

# **PLURAL EXECUTIVE SYSTEM**



# INTRODUCTION

- According to the a plural executive system of government limits the power of the executive, which could be a president or governor, by distributing power across several elected leaders. The other elected officials are not required to answer to the executive which protects the executive from abusing power.
- Historically, state governors were known for abusing their power when appointing friends to political positions or handing them out as favors they would call upon later. This is why many states switched to the plural executive form .
- A major drawback to this form is that it lacks cohesion, leading to political officials chasing after many different goals. The governor has much less power to lead the group in any unified government.
- To understand more about this system let us take two prominent examples that is the Switzerland and USSR.

# • SWITZERLAND'S FEDERAL EXECUTIVE SYSTEM

## • Organization of the executive

- The executive authority of the confederation is exercised by a commission of seven men known as Bundesrat or Federal council located at Berne. They are chosen by the federal assembly for a term of four years. One of the members of the federal council is annually elected by the assembly to serve as its chairman and is designated President of the confederation while another is chosen as Vice President.
- The federal councilors are always chosen from the members of the Assembly. When so chosen they must resign their seats in the legislature.
- Federal council is composed of four German speaking members , two from French speaking part , and one member from Ticino the Italian speaking canton.
- There have several times being proposals for direct election of the federal council by the people and there has twice being a referendum in the subject . But both were unsuccessful . According to Lowell this would intensify party rivalry extending its influence over the whole range of policies and produce a radical change in the character of public life .
- It will also give the Federal council a permanent, business like, non partisan character. The councilors be like they are representatives of various groups and failed to maintain a mediating attitude that has made their position unique among the governments of the world.

- Federal council not a partisan body
  - According to Bryce , “ the federal council stands outside the party is not chosen to do party work, does not determine the party policy , yet is not wholly without some party colour”. The Councillors are chosen neither from the parliamentary majority nor are they political leaders of different parties or groups. They are heterogeneous group of politicians belonging to four different parties who are chosen for their capacity as administrators.
  - It is administrative skill, mental grasp, good sense, tact and temper, the sum total of the virtuous qualities that recommend a candidate for selection.
  - According to Dicey two ideas underlie the institutions of Switzerland. The first is , the universal acceptance of the sovereignty of the people, and the second is, that politics is a matter of business with the Swiss people.
  - They are not independent or co-ordinate branch of government. They are a business body subordinate to Federal Assembly and cannot control the policy of the government.

## Long tenure of the Councillors

- Are virtually a permanent body, though chosen afresh every four years. The old members are always re-elected as long as they care to serve.
- The fact that councillors are irremovable from office further contribute to their lengthy tenure.
- The average period of service is more than 10 years, but persons like Signor Guiseppe, Dr. Philippe Etter had served for more than 10 years.
- Two important reasons for this lengthy tenure is that to the Swiss it seems as irrational for the state to lose a valuable administrator on account of a difference of opinion. Second, when a councillor dies or resigns , the range of candidates for the place is quite limited. Finally office itself does not carry a fabulous salary and other amenities.

- **Organisation of Federal Administration**
- The work of Federal Administration is divided into 7 departments such as Political ; Finance and Customs; Interior; Justice and Police ; Public Economy ; Posts and Railways; and Military affairs. Each councillor presides over a department and his tenure of office is pretty lengthy. The assignment is nominally made afresh every year.
- Even though there is a head for each department , yet the constitution ordains that “ decisions are taken by the Federal Council as a body”. The constitution also prescribes that “ in order to make deliberations valid at least four members of the Federal Council must be present”.
- There has been some criticism on the corporate responsibility of the Federal Council and it is said that members of four different parties can hardly hammer out a common policy.

- The President

- The President is one of the seven councillors and is chosen by the Federal Assembly for a term of one year. According to Constitution the retiring President cannot be elected either as President or as Vice- President for the following year and the same member cannot be Vice-President for two consecutive years.
- His precedence over his colleagues is just formal. He is not a chief executive nor the chief administrator. He has no more power than his colleagues . He is simply a Chairman presiding over the meetings of Federal Council.
- His powers are limited including emergency powers , general supervisory powers and the responsibility for the Federal Chancellery.
- They are also head of foreign office. As the President changes annually the Foreign department also circulates among the members of the Federal Council. Because of this there won't be a continuity of direction in the management of a branch of public business

- Functions of Federal Council
  - Are supreme executive and governing authority of the confederation.
  - responsibility is shared with other organs of Government.
  - functions and duties of the Federal Council:
    1. Conducts the affairs of the Confederation in accordance with federal laws and decrees.
    2. ensure due observance of constitution , the laws and decrees of the Confederation , and Federal treaties. Are empowered to take necessary action if the Canton Governments do not co-operate in the proper execution of Federal laws, decrees and international treaties .
    3. According to a constitutional provision the Cantons must have their Constitutions and alterations sanctioned by the Federal Assembly.
    4. They initiates major portion of the legislation to be enacted.



5. Right of interpellation: It is the duty of a member of the Federal Council to reply either immediately or at later session . After this the Deputy is given opportunity to declare he was satisfied or not with the reply. If the motion passes , the Council need not resign. Since 1946, the National Council has also made use of the “question hour”
6. Discretion in the administration of Federal laws: They issues rules and regulations which have the force of laws. They are subject to legislative referendum. It has been a custom at emergency period for the Federal Assembly  
It has been a custom at emergency period for the Federal Assembly to grant Federal Council the full power to issue any ordinance it sees fit for the protection of Switzerland's neutrality and economic stability.
7. Examines the laws and ordinances of the Cantons that are required to be submitted for its approval. It also supervises the branches of Cantonal administrations .
8. It looks into the execution of judgments of the Federal tribunals and of agreements and arbitration awards upon disputes between Cantons .
9. All Federal appointments , except those entrusted to the Federal Assembly, the federal tribunal or any other authority , are made by the Federal Council .

10. Examine the agreements of the Cantons among themselves and with the Foreign states and sanction them if they are in accordance with the constitution and the law otherwise the Federal Council appeal to the Federal Assembly for annulling the same. All official intercourse between the Foreign governments or their representatives takes place through agency of the Federal Council.
11. Conducts the foreign relations , safeguards the external interests of the Confederation , ensure the external safety of the country , the maintenance of her independence and her neutrality . It also negotiates treaties and ratifies them after the approval of the Federal Assembly . It is in charge of external affairs generally.
12. It looks after the internal security of the confederation and the maintenance of peace and order
13. In case OF Emergency , when the Federal Council is empowered to call out troops and employ them as it may think fit.
14. In charge of the military affairs of the confederation and of all branches of the federal administration.
15. Examines the law and decrees of the cantons which requires its approval and supervises such branches of cantonal administration as are placed under its control.

16. It administrates the Federal finances prepares a budget and submits accounts of Federal receipts and expenditure.
17. supervise the official conduct of all the officers and employees of the Federal administration
18. It gives an account of its work to the federal assembly in each ordinary session presents to it a report on the internal conditions in the country and the Foreign relations of the confederation , and recommends for its consideration such measures which it thinks useful for promoting the general welfare .
19. The federal council has some powers of a judicial nature .

- Executives Subordination to the Legislation
  1. They are not an independent or co-ordinate branch of government.
  2. The functions of the Federal Council are only supervisory.
  3. They have no initiative of its own, and when it exercises the prerogatives relating to foreign affairs , armed forces or public administration there must be either previous authority of the Federal Assembly for all its acts.
  4. The federal assembly could also claim back the powers it has given to Federal Council during emergency.
  5. The Council is also required to submit annual report to the Assembly .
  6. The Council may also be required to make special report when the Federal Assembly or one section thereof demands it . The councilors are not members of the federal assembly and yet they attend all plenary legislative sessions , answer questions, give explanations and join in debates.
  7. According to prof Dicey , puts it “ the council is expected to carry out an does carry out , the policy of the assembly , and ultimately the policy of the nation just as a good man of business , is expected to carry out its order of his employer”

## Plural Executive

1. Swiss Federal executive is neither Parliamentary nor Presidential. It is a collegial body of seven members who serve as country's supreme executive and governing authority.
2. According to Constitution in 1848, Federal Council is entrusted with the supreme directing and executive power in the Confederation
3. As a collegial executive , it was made to include the features of both parliamentary and presidential systems of government.
4. According to Bryce the Federal Council is not Cabinet like Britain and the countries which have initiated her Cabinet system . It is neither independent of the legislature , like the executive of the USA which have borrowed presidential system , it differs from both in having no distinctly partisan character
5. The Swiss Federal Council stands outside party , is not chosen to do party work , does not determine party policy , yet is not wholly without some party colour

## Advantages of plural executive

1. There is mutual confidence and co-operation between the legislature and the executive.
2. one single majority party in the legislature or a combination of two or more parties who agree to work out a common political programme .so that their wont be any opposition .
3. As all the interests and opinions are given their due share of influence in the conducts of the public affairs , it really means a democracy
4. They are non partisan bodies and their role is not only to advice and influence the Federal Assembly , but also to mediate when need arises .
5. Permanence and stability: They also enables provide administrative talent to be kept in the service of the nation, no matter what personal opinion they may hold on particular issues.
6. It secure a continuity in policy and permits traditions to be formed. There are no partisan commotions and flaring up of emotions.

# • EXECUTIVES IN THE USSR

- USSR is a one party totalitarian state , and all institutions are under the nomination of the communist party. They followed plural executive system

## **The Presidium**

**Collegiate Executive Responsibility to Supreme Soviet** : The Presidium , the Plural Presidency of the USSR under the 1936 constitution, is a peculiar institution not found in Western democracies adopting them

1. It is a collegiate executive consisting of 33 members elected at a joint session of the Soviet for a period of four years.
2. While the Supreme Soviet is dissolved , this body also dissolved.
3. They are responsible to the Supreme Court.

## **Executive , Legislature and Judicial Functions:**

1. enjoys not only executive powers but also legislative and judicial powers
2. It goes against the theory of separation of powers
3. The powers of Presidium includes:
  - a. It summons the Supreme Soviet twice every year, and when there is discord between the Soviet of the Union and the Soviet of Nationalities , it dissolves the Supreme Soviet and orders for fresh elections
  - b. Issue decrees, which are as effective as laws
  - c. Interprets laws

- d. It can cancel with decisions and orders of the Council of the Ministers and of the Union Republics
- e. It can release and appoint ministers during the intervals between sessions of the Supreme Soviet.
- f. It can proclaim a state of war , when the Supreme Soviet is not in session.
- g. It can appoints and dismisses the high officials of the armed forces.
- h. It deals with foreign affairs
- i. It grants pardons.

**Chairman of Presidium:** The Chairman of the Presidium as the titular head of the Soviet Union has ceremonial significance only.

## **The Council of Ministers**

**Created by presidium of Central Committee of Communist Party :**The council of ministers , which is the highest executive and administrative organ and actual seat of great authority is created by the presidium of the Central Committee of the Communist Party.

It consist of the Chairman , the Vice-Chairman , the Chairman of the state Planning Commission ,the Chairman of the commission of Soviet Control ,the Chairman of the Committee of agricultural stocks , the Chairman of the Committee of Arts , the Chairman of Committee of higher education and ministers



- The Chairman of the Council of ministers is often called as Premier. This post was occupied by Joseph Stalin , George Malenkov , Nikolai Bulganin , Nikita Khrushchev , Alexi Kosygin and Mikhail Gorbachev.

**Responsible to Communist Party rather than Legislature :** The soviet Council of Ministers is responsible to the Communist Party rather than to the legislature

The ministers are chosen at a joint session of the Soviet of the union and the Soviet of Nationalities. But actually , this session does nothing more than approving the choice of ministers already made by the Presidium of the Communist Party.

**Powers and Functions:** the powers includes

1. Coordination and directing work of all the Union and Union Republic Ministers and of other institutions;
2. Taking measures to execute the national economic plan , and strengthening the credit and monetary system.
3. Taking steps for the maintenance of public order
4. Exercising supervision over foreign relations and so on

- Owing to large size of the Council of Ministers ,decisions are taken by an inner cabinet .

**Not like British Cabinet :** The Council of Ministers looks like cabinet in a parliamentary system as in theory it is responsible to the Supreme Soviet , and to the Presidium , when the Supreme Soviet is not in session.

It also seems that the Supreme Soviet can dismiss a particular minister or the whole Council of ministers but it should be noted that non of the ministers are drawn from the Presidium. But they could participate in its deliberations and answer questions put forth by the members of the presidium.

Council of Ministers are really under the control of the highest organs of the communist party and only apparently under the control of Presidium

- The important facts to be remembered :
  1. The council is not like Cabinet of Britain , and it is not in the real sense collectively responsible to the legislature.
  2. Though the Chairman of the Council of Ministers is referred to as Prime Minister , he is not like the Prime Minister of India or Britain .in a parliamentary system the Prime Minister selects the other ministers but here the ministers are technically elected by the Supreme Soviet.
  3. The Council of ministers enjoy the power of dissolving the legislature.
  4. The top leaders of Communist party find a place in Council of Ministers. Generally the highest party office is combined with the chairmanship of the Council of Ministers.

it is important to note that the USSR is a one party state in which there is no scope for any opposition . In 1989-90 Mikhail Gorbachev took steps to give liberty of Russians and free them from totalitarian control.