe has written, “The American presidency has been a product of practice, not theory. Concrete struggles between economic and political forces have been responsible for shaping it, not maxims from Montesquieu” (Wolfe 1981: 121). The unsettled nature of the presidency was a marked characteristic of this peculiar office and, to some, the genius of the framers. The constitution that emerged from the Philadelphia Convention was less an act of clear design and intent and more a “mosaic of everyone’s second choices”. The presidency, left unfinished and only partially formed, had yet to be truly invented.

² Hamilton, Alexander (2003), Federalist 51, In *The Federalist with Letters of “Bruts”*, Cambridge: Cambridge University Press, p.252.

Evolution of Presidential System in Russia

A presidential system emerged in the last soviet years to compensate for the decline of the communist party and the weakness of the parliament (Pandey 2002). Since the same system was simulated in Russia, the struggle between the presidency and parliament dominated the first phase of Russia's independent statehood. In March 1991 when a referendum was held in the USSR to determine whether a restructured USSR should be retained, voters in RSFSR approved an additional question on the introduction of Russian presidency.

To predict the possibility of a consolidated democracy in Russia, we must first assess the presence or absence of a political culture compatible with the emergence of a stable democracy. In this respect, Edward Keenan asserts the persistence of Muscovite political folkways which involve political orientations based on traditional patterns of centralisation, bureaucratisation and risk avoidance, even in today's Russia (Keenan 1986). Stephen White also lists the distinctive characteristics of traditional Russian political culture as the absence of institutions for communicating popular demands, and the highly centralised and unlimited authority, and stresses the continuity in Russian political culture (Stephan 1979).

This continuity is still valid since even today Russians are ready to transfer all power and authority to a strong leader. We also do believe some aspects of the continuity thesis in the Russian case that emphasizes the importance of Russian history, political culture and the affects of a Marxist-Leninist ideology in the creation of today's Russian civil society and argue that, with its unorganized complex organizations and associations, today Russian political society very much resembles a movement society as described by Steven Fish (Fish 1991).

Peter, the great replaced the Boyar Duma with Senate empowered with administrative, judicial and legislative powers. However, Russian scholars like V.N Tatischev, M.M Scherbatov, S. Dasnitski in the 18th century had strongly pleaded for constitutional monarchy as the most desirable form of state power. Radishev was the founder of the school of Radical republican thoughts in Russian political philosophy in the second half of the 18th century. However, with the mention of all the above

dates and events Arun Mohanty in the preface of his book *“Evolution of Parliamentarism in Post-Soviet states”* marks that it was M.Speranski who became the pioneer and most outstanding advocate of restructuring state power on the basis of European Parliamentary experience in the first quarter of 19th century and talked about division of state power and formation of State-Duma within a limited constitutional Monarchy. However the State Duma came into existence only in 1905 as a result of the revolutionary upsurge in the country (Mohanty 2010).

Between politics and economics, it is economics that dominates. Mikhail Gorbachev as the President of Soviet Union made all possible efforts to bring about political reforms. For this purpose Gorbachev chose to supplement the parliamentary system with a directly elected presidency. However, all efforts made by Gorbachev to convert the System into Presidential government and the French Fifth Republic’s model of Semi-Presidential Polity failed. Both, political and economic upheavals and instability wavered Gorbachev’s enthusiasm and pushed him to choose a hybrid or somewhat closer to the French system of Semi-Presidentialism (Brown 1996: 198).

After the collapse of the Soviet Union in 1991, Russia came across an opportunity to write new constitution as quickly as possible. But then the differences between the Yeltsin and the Duma reached a new high where the ratification of new constitution could not be agreed on, during this interim period of the constitutional commission Russia remained hung to the 1978 constitution, amendments to which, paved the way for the Semi-Presidentialism resulting the new constitution in 1993.

The long term weakness of the soviet regime led an alternative to the dominion system of capitalism. As a result the dominant process of reforms hastily worked out which in turn, led to the collapse of the soviet union (Chenoy 2001). This was the revolution of its kind from the above which faced secessionism from below. Gorbachev, the last president of Soviet Union and the last general secretary of the Communist party of the Soviet Union (CPSU), emerged from within the structure of unified and hierarchical soviet political system.

Though it is too early to talk about the establishment of a stable democracy in Russia, the achievements of Russia in this process should not be underestimated. Today we can all argue that Russia is now more free and more democratic than it had been

earlier. Till now, there have been efforts at completing the building of democratic institutions and five presidential, five parliamentary and a series of regional elections have been held in accordance with international standards. Thus, according to Rustow's distinction, Russia tried to complete the preparatory and decisive phase in its transition but still has some difficulties in the habituation phase. However, these difficulties are not serious enough to turn Russia into a totalitarian regime, both due to the obligations imposed by the international community in general, and Western countries and the USA in particular, and due to its internal dynamics (Dankwart 1970: 337).

Gorbachev's Enduring Reforms

Gorbachev galloped with the unbearable load of reforms and the irony was that he was not provided with any kind of margin to accomplish the assignment of bringing about the reforms. This self assigned task was becoming unbearable for Gorbachev. The situation turned like "a dog in manger" during this process Gorbachev started even anti-alcohol campaigns, started restructuring the large soviet enterprises only to follow the notion of 'acceleration' to catch up with growth.

Gorbachev's Democratizing Process

It was in the 27th Party Congress, in 1986 where Gorbachev formalised the process of democratizing Soviet-Union. Under 'perestroika', Gorbachev tried on to address all political, economic and social issues together in the quest of quick democratization of almost century old political system of Soviet-Union. After 'perestroika' Gorbachev jumped on to 'glasnost' meaning openness. He traveled through the Soviet-Union with his new posture of democratic Gorbachev. He did not, however, care how impudent was he looking.

When CPSU Fractured

Gorbachev was finally caught in a whirlpool when, on one side he was resisting his own existence as General Secretary of CPSU during 1988-1989, it was all clear to identify the three factions within the party elite - the centrist, conservatives and radicals. Gorbachev found himself amongst the centrist. On the other hand Yegor Ligachev emerged as a spokesman for the conservatives. Chebrikov, Solmentsev and others were amongst those who opposed Gorbachev from the right wing and by 1988-89 asked for his removal (Mcquire 2012).

Gorbachev's Attempt to Shift Public Opinion

Gorbachev and his teammates launched direct attack on the official ideology of the Soviet-Union. State philosophers widened this attack further. Soviet analysts declared that the foreign policy of USSR was over ideologised and the debate on ideology focused on a critique of the Marxist ideology as interpreted by soviet elites and philosophers. During this debate, the issues that were much talked about, were the 'human factor', 'universal human values', 'common European Home', etc. This campaign brought about not much real reform but gave rise to nationalism, regionalism, ethnicity, etc. The understanding of western ideologies and liberal ideologies was also distorted and could not reach the soviet masses.

Bureaucratic Factionalism

The team of reformers in Soviet Union held the bureaucracy as the centre of conservative forces and a major obstacle to reform. The bureaucracy, a hierarchically organized community with functions at every level, numbering 18 million people spread out widely proved a hard nut to crack. But then Gorbachev had no other option but to rely on a few bureaucrats situated in the party and the government to carry out reforms. No clear alternate to bureaucratic structure was attempted. A system of dual

power had emerged. Bureaucratic power in turn challenged political power (Sakwa 1996).

Movements and Emergence of New Parties

As a result of the 'glasnost' and 'perestroika' numerous political groups and movements emerged. These groups had their own trajectories and objective. For example, in the Baltic republics, nationalist movements, advocating secession were started. Small nationalist groups emerged in Ukraine, Georgia, and Belarus. Mobilization along ethnic and sectarian lines was initiated in the Caucasus and Central Asian republics. Some groups like the Rukh, Pamyat, etc. advocated ethnic nationalism and attempted to mobilize Russians on ethnic basis. Several popular democratic fronts formed in Russia with political and social agendas, but did not structure themselves like political parties. These fronts did coordinate their work with their republican counterparts, their influence thus remained specific to republics or regions or to ethnic communities.

During the 28th Party Congress in July 1990, a group of members of CPSU left CPSU and set up a new political organization called 'Democratic Movement'. Leader of this movement of V. Shostakovsky insisted that this was a "division not a split" (Chenoy 2001).

Taking on to the track, in early July 1991, the popular leaders like A. Volsky, Gavril Popov, A. Rutsaoui, Anatoly Sobchak, S.Shatalin, E.Shevarnadze, and Alexander Yakovlev, etc, announced the creation of a movement for 'Democratic Reform'.

The Republics and their Sovereignty

The structures of 'perestroika' replicated in the 15 soviet republics. Both the impact and consequence of these policies were varied in these republics. One of these 15 republics, now called Russian federation (RSFSR) Yeltsin captured power on the sole campaign of anti-communist feeling combined with the elements of Russian nationalism. Vladimir Zhirinovskiy founded the Liberal Democratic Party propagating

Russian national chauvinism during this period. Russian press, and media with Orthodox Church constructed an image of the Russian people as the primary victims of communist and soviet totalitarianism. This well constructed image by media with Orthodox Church left the intended impact on Russian masses. By this time Yeltsin was seen as a “Liberator” of Russia. The election to the Russian Congress of People’s Deputies (CPD) held in March 1990, indicated the support for a plural and democratic system. Democratic groups that developed around the “Democratic Russia” won 20% of the seats for the CPD and won 63 out of the 65 seats assigned to Moscow (Mcquire 2012) As a result Gavril Popov became head of the Moscow Soviet and Anatoly Sobchak headed Leningrad. In May 1990 Yeltsin was elected chairman of CPD.

Declaration of State Sovereignty

The Russian CPD passed a resolution on the “Declaration of State Sovereignty of the RSFSR” in 1990. This declaration stated that Russia was a sovereign state created by ‘historically united nations’ and that “RSFSR sovereignty is the unique and necessary condition for the existence of Russian statehood”. The declaration also stated that “the RSFSR retains for itself the right of free departure from the USSR.” declaration also emphasized on the priority on the Russian constitution and laws over soviet legislation. In addition the Russian parliament passed decrees to end the powers of the apparatchiki and to separate the functioning of the CPSU from Russian legislative body or other Russian institutions. The deputies voted for the laws of the Russian republic to take precedents over all-union legislation and Russia should control resources on its territory.

At the same time, some of the local soviet chairpersons resigned but the majority of the local leaders were the members of the local party committees right up to the coup of August 1991. The democrats could not wrest power from the communist who still continued to control the soviets at all levels.

The Union Treaty

Gorbachev was still there attempting to revive the Soviet Union and strengthen it to stop the flow of power to the republics by proposing the new union treaty in 1991. The draft treaty was controversial where the union parliament in the republics asked for revision as they were not satisfied with the division of powers and status granted to them by the treaty. However a referendum on the treaty was conducted on March 17, 1991. The result showed that 76.4% of the total electorate voted in favor of the treaty. Six republics (Aramenia, Georgia, Moldova and the three Baltics) refused to participate and questioned whether the Russian president should be directly elected, whereby, 69.6% of the electorate supported the direct election.

It was another irony that by voting for the treaty the majority of the soviet citizens supported the continuation of the soviet union. But at the same time, it also showed that by voting for direct presidential elections in Russia, people supported a Union with autonomy for the republics and were in favour of a change to democratic structure. The union treaty showed that the republic had different kinds of opinion: Republics like the Baltics, Armenia, Georgia, Moldova sought independence while the Slav and Central Asian Republics voted for the union. Gorbachev attempted and it was his last attempt to save the union and agreed to recognise the sovereignty of the republics and the right to respect those who wanted to opt out by incorporating this into the union treaty.

At the last, the conservatives wanted to reverse the flow of power that had gone into the republics. The joint declaration by the president and republic leaders was drawn up in one day. Before Gorbachev could collect himself and the republican leaders to the Treaty, the opposition from the conservatives in the CPSU and the parliament, showed that the treaty was based on a shaky foundation and was not adequate to hold the union together.

The coup and the evolution of Presidential system of in Russia

The situation in the whole of soviet demography and territory was full of chauvinism and anarchism. As a result, soviet institutions, the party and state structures lost their power, legitimacy and finally the control. The contradictions between the Liberal and Conservatives sharpened, each group consolidated its positions. Yeltsin had situated himself as a popularly elected leader of the Russian federation. He had passed decrees to remove the control of the communist party from Russian state structures. A number of republics had declared independence Gorbachev's efforts at reviving the union were insufficient and finally, proved ineffective.

Gorbachev kept wavering between the liberal and conservative positions. At such a juncture intellectuals warned of the "possibility of dictatorship". Advisors like E. Shevardnadze and A. Yakovlev warned of the possibility of a coup and resigned from their positions. Finally the political landscape was divided.

There was no centre within Soviet Union. As a result a section of the soviet elite represented by the leadership of the republics decided to take power in the republics which resulted in the collapse of the centre. After the collapse of the soviet centre, the leadership of the Russian republic under Boris Yeltsin played a critical role in that dissolution, and created institutions parallel in power and authority to the centre in Moscow. They were the first to have a directly elected president. They also declared sovereignty from within the system that in turn, encouraged all other republics to follow. The Central Asian Republics were included in the final accord of disintegration after the republic of Russia. The Soviet Union thus had a dramatic end

Now, Russia emerged with a promise to develop a state committed to democracy based on rule of law, and the transition to a market economy, a break from soviet ideology and commitment to international treaties and obligations. The irony however, was how these promises would be kept and how the concept of the new Russian presidential system would develop was neither spelled out nor discussed in any public or political forum. The priority of this presidential system was to integrate the new Russian state into a presidential system with the western capitalist system and to usher in a market economy based on the simple principle of capitalism as shown in the early decrees of president Yeltsin. As one of the characteristics of post-totalitarian

regimes, the absence of organized pluralism in Russia, hindered this kind of “pacted transition.” After the collapse of the USSR, the rules of the game were not decided. Thus, almost everything was open to criticism. The non-existence of a consensus on the organising principles of society and the economy further fostered uncertainty and impeded consolidation of the democratic system. In this sense, according to Michael Mc Faul Russian transition can be regarded as a revolutionary transition in which the rules of the game are not decided and consensus on the organising principles and civil society does not exist (Holloway 1995: 202).

CHAPTER: 3

A COMPARISON OF POWER AND ROLE OF PRESIDENTS IN RUSSIA AND AMERICA

The Constitution lays out the powers of the president but at the same time it does not enumerate them. The president in reality spills over from the mere constitutional delineation. As Haight and Johnston write, “the Presidential system is an integrated institution, all the parts are interlocked with each other. Any description that discusses these parts individually cannot help being partially misleading” (Johnston 1965: 1). Thus, one cannot simply look at the Constitution and define and describe “presidential power.” The presidency is more than the sum of its constitutional parts.

Presidential power much depends on, who the president is. There may be a president who without having known to, or aware of his constitutional power can function well, on the other hand the president who is well aware of its constitutional power may make mistake while applying them. This means the presidency and office of the president are the two different premises. Hence the presidential system sometimes is identified with the personality who holds it.

One can also observe that the evolution of presidential system situates itself on the preconditions and circumstances through which the presidential system of democratic polity flows and the certain political personality around whom the preconditions revolve around. Although, it cannot be said with any certainty whether evolution process of presidency was revolving around George Washington in United States and around Boris Yeltsin in Russian federation (RF).

In this context, presidential system or presidency evolved in USA via colonialism whereas the presidency in Russian federation evolved through itself via the rotten system of soviet rule. In this perspective, it seems that evolution of presidential system in USA is more natural. (Laski 1940) than that of the evolution in Russian federation. That is what makes the two presidencies comparable. These two

presidencies are comparable, also because needs of the evolution of both the presidencies were far apart.

As we know, all evolutions have been subjected to revolutions but then some times the revolutions come about from within. In the comparison at hand, despite the fact that evolution of presidential system in America came about for the purpose of freedom from others whereas it came about in Russian federation for the freedom from the system of their own. The comparison, therefore, does not seem to have been invited rather its seems natural.

The Russian president, so far has played a key role in the transformation of Russian society. He could do that by shifting his position and his advisors continuously. Similarly George Washington the first president of America played a key role in transforming the American society of his time. Just as George Washington entered in politics in 1774 (Williams 2000) and accomplished the mission of creation of the presidency, within the period of 13 years. On the other hand Boris Yeltsin the first president of the Russian federation became the member of the CPSU in 1985 and he accomplished the mission of creation of Russian presidency in 1993. It took him only 8 years to accomplish the mission. George Washington was the leader of revolution in America whereas Boris Yeltsin was the leader of change.

Both the first president Boris Yeltsin of Russian federation and George Washington of United State of America undertook the proportionate burden of bringing about the evolution of the presidential system in their respective countries. While the constitutional convention officers left many of the powers of the presidency vague, when Washington occupied the office as the first president “no doubt no other president would have been trusted with such latitude”. (Randall 1937) On the other hand Boris Yeltsin occupied this office even before the transition was in place.

George Washington the leader of the American revolution, the creator of the new nation, the founder and the first president of American republic, dreamt about a newly independent nation, actively strove to transform the dream into reality, he helped to give the new nation its laws and presided over it. On the other hand Boris Yeltsin founder of Russian federation, leader of the change, dreamt newly transited Russian

federation, individually strove to transform the dream into reality, he by himself gave laws to the Russian federation and he himself presided over it.

Perhaps Washington's last legacy to the presidency was his substantial success in establishing the office for the future, it is not perhaps but sure and certain that Boris Yeltsin last legacy to the Presidency was his wholesome success in establishing the office for the future. Historian Forrest Mc Donald has written "the office of the president of the United States could scarcely have been created had George Washington not have been available to become its first occupant" (Pederson 2000). On the other hand, the office of the president of the Russian federation could never have been created had Boris Yeltsin not have been available to become its first occupant. Let's hope it may not be true that the Russian presidency was created to be occupied first by Boris Yeltsin himself.

The method by which the president of America is elected seems obsolete especially in relation to the purpose originally intended to meet but then method of electoral college is still in practice that can defeat a majority in the nation. On the other hand election of the president of the Russian federation is different and has nothing like electoral college. The election of the president of the Russian federation is direct by popular vote (Mannheimer 2008)

The Powers Embedded with Russian President

Chapter four of Russian constitution deals with clarity on the powers of the president. The president has been given enormous and wide ranging powers. The president is the guarantor of the constitution; he adopts measures to safeguard the sovereignty of the Russian federation and determines the basic guidelines of domestic and foreign policy. The president is elected for a four-year term and can hold office only for two consecutive terms and can come back after a break of third term. The president appoints the chairman of the government with the consent of the state Duma. If the Duma rejects the president's nominee three times, the president has the right to dissolve the House and call for fresh elections (Article 111) the president also appoints all major ministers and officers of the government, chairman of the central

bank, justices of all courts. He forms and heads the security council, approves the military doctrine. (Article 83)

The president is also given a great deal of powers over the parliament. He schedules their elections according to the constitution. He can dissolve the DUMA, schedule referendums, submit draft laws to the Duma, signs, promulgates federal laws. (Article 84). Disputes between the state bodies are to be resolved by the president through a 'conciliation procedure.' (Article 85). Since the procedure to resolve disputes between constituent units is not specified, this again leaves the president with unprecedented powers. The president is given the right to introduce martial law and a state of emergency, which has to be reported to the federal council and DUMA. The president ceases to exercise power in the event of his resignation. Persistent inability to exercise power for health reasons or removal from office. Election for the new president must take place within three months after cessation of his powers (Article 92)¹

In the absence of the president the chairman of the government that is the Prime-Minister temporarily performs the duties of the president. The acting president cannot dissolve the state DUMA, schedule a referendum or amend the constitution. Proceedings for impeachment of the president can come on the initiative of one-third of the deputies of the state DUMA. The president can be removed by an impeachment procedure that requires a vote of two-thirds of the total number of each chamber. If the federal council does not adopt the decision of the impeachment within three months the charges against the president are dropped. (Article 93). The article on impeachment makes it almost impossible to impeach the president. This has been evident through 1996-97 period, when the deputies threatened impeachment of Yeltsin but hesitated to carry it through because of the numbers required.

The articles of the constitution dealing with the powers of president mark it out as primarily a presidential constitution. The powers other state bodies like Federal Assembly are visibly much less than those granted to the president. The principle of separation of powers is observed to the barest minimum. The bias in favor of the president is constantly present. The clauses on the role of the president give the Russian constitution its final characteristic.

¹ The constitution of the Russian Federation, 1993 is available at <http://www.departments.bucknell.edu/russian/Const/ch4.html>.

The constitution ensures an authoritarian president, who can overrule the parliament at any stage. He holds the threat of dismissal of the parliament anytime it disagrees with him. He appoints his own handpicked government that need not consist of elected representatives, if the DUMA disagrees with his choice of the Prime-Minister and rejects the nominee it is the Duma that faces dismissal. Though the president cannot dismiss the DUMA while impeachment proceedings are on he can dismiss it before it initiates or plans the impeachment proceedings. Such wide and unchecked powers hamper the rise to democratic institutions, particularly at a time when such wide ranging socio-economic change is required.

It would appear that democratic institutions were not a priority of the constitution makers or of those who supported both internally and externally. The real aim was the transition to the market and authoritarian control was considered necessary. The powers given to the Russian president confirmed this.

The above précised constitutional powers vested with Russian President indicate that the constitution has to do with Russian people as much as it seemingly does with those who might have helped in drafting the Russian constitution. The Russian constitution also indicates that the constitution is much less about the Russian people but far more for those behind. It is difficult to find whether the constitution is it at all a truly democratic one. One can imagine of what it would be had the constitution not been the basic requirement for any political evolution.

Comparing Russian constitution with that of American constitution seems to end even before it begins, but then what is comparable between the two are yet to be discussed. The comparison begins right from the inception and conceptual framework of both the presidencies. George Washington had been suspected of being suspicious of plans and conspiracy against him. On the other hand, Boris Yeltsin's state of mind throughout his efforts for change is considered to have been confused and suspicious of his foes within. One can see glimpses of both the state of minds during the process of accomplishment of the respective nation (Chenoy 2001). This does not mean that both the constitutions are presidential, but Russian constitution certainly is. It is true that American constitution was drafted under the experience of British rule which undoubtedly seems to have been impacted keeping an eye on future.

American constitution has to be seen through English eyes whereas Russian constitution has to be seen through American eyes. I do not hesitate or see any danger while comparing the two constitutions especially in the context of the two presidencies. Readers are free to believe what they want to believe but political analysts and political scientists are also free to be conned into believing. But the comparison would be inadequate if we do not take English angle (Laski 1940).

As far as the American presidential system or democratic polity is concerned, what is it that American citizen looks to the president for panacea? On the other hand in the context of Russian constitution, what is it that Russian citizen never looks to the president for solutions? To find the answer to this simple question one has to connect oneself with perspective from other polities. That is perhaps why we have to see the American constitution through English eye and Russian constitution through American eye. This does not mean what English contributed to the American constitution; America contributed the same to the Russian constitution.

The Russian constitution was drafted during the climax of economic crisis in Russia where Russia was in dire need of some external economic help. President Yeltsin was in hurry to democratize Soviet Russia and wanted economic reforms to be pushed fast. This dual process of change - political and economic - which almost went on simultaneously left great deal of impact on Russian constitution especially when the global financial institutions came to help out the Russian economy. Boris Yeltsin was under heavy obligations to follow the instructions given by them and the Western donors (Goldford 2005).

Readers might feel at the moment why British are being drawn into the comparison between Russian and American constitution. Why British have been silent on American constitution all through the centuries is perhaps why America has been silent on Russian constitution. This does not mean that comparison between the two presidential democratic system is absolutely not called for.

Powers of the American President

The American president enjoys impressive and wide ranging power. So far chief executives of America have been torn between the presidency of imagined and the presidency of reality. The presidency imagined is vested in averments with more power than the presidency really has. The real presidency is what it effectively is in the present and what it can do in a given situation. The imagined presidency is a euphoria of the past, present, and future and is grounded partly in reality and partly in fancy. In fact the power of the president is no more than the pomp that surrounds it. (Koenig 1964)

The presidency underestimates the limitations of power and environment that office suffers. The presidents of American presidential legacy right from Washington raising the banner of republic despite the weaknesses of economic and external hostility; Andrew Jackson shouting for exertion by union and economic democracy; Abraham Lincoln leading the nation through civil war. Theodore Roosevelt, Woodrow Wilson and Franklin D. Roosevelt trying for economic and social reform; and Wilson and the 2nd Roosevelt carry forward the nation through wars. All through these presidencies, the institution is faced with the challenges more within than outside (Laski 1940).

Both Constitutions Constitute Federal Supremacy

The American constitution (Article 6) the Russian (Article 4, 5, 15, 71, 76 and 77) exclusively provide for federal supremacy in a specific periphery of federal authority. There is the view, where federal governments can function only with such federal supremacy. Though both Russian and American constitution provide the area of federal authority in their own ways (Mannheime 2008).

The area of federal supremacy, in the US constitution are specifically set forth in section 8, of Article 1 (list of areas of authority, positively awarded to Congress), and section 10 of article 1 (which specified the area of power prohibited to the states),

and, section 2, of article III which specifies the types of proceedings to the federal courts²

These provisions provide the federal government with unsurpassed power especially in the matters of interstate and international trade, national security, and international affairs, besides, they provide the federal courts with the authority to arbitrate disputes between states and between states and governments of the other country.

As for the specific, Article 71 of Russian constitution provides the federal government with jurisdiction over more than four dozen aspect of government which include:³

- Establishing “measures for the association and activities” of the three branches of national government
- Formulate policy and programs in the areas of state formation, the financial system, and societal, intellectual and development of the nation
- Rule and regulation of the rights and liberties of the people;
- Courts of law; office of the procurator; and criminal and criminal procedure legislation
- Federal power grids, federal transportation, information and communication (Henderson 2011).

and then, article 72 of the Russian constitution provides the federal government and the provincial/ regional government’s joint jurisdiction over several other governmental functions, that include:⁴

- “ecological and environmental safety
- “common questions of nurture, education, discipline, civilization, substantial culture, and sports;”
- “issues regarding the ownership, and supervision of property, water, mineral resources and other natural resources;”

² The US constitution is available at [www.Google.com](http://www.google.com) –<http://www.house.gov/paul/constitution.html>.

³ Article 71 of the Russian constitution of 1993.

⁴ Article 72 of the Russian constitution of 1993.

- “harmonization of health issues, safety of the family, parenthood, and upbringing”
- “organizational employment, family unit, residence, property, irrigation, and forestry legislation;
- “Establishment of general guidelines for the organization of bodies of state power and local self-government⁵.”

But for, article 72 of Russian constitution specifically declares that these foregoing concerns fall within the joint authority of both, federal and the provincial/ regional governments.

Comparative Analysis of the Role and Power of the President of Russia and United States

These two constitutions, American and the Russian are distinct in many ways while both facilitate a president to be chosen by countrywide popular vote. The constitution of America contains a comprehensive details of the powers and limitation of Congress. Contrary to this, Russian constitution provides a detailed description of presidential powers but explains little of the authority of the parliament.

The Role and Power of the President of Russia	The Role of the President of United States
The Russian constitution declares that the president “shall be the head of state” and “the guarantor of the Constitution and of human and civil rights.”	He or she is the chief commander of the armed forces and of the state militias, “if they have been called into the service of the United States” (Mannheimer 2008).

⁵ Henderson, Zane (2011), *“The Constitution of the Russian Federation: A Contextual Analysis”*, London: Hart Publishing Ltd.

<p>The president has complete power to appoint all officers of the federal government except the prime minister an office described as the “Chairman of the Government of the Russian Federation” (Henderson 2011).</p>	<p>He has the power to choose, officials of the federal government with the prior permission of the Senate. Clause 2 of Article II allows Congress to endorse statutes that remove the prerequisite of Senate approval for specific federal officers and that authorize the “Heads of Departments” or the “Courts of Law” to appoint certain federal officers instead of the president (Johnston 1965)</p>
<p>The president has a power to “take actions to guard the sovereignty, integrity and independence of the country, to “make sure rigorous functioning and communication of all bodies the power of the state”, and to “characterize the essential domestic and foreign policy guiding principle of the country⁶.</p>	<p>The American president is authorized (1) to require the principle heads of the departments of the federal government to report on any subject regarding the duties of the officers, (2), to convene the Congress occasionally and (3) to “entertain ambassadors and the ministers of other countries.”</p>
<p>Article 83 of the Russian constitution specifies that the Duma be obliged to prior consent to the president’s choice for prime minister.</p>	<p>In addition, He or she is also authorized to “take care that the laws be faithfully executed.”</p>
<p>Under Article 111, if the Duma refuses to accept the president’s nominee for prime minister three times in sequence, the</p>	

⁶ Bederman, David J(2008), “*Classical Foundations of American Constitution*”, Cambridge: Cambridge University Press.

<p>president is empowered to choose the prime minister, dissolve the lower house i.e. Duma, and announce new elections. in the same way, Article 117, if the Duma pass a “no confidence” vote, twice within three months, the president empowered to either suspend the government or dismissing the Duma and call for new elections.</p>	
<p>Article 85 gives the president the power to suspend the operation of a law “pending the resolution of the issue in the appropriate court” if the president believes that a law passed by a constituent province or region violates the federal constitution or any federal law or that it violates “human and civil rights and liberties”. (Mannheimer 2008)</p>	
<p>Under Article 90, the president is empowered to “issue decrees and executive orders that are binding throughout the country”, as long as these orders and decrees a “do not breach the Constitution Russian federation.”(ibid)</p>	

The President in Russian constitution enjoys exceptional powers and the strictest control over both the parliament and the Prime-Minister of the country. It is the president of the country who constitutionally requires to dissolve parliament at his will. DUMA’s use in constitution is specifically conferred only for the purpose of constitutional requirements. The president retains supreme control over the appointment and dismissal of the government at his will.

Moreover, President's power to issue decrees and edicts, combined with veto power, crowns the president a full-fledged legislative force in his office. Boris Yeltsin, by himself sought Russian constitution calling for an exceptionally strong presidential office whereby the president must have the power to: Appoint and dismiss the Prime-Minister; "dissolve the State Duma"; "Appoint and remove from office the deputy chairs of the government"; and "issue edicts and decrees". The Russian constitution as a whole, seems to lack on two counts; one, president's powers have been left unchecked from the beginning and throughout the constitution; two, it is difficult to find the space in Russian constitution provided for the principle of "separation of power"

On the contrary, from the beginning and throughout presidential history, the chief executive has been able to maintain no important policy, domestic or foreign, without Congressional support in the form of laws and money (Koenig 1964: 6). Neither is there any dependable way under the constitution in which the president can bring congress to provide this wherewithal against its will. A complex of forces that prompts Congress to resist or oppose the President much of time prevails. Because the method of electing the president differs from the method of electing congress, their constituencies, concerns and viewpoints differ. The President and the Vice President alone are chosen by the nation. Senators and Congressmen, in contrast, are essentially local officers responsible to the voters of a single state or Congressional district. Congress does not choose the President and is therefore not beholden to him and cannot be bullied by him. (ibid)

Russian model of Semi-Presidentialism, or President – Parliamentarism has its Prime-Minister accountable to both the President and the Parliamentary majority. On the contrary it is the President in Russian constitution who is not accountable to any constitutional or institutional body. This super-presidential power enables the Russian president to rule essentially as an authoritarian leader, if the party systems had been stronger, the President could encounter hire transaction costs in dismissing the Prime-Ministers. With the unchecked President's powers, democratic stability is always at the mercy of the Russian President.

The United States Thrust on Procedure

In contrast with the Russian constitution the constitution of America distinct in many ways from, particularly from the matters of procedure. The constitution of United States created a structure for a Federal government, emerged on the principle of “separation of powers” or “checks and balances” the constitution framers of the United States seem to have been relied more on a legal premise inherited from England. This ensures justice by the procedures to pursue.

On the scrutiny of the US constitution we shall find that almost half of the text is devoted to matters of procedure – how the Congress, the President and Judges of the federal courts are to be selected and removed from office “the procedural rules under which these three branches” (especially the Congress) are to operate; and also the methods for amending the constitution in the future (Mannheimer 2008).

What Russian President Can Do?

The president of the Russian Republic can do everything that president Yeltsin did for new laws on private property, for cutting subsidies and for privatization. Boris Yeltsin after becoming the undisputed leader of the Russian republic spoke every word in favor of democratization and privatization. For Boris Yeltsin privatization and democratization was one and the same thing in the context of going ahead for change. With these two simultaneous banners for change, Yeltsin managed to gain the support of an important section of the Russian nomenklatura (Chenoy 2001). Having gained the support of this section Yeltsin issued an extraordinary number of presidential decrees. Once in control as President of the Russian Federation Yeltsin initiated the task of rebuilding the Russian state. The emphasis was on restructuring and building a “market economy”. Political structures were relegated to the background. He also initiated the “shock therapy” programme of economic reforms. Yeltsin picked up Gaidar, a well known reformer as Prime-Minister and pushed his shock therapy with the help of Gaidar, his Prime-Minister.

The voucher privatization began. This “shock therapy” programme was based on the method of dismantling the command economy by selling state assets, freeing prices,

reducing subsidies, removing state control from the economy which ended the traditional pattern of trade with the former soviet republics and East Central Europe, as had been established by Comecon, later CMEA.

Another aspect of this agenda was the speed the reform was to take. This benefitted the policy makers, the managers, and bureaucrats retained by President Yeltsin, who quickly took advantage and became part of the new power elite. The speed of the reform was accompanied by the absence of debate about the nature of the reform. This closed any alternative or option to the Yeltsin- Gaidar reform basket (ibid).

Yeltsin's primary concern was the reform of the economy whereby he announced vouchers worth 10 thousand Roubles and distributed to all Russian citizens. The Yeltsin - Gaidar programme of shock therapy led to major changes in the social and economic relation of Russian society. From a system based on regulated differences between people, new classes had now emerged. The upper echelons of society, section of the old *nonemklatura* linked with the management and technocratic positions, bureaucrats and policy makers, the traders, neo-capitalists, Mafiosi etc, had a major stake in the new economic structures. Finally the economic reform led to a sharp decline in the life style for the majority of the population. The present and even the future presidents of Russian Federation can even do far more than Yeltsin did.

What American President Can Do?

By going through the proceedings of the constitutional convention one can see clearly that the emphasis in its creation of the presidency, which has sailed through the traditions in which it is embedded, is the "Fear of executive despotism" (Laski 1940). Reasons are clear enough in the context of American origins, evoked in the public approach to the office. It was only the occupant of the office, president Franklin Roosevelt dominated both houses of the congress, but then in 1933 the congressional challenge to his authority mounted constantly and persistently. The reason for this are three-fold in character, they lie in the constitutional position of the office itself. While the president is at no point the master of the legislature. He can only indicate a path of action to Congress (Pederson 2000).

The president can argue, bully, persuade, cajole; but he is always outside Congress, and subject to a will he cannot dominate. Even if his party has a majority in both Houses, he has to win the good will of his party in Congress. A President, who sought to do otherwise would soon discover the limits of his power.

The president can initiate policy but cannot control it. The fear of executive despotism perhaps, lies in the nature of American conditions right from 1789 until almost the other day. Americans, in the history, never felt for strong government so seems the case with the office of the President. Another notable tendency to strong presidents coincides with epochs of difficulty in the United States; of course, strong presidents have come with greater frequency in more recent times than in early American history. But, still, no president could cross the boundaries, while strong presidents came and went away (Koenig 1964).

Finally, constitution of the Russian federation is to a large extent more open-ended on the questions of how federal officials are to be selected, what tenure these officials will have, how the federal and provincial/regional governments are to be organized, and what powers the federal government will wield.

Conclusion

The purpose of this chapter is to compare the American and Russian presidential system, but not to assess their relative worth, since each constitution has bequeathed both benefits and problems to the nation that adopted it. Rather, my hope has been to point out that each constitution reflects the drafters' earnest attempt to address the major political problems confronting their society at the time. The solutions embodied in each constitution were shaped by the political, social, and economic tools that history and culture had provided to each

This chapter has been specifically devoted to the two different presidential premises especially when both the presidential systems are democratic and federal and yet the two look at each other through the prisms of their own. Having gone through the comparison between the two constitutions we are still to look at the two paradigms which serve two different socio-political conditions. This is of course true about both

of the constitutions that each serves the purpose for which it was created. This is also true about these two systems that the framers of each constitution seemed to have been equally engaged and focused at their diversified needs and unified perspective. To understand the comparison between these two systems a reader has to have a plain canvas that means there has been no space for any bias and prejudice. This comparative study may lead the reader to rethink about these two polities and their constitutions.

CHAPTER: 4

THE IMPACT OF THE PRESIDENTIAL SYSTEM ON THE POLITY OF RUSSIA AND THE U.S.A

The constitutions of the United States and the Russian Federation were written half a world and more than two hundred years apart. The two constitutions appear to be similar on many counts. Both constitutions provide a framework for nationwide governance of a diverse group of constituent states or – regions that are acknowledged to be sovereign in their own right. Both constitutions establish a federal government with three independent branches – the executive, the legislative, and the judicial. Both constitutions provide for a bicameral legislature: a smaller upper house consisting of two representatives from each state or region, and a more numerous lower house with representatives elected by popular ballot. (Under the original version of the American constitution, senators were not elected by popular ballot; rather, they were chosen by the state legislatures.) Both constitutions reject the English system of direct parliamentary control over the executive branch. Instead, both the American and the Russian Presidents are elected by nationwide ballot, separate from the elections for the legislature; and the president's authority is designed to be distinct from (and, at times, a counterpoise to) the legislature's authority.

Yet these surface similarities mask some marked differences – differences in the explicit provisions of the two constitutions and also differences in how seemingly equivalent provisions have been put into practice. These differences are mainly attributable to two factors: the extremely different political problems facing the two nations when they drafted their constitutions and the different political traditions that shaped the drafters' choices and emphasis

At the heart of the US Constitution is the principle known as 'separation of powers', a term coined by the French political, enlightenment thinker Montesquieu. This means that power is spread between three institutions of the state – the executive, the legislature and the judiciary – and no one than one institution (Montesquieu 1748).

This principle is also known as 'checks and balances', since each of the three branches of the state has some authority to act on its own, some authority to regulate the other two branches, and has some of its own authority, in turn, regulated by the other branches.

The American constitution was drafted as an arm's-length agreement among these thirteen newly independent states. The people of these states were clearly linked in interest, and while they recognized the need for national cooperation, especially in matters of commerce and defense, they had just fought a long and costly war to free themselves from a distant king and parliament. They already enjoyed functioning, representative governments in their respective states – and many, if not most, Americans were distrustful of efforts to establish a new, strong, centralized government (Mannheimer 2008). Moreover, rivalries and conflicts existed between the small and large states, between manufacturing interests and agricultural interests, between the eastern states and the growing western populations, and between the slave states and the free. Each group feared that their opponents would take control of a new national government and use that power to impose their particular political and economic policies.

To allay these fears and to solve these political problems, the drafters of the American constitution created a federal government whose power was intended to be limited strictly to the enumerated areas of authority. And to try to protect the states and the people from arbitrary or authoritarian use of this federal power, the drafters turned to the French philosopher Montesquieu's idea of a government containing several competing organs of power—a principle now known to us as the doctrine of “separation of powers” – the system of “checks and balances.” (Montesquieu 1748).

The drafters of the Constitution of the Russian Federation faced a strikingly different political problem. Russia was already a nation. The eighty-nine provinces and regions of the Russian Federation had been under a unified political authority for more than one hundred fifty years (first under the Tsars, and then under Soviet rule), but in 1993, Russia had just regained its independence from the recently dissolved Soviet Union. The country was undergoing extreme political and economic turmoil, made intolerable by a stalemate between the presidency and the Parliament. Because Russia's existing constitution (inherited from Soviet days) declared that both the

president and the Parliament were sovereign, it did not provide a mechanism for resolving their inevitable differences. The people who drafted the Russian constitution in the summer and fall of 1993 were motivated by the threat that the federation would fall apart.

On the other hand, the Russian people had just emerged from seventy years of soviet regime. If the federal government was reconstituted so that it had sufficient strength to hold the country together, there was a danger that newly-won civil and economic liberties would disappear citizens.

The Presidency

Both the American and the Russian constitutions provide for a president to be elected by nationwide popular vote, but while the American constitution contains a detailed description of the powers (and the limitations on the power) of Congress, it devotes very little space to defining the authority of the president. The Russian, on the other hand, contains a lengthy description of the powers of the president and very little description of the authority of the Parliament

From this perspective, perhaps, it is possible to look at the roles of the presidents of Russian Federation and the USA, which impact the political systems of both the nations and their relations with the other nations.

Without any doubt, presidency plays a central role in most of the post-soviet states. In Russia, President Boris Yeltsin and President Vladimir Putin, and their administrations formulated the basic policy directions of the country. In many countries of Central Asia, the first president has served for a long time as head of state. Notwithstanding a tendency to delegate a good deal of power to parliament, which was what took place in Ukraine and Moldova, presidency is still playing an important role in these countries. The presidential system that is adopted in most of the post-soviet states is not full or pure presidentialism, but a so-called semi-presidential regime, which features executive diarchy: a presidency that is the head of state and a government (Duverger 1980). This diarchy is of particular interest in contemporary Russia. Dmitrii Medvedev assumed the new presidency and former

president Putin became prime minister (head of government). Many discussions around the relations between the president and prime minister in the Yeltsin period, influenced by comparative political science literature of constitutional engineering (concentrated on the stability or instability of semi-presidential diarchy, most of which, in the end, emphasize the instability or failure of democratic consolidation (Fish 2005). Argument of this kind may suggest that the Putin-Medvedev tandem is bound to fail due to constitutionally embedded instability. In fact, many recent works on the Russian political institution state that the tandem is a very risky mechanism. For example, Remington “Russia has embarked on an unprecedented and risky institutional experiment” (Remington 2008).

Now to look at the USA, over time, the presidency has evolved and grown in power, expectations, responsibilities, and authority. Wars, crises, depressions, industrialization, all served to add to the power of the presidency. And as the United States grew into a world power, presidential power also grew (Genovese 2006). As the United States became the world’s leading superpower, the presidency rose in prominence and power, only in the United States, but on the world stage.

It is the conflict between the presidency as invented and the presidency as it has developed. And it is the importance and power of the modern American presidency that makes understanding the office so vital. Like it or not, the American presidency stands at the vortex of power both within the United States and across the globe (Fisher 1988).

Hence, the presidency is the most powerful and important political institution in the United States. It was not always so, nor was it so intended by the framers of the Constitution. The Constitution gives Congress most of the power in the U.S. separation-of-powers system of government. Presidents have very few independent, constitutionally granted powers. However, the aura of the president and the legacy of the influential persona of former U.S presidents make the figure of the president so powerful at home, as well as before the world. He, thus, acts both as a lion and a fox in the Machiavellian sense (Machiavelli 1537)

Impact of the Russian Presidential System on Its Polity

The Russian state that was born in the period of “phony democracy” following the collapse of the communist order in August 1991 and the bloodshed of October 1993, following two years of confrontation between parliament and presidency, in systemic terms reproduce certain governmental practices of the party-state (Dunlop 1993, Sakwa 2008a, part 1). The concept of regime (rather than government or administration) is the preferred term to describe the power system that took shape during Boris Yeltsin’s presidency in the 1990s and which was consolidated under Vladimir Putin in the 2000s.

The presidency is the heart of the regime but is not limited to it. The decline in public politics and party constellation has been accompanied by the development of para-political group activity. It has become something of a truism that Russia is a hybrid regime state combining democratic and authoritarian features (Shevtsova 2001) for instance, many of states in post-soviet Eurasia are “imitation democracies” a “combination of democratic constitutional forms with a reality of authoritarian rule”. Such systems emerge “when conditions in a given society are not ripe for democracy, and yet there is no ideological alternative to it” (Furman 2008: 39).

It is a confused state of opinion that Russia never had democratic traditions. Russia had various democratic institutes like Veche, Boyar Duma, Senate, Zemski movement and at last state Duma. In this perspective, last but not the least, they were limited in scope and weak institutes. Veche people’s assembly was an example of direct democracy in the 11th century. Boyar Duma played a significant role in Russian political system of 15th and 16th centuries. Zemski Assembly was considered a platform for debate and discussions on pilot issues concerning domestic and international issues and policies for the sake of making laws (Mohanty 2010). The development of the process of political thoughts in Russia was far behind the west European level because of historic factors.

Radishev was the founder of the school of radical republican thoughts in Russian political philosophy in the second half of the 18th century. But it was Speranski who became the front runner and most outstanding advocate of restructuring state power

on the basis of European parliamentary experience in the first quarter of 19th century and talked about of the state power and state Duma within a limited constitutional monarchy. However, the state Duma came into effect only in 2005. Although pre-uptake in the country Russia had four elected Dumas functioned under the thumb of Czar, yet with limited powers.

Propelled by Soviet disintegration in 1991, the Western style of parliamentary democracy crept in and Yeltsin's constitution adopted at virtual gun point in December 1993 imposed a super presidency in Russia. Nevertheless, five consecutive Duma election have been held successfully under this constitution. In this reference, this is important to note that Duma's reputation and popularity have been enhanced significantly, particularly of state Duma.

Consolidation of Multi-Party System and Evolution of Parliament

Outcome of multi-party system, despite, not being perfect is a remarkable achievement in post-soviet Russia. The state Duma election held on 12th December 1993, the first one after soviet breakup marked a meaningful point in political development, accelerating the development of a multi-party system and making possible a new beginning in the development of parliamentarism in Russia.

President Yeltsin's decree no – 14'00, issued on 21st September 1993 dissolving the old Russian parliament proved a virtual coup against the old constitutional system as Yelstin unconstitutionally suspended the existing constitution. Yelstin through his unconstitutional decree vested the existing federation council with functions of the upper chamber of the federal assembly, while elections for the new lower chamber were ordered for 12th December 1993. The new parliament and the rules regulating it's election were both unconstitutional and anti-constitutional.

This anti-constitutional decree, while breaking the 18 month long stalemate in the struggle between Supreme Soviet and the presidency undermined the development of a legal basis for Russian political system. This reached out and helped out only to the ruling elite. The election law was designed to serve the interests of ruling elite

whereby Russia's multi-party system developed in a way in which parties went multiplying but few enjoyed extensive and consistent support.

In the administrative regime, rather than structures and rules providing the framework for order, political actors bend structures and rules for their own ends. At the same time they create new ones, bypassing the formal constitutional order. From the very first days of post-soviet governance, the problem of duplication of administrative structures was apparent, initially focused on the structures of the dual executive as both the cabinet and presidency created agencies with overlapping functions (Huskey 1995). The presidential administration developed as a surrogate government (Huskey 1999). The rush to the market in the 1990s, designed to dismantle the institutions of the planned economy in the short historical time, entailed a high degree of "institutional nihilism": "at the time, people tended to think that the market needed little in the way of management". (Yurgens 2008: 36)

Nevertheless, Tilly's argument brings out the ambivalence of policy in the dual state context. He notes "if in the future the Russian state again becomes subject to protected, mutually binding consultation in dialogue with a broad, relatively equal citizenry, we may look back to Putin as the autocrat, who took the first undemocratic step toward that outcome" (Tilly 2007: 137). In the administrative regime, para-constitutional behavior norms predominate that, while not formally violating the letter of the constitution, undermine the spirit of constitutionalism. This is the feature that was already identified in American presidentialism in the 1980s (Riggs 1988), and it has, if anything, intensified since then. As in America, para-constitutional gets things done, but is ultimately counterproductive because reliance on bureaucratic managerialism undermines popular trusts and promotes self interested behavior on the parts of elites

That is the reason perhaps, why Sanjay Kumar Pandey calls this political situation in Russia a super presidential system (Pandey 2002). While elaborating his concept of super presidentialism in Russia, he describes it as both "need of the time" as also "threat to democracy". He maintains that superpresidentialism is a form of democracy, it is different from autocracy in allowing regular, open elections as well as for associational right to criticize the president and to organize opposition parties, but further comments "The main problem with superpresidentialism is that it invest

too much power in a single individual and hence that person's competence, judgment, integrity and health are of extraordinary importance, any lapse in the president's command of office automatically creates a vacuum of power. Under a dynamic and competent person the system can be highly effective. But the dependence on a single individual renders the institution fragile and vulnerable". President Yelstin's closeness to many oligarchs, was fully utilized by them to enrich themselves. The transparency international 1998 corruption perception index for 85 countries ranked Russia as the tenth most corrupt.

However, the manner in which Putin was appointed, first as prime minister and then as acting President is itself illustrative of one of the vagaries superpresidentialism. In a parliamentary system, in order to be appointed as prime minister one has to have a certain political standing and support, A "Mr Nobody" would not even dream of becoming the Prime minister. In Russia because of the president prerogative in this regard is within the realm possible.

Finally, in a situation where Russian federation falls in a crisis to find out a dynamic or charismatic and popular leader what will happen to the Russian parliamentarism?

And the Russian form of managed democracy is far from being a soft variant of the soviet system, but an entirely new order with its own regularities and practices (Furman 2006). It has, however, reproduced dualism but in different forms for that matter, Russia has yet to wait for some Darwin to further evolve democratically.

Impact of the Presidential System on American Polity

The presidential system has been recycled right since its inception. Thereby the presidency can be no better or stronger than the caliber of its incumbents. Presidential system in America is foredoomed to an interlude or mediocrity if the chief executive is a person of middling talents. Since it is an intensely political office it faces deadlock and futility, unless the process of selecting its holders can screen out men letting in the high order of political talent required to function successfully in a governmental system where power is much divided. But, Washington was no slave to literal constitutional prescription. He prized and zealously maintained the intrinsic

dignity of the presidential office. He wanted, he said, to make the presidency respectable. George Washington's taste for regal display was freely indulged. Throughout this period and till today presidential system in United States has been sustained by the unfailing magnificence of Washington's character, judgment, vision, skill in managing men, integrity and above all infinite patience (Koenig 1964).

George Washington founded his cabinet in the autumn of 1791. He began bringing his department secretaries – Jefferson, Hamilton, his secretary of War Henry Knox. Among these departments the department of War and its secretary shows that American presidential system and its dependence on the department of war carries with it the substance of American polity (Laski 1940). The department of War was creation of George Washington the first President of United States, and the tradition has been working well and has a great deal of impact on American polity. Reader is hereby advised not to get confused that the office of the President can sustain only as long as it carries with it, the department of War. Nevertheless, this department is and is inevitable for the sustainability of the Presidential system. One can ask whether the survival of the office of the presidency depends on this particular department.

The question arises whether War is the sole business of the American presidency, perhaps not. It is also not, that the congress sanctions relaxation to the office of President only during the War, but in the absence of War the President has to get into War with Congress for any substantial sanction.

What is it that the President's sole business, in the absence of War is to keep the Congress pleased. The suspicion arises whether there is presidential system of democratic polity in America or it is a colony of Congressional system of democratic polity. If it is the later then one may have to rediscover America.

The prerogatives of the British crown are perhaps the supreme, while many other retain their former status as law and yet could hardly be revived without what would amount to a constitutional revolution. Similarly as long as there is no constitutional revolution there would never be a free society or a free nation.

“Democracy in America” of de Tocqueville and Bryce's *“American commonwealth”*, both the books and their authors speak about the real impact of Presidential system on its polity. Both the titles indicate why, and what the presidential system in America is

all about. Since de Tocqueville and Bryce had taken more pains to examine the United States than George Washington himself and it is said, who knows better about America and Americans than these two scholars.

President's functions, in American constitution are partly like those of the British crown; and partly those of the British Prime-Minister. One cannot help think of them in these terms. The magical part is, that the resemblances are far less striking than the differences, while the fact is otherwise. The essence of the Presidential system lies in the fact that it is an *American* institution, that it functions in an American environment and also that it has been shaped by the forces of American history, it must also be judged by American criteria of its response to American needs (ibid).

The most vital and surprising fact in American constitution that American politics prevents either House of Congress From functioning in anyway like the House of Lords. Lord Bryce writes in a chapter in his book entitled "why great men do not become Presidents" why is it? that the literature upon American institutions has been written more by outsiders than American themselves. Why is it that number of Prime-Ministers of Britain who sought the 2nd term is far less than the Presidents in America who sought the 2nd term.

De Tocqueville raised questions about functional aspects of democracy in America and also speculates on the future of democracy there, including possible threats and dangers to democracy. These includes his belief that democracy has a tendency to degenerate into "soft despotism" (Tocqueville 1840), as well as the risk of developing a tyranny of the majority. He observes that the strong role religion played in the United States was due to its separation from the government, which all parties found agreeable. He contrasts this to unhealthy antagonism between democrats and the church, which he relates to the connection between church and state. (ibid)

Washington did not take up his task gladly. In the week before his election he allowed himself to hope that he might not be elected. And that, if he were, he might somehow contrive to decline. His longings were deepened by seizures of pessimism about the future "may Haven assist me in forming a judgment", he wrote to Jonathan Trumbell, "for at present I see nothing but clouds and darkness before me". These wavering

moments of George Washington tell us if not all, but at least part of the whole story (Koenig 1964).

In view of the above analysis and the opinion of political observers and scholars the impact of American presidential system on its polity seems to be complex. Since the system in itself is neither independent nor strictly derived from any established system of democracy the impact does not seem favorable to the polity of its own kind. Alexis de Tocqueville rightly titled his book "*On democracy in America*" the title hides the essence of its description. This means that presidential system in America veils as much as it reveals. In this context, the presidential system in America seems to have turned for no worth in future in terms of democratic polity. That is perhaps why republicans speak of democracy louder than the democrats.

The changing roles and subsequent impact of the presidency can be divided into three stages:

In stage one, from the beginning of the republic to 1950, presidents sought power, used power, and at times abused foreign and war-making power. But they were always careful to justify their actions not on the basis of a constitutional authority but by the doctrine of necessity. Presidents such as Abraham Lincoln during the Civil War, or Franklin D. Roosevelt during the depression and World War II did overstep constitutional bounds, but they never claimed that their actions were grounded in a constitutional grant of power. Rather than cloaking themselves in constitutional powers, they paid homage to the Constitution and the power of Congress.

Stage two came in the early 1950s when, during the early days of the Cold War, President Harry S. Truman broke from his constitutional past to assert an inherent right as commander in chief to send U.S. troops into combat (Richard 1979). This bold and constitutionally baseless claim should have been defanged at birth, but in the early days of the Cold War, Congress, the public, and the courts backed away, and a new "constitutional" principle was accepted, a principle many subsequent presidents, along with the public, Congress, courts, and the media began to accept as a legitimate constitutional provision.

In the third stage, with President Bush fighting a war against terrorism that takes Truman's constitutionally baseless doctrine one step further. Not only Bush claimed

an inherent constitutional right to send troops into combat without congressional approval, but he asserted an even more farfetched and dangerous power: that his actions are non-reviewable. If the Congress, public, and courts allow such an assertion to become doctrine, what becomes of the system of checks and balances? Is the president to be truly above the law? This transforms the U.S imperial presidency into a monarchical presidency.

More than any of the American institutions of government, the presidency can only be comprehended in terms of the office's historical development. This development had peaks and valleys. The ambiguous wording of the Constitution, the gaping silences at points, has allowed the office to shrink and enlarge as people pushed and pulled for power (Antonio 2007). Brick by brick an institution was built up over time. Sometimes a brick or two was removed, but overall one can see a trend of more and more power to the office. Not all presidents had the determination, skill, interest, or circumstances to use the full measure of the resources available, but each brick added to the presidential arsenal, made it easier for presidents who followed to cite precedent and thus claim legitimacy for the expansion of power.

In many ways, the rise of presidential power is a surprise. From an anti-executive bias (Revolution) to no executive (Articles) to a limited executive (the Constitution) today, the presidency has not been just one thing, but many. And presidential power has not been static, but dynamic. The presidency is a complex, multidimensional, contradictory, paradoxical *office*. It is embedded in a *system* of separation of powers that limits and frustrates the use of power (Laski 1940).

The presidency has been shaped by the varied individuals operating within a dynamic system under changing circumstances. Some presidents have been strong, others weak. Some eras demand change, others defy it. The presidency has been shaped by industrialization, the Cold War, American superpower status, economic booms and busts, wars and demands for racial change, increasing democratization, and the demands of capitalism (Genovese 2006). Presidents helped shape some of these changes, were victims of others, and innocent bystanders of still others. Great social movements, technological changes, newly emergent groups, and a host of other forces created opportunities and restraints on leadership. The story of the rise and fall of presidential power is a complex and perplexing one. It is a story of

elasticity and adaptability, of leadership and clerkship, of strong and weak officeholders, of change and stasis.

One needs to turn his attention to the concept of responsibility as the touchstone for governmental institutions and the people to insure that fidelity to Madison's vision of constitutional balance is maintained and that the President does not overwhelm the constitution (Fisher 1988). It needs to be asserted that there is, in fact, a current set of circumstances in which one branch has leapfrogged over the other two, and in which the countervailing forces of Congress, the courts, and the people have been either (1) insufficiently diligent in exercising their responsibilities for assuring balance, or (2) are faced with considerable political pressure arrayed against them as to make any mounting official efforts to challenge this one-branch dominance nearly impossible and to make remote any likely chance of success in revalidating the existing imbalance.

Mostly, this is a tale of three branches: one, the executive, which has taken the lead in pushing beyond its boundaries, and the other two, the legislative and judicial, which have been remiss in their monitoring function. The telling of this tale begins in the latter part of the twentieth century: foreign policy occupies the greater part of this analysis, as this is the area that scholars have identified as the starting point for expanded presidential power, although increased executive power in foreign policy, ultimately, emboldened presidents to envision and attempt to expand their domestic powers, as well. Thus, the question that can perhaps be posed is, can the presidency be dangerous to democracy. The response is *yes*, if those entrusted to watch over that democracy neglect their part of the bargain (Elgie 1999).

The scorecard for separation of powers and checks and balances in the current context seems to be that, in the four years since the September 11th attacks, Congress has been asleep at the wheel, either delegating overly broad and unclear power to the president or none at all, while the president simply filled in the vacuum, exhibiting no sense of hesitation that he perhaps might need the participation of Congress to assure the constitutionality of his actions. For Congress to reassert its own power, as the Congress of the 1970s did, in the face of overwhelming executive preemption on these issues, seems unlikely, and was made

even more so by a strengthened Republican Congress since the 2004 elections. It would take a robust understanding of Congress's traditional institutional role to prompt such action, and there seem to be few members with that necessary sense of "place" to move their colleagues to accomplish such a reassertion.

This matter does not need to be a partisan one. Ironically, Republican members of Congress could aid their Republican president with legislation that authorizes similar though revised policies of military tribunals and detention. It is an altogether too obvious maxim to state, but one that bears repeating that presidents are on stronger footing when authorized by Congress than when acting alone. When presidents acts in a policy field where Congress has power and where the Constitution is silent as to executive authority, there should be no doubt that the president is precluded from acting at all, until Congress authorizes him. That was the lesson of *Youngstown*. But the other lesson of *Youngstown* was that, in the words of Justice Robert Jackson, "We may say that power to legislate for emergencies belongs in the hands of Congress, but only Congress itself can prevent power from slipping through its fingers". (Youngstown 1952)

The American presidency is a uniquely necessary, and always potentially dangerous, leadership institution. The framers of the U.S. Constitution were aware of this: they knew that if they designed a presidency with too much power, they risked ending up with an arbitrary tyrant, yet if they designed a presidency with too little power, the nation might not have the decisive leadership needed in times of emergency. (Lind 1995) Today, 11 generations later, the people of the U.S face the same questions that framers faced: what kind of president do we need, and what kind of presidency do we want?

After the attacks of September 11, 2001, President George W. Bush exhibited bold, decisive leadership. Yet with the war and trying and costly occupation of Iraq, the controversial USA PATRIOT Act and civil liberties issues, and the gnawing questions about motivation and honesty surrounding the Middle East policies, the president and his administration have challenged principles of the Constitution and the system of checks and balances that are at the very heart of American democracy (Fisher 2005). Rumbling like a distant tidal wave in the country today is a sense of unease, an unspoken fear that the United States may not be able to win this new and apparently

constant war on terror while still remaining true to who we are, to our cherished constitutional and democratic principles. The dangers we face at the beginning of the twenty-first century – from extremism and terrorism, but also from the doctrine of preemptive war, and the suspension of the writ of habeas corpus – require a searching reappraisal of the Constitution and constitutional practices. And like the framers, who tackled the issue with imagination and commitment, the Americans again need to ask: what kind of presidency do they really want? Protection from attack – whether from external or internal threat – is a prime obligation for any nation. Thus it was that the American founders specified commander-in-chief authority when war is authorized, and thus Lincoln, Wilson, FDR, Truman and several recent presidents have assumed broader executive powers as they sought to protect the nation's security.

Hence in fine it can be said that, Presidents have to live with the persisting ambivalence most Americans have toward power and governmental leadership. They cry: We want leadership, yet we also want to be free. We admire the purposeful use of power yet we fear that it may be abused if it is not adequately checked. And we doubtless love our country and its heritage of liberty yet we have never particularly liked government itself, and we are especially frustrated by the constant bickering that takes place between Congress and the White House and between the two major parties. In the aftermath of 9/11, Americans most certainly welcomed assertive and authoritative anti-terrorism presidential activism.

CONCLUSION

This research now brings the debate first on the conceptualization of presidential and parliamentary forms of democracy and then, the implementation of the two systems. To some, presidential form of democracy sounds perfect and to the others it is problematic. The semi-presidential system is a derivative/ combination of the two. It seems that debate on conceptualization is interminable, also because of diversity and complexity of history, culture, behavior, frame of minds and finally passage of time. At the core are concepts of separation of power and checks and balances.

Going by the outlines and lay-out of conceptual framework classic or otherwise, this is always for the new nations and for those struggling and facing conceptual difficulties to debate and decide the form of democracy that suits them. However, much depends on the state and its society what form of democracy and democratic polity is feasible and suitable. A nation could also blend to two popular systems together to go for the third eye connection of the Government that could work best for it. In this introductory chapter on conceptual framework the view in point was to show the Presidential systems in general and the American way of it, in particular. Though, the Presidential form of democratic polity is dominant in the world of today. They are of different types: Full Presidential systems, Semi-Presidential systems and Executive Presidencies. United States of America has a full Presidential system some elements of US system of Presidentialism are too classic to be carried on while many people think the necessary change may be brought about.

The other democratic Governmental form i.e. the Parliamentary. The common feature between these two systems Parliamentary and Presidential is that the chief executive can be removed from office by the legislature. The challenge before the framers of constitution is that first they have to debate and accept a conceptual framework and then they have to work out a structure keeping in mind the historical – cultural experience of their specific society/ polity.

To understand this, let me quote, “Russian democracy has been labeled a declaratory democracy.” (Chenoy 2001:271) She further adds, “for all the flaws and contradictions there will be no going back from democratic forms of the Russian political systems... societies are bound by their own traditions and norms and cannot import wholesale the solutions used by other systems.” (ibid) The tone and tenor of the above quotes may help to understand the importance of conceptual framework.

Prof. Laski in his concluding observations of the American presidency observes, “... a majority in the electoral college may defeat a majority in the nation.” (Laski 1940: 231). He further adds, “...once it is agreed that transcendence of sectionalism is desirable, it follows at once that the president should be elected by a direct national vote.” Though there may be numerous flaws in the U. S constitution, yet the original intent of the framers that the three branches of the American government would check and balance each other has more or less been achieved. Since the framers were none but Americans they seemed to have done their best to provide and facilitate American citizenry with as much as possible. But then, anomalies and analogies that remain in U.S constitution might not have been intended. Similarly the framers of Russian constitution today cannot be questioned because much seems to have been left for the future generation. “The shift to a capitalist economy was the central goal of the new regime in Russia and the transition to a market economy was a priority for the political elite” (Chenoy 2001:12). It suggests that the Russian presidency emerged as a result of support from western type institutions and the policies of president Yeltsin. This is true that both the presidencies have been criticized in the past and present as well, but then the proposal by C.Calhoun in 1850 that there should be two presidents of the United States – one elected by the north and other elected by the south, each having a power on the acts of the other was never needed and acceded to. The Russian presidency too echoes the domination of political allies, that means that the two democracies: old and the new carry their own complexities and conflicts (Calhoun 1850:176). This is for the students of politics to analyze and observe, who exactly checks whom and who balances in whom in the two presidencies, scholars debate which of the two presidencies is more democratic than the other. Although, both US and Russian constitutions are federal in nature, but the two are more different than

similar. Rational debate or comparison is the keystone of a free society. Public issues are often discussed in absolutes. They are often presented as wholly good or bad, with few qualifications.

The Supreme Court acts as a third chamber of the American legislature concerned to help a possible cooperation between president and Congress within bounds. Prof. Laski, in his concluding observation writes, “technological and scientific development have made largely obsolete the division powers between the center and the circumference contemplated in 1787, in the epoch of giant capitalism only the federal government can hope to confront the great industrial empires on terms of equal authority ” (Laski 243).

The political departments of the government may dispute or even, on occasions, overwrite the judicial interpretation, still, the court has enormous resources of reputation and the life tenure of its members gives the court a staying power. In short, to understand the U.S form of presidential polity we may keep beating about the three terms: prior constitutional thinking, theoretical and the practical in which the last two factors, theoretical and practical appear to be two different ways of saying the same thing – that judicial review in a particular case is not simply wise, i.e, courts in U.S rarely take up the political questions.

On the other hand, parliamentarism in post-Soviet Russia occurred out of inevitability where economics overrode ethics and the party system in Russian Federation emerged even before the electoral system was evolved, but then, despite its flaws and shortcomings the process of electoral politics and democratic political order is orderly placed. The electoral procedure designed by the Russian constitution was tried and tested.

Presidential power much depends on, who the president is. There may be a president who without having known to, or aware of his constitutional power can function well, on the other hand the president who is well aware of its constitutional power may make mistake while applying them. This means the presidency and office of the president are the two different premises. Hence the presidential system sometimes is identified with the personality who holds it.

One can also observe that the evolution of presidential system situates itself on the preconditions and circumstances through which the presidential system of democratic polity flows and the certain political personality around whom the preconditions revolve around. Although, it cannot be said with any certainty whether evolution process of presidency was revolving around George Washington in United States and around Boris Yeltsin in Russian federation (RF).

In contrast with the Russian constitution, the constitution of America distinct in many ways, particularly from the matters of procedure. The constitution of United States created a structure for a Federal government, emerged on the principal of “separation of powers” or “checks and balances” the constitution framers of the United States seem to have been relied more on a legal premise inherited from England. This ensures justice by the procedures to pursue.

Constitution of the Russian federation is to a large extent more open-ended on the questions of how federal officials are to be selected, what tenure these officials will have, how the federal and provincial/regional governments are to be organized, and what powers the federal government will wield.

Finally, democracies in Russia and USA emerged out of the necessity of their respective communities and cultures that impacted their constitutions too. Since multi-party system is an essential part of a democratic polity, both Russia and America have adopted this system in their polities. Both are federal in structure, but the application of federalism is different in terms of feasibility. The constitution of USA is the body of practice, built up during the decades mainly by the executive departments.

Parliamentarism in post-Soviet Russia occurred out of inevitability where economics overrode ethics and the party system in Russian Federation emerged even before the electoral system was evolved, but then, despite its flaws and shortcomings the process of electoral politics and democratic political order is in place. The electoral procedure designed by the Russian constitution has been tried and tested.

The purpose of this dissertation has been to compare the American and Russian presidential system, but not to assess their relative worth, since each constitution has

bequeathed both benefits and problems to the nation that adopted it. Rather, my hope has been to point out that each constitution reflects the drafters' earnest attempt to address the major political problems confronting their society at the time. The solutions embodied in each constitution were shaped by the political, social, and economic tools that history and culture had provided to each

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