



INTERNATIONAL LAW
JOURNAL

**WHITE BLACK
LEGAL LAW
JOURNAL**
**ISSN: 2581-
8503**

Peer - Reviewed & Refereed Journal

The Law Journal strives to provide a platform for discussion of International as well as National Developments in the Field of Law.

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ABOUT US

WHITE BLACK LEGAL is an open access, peer-reviewed and refereed journal providededicated to express views on topical legal issues, thereby generating a cross current of ideas on emerging matters. This platform shall also ignite the initiative and desire of young law students to contribute in the field of law. The erudite response of legal luminaries shall be solicited to enable readers to explore challenges that lie before law makers, lawyers and the society at large, in the event of the ever changing social, economic and technological scenario.

With this thought, we hereby present to you

COMPARATIVE ANALYSIS OF PRESIDENTIAL POWERS IN INDIA AND AMERICA

AUTHORED BY - QUTE NARANG

Indian v. U.S. forms of Government

The functionary at the head of the Indian Union, like that of the U.S.A., is called the President, but India's form of government is very different from that of the U.S.A. India has Parliamentary, and not the Presidential form of government. India's form of government differs substantially from that of America. Beyond the identity of names between the Indian and American Presidents, there is not much in common between them.

The position of the President of India is more akin to the British monarch rather than the American President. He is the head of the state and only a formal, not an executive, head of the Executive. The effective repository of the executive power is the Council of Ministers. On the other hand, the U.S. President is both the head of the state as well as the effective head of the Executive. The system is known as the presidential form of government because the President is the chief executive. The administration of the country is vested in him.

The U.S. Constitution makes the President responsible for ensuring that the laws of the country are faithfully executed. He alone is vested with the power to appoint and remove the executive officers and, thus, can effectively control the government departments.

The President has under him Secretaries of State in charge of different executive departments who are appointed by him and who are his personal advisers. He is not bound to accept the advice tendered by them; he enjoys ultimate power of decision and therefore, has complete political responsibility for all executive action. The President dominates the Cabinet completely as the Secretaries of State hold their offices entirely at his pleasure and are accountable to him. They are merely the instruments through whom the President's policy is carried out. As has been aptly said, "The cabinet is not a device for sharing responsibility among a group; it is a necessary result of the President's inability to

supervise all affairs directly”¹.

The Indian President, on the other hand, acts generally on the advice of Ministers. The U.S. President is free to dismiss any of his secretaries as and when he likes. The President of India has a formal power to that effect but exercises it on the advice of the Prime Minister, or when the Cabinet has forfeited the confidence of the Lok Sabha. The Secretaries of State in the U.S.A., on the other hand, are neither responsible to Congress, nor are its members, nor do they function on the basis of collective responsibility. This is very different from the underlying principles on which the Executive functions in India.

The truth of the matter is that America hardly has a Cabinet corresponding to the classic idea of a Cabinet in the parliamentary form of government. “Because of his unfettered power of removal over them and the fact that his tenure of office is not in any way dependent upon the effect which his dismissal of the Cabinet member may have upon the Congress, the President is able to dominate his Cabinet to an extent which would be almost impossible in the case of a Prime Minister”².

The presidential form of government is based on the principle Separation of Powers between the executive and the legislative organs. The doctrine of Separation of Powers, ascribed to Montesquieu, a Frenchman exercised a potent influence on the public mind in the 18th century when the American Constitution was drafted. It envisaged that the legislative, executive and judicial functions in the State ought to be kept separate and distinct from each other. There ought to be separate organs for each, working together, but none of them should be dependent on, and discharge the function belonging to, the other. As for example, the Executive should have no legislative or judicial power³.

While basically the U.S. Constitution is designed on the basis of the principle of separation of Powers, the framers of the U.S. Constitution also introduced, to some extent, the principle of checks and balances. The framers adopted both these strategies with a view to ensure a weak government so that the government may not act in an arbitrary manner. The doctrine of Separation weakens the government by dividing its powers, for a divided government is intrinsically weaker than a government having all powers concentrated therein.

¹ Bowie and Friedrich (eds.), *Studies in Federalism* 65 (Little Brown & Co., 1954).

² Bernard Schwartz, *American Constitutional Law* 111 (Cambridge University Press, 1955).

³ Sir Ivor Jennings, *Law and the Constitution* 280-30 (University of London Press, 1959).

The principle of checks and balances further limits government power. The underlying idea is that if one organ of government is left free to exercise the power assigned to it without any control, it may run amok with its power and act arbitrarily in exercising its assigned power. For example, if the Congress is left free to make any law it likes, it may make harsh or unjust laws. Therefore, the doctrine of checks and balances envisages that one organ of the government be controlled, to some extent, by the other two organs. For example, the President may veto a bill passed by the two Houses of Congress and thus, the President controls the Congress so that it may not pass arbitrary or discriminatory legislation. But President's veto may be overridden by the two Houses passing the bill in question again by a 2/3 vote in each house. Also, the Supreme Court has power to declare an Act passed by the Congress as unconstitutional, but the Judges of the Supreme Court are appointed by the President with the consent of the Senate.

The Congress through its committees continuously probes into the functioning of the government departments. Similarly, the Secretaries of State are appointed by the President with the consent of the Senate. In the U.S.A., the Executive and Legislative organs are kept separate from each other.

The parliamentary system, on the other hand, is based on an intimate contact, a close liaison, or co-ordination, between the Executive and Legislative wings. India recognizes no doctrine of Separation between them. As the Supreme Court had stated, there may be in India a differentiation and demarcation of functions between the Legislature and the Executive, and, generally speaking, the Constitution does not contemplate that one organ should assume the functions belonging essentially to the other organ, yet nevertheless, there is no separation between them in its absolute rigidity⁴.

The U.S. Executive does not depend for its survival on a majority in the Congress as the President has a fixed tenure of four years. He cannot be dismissed before the expiry of his term by an adverse vote in the Congress. He can be removed only by the rare process of impeachment. Correspondingly, the President has no power to dissolve the Congress. The House of Representatives has a fixed term of two years. The American system produces a stable government having a fixed tenure because it is independent of the legislative whim. It has happened often that the President may belong to one political party, but the majority in either House or both Houses, may belong to another political party.

⁴ *Ram Jawaya Kapoor v. State of Punjab* (1955) 2 SCR 225.

Members of Congress enjoy a good deal of freedom to oppose or support the programme and policies proposed by the President even when the majority in the Houses of Congress may belong to the same party as the President. On the other hand, the distinctive feature of the parliamentary system is that the Cabinet depends on the majority in the Lok Sabha, and holds office as long as it enjoys the confidence of the majority in the House which can depose the Cabinet at its pleasure, but the cabinet has the corresponding right to dissolve the House. In a parliamentary system, the government has no fixed tenure as it may have to go out any moment the majority in Parliament withdraws its support.

The parliamentary system works best with two strong and disciplined political parties with one party having a clear majority. If the Legislature is fragmented into many small groups, the Cabinet has to be based on a coalition of parties and the Cabinet becomes unstable as it is constantly exposed to the danger of disintegration due to disagreements amongst the members of the coalition, or the constantly changing alignments of various parties in the Legislature, or because of the danger of defection of members from one party to another, and even the Executive's power to dissolve the House may not be effective to create the necessary discipline for a stable government in such a situation.

The American Executive not being directly accountable to the Legislature tends to become less responsible to it than the parliamentary government which has constantly to seek the majority support. In America, the responsibility of the Executive is assessed by the electorate once in four years when election is held for the Presidential office. In India, on the other hand, the responsibility of the Executive is assessed daily by the Legislature through resolutions, questions, debates, etc., and periodically by the electorate through general elections. Though the Executive in the U.S.A. is constitutionally not directly accountable to the Legislature, yet it will be wrong to suppose that the Legislature has absolutely no control over the Executive. The Congress can bring indirect pressure over the Executive through its powers to levy taxes, make appropriations for government expenses, enact legislation, and investigate executive work and policies through its committees and the Senate's power to confirm treaties and appointments. On the other hand, the President also is not completely powerless in relation to Congress. Though he cannot dissolve the Congress yet he does exercise some influence over it through his power to send messages and veto legislation; the efficacy of his veto, however, is limited as it can be overridden by the vote of 2/3rd members in each House of Congress. On the whole, therefore, legislative control over the Executive can dissolve each other.

The executive-legislative relation is one of co-ordination in a parliamentary government⁵. All Ministers are members of Parliament and this creates an intimate relationship between the two organs. The Executive is in a strong position to carry the Legislature along with it in its programmes and policies. The executive-legislative conflict or deadlock is resolved soon, for in that case either the Cabinet must resign, or, the House be dissolved and fresh elections held. By its power to dissolve the lower House and submit the issue to the electorate, the Executive exercises a substantial check on frivolous disagreements amongst its own party members as well as those in the opposition. This power is an essential counter-weight to the power of the Legislature to force the resignation of the Cabinet. The Ministers effectively influence the deliberations of the Legislature; in fact, the Cabinet acts as an effective leader of the Legislature.

The position in the U.S.A. is entirely different where due to the doctrine of Separation of Powers, formal means of co-ordination between the Executive and the Legislature are lacking. No member of the Executive participates immediately in the legislative process in the Congress. Party discipline in Congress is loose and members enjoy considerable freedom to oppose or support any proposal even though it may be a part of the President's programme. President's leadership of the Congress is much looser than that of the Prime Minister in a parliamentary system mainly because the President has no power to dissolve the Congress or to participate in legislative deliberations. He rarely has at its disposal the almost automatic legislative majority which is available to the Prime Minister to enforce disciplined voting along party lines.

The President, unlike the Prime Minister, cannot directly ensure that the measures which he desires will be enacted by the Congress. This may happen even when the President and the majority in the Congress belong to the same political party. But lack of co-ordination between the Executive and the Legislature in the U.S.A. may be heightened if the President and the majority in the House belong to different political parties as happens quite often. Sometimes the impasse between the President and the Congress can be resolved only when fresh elections are held in due course of time⁶.

In the Constituent Assembly some members advocated presidential form of government for India. Their hypothesis was that the presidential form of government constitutes a weak, unstable and

⁵ Baron Campion, *Parliament- A Survey* 74-75 (Allen & Unwin, 1952).

⁶ Daniel M. Berman, *The legislative Process in the U.S., Congress 2* (Macmillan, New York, 1964).

vacillating government, the reason being that the Ministers depend on their party members for support. Ultimately, however, the choice was made in favor of the parliamentary form of government, mainly because Indians were somewhat familiar with the system as in some form or other; such a system had been in operation in the country during the pre-Constitution era.

Further, as Dr. Ambedkar emphasized, in combining stability with responsibility, the Constitution makers preferred the system of daily assessment of responsibility to the other system of periodic assessment. They also wanted to avoid the Legislative-Executive conflicts and friction such as arise in the presidential system. The framers of the Constitution thought that an infant democracy could not afford to take the “risk of a perpetual cleavage, feud or conflict or threatened conflict” between the Executive or Legislative organs. They preferred a system where the Executive being a part of the Legislature is in a position to give guidance to it and where both co-operate with each other. There is „confusion of responsibility“ and „not necessarily a clear direction of policy“ in the U.S.A., but this is not so in parliamentary system⁷.

There is no kind of analogy between the part played by the President in the polity established by the new Constitution of India and the role assigned to the President in the scheme of government formulated by the Constitution of the United States.

Breakdown Of Some Key Aspects In Study Of Comparative Analysis Of Indian And American President: CONSTITUTIONAL FRAMEWORK

India:

- Elected members of the state legislatures and both chambers of Parliament make up the Electoral College, which indirectly elects the head of state of India, the President.
- Part V of the Indian Constitution delineates the authorities and obligations of the President of India.
- The appointment of the Prime Minister and other members of the Council of Ministers is one of the principal authorities.

⁷ Harold J. Laski, *Parliamentary Government in England* 224 (Allen & Unwin, 1938).

- Announcing the call for general elections and dissolving the Lower House of Parliament, or Lok Sabha.
- Selecting justices for the High Court and Supreme Court.
- Issuing ordinances while Parliament is in recess.
- Nonetheless, the Council of Ministers' advice is sought before the President uses the majority of his authority.

United States:

- The Electoral College, which includes delegates from each state, elects the President of the United States, who serves as both the head of state and the head of government.
- Article II of the U.S. Constitution describes the duties and authority of the President of the United States.
- As commander-in-chief of the armed forces is one of the principal powers.
- Vetoing laws that Congress has approved, can be overridden with the support of two thirds of both houses.
- Designating judges and federal employees, pending Senate approval.
- Reaching agreements on treaties with other countries (pending Senate approval).
- The President of the United States has the authority to pardon people who have been found guilty of federal offenses, in contrast to the President of India.
- In addition to carrying out the function of symbolic leader of the country, the President of the United States is instrumental in determining the political agenda.

Comparison:

- The U.S. President has more discretionary power, while the Indian President has largely ceremonial powers, with most decisions made on the advice of the Council of Ministers.
- The election procedures are different, with the Indian President being elected indirectly through an Electoral College and the U.S. President being elected by the Electoral College in a winner-take-all system for each state.
- Both presidents have significant executive powers, including the authority to appoint officials and make important decisions on behalf of the government.
- Despite these distinctions, the presidents of both countries have enormous influence over governance and policy-making and play vital roles in their respective political systems.

ELECTION PROCESS:

India:

Constitutional Provisions Related to Electoral Reforms:

- Articles 324–329 address elections and changes to the electoral process.
- Article 324 addresses the Election Commission's supervision, direction, and control over elections.
- No one may be excluded from or assert that they should be included on a special electoral roll due to their gender, race, religion, or caste, according to Article 325.
- Article 326 addresses the use of adult suffrage in elections to the Legislative Assemblies of the States and the House of the People.
- The Parliament is empowered to adopt provisions regarding legislature elections under Article 327.
- A State's Legislature may establish rules pertaining to elections to the Legislature under Article 328.
- Article 329 establishes a prohibition on court intervention in matters pertaining to elections.
- The election is held by secret ballot, and the candidate who receives a simple majority of the votes is declared the winner.
- The electoral college, which is composed of elected members of the legislative assemblies of the states and union territories as well as the two houses of Parliament (Lok Sabha and Rajya Sabha), weights the votes of each member according to the population of each state.
- This process guarantees that the President is chosen indirectly by representatives from across the nation rather than directly by the general public.

United States:

Supervision of elections:

- The governing administrations of each state oversee all local, state, and federal elections in the United States. The US Constitution and laws, according to the White House website, give the states broad discretion in how they conduct elections, leading to different regulations throughout the nation.
- In many US states, the secretary of state, a politician appointed by the state governor in some states and directly elected in others, is in charge of conducting elections.

Conducting Elections:

- Since 1845, the election date has been set on the first Tuesday following the first Monday of November.
- There isn't a centralized election administration organization comparable to India's Election Commission.
- The Federal Election Commission (FEC) and the US Election Assistance Commission (EAC), the two federal agencies in the US, are not nearly as strong or efficient as the Election Commission (EC) in India. In actuality, they have no influence over how the elections are run.
- The bipartisan EAC was just established in 2002 with the goal of financing state voting and registration system upgrades in addition to setting baseline voter identification requirements. However, its rulings are not legally enforceable.
- Three members are appointed by each of the two political parties, making up the FEC's six members. For a decision to be considered nonpartisan, four votes are needed.
- The Electoral College, which includes representatives from each state, is the method used to elect the President of the United States.
- There are 538 electoral votes altogether across all states and the District of Columbia, with each state receiving a set number of votes based on its population.
- The candidate who earns the most votes in a given state generally wins all of that state's electoral votes (winner-take-all system).
- The Electoral College, as opposed to the popular vote, determines the final result even if voters cast ballots for their favourite presidential candidate in the main election.

Implications:

- India's indirect election procedure guarantees that the President is chosen by representatives of the people instead through a direct public vote. This method permits a wider representation of varied interests and ensures that the President is elected by a wide range of stakeholders.
- On the other hand, the US Electoral College system has come under criticism since it allows a candidate to win the presidency even though they lose the popular vote. Opponents claim that such system can create differences between the electorate's will and the election's final result. Furthermore, because smaller states have more electoral votes per capita than larger states, the Electoral College may give some states disproportionate influence.

- Article 324 of the Indian Constitution establishes a distinct, independent Election Commission that makes its own rules and is not subject to the executive branch of government. It was established in 1950 and is tasked with holding elections for the positions of India's President and Vice President, Parliament, state Assemblies and Legislative Councils.
- One of the main priorities of the founding fathers of India was to create an apolitical body, which is why they designed the ECI. On June 15, 1949, during the introduction of Article 324 in the Constituent Assembly Dr. Babasaheb Ambedkar stated "The entire election machinery should be in the hands of a Central Election Commission, which alone would be entitled to issue directives to returning officers, polling officers and others,".
- Thus, when it comes to crucial election procedures like constituency delineation, mail-in voting, and vote counting, US states differ greatly from one another. States are frequently charged with unfairly favouring one political party over another through gerrymandering and other similar tactics. States in the American South deliberately denied Black people the right to vote during the Jim Crow era (the late 19th and early 20th centuries); the Voting Rights Act of 1965 significantly reduced this practice.
- While the election procedures for choosing presidents in the US and India are different, each system has an impact on how the interests of the voters are represented during the process.

POWERS AND FUNCTIONS:

India:

- **Head of State:** The President of India represents the cohesion and integrity of the country in his ceremonial capacity as head of state. Even though the President's authority is mostly ceremonial, it is vital to represent the Indian Republic's sovereignty with these powers.
- **Head of Government:** The President formally participates in the nomination and removal of the Prime Minister and other Council of Ministers members, even though the Prime Minister is the head of state and wields executive authority. The Prime Minister and other ministers are also sworn in at the President's direction.
- **Commander-in-Chief:** The Indian President is the armed forces' highest commander. The President has the final say over the armed forces, even though the Prime Minister and the Cabinet oversee the day-to-day activities and decisions pertaining to the military.
- **Chief Diplomat:** The President serves as India's ambassador abroad and conducts formal welcomes for visiting dignitaries. The President may participate in state visits and diplomatic

engagements to advance bilateral relations, but the Prime Minister and the Ministry of External Affairs retain the authority to actually formulate and carry out foreign policy.

United States:

- **Head of State:** In addition to being the head of government, the President of the United States also holds this position. In this role, the President embodies the ideals and values of the United States and represents the country both domestically and abroad.
- **Head of Government:** The President is in charge of enforcing laws, exercising executive authority, and developing policies to deal with pressing national concerns. The executive arm of the government, which is composed of several federal departments and agencies, is headed by the president.
- **Commander-in-Chief:** The President is in charge of leading the US armed forces and is vested with the power to deploy troops and decide on major defense and security policies.
- **Chief Diplomat:** The President is in charge of foreign affairs for the United States and is considered its main diplomat. The President chooses ambassadors to represent American interests overseas and represents the country in diplomatic discussions, treaties and international summits.

Comparison:

- Although the presidents of India and the United States share a great deal of executive authority, their scope and types of power differ substantially.
- The American President has significant authority as the head of state and government, commander in chief, and chief diplomat, while the Indian President's powers are mainly ceremonial and involve little in day-to-day governance and foreign policy choices.
- In contrast to India's parliamentary system, where administrative authority is more distributed among several players, the United States has a stronger executive branch and separation of powers, which can be seen through the active involvement of the president of the United States in foreign policy and governance.

CHECKS AND BALANCES:

India:

- **Judiciary:** The judiciary serves as a crucial check on the powers of the President of India. The Supreme Court and High Courts have the authority to review the constitutionality of executive actions and laws passed by the Parliament. If the President or any other government official exceeds their authority or violates constitutional provisions, the judiciary can intervene through judicial review.
- **Legislature:** In India's parliamentary system, the President's powers are largely exercised on the advice of the Council of Ministers headed by the Prime Minister. The President cannot act independently of the advice of the Cabinet. The Parliament, consisting of the Lok Sabha (House of the People) and the Rajya Sabha (Council of States), holds the power to make laws, scrutinize government actions, and hold the executive accountable through debates, questions, and motions.
- **Other Institutions:** The Comptroller and Auditor General (CAG) of India audits government expenditures and reports to the Parliament, providing another mechanism of accountability. Additionally, institutions like the Election Commission of India ensure free and fair elections, contributing to the democratic process and accountability of the executive.

United States:

- **Judiciary:** The judicial branch, particularly the Supreme Court, serves as a powerful check on the powers of the President of the United States. The Supreme Court has the authority of judicial review, allowing it to interpret the Constitution and strike down executive actions or laws that are deemed unconstitutional. The judiciary can also adjudicate disputes between the executive and legislative branches.
- **Legislature:** The United States Congress, consisting of the House of Representatives and the Senate, plays a crucial role in checking the powers of the President. Congress has the power to pass legislation, approve appointments and treaties, allocate funds through the budgetary process, and conduct oversight through investigations and hearings. Additionally, Congress can impeach and remove the President from office for high crimes and misdemeanors.
- **Other Institutions:** The media, civil society organizations, and public opinion also serve as important checks on the President's powers in the United States. The free press provides

scrutiny and transparency, while public opinion can influence political decisions and hold elected officials accountable.

Comparison:

- Both India and the United States have robust systems of checks and balances to prevent the concentration of power in the hands of the executive.
- In India, the parliamentary system relies heavily on the principle of collective responsibility, with the President acting on the advice of the Council of Ministers and accountable to the Parliament.
- In the United States, the system of checks and balances is more formalized, with distinct branches of government exercising separate but overlapping powers, ensuring accountability and preventing abuse of authority by any single branch.

POLITICAL CULTURE:

India:

- **Public Perceptions:** The presidency in India is often viewed with reverence and respect due to its symbolic role as the head of state. The President is seen as a unifying figure who represents the nation's values and ideals. However, the actual influence of the President in governance is limited, and public perceptions may vary depending on the individual occupying the office and their actions.
- **Media Scrutiny:** While the President may not receive the same level of media scrutiny as political leaders in the United States, their actions and statements are still subject to media coverage, especially during significant events such as state visits, addresses to the nation, and appointments to high offices.
- **Role of Political Parties:** In India's multi-party system, political parties play a crucial role in shaping public perceptions of the presidency. The ruling party or coalition often nominates candidates for the presidency, and the election of the President can be influenced by political considerations and alliances among parties.

United States:

- **Public Perceptions:** The presidency in the United States is a highly visible and influential office, often regarded as the most powerful political position in the world. Public perceptions

of the President can vary widely depending on political affiliations, policies, and personal characteristics. Presidents are often scrutinized not only for their political decisions but also for their personal conduct and leadership style.

- **Media Scrutiny:** The American presidency receives intense media scrutiny, with news outlets providing extensive coverage of presidential actions, speeches, policies, and scandals. The President's every move is closely followed by the media, and journalists play a crucial role in holding the President accountable and shaping public opinion.
- **Role of Political Parties:** Political parties in the United States are deeply involved in presidential elections, nominating candidates through primaries and conventions. Partisan divisions often influence public perceptions of the President, with supporters of the ruling party generally offering more favourable views and critics from opposing parties being more critical.

Comparison:

- While the presidency is revered in both India and the United States, the level and nature of public perceptions and media scrutiny differ between the two countries.
- In India, the President's role is more ceremonial, and public attention may be less intense compared to the United States, where the President's actions have global ramifications and are closely monitored by the media and public.
- Political parties play a significant role in both countries, but the dynamics of party politics and their influence on the presidency vary due to differences in political systems, electoral processes, and party structures.

HISTORICAL CONTEXT:

India:

- **Constitutional Framework:** The presidency in India was established upon the adoption of the Indian Constitution in 1950. Modeled after the British parliamentary system, the President of India was designated as the ceremonial head of state with limited executive powers.
- **Early Years:** Dr. Rajendra Prasad became the first President of India in 1950. During the early years, the presidency largely adhered to its ceremonial role, with Presidents exercising limited discretion in the absence of a full-fledged Cabinet.

- **Emergency Period:** One of the significant moments in the history of the Indian presidency occurred during the Emergency period (1975-1977), declared by Prime Minister Indira Gandhi. President Fakhruddin Ali Ahmed's controversial decision to sign the proclamation of Emergency raised questions about the extent of presidential power and the role of the President as a check on executive authority.
- **Reforms and Evolution:** Over the years, there have been discussions about enhancing the role of the President, including proposals for a directly elected President and changes in the process of presidential elections. However, the basic structure of the presidency has remained largely unchanged.

United States:

- **Founding Fathers and Constitutional Conventions:** The presidency in the United States was established with the drafting of the U.S. Constitution in 1787. The Founding Fathers deliberated extensively on the role and powers of the executive branch during the Constitutional Convention.
- **George Washington and Early Presidents:** George Washington became the first President of the United States in 1789 and set important precedents for the office, including the two-term limit. Early Presidents such as Thomas Jefferson and Andrew Jackson shaped the presidency's role in governance and expansion of executive powers.
- **Civil War and Reconstruction:** The presidency faced significant challenges during the Civil War and Reconstruction era, with Presidents such as Abraham Lincoln and Andrew Johnson grappling with issues of national unity, slavery, and reconstruction of the South.
- **Progressive Era and Expansion of Executive Power:** The Progressive Era saw the expansion of executive powers with Presidents like Theodore Roosevelt and Woodrow Wilson championing progressive reforms and asserting the President's role in domestic and foreign affairs.
- **Modern Presidency:** The 20th and 21st centuries witnessed the consolidation of the modern presidency, with Presidents like Franklin D. Roosevelt, Lyndon B. Johnson, and Ronald Reagan shaping the office's role in addressing economic, social, and global challenges.

Comparison:

- While the Indian presidency evolved within the context of a parliamentary democracy, the American presidency developed within a federal system with a separation of powers.
- Both presidencies have faced challenges and reforms over time, but the nature and extent of institutional changes have differed due to variations in political systems, historical contexts, and constitutional frameworks.
- The American presidency has experienced greater expansion of executive powers and institutional changes compared to the Indian presidency, reflecting differences in political cultures and systems of governance.

LEADERSHIP STYLES:

India:

- Dr. Rajendra Prasad: As the first President of India, Dr. Prasad adopted a statesmanlike and ceremonial approach to the presidency. His leadership style emphasized consensus-building and upholding the unity and integrity of the nation during the formative years of the Indian Republic.
- Dr. S. Radhakrishnan: Dr. Radhakrishnan, who served as President from 1962 to 1967, was known for his intellectual and scholarly demeanor. He played a crucial role in promoting education and cultural exchange, reflecting his commitment to advancing India's soft power and intellectual heritage.
- Dr. APJ Abdul Kalam: Dr. Kalam, widely regarded as the "People's President," brought a dynamic and visionary leadership style to the presidency. He focused on inspiring youth, promoting scientific research, and advocating for national development through innovation and technology.
- Pratibha Patil and Pranab Mukherjee: Both Pratibha Patil and Pranab Mukherjee served as Presidents during the 21st century, with their leadership styles reflecting continuity and adherence to constitutional norms. They played a ceremonial role in upholding the dignity of the presidency and promoting national unity.

United States:

- George Washington: George Washington, the first President of the United States, set important precedents for presidential leadership. His leadership style emphasized integrity,

humility, and a commitment to democratic principles, laying the foundation for the office's authority and legitimacy.

- Abraham Lincoln: Lincoln's leadership during the Civil War showcased his visionary and transformative approach to governance. His eloquence, moral clarity, and steadfastness in preserving the Union and ending slavery left a lasting impact on the presidency and American society.
- Franklin D. Roosevelt: FDR's leadership during the Great Depression and World War II demonstrated his bold and innovative approach to governance. His "New Deal" policies aimed at economic recovery and social welfare reshaped the role of the federal government and expanded presidential authority.
- Ronald Reagan: Reagan's leadership style was characterized by his optimism, communication skills, and commitment to conservative principles. His presidency marked a shift towards deregulation, tax cuts, and a more assertive foreign policy, shaping the trajectory of American politics and ideology.

Comparison:

- While the Indian presidency is largely ceremonial and symbolic, the American presidency holds significant executive powers and a more active role in governance and policy-making.
- Past Indian Presidents have generally adopted a statesmanlike and consensus-building approach, focusing on upholding national unity and promoting cultural and intellectual heritage.
- In contrast, American Presidents have demonstrated a wide range of leadership styles, from transformative and visionary to pragmatic and ideologically driven, reflecting the diversity of political ideologies and historical contexts in the United States.
- The leadership styles of past presidents in both countries have had a profound impact on governance, policy-making, and national identity, shaping the trajectory of their respective nations.

GLOBAL INFLUENCE:

India:

- Soft Power and Diplomacy: Indian presidents have played a significant role in projecting India's soft power and cultural diplomacy on the global stage. Through state visits, cultural

exchanges, and participation in international forums, Indian presidents have sought to strengthen India's ties with other nations and promote a positive image of the country.

- **Regional Engagement:** Indian presidents have actively engaged with neighboring countries and regional blocs to promote peace, stability, and economic cooperation in South Asia. They have played a diplomatic role in mediating disputes and fostering regional integration through initiatives such as the South Asian Association for Regional Cooperation (SAARC).
- **Global Advocacy:** Indian presidents have advocated for issues of global importance, including climate change, sustainable development, and disarmament. They have represented India's interests and perspectives in international forums such as the United Nations General Assembly and have sought to contribute to global efforts towards peace and development.

United States:

- **Global Leadership:** The President of the United States is often regarded as the leader of the free world and wields considerable influence in shaping global affairs. American presidents have played key roles in addressing global challenges, promoting democracy, and advancing human rights and freedoms.
- **Foreign Policy Initiatives:** American presidents have pursued a range of foreign policy initiatives aimed at advancing American interests and values. These initiatives have included diplomatic engagement, economic partnerships, military alliances, and international aid programs.
- **Crisis Management:** American presidents have been called upon to respond to international crises and conflicts, ranging from humanitarian disasters to terrorist attacks. Their leadership in times of crisis has had significant implications for global security and stability.

Comparison:

- While both Indian and American presidents have engaged in global diplomacy and foreign policy initiatives, the nature and scope of their influence differ due to variations in geopolitical contexts, national interests, and resources.
- Indian presidents have focused on projecting India's soft power and regional leadership in South Asia, while American presidents have wielded global leadership and influence in addressing a wide range of global challenges.

- American presidents have traditionally played a more assertive and proactive role in shaping global affairs, reflecting the United States' status as a superpower and its extensive diplomatic, military, and economic capabilities.
- Indian presidents, while less globally influential than their American counterparts, have nonetheless played important roles in promoting India's interests, values, and contributions to international peace and development.

CHALLENGES AND CONTROVERSES:

India:

- **Constitutional Crisis:** Indian presidents have faced constitutional crises, such as during the Emergency declared by Prime Minister Indira Gandhi in 1975. President Fakhruddin Ali Ahmed's controversial decision to sign the proclamation of Emergency raised questions about the extent of presidential power and the role of the President as a check on executive authority.
- **Political Instability:** Indian presidents have grappled with periods of political instability, including coalition governments and hung parliaments. Presidents have been called upon to exercise their discretion in appointing Prime Ministers and deciding on matters of government formation and dissolution of the Lok Sabha.
- **Controversial Executive Actions:** Indian presidents have faced criticism for their decisions on matters such as the dissolution of state assemblies, imposition of President's Rule, and pardons or commutations of sentences. These actions have sometimes been seen as politically motivated or controversial, leading to debates about the extent of presidential discretion and accountability.

United States:

- **Impeachment and Scandals:** American presidents have faced impeachment proceedings and scandals, such as President Richard Nixon's involvement in the Watergate scandal and President Bill Clinton's impeachment over the Monica Lewinsky affair. These controversies raised questions about presidential integrity, accountability, and the limits of executive power.
- **Terrorist Attacks:** American presidents have grappled with responding to terrorist attacks, including the September 11, 2001 attacks on the World Trade Center and the Pentagon. President George W. Bush faced significant challenges in coordinating a response to the attacks, including military action in Afghanistan and the subsequent War on Terror.

- **Economic Crisis:** American presidents have confronted economic crises, such as the Great Recession of 2008, which required decisive action to stabilize financial markets and stimulate economic recovery. President Barack Obama implemented measures such as the American Recovery and Reinvestment Act to address the economic downturn and restore confidence in the economy.

Responses:

- In response to these challenges, controversies, and crises, presidents in both countries have employed various strategies, including:
- Engaging with stakeholders and seeking bipartisan cooperation.
- Communicating with the public to explain their actions and rally support.
- Implementing policy reforms and measures to address the underlying issues.
- Seeking advice from legal and constitutional experts to navigate complex legal and political situations.
- Adapting their leadership styles and priorities to effectively address emerging challenges and crises.

Comparison:

- While the specific challenges and controversies faced by presidents in India and the United States differ, the responses often involve similar principles of leadership, crisis management, and accountability.
- Presidents in both countries must navigate complex political landscapes, balance competing interests, and uphold democratic values and constitutional norms in addressing challenges and controversies.
- The effectiveness of presidential responses to crises and controversies can vary depending on factors such as political context, institutional constraints, public opinion, and the president's leadership abilities.

5. Conclusion

Though the Constitution of India vests in the President formidable powers, our system significantly differs from that of the U.S.A.:

Firstly, in U.S.A. the President is both head of the state as well as head of the Government, while in

India President is head of the State but not the head of the Government.

Secondly, in India reliance has been placed upon the theory of ‘fusion of powers’ whereas on the other hand the Presidential system in U.S.A. is based upon the doctrine of separation of powers.

Thirdly, it’s up to the choice of U.S. President whether to consult his cabinet or not, but it’s mandatory for the Indian President has to act on the aid and advice of the ‘Council of Ministers’.

Fourthly, the members specifically elected to choose the President elects the American President, whereas in India the persons initially elected as legislators of the national and state legislatures elects the President.

