



# DEMOCRACY IN THE CONTEMPORARY WORLD



SL-01(C)

## TWO TALES OF DEMOCRACY

### (a) Establishment of Democracy in Chile:

Salvador Allende was the elected President of Chile. The government was pro-poor and pro-worker which did not find favour with rich and powerful sections. On March 11, 1976, military under General Pinochet marched into the Presidential palace bombarded it, Allende was killed. Government Pinochet ruled the country for next 17 years. Pinochet's government tortured and killed several of those who supported Allende and those who wanted democracy to be restored. He organized referendum in 1988 in which the people were asked to express their confidence in Pinochet. People rejected Pinochet, political freedom was restored. Since then four presidential elections have been held in Chile. In January 2006, Michelle Bachelet was elected president of Chile. Democracy has come back to Chile and has established itself there.

### (b) Establishment of Democracy in Poland:

The Polish United Workers Party, a communist party ruled over Poland with a strong support of the government of USSR. On August 14, 1980, the workers of Lenin Shipyard in the city of Gdansk went on a strike. Walesa assumed the leadership of striking workers. Government was forced to enter into an agreement with the workers which came to be known as the Gdansk agreement. The agreement provided freedom to organize protest and express opinions. An independent trade union Solidarity was formed. It grew in strength. In December 1981, Under General Jaruzelski, Martial law was imposed. All the rights granted in Gdansk agreement was withdrawn. Solidarity organized a series of strikes in opposition to the government actions. Another agreement was signed in April 1989, which provided for free presidential elections. Walesa was elected president of Poland in October 1990. Thus democracy came to be restored in Poland.

### (c) Characteristic of Various Governments under Various Leaders:

Chile under Allende:	Rulers elected by the people More than one party exist People enjoyed basic political freedom
Chile under Pinochet:	Criticism of the government not allowed Military dictatorship, missing people Ruler not elected by the people
Chile under Bachelet:	The president was once a political prisoner Ruler elected by the people
Poland under Jaruzelski:	Criticism of the government not allowed Widespread corruption Government owned all industries
Poland under Walesa:	More than one parties exist Ruler elected by the people

### Common features and differences between the government of Allende in Chile, Walesa in Poland and Michelle in Chile

Common features: These three governments shared some common features. Power was enjoyed by the people and not by the army.

The people enjoyed some basic political freedoms.

Differences: Differed in their approach towards social and economic matters.

- (i) Allende preferred government control on all big industries and the economy.
- (ii) Walesa wanted the market to be free of government interference.
- (iii) Michelle stands somewhere in the middle on this issue, with both the government and individuals owning the industries.

## **DEMOCRACY**

Democracy is a form of government that allows people to choose their rulers. in a democracy:

- (i) Only leasers elected by people should rule the country, and
- (ii) People have the freedom to express views, freedom to organize and freedom to protest.

## **PHASES IN THE EXPANSION OF DEMOCRACY**

### **(a) The Beginning:**

- (i) French Revolution of 1789 did not establish a secure and stable democracy in France. Throughout the nineteenth century, democracy in France was overthrown and restored several times. Yet the French Revolution inspired many struggles for democracy all over Europe.
- (ii) In Britain, the progress towards democracy started much before the French Revolution. But the progress was very slow. through the eighteenth and the nineteenth centuries, series of political events reduced the monarchy and feudal lords. the right to vote was granted to more and more people.
- (iii) The British colonies North America declared themselves independent in 1776. in the next few years these colonies came together to form the United States of America. they adopted a democratic constitution in 1787.
- (iv) In the nineteenth century struggles for democracy often centered round political equality, freedom and justice. One major demand was the right for every adult citizen to vote. Many European countries that were becoming more democratic did not initially allow all people to vote. In some countries only people owning property had the right to vote. Often women did not have the right to vote. in the United States of America, the blacks all over the country could not exercise the right to vote until 1965.
- (v) By 1900 New Zealand was the only country where every adult had voting right. Early democracies were established in Europe, North America and Latin America.

### **(b) End of Colonialism:**

for a very long time most countries in Asia and Africa were colonies under the control of the European nations. People of the colonized countries had to wage struggles to achieve independence. They not only wanted to get rid of their colonial masters, but also wished to choose their future leaders. Many of these countries become democracies immediately after the end of the Second World War in 1945.

### **Course of Democracy in Ghana in Africa:**

Ghana used to be a British colony. It was called Gold Coast. it got independent in 1957. Kwame Nkrumah, the son of a goldsmith and a teacher by profession, played an active role in making Ghana independent. He was Ghana's President from 1957-1966. He was known internally for his attempts to promote the concept of Pan-Africanism. Nkrumah also played an important role in OAU (Organisation of African Unity). He deviated from the path of democracy by electing himself president for life. His major flaw was a desire for absolute power. Due to the unpopular measures taken by him, a coup occurred in 1966. Ghana came under military rule and ceased to be a democracy.

### **(c) Recent Phase:**

**"The big push towards democracy came after 1980".**

The period after 1980 witnessed to fast emergence of democracies in different parts of the world.



- (i) Democracy was revived in several countries of Latin America.
- (ii) Soviet Union disintegrated in 1991. As a result: Soviet influence over the former east European countries vanished; they changed themselves into democracies.  
The former 15 Republics of the USSR got independent and opted for democracy.
- (iii) In India's neighborhood, countries like Pakistan, Bangladesh and Nepal made a transition to democracy. Besides the aspirations of the local people in all these countries, a major reason for expansion of democracy was the open support extended by the USA to such demands.

**Struggle of the people of Myanmar to establish a democratic government:**

- (i) Myanmar gained freedom from colonial rule in 1948 and became a democracy. But the democratic rule ended in 1962 with a military coup.
- (ii) In 1990 elections were held for the first time after almost 30 years. the National League for Democracy, led by Aung San Suu Kyi, won the election.
- (iii) The military leaders of Myanmar refused to step down and did not recognize the election results. Instead, the military put the elected pro-democracy leaders, including Suu Kti, under house arrest. Political activists accused of even the most trivial offences been jailed.
- (iv) anyone caught publicly airing views or issuing statements critical of the regime can be sentenced up to twenty years in prison.
- (v) Due to the coercive policies of the military-ruled government in Myanmar, about 6 to 10 lakh people in that country have been uprooted from their homes and have taken shelter elsewhere.
- (vi) Despite being under house arrest, Suu Kyi continued to campaign for democracy. her struggle has won international recognition. She has also been awarded the Noble Peace prize. Yet the people in Myanmar are still struggling to establish democratic government in their country.

**DEMOCRACY AT THE GLOBAL LEVEL**

**United Nations:**

The UN is a global association of nations of the world to help cooperation in international law, security, economic development and social equity. The UN Secretary General is its chief administrative officer. General Assembly: 193 countries form the membership of General Assembly, also know as world parliament, every member country sends five representatives but is allowed only one vote. Its headquarters are located in New York.

Security Council: Most important organ of UN. Has 15 members-Five permanent (Britain, Russia, China, America and France) and 10 non-permanent members elected for years each. Permanent members enjoy Veto power. Security Council can impose trade sanctions on the warring countries and can take military action against them.

Economic and Social Council: Economic and Social Council consists of 54 members and they are elected by the General Assembly for a period of three years. this council is mainly responsible for solving economic and social problems of the world.

Trusteeship Council: Trusteeship Council is responsible for supervising the administration of trust territories. The Trusteeship Council consists of an equal number of administrating and non-administrating powers.

International Court of Justice: It consists of fifteen judges who are elected by the General Assembly on the recommendations of the Security Council for Nine years. International Court of Justice decides the cases between the states.

Secretariat: Secretariat comprises a Secretary General and such staff as the organization may require.

Secretary General is the chief Administrative Officer of the Secretariat.

**Is the UNO a democratic organization?**

Every one of the 192 member countries of the UN has one vote in the UN General Assembly. It meets in regular yearly sessions under a president elected from among the representatives of the member countries. General Assembly is like the parliament where all the discussion takes place. in that sense the UN world appear to be a very democratic organisation.

But the General Assembly cannot take any decision about what action should be taken in a conflict between different countries. The fifteen-member Security Council of the UN takes such crucial decisions. The Council has five permanent members-US, Russia, UK, France and China. Ten other members are elected by the General Assembly for two-year terms. The real power is with five permanent members. The permanent members, especially the US, contribute most of the money needed for the maintenance of the UN. Each permanent member has veto power. It means that the Council cannot take a decision if any permanent member says no to that decision. This system has led more and more people and countries to protest and demand that the UN becomes more democratic.

### **Is the international Monetary Fund a democratic organization?**

No, IMF is not working democratically.

- (i) International Monetary Fund is one of the biggest moneylenders for any country in the world.
- (ii) Its 173 member states do not have equal voting rights.
- (iii) The vote of each country is weighed by how much money it has contributed to the IMF.
- (iv) Nearly half of the voting power in the IMF is in the hands of only seven countries (US, Japan, France, UK, Saudi Arabia, China and Russia).
- (v) The remaining 166 countries have very little say in how this international organization takes decisions.

### **Democracy Promotion:**

#### **Story of Iraq:**

Iraq became independent from British Rule in 1932. Since 1968, it was ruled by Arab Socialist Ba'ath Party. In 1979, Saddam Hussein became the President of Iraq. After becoming the president, Saddam ran a dictatorial government and suppressed any dissent or opposition to his rule. He was known to have got a number of political opponents killed and persons of ethnic minorities massacred.

The US and its allies like Britain alleged that Iraq possessed secret nuclear weapons and other 'weapons of mass destruction' which posed a big threat to the world. But when a UN team went to Iraq to search for such weapons, it did not find any. Still the US and its allies invaded Iraq, occupied it and removed Saddam Hussein from power in 2003. The US installed an interim government of its preference. The war against Iraq was not authorized by the UN Security Council. Kofi Annan, the UN Secretary General, said that the US war on Iraq was illegal. After the war, it is being argued that it was important to end the dictatorial rule of Hussein and set up a democratic government in that country.

### **DIFFICULT TIES PEOPLE FACE IN A NON-DEMOCRATIC COUNTRY**

- (i) **Non-responsible Government:** Non-democratic Governments are not answerable to the people or any other institution. It can do as it wishes and no one can question it. Pinochet's government in Chile tortured and killed several citizens who wanted democracy to be restored. More than 3000 people were killed by the military.
- (ii) **Non-Sovereign:** Most of the non-democratic governments are non-sovereign. The Government of Pinochet, who became the President of Chile through military coup, was totally dependent on USA for its foreign policy.
- (iii) **No political party or single party:** Another major problem for the people of non-democratic countries is that they have little choice. In Poland only Polish United Workers' Party was allowed to function. Those who spoke against the leaders or the party were put in prison.
- (iv) **No-Freedom Rights:** People of non-democratic government don't enjoy basic freedoms like freedom of speech, freedom to move freely, freedom to form unions or associations etc. When in Poland Solidarity started exposing widespread corruption in the government, thousands of Solidarity members were put in prison.

## Freedom which are usually taken away when a democracy is overthrown by the military-

- (i) Freedom to move freely
- (ii) Freedom of speech and expression
- (iii) Freedom to assemble peacefully  
Freedom to form unions and associations
- (iv) Freedom of religion
- (vi) Freedom of equality before law.

## EXERCISE

### OBJECTIVE DPP - 1.1

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1. Who was the President of Chile, when the government was overthrown on 11 September, 1973?  
(A) Salvador Allende (B) Michelle Bachelet  
(C) General August Pinochet (D) Lech Walesa
2. Military Coup took place in Chile on  
(A) 11 September 1975 (B) 21 September 1976  
(C) 11 September 1973 (D) 11 September 1974
3. In which year referendum was held in Poland on Pinochet's military dictatorship?  
(A) 1995 (B) 1988 (C) 1992 (D) 1982
4. Which of the following was the feature of Allende government of Chile?  
(A) Widespread Corruption (B) Free Market  
(C) Government control on big industries (D) Foreign intervention in domestic affairs
5. Which of the following is a feature of democracy?  
(A) Franchise based on property qualification (B) Franchise based on education qualification  
(C) Landlords are the voters (D) Universal Adult Franchise
6. In America universal adult Franchise was introduced in :  
(A) 1789 (B) 1950 (C) 1935 (D) 1965
7. United Nations was established on:  
(A) 24<sup>th</sup> October 1945 (B) 20<sup>th</sup> October 1946 (C) 20<sup>th</sup> October 1947 (D) 1st January 1950
8. Organs of the United Nation are:  
(A) Four (B) Five (C) Six (D) Three
9. Which of the following country is not a permanent member of the Security Council?  
(A) India (B) America (C) England (D) Russia
10. When was Saddam Hussain removed from power in Iraq?  
(A) 2000 (B) 2003 (C) 1998 (D) 2005

### SUBJECTIVE DPP - 1.2

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#### Very short answer type question:

1. What do you mean by 'democracy'?
2. Mention any two indicators which showed that after military coup of 11 March, 1973, Chile become a non-democratic country.
3. Who was Lech Walesa? How he was related to Solidarity?
4. Explain universal adult franchise.
5. Name three events which contributed to the establishment of democracy in the world.
6. "The army rule in Myanmar is undemocratic". Justify by giving four examples

7. What is veto power? DO you think it promotes world democracy /
8. What is United Nations?
9. Prove that the international organizations are becoming less democratic.
10. Which freedom is usually taken away when a democracy is overthrown by the military /

**Short answer type question:**

11. Describe in brief the military coup and subsequent restoration of democracy in Chile.
12. Describe in brief the pro-democracy movement in Poland.
13. How were the three democratically elected governments of Allende in Chile, Walesa in Poland and Michelle in Chile different?
14. Explain the different phases of the spread of democracy in the world.
15. Explain the struggle of the people of Myanmar to establish a democratic government.

**Long answer type question:**

16. Should there be a world government? If yes, who should elect it? And, what powers should it have?
17. Write a short essay on the life of Aung San Suu Kyi.
18. What is the structure of UN? Why is there demand for UN to become more democratic?
19. Discuss briefly whether international organizations function in a democratic manner.
20. What are the difficulties, people face in a non-democratic country? Give answers drawing from the examples gives in this chapter.

**ANSWER KEY**

(Objective DPP 1.1)

Que.	1	2	3	4	5	6	7	8	9	10
Ans	A	C	B	C	D	D	A	C	A	B



# WHAT IS DEMOCRACY? WHY DEMOCRACY ?



SL -O2(C)

## WHAT IS DEMOCRACY ?

The word 'Democracy' has been derived from a Greek word 'Demokratia'. 'Demos' means people and 'Kratia' means rule. So, democracy is the rule by the people.

### (a) Common Features of Democratic government and Non-democratic government:

#### Democratic Government

- (i) Government formed by people's representatives.
- (ii) Representatives elected in a free and fair election.
- (iii) Different decisions of the government are taken in an open manner; debate in media, invitation to experts' opinion, representations by the common man form a part of decision making process.
- (iv) Citizens have a right to oppose and citizen any government action and policy.
- (v) Citizens have a right to protest, as long as the mode of protest is within the boundaries of law.

#### Non-democratic Government:

- (i) Rule by force, by a person or by a group of persons.
- (ii) No opposition is permitted
- (iii) No criticism of government views or of rulers is tolerated.
- (iv) Decisions are taken in an arbitrary manner, without reference to any rules or laws.
- (v) Citizens have no rights.
- (vi) Citizens cannot resort to any method of protest.

## FEATURES OF MOCRAO

### (a) Major decisions by elected leaders:

A democratic government is one in which the people's representatives participate in decision making process. They own a collective responsibility for all the decisions taken by the government. There are example where representatives of people are chosen; but they are not allowed to participate in decision making process. This happens in many dictatorships and monarchies, e.g., currently in Pakistan under General Musharraf. in Pakistan, General Parvej Musharraf acquired power in October 1999 through an military coup. in Pakistan though they formally have an elected parliament and government but the real power is with those who are not elected. not withstanding the existence of elected national and provincial assemblies, these countries can not be classified as a democratic country. This gives us the first feature. in a democracy the final decision making power must rest with those elected by the people.

### (b) A Democracy must be based on a free and fair election :

"In China, elections are regularly held after 5 years for electing the country's parliament, but still it cannot be called democratic country".



- (i) In China, elections are regularly held after five years for electing the Country's parliament, called Quanguo Renmin Daibiao Dahui (National People's Congress).
- (ii) The National People's Congress has the power to appoint the President of the country.
- (iii) It has nearly 3000 members elected from all over China. Some members are elected by the army.
- (iv) Before contesting elections, a candidate needs the approval of the Chinese Communist Party.
- (v) Only those who are members of the Chinese Communist Party or eight smaller parties allied to it were allowed to contest election held in 2002-03.
- (vi) The government is always formed by the Communist Party.
- (vii) If China had multi party elections, an opposition party and an independent press then so many people may not have died during the famine of 1958-1961.

**“Since its independence in 1930, Mexico holds elections after every six years to elect its president. The country has never been under military or dictator's rule. But still it cannot be called democratic country.”**

Free and fair election is the basic feature of democracy but in Mexico this is not so:

In Mexico until 2000, every election was won by party called PRI (Institutional Revolutionary Party). Opposition parties did contest elections, but never managed to win. The PRI was known to use many dirty tricks to win elections. All those who were employed in government offices had to attend its party meetings. Teachers of government schools used to force parents to vote for the PRI. Media largely ignored the activities of opposition political parties except to criticize them. Sometimes the polling booths were shifted from one place to another in the last minute, which made it difficult for people to cast their votes. The PRI spent a large sum of money in the campaign for its candidates.

Here we have the second feature of Democracy. Holding elections of any kind is not sufficient. The elections must offer a real choice between political alternatives. and it should be possible for people to use this choice to remove the existing rulers, if they wish so. So, a democracy must be based on a free and fair election where those currently in power have a fair chance of losing.

**(c) One person, one vote, one value:**

A true democracy grants its citizens what is called 'universal adult franchise'. it means all the adults have a right to vote without any discrimination based on sex, color, race, caste or class. Each person can cast one vote; all votes are counted; the person who gets the maximum number of votes gets elected in many countries, this is not how the system works. There are many instances of denial of equal right to vote:

- (i) In Saudi Arabia women do not have the right to vote.
- (ii) Estonia has made its citizenship rules in such a way that people belonging to Russian minority find it difficult to get the right to vote.
- (iii) In Fiji, the electoral system is such that the vote of an indigenous Fiji has more value than that of an Indian-Fijian.

That given us the third feature of democracy: in a democracy, each adult citizen must have one vote and each vote must have one value.

**(d) Rule of Law and respect for rights:**

- (i) In Zimbabwe elections are held regularly but are won by only one party i.e. Zanu-PF. the party uses unfair practices in elections which are against the principles of democracy.
- (ii) Over the years President Mugabe has changed the constitution several times to increase the powers of the president and make him less accountable.
- (iii) In a democracy people and opposition can criticize the government but this is not allowed in Zimbabwe.
- (iv) The government has ignored some court judgments which is also against the principles of democracy.
- (v) Television, radio and press are controlled by the government.

The example of Zimbabwe shows that popular approval of the rulers is necessary in a democracy, but it is not sufficient. Popular government can be undemocratic. Popular leaders can be autocratic. In a democracy, the state should respect some basic rights of the citizen. They should be free to think, to have opinions, to express these in public, to form associations, to protest and take other political actions.

Everyone should be equal in the eyes of law. These rights must be protected by an independent judiciary whose orders are obeyed by everyone. A democratic government cannot do whatever it likes, simply because it has won an election. It has to respect some basic rules. In particular it has to respect some guarantees to the minorities. Every major decision has to go through a series of consultations. The fourth and final feature of democracy: **A democracy government rules within limits set by constitutional law and citizens rights.**

**(e) Summary Definition:**

Democracy is a form of government in which:

- (i) Rulers elected by the people take all the major decisions;
- (ii) Elections offer a choice and fair opportunity to the people to change the current rulers;
- (iii) This choice and opportunity is available to all the people on an equal basis; and
- (iv) The exercise of this choice leads to a government limited by basic rules of the constitution and citizens rights.

**WHY DEMOCRACY?**

**(a) Arguments in support of democracy:**

- (i) A democratic government is a better government because it is a more accountable form of government.
- (ii) Democracy provides a method the quality of decision-making
- (iii) Democracy provides a method to deal with differences and conflicts.
- (iv) Democracy enhances the dignity of citizens.
- (v) Democracy is better than other forms of government because it allows us to correct its own mistakes
- (vi) Democracy is considered the best form of government.

**(b) Arguments against the democracy:**

- (i) Leaders keep changing in a democracy. This leads to instability.
- (ii) Democracy is all about political competition and power play. There is no scope for morality.
- (iii) So many people have to be consulted in a democracy that it leads to delays.
- (iv) Elected leaders do not know the best interest of the people. It leads to bad decisions.
- (v) Democracy leads to corruption for it is based on electoral competition.
- (vi) Ordinary people do not know what is good for them; they should not decide anything.

**BROADER MEANINGS OF DEMOCRACY?**

**(a) Representative Democracy, its importance:**

A representative democracy is one in which people elect their representative to legislatures. These representatives in turn form the government and govern. In this type of democracy, a majority is allowed to take decisions on behalf of all the people.

Representative democracy becomes necessary because of the following reasons:

- (i) Modern Democracies involve such a large number of people that it is physically impossible for them to sit together and take a collective decision.
- (ii) Even if they could, the citizen does not have the time, the desire or the skills to take part in all the decisions.

**(b) Nominal democracy and ideal democracy:**

A nominal democracy, as we normally use the term, refers to a system of governance which is run by the people's elected representatives.

An ideal democracy is a broader concept. An ideal democracy is a system in which every citizen must be able to play equal role in decision making. For this one does not need just equal right to vote.

Every citizen needs to have equal information, basic education, equal resources and a lot of commitment. There may not be any country in the world which passes this test of democracy. Yet an understanding of democracy as an ideal reminds us of why we value democracy.

### **ROLL THE CITIZENSHIP PLAYING A DEMOCRACY?**

Citizens must learn to tolerate differences and views of all others who disagree with them. That is, the citizens must accept the principle of mutual tolerance and dissent. Citizens must act with a sense of discipline and responsibility. They have a right to express their dissent. They must express their grievance through channels provided by the democratic system. Citizens must participate and seek to influence the public opinion. This can happen only when they are well-informed on civic matters. Citizens must exercise their right to vote. This provides a direction to the whole democratic process.

### **DEMOCRACY A GOVERNMENT BY DISCUSSION AND PERSUASION**

It is a government by discussion because of the following reasons:

- (i) Policy matters are decided after through discussion; in absence of consensus, the majority view prevails.
- (ii) Majority view is respected and given due consideration during discussion.
- (iii) Majority view is heard and not shut down by force.

#### **It is a government by persuasion because:**

- (i) The opposition is encouraged to participate in debates about government policies and programmes
- (ii) During the discussion opponents are persuaded to accept the government viewpoint
- (iii) At times the government itself may see merit in what the opposition has to say and accept it.

## **EXERCISE**

### **OBJECTIVE DPP – 2.1**

1. Which of the following countries could be termed as democracy ?  
 (A) Chile, before and after Pinochet's rule  
 (B) Poland, during the communist rule  
 (C) Ghana, during the period of Nkrumah's government  
 (D) Pakistan under General Parvez Musharraf
2. Democracy comes from a ----- word 'Demokratic'.  
 (A) French (B) Russian (C) German (D) Greek
3. Democracy is a form of government in which the rulers-  
 (A) Are hereditary (B) Are chosen after a battle  
 (C) Are elected by the people (D) Are not present
4. In a ----- form of government, the rules are not elected by the people.  
 (A) Presidential (B) Parliamentary (C) Monarchy (D) None of these
5. ----- is a device that ensures we shall be government no better than we deserve.  
 (A) Mechanical Saw (B) Democracy (C) Guillotine (D) Axe
6. In Pakistan, General Parvez Musharraf acquired power in October 1999 through an -  
 (A) Referendum (B) Election (C) Military coup (D) Public opinion
7. A democracy must be based on a free and fair election where those currently in power :  
 (A) Are going to continue (B) Will always remain in power  
 (C) Are never going to be elected again (D) Have a fair chance of losing
8. In a democracy, each adult citizen must have ----- and each vote must have -----  
 (A) One vote, one value (B) Two vote, equal value  
 (C) Three vote, on value (D) None of these

9. Over the years President Mugabe in Zimbabwe has changed the ----- several times to increase the powers of the president and make him less accountable.  
(A) Prime Minister (B) Government (C) Constitution (D) Political Boundary
10. A democratic government rules within limits set by ----- law and citizen's rights.  
(A) Presidents (B) Dictators (C) Constitutional (D) Peoples
11. critics argue that, Democracy is all about political competition and power play. there is no scope for -----.  
(A) People's welfare (B) individual gains (C) independent candidates (D) Morality
12. If China had -----, then so many people may not have died during the famine of 1958-1961.  
(A) Multi party elections (B) An opposition party  
(C) An independent press (D) All of the above
13. In any society people are bound to have differences of opinions and interests. these differences are particularly sharp in a country like ours which has an -----.  
(A) Democratically elected government (B) Amazing social diversity  
(C) Enormous population (D) Amazing land features.
14. Democracy is better than other forms of government because it allows us to :  
(A) Do whatever we want (B) Spoil our cultural heritage  
(C) Correct our own mistakes (D) Earn enormous money
15. "True democracy will come to our country only when no one goes ----- to bed.  
(A) Ever (B) Early (C) Hungry (D) None of these

## SUBJECTIVE DPP - 2.2

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### Very short answer type question:

1. Which state in India has a shape similar to Chile? In which continent is Chile situated?
2. Mention any two indicators which showed that after military coup of 11 September, 1976, Chile became a non-democratic country.
3. Why did the Lenin Shipyard workers in Gdansk go on strike?
4. What reasons would you give to say that Solidarity was very popular in 1990?
5. Name any four countries where universal adult franchise was granted after 1950.
6. Mention three events which contributed to the establishment of democracy in the world.
7. Why is it necessary for people to discuss politics without fear?
8. Who acquired power in Pakistan after the Military coup in October 1999?
9. What do you mean by a nominal democracy?
10. What is veto power? Do you think it promotes world democracy?

### Short answer type question:

11. "in Pakistan people elect their representatives to the national and provincial assemblies but still it cannot be called a democratic country." Give reasons.
12. "Since its independence in 1930, Mexico holds elections after every six years to elect its president. the country has never been under a military or dictator's rule. But still it cannot be called democratic country". Give reasons.
13. Explain the major features of democracy.
14. 'Democracy improves the quality of decision making'. Explain

15. 'Democracy provides a method to deal with differences and conflicts. Explain
16. 'Democracy is better than other forms of government because it allows us to correct its own mistakes' Explain
17. 'Democracy enhances the dignity of citizen's. Explain

**Long answer type question:**

18. Why Zimbabwe cannot called a democratic country? Give reasons.
19. Explain the major features of 'Democracy.
20. Can we China a democratic country?
21. 'Democracy provides a method to deal with differences and conflicts '.Explain.
22. Explain the major arguments against democracy.
23. Why do we prefer 'Democracy than any other form of the government?
24. Explain the major features of 'Democratic government.
25. What role do the citizens play in a 'democracy?
26. Why 'Democracy is called a government by discussion and persuasion?
27. Distinguish between a nominal 'democracy and an ideal 'democracy.

## ANSWER KEY

(Objective DPP 2.1)

Que.	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Ans	A	D	C	C	B	C	D	A	C	C	D	D	B	C	C



# CONSTITUTIONAL DESIGN



SL - 03 (C)

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## DEMOCRATIC CONSTITUTION IN SOUTH AFRICA

### **(a) Struggle against Apartheid :**

Apartheid referred to the policy of discrimination on the basis of race as practiced by the government of South Africa. The main features of this policy were as follows:

All people were classified and separated on the basis of race.

Each group had to live in a separate area.

There were separate schools and universities, separate shopping centers, separate coaches in trains. Marriage between persons belonging to two races was a criminal offence. There were restriction on movement from one place to another. Non-whites had no votes. They had no say in the governance of the country. In short, the policy of apartheid human denied human rights and rendered the government of South Africa as among the most oppressive regimes in the world in the 20<sup>th</sup> century.

### **(b) The end of the Policy of Apartheid:**

In 1910 the African National Congress was formed which aimed at establishing a non-racial democratic South Africa. The movement was intensified in the 1950s. In 1960s, the African National Congress was banned. The African National Congress organized its own army to fight against the racial regime. The UN condemned the policy of South Africa. In the 1980s some western countries imposed sanctions against South Africa. By the end of the 1980s the international isolation of the government of South Africa was complete. With it began the process of ending the apartheid. The ban on the African National Congress was lifted and its leaders released. Negotiations began between the African National Congress and South Africa government for framing a new constitution which would give all South Africans the right to vote. In April 1994, elections were held in South Africa as per the new provisions. The African National Congress won with a thumping majority and formed a non-racial democratic government. Finally, at the midnight of 26 April 1994, the new national flag of the Republic of South Africa was unfurled making the newly born democracy in the world.

### **(c) Towards a new Constitution:**

The party that had ruled through oppression and brutal killings and the party that led the freedom struggle sat together to draw up a common constitution. One of the finest constitutions the world has ever had. It gave to its citizens the most extensive rights available in any country. The Constitution makes it clear that in the search for a solution to the problems, nobody should be excluded, no one should be treated as a demon, everybody should become part of the solution, whatever they might have done or represented in the past. The South African constitution inspires democrats all over the world. A state denounced by the entire world till recently as the most undemocratic one is now seen as a model of democracy.

### **(d) Nelson Mandela- Gandhi of South Africa:**

Nelson Mandela was one of the most able, efficient and far-sighted leaders of the African national Congress. It was under his leadership that the struggle against apartheid reached its climax. Due to participation in the movement against apartheid he was sentenced to life imprisonment in 1964. He spent the next 28 years in prison. In the 90s due to activities of the African National Congress and the support it got from other countries of the world, South African regime was completely isolated from the world. In order to create a favorable atmosphere Nelson Mandela was released in 1990. In 1994 the first democratic elections were held and Nelson Mandela was elected the President of South Africa.

## **WHY DO WE NEED A CONSTITUTION ?**

A Constitution of a country is a set of written rules that are accepted by all people living together in a country. Constitution is the supreme law that determines the relationship among people living in a territory (called citizens) and also the relationship between the people and government. a constitution does many things :

- (i) First, it generates a degree of trust and coordination that is necessary for different kind of people to live together;
- (ii) Second, it specifies how the government will be constituted, who will have power to take which decisions;
- (iii) Third, it lays down limits on the powers of the government and tells us what the rights of the citizens are;
- (iv) Fourth, it expresses the aspirations of the people about creating a good society.

All countries that have constitutions are not necessarily democratic. But all countries that are democratic will have constitutions. After the War of independence against Great Britain, the Americans gave themselves a constitution. after the Revolution, the French people approved a democratic constitution. Since then it has become a practice in all democracies to have a written constitution.

## **MAKING OF INDIAN CONSTITUTION**

The making of the constitution for a huge and diverse country like India was not an easy affair.

- (i) The people of India were emerging from the status of subjects to that of citizens.
- (ii) The country was born through a partition on the basis of religious differences. Atleast ten lakh people were killed on both sides of the border in partition related violence.
- (iii) The British had left it to the rulers of the princely states to decide whether they wanted to merge with Indian or with Pakistan or remain independent. The merger of these princely states was difficult and uncertain task.
- (iv) When the constitution was being written, the makers of the constitution had anxieties about the present and the future of the country.

### **(a) The path to constitution:**

- (i) Our national movement was not merely a struggle against a foreign rule. It was also a struggle to rejuvenate our country and to transform our society and politics.
- (ii) The familiarity with political institutions of colonial rule also helped develop an agreement over the institutional design. the experience gained by Indians in the working of the legislative institutions proved to be very useful for the country in setting up its own institutions.
- (iii) Many of our leaders were inspired by the ideals of French Revolutions, the practice of Parliamentary democracy in Britain and Bill of Rights in USA. So they incorporated some good points of the Constitution of these in the Indian Constitution.
- (iv) They also got inspiration from the Constitution drafted by Moti Lal Nehru and eight other Congress leaders in 1928, and the outlines of the Indian Constitution prepared by the Indian National Congress at its Karachi session in 1931.

### **(b) The Constituent Assembly:**

The Constitution of India was framed by a Constituent Assembly set up under the Cabinet Mission Plan, 1946. The assembly consisted of 389 members representing provinces (292), states (93), the chief commissioner provinces (3) and Baluchistan (1). The assembly held its first meeting on December 6, 1946. It elected Dr. Rajendra Prasad as its Chairman. Soon after the country was divided into India and Pakistan. The Constituent Assembly was also divided into the Constituent Assembly of India and that of Pakistan. The Constituent Assembly that wrote the India Constitution had 299 members. The Assembly adopted the Constitution on 26 November 1949 but it came into effect on January 26, 1950. to mark this day we celebrate January 26 as Republic Day every year.

**(c) Why should we accept the Constitution made by the Constituent Assembly more than 50 years ago?**

- (i) The Constitution does not reflect the views of its members alone. It expresses a broad consensus of its time. Many countries of the world have had to rewrite their constitution afresh because the basic rules were not accepted to all major social groups or political parties. In some other countries, the Constitution exists as a mere piece of paper. No one actually follows it. The experience of our constitution is different. Over the last half a century, several groups have questioned some provisions of the Constitution. But no large social group or political party has ever questioned the legitimacy of the Constitution itself. This is an unusual achievement for any constitution.
- (ii) The Constituent Assembly represented the people of India. There was no universal adult franchise at that time. So the Constituent assembly could not have been chosen directly by all the people of India. It was elected mainly by the members of the existing Provincial Legislatures. This ensured a fair geographical share of members from all the regions of the country. The Assembly represented members from different language groups, castes, classes, religions and occupations.
- (iii) The manner in which the Constituent Assembly worked gives sanctity to the Constitution. The Constituent Assembly worked in a systematic, open and consensual manner. First some basic principles were decided and agreed upon. Then a Drafting Committee chaired by Dr. B.R. Ambedkar prepared a draft constitution for discussion. Several rounds of thorough discussion took place on the Draft Constitution, clause by clause. More than two thousand amendments were considered. Every document presented and every word spoken in the Constituent assembly has been recorded and preserved. These are called 'Constituent Assembly Debats'. When printed, these debates are 12 bulky volumes! These debates provide the rationale behind every provision of the Constitution. These are used to interpret the meaning of the Constitution.

**(d) Indian Constitution: A Living Document:**

Those who crafted the Indian Constitution felt that it has to be in accordance with people's aspirations and changes in society. They did not see it as a sacred, static and unalterable law. So, they made provisions to incorporate changes from time to time. These changes are called constitutional amendments. Till date 104 amendments have been made in the constitution. The amendment procedure provided in the constitution is as follows. There are three categories of amendments:

- (i) In the first category, amendments can be done by simple majority of members present and voting before sending it for the President's assent.
- (ii) In the second category, amendments require a special majority. Such an amendment can be passed by each house of Parliament by the two-thirds majority of the members of the house present and voting and then sent to the President for his assent.
- (iii) The third category, amendments is really difficult to pass. Besides the special majority mentioned in the second category, the same has to be approved by at least 50 percent of the state legislatures.

**EXERCISE**

**OBJECTIVE DPP - 3.1**

1. Nelson Mandela and seven other leaders were sentenced to life imprisonment in ----- for daring to oppose the apartheid regime in his country.  
(A) 1864 (B) 1964 (C) 1924 (D) 1964
2. Apartheid was the name of a system of ----- unique to South Africa.  
(A) Economic discrimination (B) Social discrimination  
(C) Racial discrimination (D) Political discrimination
3. Which Organisation played the role of the umbrella Organisation that led the struggle against the policies of segregation in S. Africa ?  
(A) Indian National Congress (B) United National Organisation  
(C) Africa National Congress (D) None of the above



4. Finally at the midnight of -----, the new national flag of the Republic of South Africa was unfurled marking the newly born democracy in the world.  
(A) 26 April 1964            (B) 26 April 19964            (C) 26 April 1984            (D) 26 April 1974
5. ----- is the supreme law that determines the relationship among people living in a territory and also the relationship between the people and government.  
(A) Government            (B) Common people            (C) Constitution            (D) Democracy
6. The Indian constitution adopted many institutional details and procedures from colonial laws like the -----.  
(A) Rowlaff Indian Act            (B) Morley – Minto reforms  
(C) Montague – Chelmsford reforms            (D) Government of India Act 1935
7. The drafting of the document called the constitution was done by an assembly of elected representatives called the -----.  
(A) Parliament            (B) Drafting committee            (C) Lok Sabha            (D) Constituent Assembly
8. Drafting committee of the constituent assembly was chaired by:  
(A) Dr. Rajendra Prasad            (B) J.L. Nehru            (C) Mahatma Gandhi            (D) Dr. B.R. Ambedkar
9. Values that inspired and guided the Indian freedom struggle and were in turn nurtured by it, formed the foundation for India's democracy. These values are embedded in the ----- of the Indian constitution.  
(A) 8<sup>th</sup> Schedule            (B) Preamble            (C) Article 13            (D) Volume 09
10. Those who crafted the Indian constitution felt that it has to be in accordance with people's aspirations and changes in society. So, they made provision to incorporate changes from time to time. These changes are called -----.  
(A) Constitutional amendments            (B) Reforms  
(C) Changes in the constitution            (D) Revival of the constitution

### **SUBJECTIVE DPP – 3.2**

#### **Very short answer type question:**

1. Name any four democracy countries of the world.
2. Which of the following countries is not a democracy – Great Britain, Canada and Myanmar and why?
3. Mention any four limitations of democracy.
4. 'In a democracy the majority of people rule through their elected representatives.' Give reasons.
5. "In Pakistan people elect their representatives to the national and provincial assemblies but still it cannot be called a democratic country: Give reasons.
6. When did Zimbabwe gain independence? Which party has ruled since then and who is its leader?
7. What is the most common form of democracy in today's world and why?

#### **Short answer type question:**

8. What is constitution? Why is it important?
9. What is apartheid?
10. Who is Nelson Mandela?
11. What changes have been brought in the constitution of South Africa after 1994?
12. "The South African Constitution inspires democracy all over the world." why?
13. With reference to the Indian Constitution answer the following questions:
  - (i) When was it passed?
  - (ii) When was it enforced?
  - (iii) Why this date was chosen?

14. With reference to Constituent Assembly answer the following questions:
- (i) When were its election held?
  - (ii) Who was its President?
  - (iii) Who was appointed the Chairman of the Drafting Committee?
  - (iv) When was the Constitution passed by the Constitution Assembly?
15. What is the importance of Preamble?
16. 'A Constitution is a living document'. Justify.
17. "The Constitution Assembly was the representative body of the people of India". Explain with examples.
18. "The working of the Constituent Assembly has given sanctity to the Constitution". Explain.
19. India is a "Sovereign, Socialist, Secular, Democratic, Republic". Justify.

**Long answer type question:**

- 20. How did the Policy of Apartheid come to an end?
- 21. Outline in brief the background in which the constitution of independent India was formulated.
- 22. State the different steps in the framing of India's Constitution.
- 23. Mention the events that influenced the members of the Constituent Assembly.
- 25. What do you mean by constitutional amendment? What is the procedure for constitutional amendment ?
- 26. Why should we accept the Constitution made by the Constituent Assembly more than 50 years ago ?
- 27. Explain the major factors which contributed to the making of our constitution.

**A N S W E R K E Y**

(Objective DPP 3.1)

Que.	1	2	3	4	5	6	7	8	9	10
Ans	D	C	C	B	C	D	B	D	B	A



# ELECTORAL POLITICES



**SL-04(C)**

## **WHY ELECTIONS ?**

An election is a contest organized between different political parties for getting people's support.

The party which gets the support of the largest number of people comes to power and forms the government in a representative democracy election is a mechanism by which people can choose their representatives in an election, the voters make many choices.

- (i) They can choose persons who will make laws choices.
- (ii) They can choose persons who will form government and take major decisions.
- (iii) They can choose the party whose policies will guide the government and law making.

### **(a) What makes an Election Democratic?**

In a democracy elections reflect truly and solely the will of the people.

A democratic election must fulfill the following minimum conditions:

- (i) Everyone should be able to choose. It means that every person should have one vote and every vote should have equal value.
- (ii) There should be something to choose from. Parties and candidates should be free to contest elections. They should offer some real choice to the voters.
- (iii) The choice should be offered at regular intervals. Elections must be held regularly after every few years.
- (iv) The candidate preferred by the people should get elected.
- (v) Elections should be conducted in a free and fair manner where people can choose as they really wish.

### **(b) Is it good to have Political Competition?**

- (i) Elections are a means to gain power and positions of influence in the government. in a nation with over 1,000 million population, there may be a few millions who nurture these aspirations and ambitions. These aspirations and ambitions can be fulfilled only if they get successfully elected as people's representatives. Since the number of representatives to be elected is fairly very small there is cut throat competition among the aspirants.
- (ii) Electoral competition is like a competition at any market place. in a market, business firms fight each other to gain consumer's confidence. Those firms which are in a position to gain this confidence taste success. Those who fail finally have to withdraw from the market. Competition, therefore, compels adoption of consumer-friendly practices.
- (iii) Same is the case with the electoral competition. Different political have to work to gain voters' confidence. They may successfully hoodwink voters once or a couple of times. but this game cannot go on indefinitely, finally, every politician, or a political party, would have to show results and live upto voters' expectation. This is what political or electoral competition ensures, and this is the strength of competition.

### **(c) Demerits of Political Competition:**

The system of elections gives rise to political competition. Political competition has its own costs :  
It creates a sense of disunity and factionalism.  
Different political parties and leaders often use dirty tricks to win elections.  
Parties and leaders often level allegations against each other.  
This pressure to win electoral fights does not allow sensible long-term policies to be formulated.  
The environment created by competition dissuades many people to enter the political arena.

### **WHAT IS OUR SYSTEM ELECTIONS?**

- (i) Elections to choose people's representatives to Lok Sabha (Lower House of the Parliament) and Vidhan Sabha (State Assemblies) is held after every five years, i.e., the term of an elected representative (Lok Sabha, MP or Vidhan Sabha, MLA) is five years.
- (ii) By-election is an election that is held to choose a candidate in place of a member of legislature who has resigned suddenly or died.
- (iii) Mid-term election is an election held to constitute a new house if the legislature is dissolved before its full time.
- (iv) Universal adult franchise implies that any person who has attained 18 years of age has a vote. There is no 'discrimination on the basis of caste, sex, religion, etc.

### **(a) Electoral Constituencies:**

- (i) India follows an area based system of representation. For this purpose, the country is divided into different areas for purposes of elections. These are called electoral constituencies.
- (ii) Voters who live in a constituency elect a representative for their area. For elections to Lok Sabha, the country is divided in 543 constituencies. Therefore, 543 MPs get elected to Lok Sabha as people's representative.
- (iii) One of the features of a democratic election is that every vote should have equal value. to ensure this, an effort has been made that each constituency should have roughly the same number of voters. In practice, however, it has not been possible to maintain this balance.

### **Demarcation of electoral constituencies for the state assemblies:**

For elections to the state assembly, a state is divided into a number of electoral constituencies. The number of assembly constituencies in a state depends upon the size of area and population in the state. Each Parliamentary constituency has a number of assembly constituencies.

The same principle applies for elections to panchayats and municipalities. Each village or town is divided into several 'wards'. Each ward elects one representative.

### **(b) Reserved Constituencies:**

A true democracy provides equal opportunity to all individuals and sections of society to take part in elections get elected and share in the governance of the economy.

However, due to various historical, social, cultural and economic reasons, section of the society has remained backward. It constitutes the weaker section of the society.

The weaker section constitutes, by and large Scheduled Castes (SCs), Scheduled Tribes (STs), Other Backward Castes (OBCs), and women.

The weaker section cannot be expected to play the game of electoral competition on the same turf as the powerful sections. To be meaningful, a level playing field is to be provided.

### **(c) Voters list:**

Electoral roll is the list of persons who are eligible to vote in an election:-

All the citizens aged 18 years and above are eligible voters.

Every citizen has the right to vote regardless of his or her caste, religion or gender.

Persons with unsound mind and criminals can be denied the right to vote.

Election photo identity Card: Every eligible voter (i.e., whose name appears in the voters 'list) is being issued an identity card by the government. This contains the photograph of the voter. The card serves as a mark of identification at the time of polling of votes.

### **(d) Nomination of Candidates:**

Any citizen of the minimum age of 5 years can file his nomination. filing the nomination means he can present himself as a candidate.

Every person who wishes to contest an election has to fill a 'nomination form' and give some money as 'security deposit'.

Recently, a new system of declaration has been introduced on direction from the Supreme Court. Every candidate has to make a legal' declaration, giving full details of:

Serious criminal cases pending against the candidate.

This information has to be made public. this provides an opportunity to the voter to make their decision on the basis of the information provided by the candidates.

### **Classification of candidates:**

Candidates contesting an election can be classified in two groups:

- (i) Independents, i.e., those individuals who contest elections on their own.
- (ii) Party candidates, i.e., those individuals who contest elections as a nominee of a political party.

### **“Most candidates are fielded from political parties”.**

Party candidates enjoy many advantages over independent.

- (i) When a candidate represent a party, it is easier for voters to know what he stands for. so a person voting for a party candidate knows what he is voting for.
- (ii) Modern electioneering is a cumbersome process. it needs huge Organisation to manage it. individuals cannot mobilize resource for this type of Organisation, parties can and they do mobilize resources.
- (iii) Electioneering means campaigning in different forms and in different parts of a constituency. An individual cannot organise these but a party can.
- (iv) On the polling day polling booths have to be set up and manned by volunteers. Political parties can easily manage it. A political party is geared to and has necessary resources to contest elections. Hence, individuals seek to be part of a political party.

### **(e) Election Campaign:**

Election is all about choosing a representative to the legislature and / or the government. Before a judicious choice is made, voters need to be informed about :

- (i) Who is a better representative?
- (ii) Which party will make a better government?
- (iii) These pieces of information are put together in an election campaign.

Candidates and / or parties

- (i) Contact their voters.
- (ii) Address mass gatherings / political meetings.
- (iii) Mobilize their supporters.

In a battle for voters' vote, competition gains heat.

### **Restrictions placed on election campaigns by law :**

It is necessary to regulate campaigns to ensure that every political party and candidate gets a fair and equal chance to compete.

According to our election law, no party or candidate can:

- (i) Bribe or threaten voters;
- (ii) Appeal to them in the name of caste or religion;

- (iii) Use government resources for election campaign; and spend more than Rs.5 lakh in a constituency for a Lok Sabha election or Rs. 10 lakh in a constituency in an Assembly election. If they do so, their election can be rejected by the court even after they have been declared elected.

### **Model code of conduct for election campaign:**

All the political parties in our country have agreed to a Model Code of Conduct for election campaigns. According to this no party or candidate can:

Use any place of worship for election propaganda; use government vehicles, aircraft and officials for elections; and once elections are announced, Ministers shall not lay foundation stones of any projects, take any big policy decisions or make any promises of providing public facilities.

### **Election Manifesto:**

A party's manifesto states its programme of action before it campaigns for votes among the voters.

- (i) A manifesto tells the voters what the party thinks about major issues of internal or foreign policy, and promises to do certain things if it is voted to power.
- (ii) It explains why does the party agree or not agree with the government.
- (iii) It must also tell the voter what it is going to do if it wins.
- (iv) A party which is in government tells voters why it acted the way it did.
- (v) Election manifestos are important documents. Parties are judged by these.

### **Importance of Symbols in Elections:**

Political parties have usually well-known symbols. Normally, a person recognises a party instantly from its symbol. Symbols are allotted by the Election Commission so that every candidate has a different symbol and the voters do not get confused.

### **(f) Polling and Counting of Votes:**

- (i) On the Election Day, every person whose name is on the voters' list can go to a nearby 'polling booth', situated usually in a local school or a government office.
- (ii) Once the voter goes inside the booth, the election officials identify her, put a mark on his finger and allow him to cast his vote. An agent of each candidate is allowed to sit inside the polling booth and ensure that the voting takes place in a fair way.
- (iii) Earlier the voters used to indicate whom they wanted to vote for by putting stamp on the ballot paper. A ballot paper is a sheet of paper on which the names of the contesting candidates along with party name and symbols are listed.
- (iv) Nowadays electronic voting machines (EVM) are used to record votes. The machine shows the names of the candidates and the party symbols. Independent candidates too have their own symbols, allotted by election officials. All the voter has to do is to press the button against the name of the candidate he wants to give his vote.
- (v) Once the polling is over, all the EVMs are sealed and taken to a secure place. A few days later, on a fixed date, all the EVMs from a constituency are opened and the votes secured by each candidate are counted. The agents of all candidates are present there to ensure that the counting is done properly. The candidate who secures the highest number of votes from a constituency is declared elected.
- (vi) In a general election, usually the counting of votes in all the constituencies takes place at the same time, on the same day. Television channels, radio and newspapers report this event. Within a few hours of counting, all the results are declared and it becomes clear as to who will form the next government.

### **(g) Election petition:**

If a candidate is not satisfied by the way the election has been held, he can go to the Court and question his rival's election. The decision of the Court does not let the questioning candidate win the seat but it makes winning candidate lose his seat.

## **WHAT MAKES ELECTIONS IN INDIA DEMOCRACY?**

### **(a) Independent Election Commission:**

Election Commission is an independent body provided for in the Constitution.

The whole election business is carried out by the Election Commission. It is charged with the responsibility of conducting free and fair elections which are the foundation of the whole system of democracy. Headed by the Chief Election Commissioner and two other members, the functions of the Commission are as follows:

- (i) Preparation of voters 'list
- (ii) Delimitation of the constituencies
- (iii) Controlling the election machinery
- (iv) Recognizing newly formed parties
- (v) Allotting party symbols to parties
- (vi) Conducting of polling and counting of votes
- (vii) Announcement of results.

The procedure for the appointment of Election Commission is laid down in the Constitution. The Election Commission makes sure that the party in power does not take undue advantage of its position.

### **(b) Popular Participation:**

Another way to check the quality of the election process in to. See whether people participate in it with enthusiasm. If the election process is not free or fair, people will not continue to participate in the exercise.

- (i) People's participation in election is usually measured by voter turnout figures. Turnout indicates the per cent of eligible voters who actually cast their vote. Over the last fifty years, the turnout in Europe and North America has declined. In India the turnout has either remained stable or actually gone up.
- (ii) In India the poor, illiterate and underprivileged people vote in large proportion as compared to the rich and privileged sections. This is in contrast to western democracies.
- (iii) Common people in India attach a lot of importance to elections. They feel that through election they can bring pressure on political parties to adopt policies and programmes favorable to them. They also feel that their vote matters in the way things are run in the country.
- (iv) The interest of voters in election related activities has been increasing over the years. During the 2004 elections, more than one-third voters took part in the campaign-related activities. More than half of the people identified themselves as being close to one or the other political party. One out of every seven voters is a member of a political party.

### **(c) Acceptance of Election Outcome:**

If election are not free and fair, the outcome always favours the powerful. In such a situation, the ruling parties do not lose elections. The outcome of India's elections speaks for itself:

- (i) The ruling parties routinely lose elections in India both at the national and state level. In fact in every two out of the three elections held in the last fifteen years, the ruling party lost.
- (ii) In the US, an incumbent or 'sitting' elected representative rarely loses an election. In India about half of the sitting MPs or MLAs lose elections.
- (iii) Candidates who are known to have spent a lot of money on 'buying votes' and those with known criminal connections often lose elections.
- (iv) Barring few disputed elections, the electoral outcomes are usually accepted as 'people's verdict' by the defeated party.

### **(d) Challenges to free and fair elections:**

- (i) Candidates and parties with a lot of money may not be sure of their victory but they do enjoy a big and unfair advantage over smaller parties and independents.

- (ii) In some parts of the country, candidates with criminal connection have been able to push others out of the electoral race and to secure a 'ticket' from major parties.
- (iii) Some families tend to dominate political parties; tickets are distributed to relatives from these families.
- (iv) Very often elections offer little choice to ordinary citizens, for both the major parties are quite similar to each other both in policies and practice.
- (v) Smaller parties and independent candidates suffer a huge disadvantage compared to bigger parties.

These challenges exist not just in India but also in many established democracies. These deeper issues are a matter of concern for those who believe in democracy. That is why citizens, social activists and organizations have been demanding reforms in our electoral system.

### **ELECTIONS ARE THE BAROMETER OF DEMOCRACY**

Elections are rightly said to be the barometer of democracy.

- (i) It is through elections that the people give expression to their opinion.
- (ii) It is through elections that the persons who have to work as representative of the people are identified.
- (iii) Any unpopular government can be unseated in an election.
- (iv) Elections help in maintaining an effective control over the executive.
- (v) Elections are the time when it is possible to debate publicly on various socio-economic issues. Different issues and subjects of concern come to the fore.
- (vi) The true character of social and political workers comes out during the election campaign. The real worth of individuals can easily be adjudged.

In short, a fair and free election is indicative of the healthy and robust democracy.

### **IMPORTANCE OF POLITICAL PARTIES IN A DEMOCRACY**

Political parties are important for the functioning of democracy.

- (i) They participate in the elections.
- (ii) They put forward their aims and goals before the people.
- (iii) Through their manifestos they let the people know what programme of action they would follow if they are voted to power.
- (iv) This makes it easier for voters to make their choice between different candidates.
- (v) The ruling party helps the government to keep in touch with what the people feel about its policies.
- (vi) Opposition parties act as watch-dogs on the government. They are always alert to the policies and actions of the government. They criticise the government for its acts of omission and commission. All these make sure that the government should not go out of the track.

### **ROLE AN OPPOSITION PARTY IN A DEMOCRACY**

The opposition in a legislature represent the legitimized dissent of the people.

An opposition party plays a significant role in a democracy.

- (i) It acts as an alert watch-dog.
- (ii) It exercises a check on ill-considered legislations.
- (iii) It helps check the slackness of the government and its various departments.
- (iv) The member of the opposition can move adjournment motions, cut motions, and vote of no-confidence, with the aim to highlight any major government failure or acts of omission.
- (v) The investigative commissions set up to enquire into alleged cases of corruption or negligence of duties have members from the opposition parties also. This ensures that they act in a fair and unbiased manner.



## EXERCISE

### OBJECTIVE DPP – 4.1

- For election to Sabha, India is divided into how many number of constituencies?  
(A) 534 (B) 538 (C) 543 (D) 542
- SC/ST and OBC constitute:  
(A) Workers section (B) Weaker section (C) Voters section (D) All the above
- Currently how many seats are reserved for SCs and STs in Lok Sabha?  
(A) 79 and 41 (B) 97 and 14 (C) 72 and 42 (D) 69 and 29
- What is the minimum voting age in India for men and women?  
(A) 18 years for all (B) 18 and 21 (C) 21 and 18 (D) 24 and 28
- What is the minimum qualifying age for contesting election for legislatures in our country?  
(A) 21 years (B) 30 years (C) 25 years (D) 18 years
- What is that vote which is casted by anyone to a candidate, but others would not know his choice?  
(A) Private vote (B) Personal vote (C) Hidden vote (D) Secret Ballot
- The highest number of Lok Sabha seats are from:  
(A) West Bengal (B) Bihar (C) Maharashtra (D) U.P.
- Which of the following states of India has only one seat in Lok Sabha?  
(A) Manipur (B) Meghalaya (C) Nagaland (D) Arunachal Pradesh
- What is the limit of expenditure in election to State Assembly?  
(A) 25 Lakh (B) 10 Lakh (C) 20 Lakh (D) 5 Lakh
- Who conducts election in India?  
(A) Government of India (B) The President of India  
(C) Election Commission of India (D) Parliament of India
- In a democracy, election reflect truly and solely the will of the:  
(A) People (B) Press (C) Parliament (D) Political Parties
- In a democracy who of the following should be elected?  
(A) Preferred by the Press (B) Preferred by the Prime Minister  
(C) Preferred by the Public opinion (D) none of the above
- The term of a Lok Sabha member and State Assembly member is:  
(A) 4 years (B) 6 years (C) 3 years (D) 5 years
- In many states of India, seats in panchayats, and municipalities and corporation are reserved for:  
(A) Industrial and Land lords (B) Higher caste people  
(C) Farmers and business men (D) Persons from OBCs
- Election Photo identity Card in India is issued by :  
(A) Collector of the district (B) Superintendent of police  
(C) Chief Minister (D) Election Commission
- Recently Supreme Court has directed for which document-while filing nomination:  
(A) Family declaration (B) Legal declaration  
(C) Income declaration (D) Family planning declaration
- The candidates in an election are classified as :  
(A) Winners and losers (B) Proposers and seconders  
(C) Independents and party candidates (D) Pro and against the government candidates
- Who of the following can contest election in India?  
(A) A person who can understand peoples concern and it otherwise eligible as per law  
(B) Any body who is at least-a graduate  
(C) All those who have at least minimum property of Rs. 10 crores  
(D) None of the above

19. Which of the following Union Territories have maximum seats in Lok Sabha?  
 (A) Pondichery (B) Delhi (C) Daman and Diu (D) Chandigarh
20. According to our election law no party or candidate can:  
 (A) Bribe or threaten voters (B) Appeal to voters in the name of caste or religion  
 (C) Use government resources (D) All the above

**SUBJECTIVE DPP – 4.2**

**Very short answer type question:**

1. What is a constituency?
2. What is electoral Roll or Voter’s List? What is its importance?
3. Explain Universal Adult Franchise.
4. When can a person be denied the right to vote?
5. What do you mean by EVM? What is its use?
6. What are Reserved Constituencies?
7. What is an election manifesto? What is its use?
8. Mention any two points relating to Model Code of Conduct for election campaigns.
9. Mention any two provisions which ensure the independency of the Election Commission.
10. What is the difference between a voter and a candidate?

**Short answer type question:**

11. What are the different measures taken to ensure free and fair elections?
12. What choices do voters make during elections?
13. What are the negative effects of electoral competition?
14. What are the conditions which make a election democratic?
15. Why have some constituencies been reserved?
16. What is the importance of election campaign?
17. State the features of the Model Code of Conduct which all political parties have agreed to adhere to during elections.
18. What are the challenges which prevent free and fair elections from being held?

**Long answer type question:**

19. What makes elections in India democratic?
20. Explain the role of Election Commission in free and fair elections.
21. Explain the election procedure.
22. What is the importance of political parties in a Democracy?

**A N S W E R K E Y**

**(Objective DPP 4.1)**

<b>Que.</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>	<b>7</b>	<b>8</b>	<b>9</b>	<b>10</b>	<b>11</b>	<b>12</b>	<b>13</b>
<b>Ans</b>	<b>C</b>	<b>B</b>	<b>A</b>	<b>A</b>	<b>C</b>	<b>D</b>	<b>D</b>	<b>C</b>	<b>A</b>	<b>C</b>	<b>A</b>	<b>C</b>	<b>D</b>
<b>Que.</b>	<b>14</b>	<b>15</b>	<b>16</b>	<b>17</b>	<b>18</b>	<b>19</b>	<b>20</b>						
<b>Ans</b>	<b>D</b>	<b>D</b>	<b>B</b>	<b>C</b>	<b>A</b>	<b>B</b>	<b>D</b>						



## GOVERNMENT EXECUTIVE & LEGISLATURE



SL -05(C)

### HOW IS A MAJOR POLICY DECISION TAKEN ?

#### (a) The Decision Makers:

Any decision regarding the implementation of various policies in democracy is not only taken by the person who signs it. But any decision in a democracy involves other major functionaries also. Lets take the example of the office Memorandum which announced 27 percent reservations in civil posts and services under the Government of India for the Socially and Economically Backward Classes.

- (i) The Government first appointed the second Backward Classes Commission which gave its recommendation in 1980.
- (ii) The report was discussed in Parliament and many parties demanded its implementation. When the Janata Dal came into power in 1989, it announced its intention to implement this report through the address of the President to the Parliament.
- (iii) ON 6<sup>th</sup> August 1990, seven days before the Office memorandum was issued, the Union Cabinet and took a formal decision about this.
- (iv) The next day Parliament was informed by the Prime Minister about this decision through a statement in both the house.
- (v) The decision of the Cabinet was officially recorded and sent to the Department of Personnel and Training for immediate implementation. The minister asked the top officers of the department to make an order to implement the cabinet's decision.
- (vi) The officers drafted the order and took the minister's approval. After this, the minister sought approval from the Prime Minister's office and O.M. 36012/31/90 officially came into being.
- (vii) A number of cases were filed against this order in the courts. All these cases were bunched together and considered by the Supreme Court. This case was known as the 'Indira Sawheny and Others vs Union of India and Other's case. In 1992, the Supreme Court upheld the Government order but asked the government to make certain modifications.
- (viii) The ministry issued another office memorandum on September 8<sup>th</sup> 1993 and the disputers ended amicably.

**Thus any major decision in a democracy involves all organs of the government – executive, legislature and the judiciary.**

#### (b) Need for Political institutions:

Governing a country involves various activities. this include ensuring security to the citizens, providing facilities for education and health, to collect taxes and spend money thus raised on administration, defence and development programmes. it formulates and implements several welfare schemes. Some persons have to take decisions on how to go about these activities. Others have to implement these decisions. if disputes arise on these decisions or in there implementation, there should be some one to determine what is wrong and is right. So to attend all this tasks, several arrangements are made in all modern democracies. Such arrangements are called institutions. a democracy works well when these institutions perform functions assigned to them. The Constitution of any country lays down basic rules on the powers and functions of each institution.

Working with institutions is not easy. Institutions involve rules and regulations. This can bind the hands of leaders. Institutions involve meetings, committees and routines. This often leads to delays and complications. Therefore dealing with institutions can be frustrating. But that is not the spirit of democracy. Some of the delays and complications introduced by institutions are very useful. They provide an opportunity for a wide set of people to be consulted in any decisions. Institutions make it difficult to have a good decision taken very quickly. But they also make it equally difficult to rush through a bad decision. That is why democratic governments insist on institutions.

## **PARLIAMENT**

### **(a) Why do we need a Parliament?**

In all democracies, an assembly of elected representatives exercises supreme political authority on behalf of the people. In India such a national assembly of elected representatives is called Parliament. At the state level this is called Legislature or Legislative Assembly.

- (i) Parliament is the final authority for making laws in any country. This task of law making or legislation is so crucial that these assemblies are called legislatures. Parliaments all over the world can make new laws, change existing laws and make new ones in their place.
- (ii) Parliament all over the world exercise some control over those who run the government. In some countries like India this control is direct and full. Those who run the government can take decisions only so long as they enjoy support of the Parliament.
- (iii) Parliament controls all the money that governments have. In most countries the public money can be spent only when the Parliament sanctions it.
- (vi) Parliament is the highest forum of discussion and debate on public issues and national policy in any country. Parliament can seek information about any matter.

### **(b) Two Houses of Parliament:**

#### **Lok Sabha (lower house):**

Maximum membership 550,530 elected. From states and 20 from union territories. President can nominate two representative of Anglo-Indian community if they haven't got adequate representation.

#### **Qualifications:**

Minimum age 25 years  
Citizen of India.

The total country is divided into various constituencies, according to the population, Each constituency elect one representative. every person above the age of 18 can vote.

#### **Term:**

Maximum 5 years, but can be dissolved any time by president. elects the speaker who presides over the session and conducts business in the house. speaker can vote only in the situation of a tie. there is one deputy speaker who assists the speaker.

#### **Rajya Sabha (upper house):**

Total membership 250, elected members 238 and 12 nominated by the President.

#### **Qualifications and Term:**

Minimum age 30 years, Citizen of India. The members of state legislative assemblies elect the members of upper house i.e. Rajya Sabha. It is a permanent house, every member is elected for 6 years, 1/3 of total members retires every 2<sup>nd</sup> year. The vice-president is the ex-officio chairman of Rajya Sabha and to assist him there is a vice chairman.

#### **Lok Sabha is more powerful than Rajya Sabha:**

- (i) Any ordinary law needs to be passed by both the Houses. but if there is a difference between the two Houses, the final decision is taken in a joint session in which members of both the Houses sit together. Because of the larger number of members, the view of the Lok Sabha is likely to prevail in such a meeting.

- (ii) Lok Sabha exercises more powers in money matters. Once the Lok Sabha passes the budget of the government or any other money related law, the Rajya Sabha cannot reject it. The Rajya Sabha can only delay it by 14 days or suggest changes in it. The Lok Sabha may or may not accept these changes.
- (iii) Most importantly, the Lok Sabha controls the Council of Ministers. Only a person who enjoys the support of the majority of the members in the Lok Sabha is appointed the Prime Minister. If the majority of the Lok Sabha members say they have 'no confidence' in the Council of Ministers, all ministers including the Prime Minister, have to quit. The Rajya Sabha does not have this power.

## **POLITICAL EXECUTIVE**

At different levels of government various functionaries help the elected representative take day-to-day decisions but do not exercise supreme power on behalf of the people. All these functionaries are collectively known as the executive. They are called executive because they are in charge of the 'execution' of the policies of the government. Thus, when we talk about 'the government' we usually mean the executive.

### **(a) Political and Permanent Executive:**

- (i) People who are appointed on a long term basis are called the permanent executive or civil services, persons working in civil services called civil servants. They remain in office even when ruling party changes. These officers work under political executive and assist them in carrying out the day-to-day administration. The civil servant is usually more educated and has more expert knowledge of the subject.  
Political executives are those who are elected by the people for a specific period. Political leaders who take the big decisions fall in this category.
- (ii) People who are elected for a specific period are called political executive. Political leaders who take the big decisions fall in this category. In a democracy the will of the people is supreme. The minister is elected by the people and thus empowered to exercise the will of the people for all the consequences of her decision. That is why the minister takes all the final decisions. The minister decides the overall framework and objectives in which decisions on policy should be made. The minister is not, and is not expected to be, an expert in the matters of her ministry. The minister takes the advice of experts on all technical matters. But very often experts hold different opinions or place before more than one option. Depending on what the overall objective is, the minister decides.

### **(b) Prime-Minister and Council of Ministers:**

#### **Election:**

The President appoints the Prime Minister. But the President cannot appoint anyone he/she likes. The President appoints the leader of the majority or the coalition of parties that commands a majority in the Lok Sabha, as Prime Minister. In case single party or alliance gets a majority, the President appoints the person most likely to secure a majority support.

#### **Term:**

Maximum five years, minimum the time he enjoys the majority in the Lok Sabha.

#### **Council of Minister:**

Council of Ministers is the official name for the body that includes all the Ministers. It usually has 60 to 80 Ministers of different ranks. The President appoints the Council of Ministers on the advice of the prime minister. The Ministers are usually from the party or the coalition that has the majority in the Lok Sabha. Sometimes, a person who is not a member of Parliament can also become a minister. But such a person has to get elected to one House of the Parliament within six months of appointment as minister.

- (i) Cabinet ministers are usually top-level leaders of the ruling party or parties who are in charge of the major ministries. Usually the Cabinet Ministers meet to take decisions in the name of the Council of Ministers. Cabinet is the inner ring of the Council of Ministers. It comprises about 20 ministers.
- (ii) Ministers of state with independent charge are usually in-charge of smaller Ministries. They participate in the Cabinet meetings only when specially invited.

- (iii) Ministers of State are attached to and required to assist Cabinet Ministers. Since it is not practical for all ministers to meet regularly and discuss everything, the decisions are taken in Cabinet meetings. That is why parliamentary democracy in most countries is often known as the Cabinet form of government.

**Collective responsibility:**

The cabinet works as a team. The ministers may have different views and opinions, but everyone has to own up to every decision of the Cabinet. No minister can openly criticise any decision of the government, even if it is about another Ministry or Department.

**(c) Powers of the Prime Minister:**

- (i) The Prime minister has the right to form his/her Council of ministers and to make distribution of portfolios among them. If any Minister disagrees with the Prime Minister the latter can get him/her removed from the Council of Ministers.
- (ii) he/she allocates work to the different members of the Council of ministers. He/she acts as a coordinator among the various Ministers so that the whole work of administration is carried on smoothly.
- (iii) The prime minister and his/her Council of Ministers formulate internal as well as the external policies of the Government. He/she and his/her council of ministers has the right to get the state of war or peace declared by the President. He/she and his/her council of ministers put their policies before the parliament and get them rectified by it
- (iv) The President makes important appointments only on the advice of the Prime Ministers. Appointments of the Government, Ambassadors, Judges etc. are made on the Prime Minister's advice
- (v) The President proclaims emergency on the advice of the Prime Minister.
- (vi) It is the advice of the Prime Minister that the President summons or prorogues the sessions of both the houses of the Parliament and dissolves the Lok Sabha.

**Problems faced by the Prime Minister of a Coalition Government:**

In recent years the rise of coalition politics has imposed certain constraints on the power of the 'prime Minister. The Prime Minister of a coalition government cannot take decisions as he/she likes. He/she has to accommodate different groups and factions in his party as well as among alliance partners. He/she also has to heed to the views and-positions of the coalition partners and other parties, on whose support the survival of the government depends.

**(d) The president**

**Qualifications:**

- (i) Citizen of India
- (ii) Minimum age 35 years
- (iii) Should not hold any office of profit under the government.
- (iv) Should have the qualification to become a member of Lok Sabha

**Election:**

President is elected by a special body called electoral college consisting of elected members of Lok Sabha Rajya Sabha and state legislative assemblies.

**Term and salary:**

- (i) Term is of 5 years.
- (ii) Salary Rs. 100000/-month, which cannot be reduced during his/her term.
- (iii) Can be elected as president twice not more than that.

**Removal:**

- (i) If it is found that the president is not working according to constitution, the process of his/her removal can be started.

- (ii) The process is called impeachment.
- (iv) Can be started in any house of Parliament but 1/4<sup>th</sup> members of that house has to sign on the proposal.
- (iv) 14 days notice is sent to the President.
- (v) Process is started in the house, is discussed and has to be passed by 2/3<sup>rd</sup> majority
- (vi) The proposal is sent to other house, it is discussed and has to be passed by 2/3<sup>rd</sup> majority
- (vii) In between the process President can defend himself/herself through an authorized counsel. If the proposal is passed by both the houses by 2/3<sup>rd</sup> majority President is removed.

**Power of President:**

**Executive power:**

- (i) Appoints Prime Minister, Council of ministers, allocates their portfolio, can ask for their resignation.
- (ii) Is the supreme commander of defence forces can declare war and conclude treaties.
- (iii) All the important appointment of the government are made by President.
- (iv) Receives the credentials of the ambassadors of different countries in India.

**Legislative power:**

- (i) summons the sessions of Parliament, inaugurates it with his/her address and can dissolve the lok Sabha before its time.
- (ii) No bill can become law till it is signed by President. Can reject the bill for once, but second time has to sign it.
- (iii) Can issue ordinances.
- (iv) Money Bills can be presented in Lok Sabha with the prior permission of President.

**Judicial Power:**

- (i) Can grant pardon or can reduce the sentence of any convicted person.
- (ii) Can take the advice of Supreme Court on any question of law or public importance. But is free to abide by or deny the advice.

**Emergency powers of President:**

**National emergency:**

- (i) Can be imposed if the security of the country is threatened by external, aggression or internal armed rebellion
- (ii) Can be imposed only on the written request of Council of Ministers, has to be passed by parliament within one month.
- (iii) Fundamental rights of the citizen's can be curbed.
- (iv) State government are dissolved and union government takes over the subjects given under state list.
- (v) Emergency can be imposed for six months, can be extended maximum up to one year with due permission of parliament.
- (vi) Such an emergency was declared in India in 1965(indo-Pakistan war), 1975-77 (declared by Indira Gandhi on account of internal disturbance).

**State emergency:**

- (i) Whenever the President feels that the government in the state is not working according to constitution, state emergency can be imposed in that state.
- (ii) State government is suspended or dissolved and its powers are taken over by the central government.
- (iii) Governor administers the state in the name of the President.
- (iv) Emergency has to be approved by the parliament within one month.
- (v) Can be imposed for 6 months and can be extended up to three years with the approval of parliament.
- (vi) On October, 9, 2007, the President rule has been imposed on the south Indian state of Kamataka makin itthe latest state where the emergency has been imposed.

### Financial emergency:

- (i) If the President feels that the financial stability or the credit of India is threatened, financial emergency can be imposed.
- (ii) Salaries of the government officials can be reduced.
- (iii) All finance bill of the states are passed by the central government.
- (iv) Central government can ask state government to observe certain principles relating to financial matters.

Financial emergency has never been declared, on a previous occasion, the financial stability of credit of India has been threatened, but a financial emergency was avoided. India experienced a shock on 6 July, 1991, when it had to agree to airlift 47 tonnes of gold from the vaults of the Reserve Bank of India (RBI) to London-intot he vaults of Bank of England-to act as collateral for borrowing in the international financial market. a little earlier, the government had leased 20 tonnes of gold to the State Bank of India (SBI) for sale in the international bullion market. the funds were urgently needed to ensure that it did not default on its international financial commitments and also to ensure that there was continued supply of petroleum and petroleum products to keep its economy moving. the acute balance of payments crisis was accompanied by a high inflation rate 17 per cent.

<b>Parliamentary System of Government</b>	<b>Parliamentary form of Government</b>
Is based on a fusion of legislative and Executive orders	Is based on separation of powers where all The three organs of government are Separate
There is a presence of a nominal head and A real head. the president who is the head Of state is actually only a nominal head. all His powers are exercised by the Prime Minister who is the real executive.	Such a distinction does not exist and the President is the real executive.
The executive is collectively and individually Responsible to the legislature.	The President is not responsible to the Legislature.
The tenure of the cabinet depends on the Support it commands in the legislature.	The President enjoys a fixed tenure.
The minister initiate important bills in the legislature.	The members of the President's cabinet Cannot initiate any bills in the legislature.
All ministers have to be members of the legislature and are accountable to it.	President's Cabinet consists of experts Who are not accountable to the legislature.

## THE JUDICIARY

India is a federal state which means the centre and the state both their powers. the Supreme Court acts as a guardian of the Constitution. The Supreme Court keeps an eye on the working and powers of both the state and the centre. The Supreme Court has the power to settle disputes between the state and the centre and between two states. the Constitution of India has also given responsibility for the protection of fundamental rights to the Supreme Court. if the government passes any law or issues any order which is unconstitutional, the judiciary can declare the law as against the Constitution.

### Independence of the Judiciary:

‘Independence of the Judiciary’ means that the judiciary should not be under the influence or control of any individual or authority. If the Legislature of Executive is in a position to influence the judiciary in any way, the judges will not be able to give impartial justice. in India the independence of the judiciary is ensured through:

- (i) Appointment of Judges: The judges of the Supreme Court and High Court are appointed by the President on the advice of the Prime Minister and in consultation with the Chief justice of the Supreme Court. In practice it means that the seniors judges of the Supreme Court select the new judges of the Supreme Court and the High Courts.



- (ii) Security of Tenure: a Judge can remain in office till he/she has attained the age of 65 years (in case of Supreme Court) and 62 (in case of High Court). He/she can be removed by the President on the ground of “proven misbehavior or incapacity.” But the resolution of his/her impeachment should be passed by both the Houses.
- (ii) Salaries etc. are charged on the Consolidated Fund of India: The Salaries are charged on the Consolidated Fund of India and cannot, therefore, be voted upon by the Parliament.
- (iv) No discussion with respect to the conduct of any judge: No discussion shall take place in Parliament with respect to the conduct of any judge in the discharge of his/her duties when a motion for his/her removal is under consideration.

### **Judiciary in India, one of the most powerful in the world:**

The Supreme Court and the High Court have the power to interpret the Constitution of the country. They can declare invalid any law of the legislature or the actions of the executive, whether at the Union level or at the State level, if they find such a law or action is against the Constitution. Thus they can determine the validity of any legislation or action of the executive on the country, when it is challenged before them. This is known as the judicial review. The Supreme Court of India has also ruled that the core or basic principles of the Constitution cannot be changed by the Parliament.

### **Indian Judiciary, the Guardian of the Fundamental Rights:**

The powers and the independence of the Indian judiciary allow it to act as the guardian of the Fundamental Rights. The citizens have the right to approach the courts to seek remedy in case of any violation of their rights. Any one can approach the courts if public interest is hurt by the actions of government. This is called public interest litigation. The courts intervene to prevent the misuse of the government’s power to make decisions. They check malpractices on the part of public officials. That is why the judiciary enjoys a high level of confidence among the people.

## **EXERCISE**

### **OBJECTIVE DPP – 5.1**

1. The President can nominate 2 members belonging to Anglo Indian Community in the Parliament in case :  
 (A) Lok Sabha has adequate representation (B) Lok Sabha has inadequate representation  
 (C) Rajya Sabha has inadequate representation (D) none of the above
2. Who elects the Speaker and the Deputy Speaker of the Lok Sabha?  
 (A) The President (B) The Prime Minister  
 (C) The members of Lok Sabha (D) The members of Rajya Sabha
3. The minimum age limit of Lok Sabha member and the Rajya Sabha member is:  
 (A) 30 years and 25 years respectively (B) 25 years and 30 years respectively  
 (C) 25 years and 35 years respectively (D) 25 years and 25 years respectively
4. The word ex-officio often used for the Vice President of India means:  
 (A) he/she would automatically become the chair Person of Rajya Sabha  
 (B) he/she would be elected by the people directly.  
 (C) he/she would be nominated by the President of India  
 (D) none of the above
5. A joint sitting of the two Houses is called by:  
 (A) The Prime Minister (B) The President (C) The Speaker (D) The Deputy Speaker
6. Who gives the certificate that the bill is the financial bill?  
 (A) The Prime Minister (B) The President  
 (C) The Speaker (D) The member who reads the bill
7. The “No-Confidence Motion” means the opposition parties move a motion that the Lok Sabha does not have confidence in:  
 (A) The Cabinet (B) The Council of Ministers  
 (C) The Prime Minister (D) none of the above

8. Which of the following statement is not correct?  
 (A) If the majority of the house votes against the motion the council of minister continues  
 (B) If the majority of the house votes for the motion the council of minister has to resign  
 (C) If the President votes against the motion the council of ministers has to resign  
 (D) none of the above
9. During question hours the questions are given to:  
 (A) The Speaker (B) The Deputy Speaker  
 (C) the Secretary General of the house (D) all of the above
10. Which of the following is not correct?  
 (A) Starred questions are for oral answer (B) Non-starred questions are for written answer  
 (C) Both are for oral and written answers (D) all of the above
11. Who are the heads of the state and the government respectively?  
 (A) The Prime Minister and the President (B) The President and the Prime Minister  
 (C) The Speaker and the Vice President (D) The President and the Vice President
12. The president is elected by:  
 (A) The direct election by the citizens who obtained 18 years  
 (B) The indirect election by the electoral college  
 (C) The Prime Minister and his Council of Ministers  
 (D) none of the above
13. Which of the following are the executive powers of the president?  
 (A) All government decisions have to go on the president name  
 (B) The president is the Supreme Commander of the Defence Forces of india  
 (C) The president has wide powers of appointment  
 (D) all of the above
14. The president enjoys the following powers:  
 (A) financial powers (B) emergency powers (C) judicial powers (D) all of the above
15. Which of the following is not the judicial functions of the parliament?  
 (A) It can impeach and remove the president out of his office  
 (B) It takes part in the election of the president  
 (C) It can impeach the judges of the Supreme Court  
 (D) It can impeach the judges of the High Court of India

## **SUBJECTIVE DPP – 5.2**

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### **Very short answer type question:**

- Who is the head of the Government?
- Name any three institutions responsible to run democratic government in India.
- By whom and when can the /House of People be dissolved?
- Mention any four powers of the parliament.
- What is the tenure of the Prime Minister?
- Dr. Man Mohan Singh is not the member of Lok Sabha but still he was appointed as the Prime Minister of India. Give reason.
- How is the Chief justice of India appointed?
- Why is it necessary to keep the judiciary independent of the government?

### **Short answer type question:**

- What are the qualifications required for contesting the election for the post of the President?
- How and on what grounds can the President be removed from office?
- How is the Prime Minister of India appointed?
- What is meant by the term collective responsibility?

13. What is meant by discretionary powers of the President?
14. How is the President of India elected?
15. Distinguish between the Cabinet and the Council of Ministers.

**Long answer type question:**

16. Explain the emergency powers of the President. [AI 1997 C]
17. Explain the powers of the Indian Prime Minister.
18. How does the Lok Sabha exercises supreme power in comparison to Rajya Sabha?
19. What are the legislative and executive powers of the President? [Delhi 1998]

**Previously Asked Questions**

20. Explain the legislative powers of the governor of the Indian state. Under what circumstances can he use his discretionary powers ?  

OR

How is the Indian Parliament composed? Explain any four functions of the Indian Parliament. [Foreign 2001]
21. Explain four major functions of Indian Parliament. Why has the Indian constitution vested supreme power in the parliament? [Delhi 2001 C]
22. Why is the Prime Minister called first among equals? What are his/her functions? [Delhi 2001]
23. How does the Indian parliament control the executive? [AI 2001]
24. Explain the legislative and two executive functions of the governor. What is his/her role during emergency ? [Foreign 2000]
25. What are the legislative powers of the Governor of a State? On what ground can the Governor recommend the introduction of President's rule in his state? [Delhi 2000 C]
26. How is the Indian President elected? Examine the legislative powers of the Indian President. [AI 1997 C]
27. How is Prime Minister the constant factor in the parliamentary executive in India. What makes him/her more powerful than the President of India. [AI 2000 C]
28. Explain the role of Prime Minister and his Council of Minister in the Parliamentary democracy (India). What is the significance of collective responsibility in this context? [Delhi 1999]
29. Examine the powers of Governor of an Indian State, with special reference to his discretionary powers. [Delhi 1999]
30. What is the difference between a Bill and Law? Describe the various stages through which a Bill has to pass to become a Law. [AI 1998]

**A N S W E R K E Y**

(Objective DPP 5.1)

Que.	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Ans	B	C	B	A	B	C	A	C	C	A	B	B	D	D	B



# DEMOCRATIC RIGHTS



SL – 06 (C)

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## **LIFE WITHOUT RIGHTS**

**(a) Prison in Guantanamo Bay:**

- (i) Guantanamo Bay is a naval base near Cuba, controlled by the American Navy.
- (ii) The U.S. Forces secretly abducted about 600 people who they felt were responsible for the terrorist attack on New York which occurred on 11<sup>th</sup> September 2001 and imprisoned them here.
- (iii) In most cases, the governments of their countries were not asked or even informed about their imprisonment.

Families of the prisoners, media or even UN representatives have not been allowed to meet them. There has been no trial before any magistrate in the USA nor have the prisoners been allowed to approach the courts in their own country.

Amnesty international reported that the prisoners were being tortured in ways that violated the US laws. They were being denied the treatment that even prisoners of war must get as per international treaties. Prisoners were not released even after they were officially declared not guilty. The UN Secretary General said the prison in Guantanamo Bay should be closed down. The US government refused to accept these pleas.

**(b) Citizens' Rights in Saudi Arabia:**

- (i) The country is ruled by a hereditary king and the people have no role in electing or changing their rulers.
- (ii) The king selects the legislature as well as the executive. He appoints the judges and can change any of their decisions.
- (iii) Citizens cannot form political parties or any political organizations. Media cannot report anything that the monarch does not like.
- (iv) There is no freedom of religion. Every citizen is required to be Muslim. Non-Muslim residents can follow their own religion in private, but not in public.
- (v) Women are subjected to many public restrictions. The testimony of one man is considered equal to that of two women.

**(c) Ethnic Massacre in Kosovo:**

- (i) Albanians formed the majority of the population in Kosovo but the Serbs were in majority in other parts of Yugoslavia.
- (ii) Milosevic who became the Prime Minister wanted Serbs to dominate the country and to get rid of the Albanians.
- (iii) Thousands of Albanians were massacred. Finally, several other countries intervened to stop this massacre.
- (iv) Milosevic was captured and tried by an international Court of justice for crimes against humanity.

## **RIGHT IN A DEMOCRACY**

### **(a) What are Rights?**

- (i) Rights are claims of a person over other fellow beings, over the society and over the government. A right possible when you make a claim that is equally possible for others. You cannot have a right that harms or hurts others. The claims we make should be reasonable. They should be such that can be made available to others in an equal measure. Thus, a right comes with an obligation to respect other rights.
- (ii) Just because we claim some thing it does not become our right. It has to be recognised by the society we live in. rights acquire meaning only in society. Every society makes certain rules to regulate our conduct. They tell us what is right or what is wrong. What is recognized by the society as rightful becomes the basis of rights.
- (iii) When the socially recognised claims are written into law they acquired real force. Otherwise they remain merely as natural or moral rights. When law recognises some claims they become enforceable. We can demand their application. When fellow citizens or the government do not respect these rights we call it violation or infringement of our rights. In such circumstances citizens can approach courts to protect their rights.

**Rights are reasonable claims of persons, recognised by society and sanctioned by law.**

### **(b) Why do we need Rights in a Democracy?**

- (i) Fundamental Rights provide the conditions which are essential for the development of the inherent qualities in man and to secure his all round growth.
- (ii) These are necessary to preserve human dignity and promote social progress in an atmosphere of freedom.
- (iii) These provide civil liberties, without which democracy cannot be even conceived.
- (iv) These are a significant check on the arbitrary use of the government.
- (v) Rights protect minorities from the oppression of majority.

## **RIGHTS IN THE INDIAN CONSTITUTION**

In India, like most other democracies in the world, these rights are mentioned in the Constitution. Some rights which are fundamental to our life are given a special status. They are called Fundamental Rights. The preamble of our Constitution talks about securing for all its citizens equality, and justice. Fundamental Rights put this promise into effect. They are an important basic feature of India's Constitution.

### **(a) 'Right of Equality':**

The various aspects of 'Right of Equality' are as follows:

- (i) Equality before Law: The constitution guarantees that all citizens are equal, before law. There is no discrimination on the basis of race, caste, sex or place of birth.
- (ii) Abolition of all titles like Khan Bahadur, etc.
- (iii) People should be given equal opportunity to show their skill.
- (iv) The State cannot discriminate against anyone in the matter of employment. All citizens can apply and become employees of the State.
- (v) Protection of Weaker Sections: the right of equality gives special provisions for women and children.
- (vi) Reservation: In legislature, educational institutions, government offices, etc, some seats are reserved for the weaker sections.
- (vii) Ban on Untouchability: Untouchability has been made an offence. Anyone who practices untouchability is liable to punishment.
- (viii) No citizen can be denied access to shops, public restaurants, hotels and places of public entertainment.

### **Two exceptions to the Right of Equality.**

The Right to Equality contains two exceptions as follows:

- (i) The state can make special provisions for women and children, scheduled castes and scheduled tribes and backward classes. These classes need special protection because often they have been victims of unequal treatment.
- (ii) The state can reserve some posts for SCs, STs and OBCs.

### **(b) the Right to Freedom is actually a cluster of rights:**

The Right to Freedom is a Fundamental Right given to us by the Constitution and safeguarded by the government. It consists of the following rights:

- (i) Freedom of speech and expression.
- (ii) Freedom to assemble peacefully.
- (iii) Freedom to form unions and associations.
- (iv) Freedom to move within the country.
- (v) Freedom to live in any part of India.
- (vi) Freedom to practice any profession.

In addition, the Parliament has enacted a law giving the right to information to the citizens.

### **Restriction to the Right to Freedom:**

The restrictions are as follows:

- (i) The government can restrict these rights in the interest of national integration. It implies that if these laws are used against the unity and integrity of India, the government can pass laws to restrict them.
- (ii) Similar restrictions can be imposed if they are disturbing public order or morality.
- (iii) We have the right to speech, but we should not use abusive language.
- (iv) We have the right to use public property but it is not a right to destroy it. It is our duty to protect public property.

### **“No citizen can be denied his life and liberty.”**

The Right to Freedom guarantees that no citizen can be denied his life and liberty.

- (i) These can be denied only by law, i.e., only if a citizen has violated a law or committed a crime.
- (ii) No one can be arrested without being told why he/she is being arrested.
- (iii) And, if arrested, every citizen has the right to defend himself/herself through a lawyer of his/her own choice.
- (iv) Also, if a citizen is arrested, he/she must be brought before a magistrate within 24 hours.

Recently, the Supreme Court has expanded the meaning of the right to life to include the right to food. All these rights are given to the citizens to ensure that the government cannot oppress them unjustly or take away their liberty.

### **Preventive Detention:**

If a person is seen to be a threat to law or unity and integrity of the country, the government can detain such person to prevent any damage. This is called Preventive Detention.

But preventive detention can extend only for three months.

The period can be extended by an advisory board.

At the end of this period, the person should either be brought for trial before a Court or released.

### **(c) ‘Right against Expiation’:**

Right against Expiation provides for the following:

- (i) Prohibition of traffic in human beings.
- (ii) Prohibition of forced labor or begar.
- (iii) Prohibition of employment of children in factories.

### **Constitutional provisions to protect the rights of children.**

The provisions to protect rights of children are as follows:

- (i) The Constitution bans trading in children, i.e., buying and selling of children.
- (ii) Children under the age of 14 cannot be employed to do dangerous jobs.
- (iii) All children should be provided free and compulsory education till the age of 14.
- (iv) Right against exploitation protects them from bonded labor.
- (v) The Constitution protects them from moral and material degradation.

### **(d) Right to Freedom of Religion:**

Our Constitution gives the right to practice any religion to all citizens. Accordingly,

- (i) there is no discrimination against any religion;
- (ii) Laws are not passed on the basis of religion;
- (iii) A citizen can practice any religion which he/she wishes to;
- (iv) Religious groups can setup charitable institutions.

### **(e) Cultural and educational rights:**

India is a country with many religions, languages and cultures. The Constitution helps them in preserving and developing their own identity.

- (i) All sections of people having their distinct culture, language and script have full freedom to protect the same.
- (ii) All minorities have the right to establish and administer educational institutions of their choice.

### **(f) How can we secure these Rights?**

The Constitution provides that the Courts have a duty to protect citizens' rights.

- (i) Every citizen has a right to go to a Court to enforce his rights.
- (ii) He can challenge any act of the government against his rights.
- (iii) Courts can issue orders to the government.
- (iv) These Court orders are known as Writs.
- (v) Some of the important forms of writ are: Habeas corpus, mandamus, quo warranto and certiorari.

### **Different types of writs.**

An order issued by a court to the government is called a writ. Some of the important types of writs are as follows:

- (i) Habeas Corpus: The Court can order the government to produce before it a detained person, so that it can know the reason for detention and set him free if there is no legal justification for the detention.
- (ii) Mandamus: The court may issue a command to any public or quasi-public legal body which has refused to perform its legal duty.
- (iii) Quo Warranto: It is issued by a Court to a public servant to inquire into the legality of his holding a public office and to remove him if his claim is not well-founded.
- (iv) Prohibition: It is issued by a Higher Court to stop the proceedings in a lower Court on the ground that the Lower Court does not have the jurisdiction to deal with the case.
- (v) Certiorari: It is issued by the Supreme Court to a Lower Court in order to quash its order or decision.

### **(g) Nature of Fundamental Rights in the Constitution:**

The nature of Fundamental Rights is as under:

- (i) The government cannot make a law which violates the Fundamental Rights.
- (ii) Some rights are available to all, while some other rights are available only to citizens.

- (iii) These rights are not absolute. These are subject to certain restrictions imposed in the interest of public order, decency or morality.
- (iv) These rights are justiciable.
- (v) Some of these rights can be suspended in times of emergency.

### **EXPANDING SOURCE OF RIGHTS**

While fundamental rights are the source of all rights, OUR Constitution and offers a wider range of rights. Over the years the scope of rights has expanded.

#### **(a) Expansion in the Legal Rights:**

- (i) Now school educational has become a right for Indian citizens. The governments are responsible for providing free and compulsory education to all children up to the age of 14 years.
- (ii) Parliament has enacted a law giving the right to information to the citizens. This Act was made under the Fundamental Rights to freedom of thought and expression.
- (iii) Recently the Supreme Court has expanded the meaning of the right to life to include the right to food.
- (iv) Constitution provides many more rights, which may not be Fundamental Rights. For example the right to property is not a Fundamental Right but it is a constitutional right. right to vote in elections is an important constitutional right.

#### **(b) Expansion in the Human Rights:**

**International Covenant recognises many rights that are not directly a part of the Fundamental Rights in the Indian Constitution. this has not yet become an international treaty. but human right activists all over the world see this as a standard of human rights. These include:**

- (i) Right to work, an opportunity to everyone to earn livelihood by working.
- (ii) Right to safe and healthy working conditions, fair wages that can provide decent standard of living for the workers and their families.
- (iii) Right to adequate standard of living including adequate food, clothing and housing.
- (iv) Right to social security and insurance.
- (v) Right to health which provides medical care during illness, special care for women during childbirth and prevention of epidemics.
- (vi) Right to education provides which provides free and compulsory primary education and equal access to higher education.
- (c) Constitution of South Africa guarantees its citizens several kinds of new rights:
  - (i) Right to privacy, so that citizens or their homes cannot be searched, their phones cannot be tapped, their communication cannot be opened.
  - (ii) Right to an environment that is not harmful to their health or well-being.
  - (iii) Right to have access to adequate housing.
  - (iv) Right to have access to health care services, sufficient food and water; no one may be refused emergency medical treatment.

### **FUNDAMENTAL DUTIES**

**Fundamental Duties were incorporated due to the following reasons:**

- (i) Fundamental Duties have been added to balance the Fundamental Rights and keep them in the right perspective.
- (ii) These have been added to make the citizens realize that if they are given some Fundamental Rights they have also to perform certain duties. Every right has a duty attached to it.



- (iii) These have been added to develop patriotism among the citizens and to make them realize the importance of protecting the sovereignty and integrity of the country and to promote harmony and to strengthen the nation.

**Our Constitution states the following as Fundamental Duties of citizens:**

- (i) Right to work
- (ii) Right to free and compulsory education
- (iii) Right to equal wages
- (iv) Right to an adequate livelihood
- (v) Promote and develop Panchayati Raj
- (vi) Promotion of SC/ST
- (vii) Public health, protection of animals, ban on drinking
- (viii) Promote cottage industries
- (ix) Protect environment
- (x) Maintain world peace.

**DIRECITIVE PRINCIPLES OF STATE POLICY**

The Directive Principles of State Policy are the directions given by the Constitution to government to establish a just society. The aim of these directions is to create proper economic and social conditions to create a good life.

The Directive Principles of State Policy can be classified as follows:

Socialist

- (i) Right to work
- (ii) Right to free and compulsory education
- (iii) Right to equal wages
- (iv) Right to an adequate livelihood
- (v) Promote and develop Panchayati Raj
- (vi) Promotion of SC/ST
- (vii) Public health, protection of animals, ban on drinking
- (viii) Promote cottage industries
- (ix) Protect environment
- (x) Maintain world peace.

Fundamental Rights	Directive Principles
1. These are right of citizens guaranteed by the Constitution.	1. These are directions given by the Constitution to The government.
2. The government must grant these right to the citizens	2. It is for the government of follow these principles or not.
3. A citizen can go to a Court to get his rights enforced.	3. These cannot be enforced by Courts.
4. These are more political in nature.	4. These are socio- economic in nature.

In the case of conflict between the Fundamental Rights and Directive Principles the former enjoy precedence.

**NATIONAL HUMAN RIGHTS COMMISSION**

National Human Right Commission (NHRC) IS an independent commission. It was setup in 1993. The NHRC performs the following functions:

- (i) It can make an independent and credible inquiry into any case of violation of human rights.
- (ii) It can inquiry into any case of abetment of such violation or negligence in controlling it by any government officer.

- (iii) It can take any step of promote human rights in the country. The Commission has ranging powers to carry out it's inquiry:
- (iv) It can summon witnesses.
- (v) It can question any government official.
- (vi) It can demand any official paper.
- (vii) It can visit any prison for send its own team for on-the spot inquiry.

The Commission presents its findings and recommendations to the government. it cannot by itself punish the guilty. Hon'ble justice Shri S. Rajendra Babu assumed the office of Chaiperson of National Human Right Commission April 2,2007. National Commission of Women is headed by Smt. girija Vyas. National Commission of Minorities is headed by Mohd. Hamid Ansari.

## EXERCISE

### OBJECTIVE DPP-6.1

1. The Fundamental Rights granted to the Indian Citizen can be amended by the:  
(A) Vice-President      (B) President      (C) President      (D) Prime Minister
2. Which of the following is not an instance of an exercise of a fundamental right?  
(A) Workers from Bihar go to the Punjab to work on the farms.  
(B) Christian missions set up a chain of missionary schools.  
(C) Men and women government employees get the same salary.  
(D) Parents' property is inherited by their children.
3. Which of the following rights has only has been ensured to the been granted to the citizens of India and denied to non-citizens?  
(A) Equality before law      (B) Freedom of speech, assemble and association  
(C) Right to constitutional remedies      (D) Protection of life and personal liberty
4. Which of the following Fundamental Rights citizens of India?  
(A)To get-education      (B) To get employment  
(C) To buy and sale property      (D) To from association or unions
5. Which of the following writ or order in passed by the Supreme court of the high court to ascertain the validity a person to a certain post?  
(A)Habeas Corpus      (B) Prohibition      (C) Quo warranto      (D) Mandamus
6. The Right to Private Property in India today is:  
(A)A fundamental rights      (B)A political right      (C) A moral right      (D) A legal right
7. Which of the following is not a political right of a citizen?  
(A)Right to vote      (B) Right to seek election      (C) Right to property      (D) Right to partition
8. The Right to freedom of movement in India is a :  
(A)Legal Right      (B) Natural Right      (C) Moral Right      (D) Fundamental Right
9. Which fundamental rights will be affected if our county adopts a policy of racial discrimination against Muslims and Christians?  
(A)Right to equality      (B) Right to freedom  
(C) Right against exploitation      (D) Right to constitution remedies
10. Which of the following rights is available under the Indian Constitution?  
(A)Right to work      (B) Right to adequate livelihood  
(C) Right to protect one's culture      (D) Right to privacy

11. Which of the following Fundamental Duties have been enumerated in our Constitution for the citizen?  
 (A) To abide by the constitution, and respect National flag  
 (B) To cherish and follow the noble ideals which inspired our freedom struggle  
 (C) To uphold, protect the unity, Sovereignty, integrity and to defend our country and render national service when called upon to do so  
 (D) All the above
12. Fundamental Rights can be suspended by:  
 (A) The Union cabinet  
 (B) The President  
 (C) The Chief Justice of India  
 (D) Non of the above
13. Which one of the Fundamental Rights of the Indian Constitution prohibits traffic using of human beings?  
 (A) Right to equality  
 (B) Right against exploitation  
 (C) Right to freedom  
 (D) Non of the above
14. Which of the following freedoms is not available to an Indian citizen?  
 (A) Freedom to criticize the government  
 (B) Freedom to participate in armed revolution  
 (C) Freedom to start a movement to change the government  
 (D) Freedom to oppose the central values of the Constitution
15. Which of the following Fundamental Rights has been the subject of maximum litigation and controversy?  
 (A) Right to Property  
 (B) Right to equality  
 (C) Right to freedom of religion  
 (D) Right to freedom

## **SUBJECTIVE DPP -6.2**

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### **Very Short Answer Type Questions:**

1. Mention three qualities of rights.
2. Why are the rights guaranteed by the Indian Constitution called Fundamental Rights?
3. Mention any two exceptions to the Right to Equality.
4. Mention any four rights of the Indian citizens except the Fundamental Rights.
5. Mention any two limitations of freedom of speech and expression.
6. Which is the most important right and why?
7. What is meant by 'Preventive Detention'?
8. Mention two Rights which are important Constitution Rights but not Fundamental Rights.

### **Short Answer Type Questions:**

9. What is the position of citizens with regard to their government in Saudi Arabia?
10. What is the significance of Fundamental Rights?
11. What are the Fundamental Rights Guaranteed in our Constitution?
12. What are the aspects of 'Right to Equality'?
13. What are the important exceptions to the 'Right to Equality'?
14. "No citizen can be denied his life and liberty" Comment.
15. Write about 'Right against exploitation'.
16. Mention Constitution provision to protect the right of children.

### Long Answer Type Questions:

17. Explain cultural and educational rights as provided Constitution.
18. What do you mean by 'Right to Constitution Remedy'? What kind of writs can be issued under this right? Explain them each.
19. Distinguish between fundamental rights and directive principals of state policy.
20. What is National human Right Commission? What is its function?
21. What are the International Covenant or Economic, Social and Cultural Rights?
22. What is relationship between democracy and rights of citizen?
23. What do you think about the reasonable restrictions on the right to freedom? Are they justified? Give your reasons.
24. Explain any four Fundamental Rights which are granted by the Indian Constitution to all Indian citizens. What can a citizen do if these rights are violated?

## ANSWER KEY

(Objective DPP6.1)

Que.	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Ans	C	D	B	D	C	D	C	D	A	C	D	B	B	B	A