



राजनीतिक विज्ञान Political Science

कक्षा / Class XI
2025-26

विद्यार्थी सहायक सामग्री
Student Support Material





संदेश

विद्यालयी शिक्षा में शैक्षिक उत्कृष्टता प्राप्त करना एवं नवाचार द्वारा उच्च – नवीन मानक स्थापित करना केन्द्रीय विद्यालय संगठन की नियमित कार्यप्रणाली का अविभाज्य अंग है। राष्ट्रीय शिक्षा नीति 2020 एवं पी. एम. श्री विद्यालयों के निर्देशों का पालन करते हुए गतिविधि आधारित पठन-पाठन, अनुभवजन्य शिक्षण एवं कौशल विकास को समाहित कर, अपने विद्यालयों को हमने ज्ञान एवं खोज की अद्भुत प्रयोगशाला बना दिया है। माध्यमिक स्तर तक पहुँच कर हमारे विद्यार्थी सैद्धांतिक समझ के साथ-साथ, रचनात्मक, विश्लेषणात्मक एवं आलोचनात्मक चिंतन भी विकसित कर लेते हैं। यही कारण है कि वह बोर्ड कक्षाओं के दौरान विभिन्न प्रकार के मूल्यांकनों के लिए सहजता से तैयार रहते हैं। उनकी इस यात्रा में हमारा सतत योगदान एवं सहयोग आवश्यक है - केन्द्रीय विद्यालय संगठन के पाँचों आंचलिक शिक्षा एवं प्रशिक्षण संस्थान द्वारा संकलित यह विद्यार्थी सहायक- सामग्री इसी दिशा में एक आवश्यक कदम है। यह सहायक सामग्री कक्षा 9 से 12 के विद्यार्थियों के लिए सभी महत्वपूर्ण विषयों पर तैयार की गयी है। केन्द्रीय विद्यालय संगठन की विद्यार्थी सहायक- सामग्री अपनी गुणवत्ता एवं परीक्षा संबंधी सामग्री संकलन की विशेषज्ञता के लिए जानी जाती है और शिक्षा से जुड़े विभिन्न मंचों पर इसकी सराहना होती रही है। मुझे विश्वास है कि यह सहायक सामग्री विद्यार्थियों की सहयोगी बनकर निरंतर मार्गदर्शन करते हुए उन्हें सफलता के लक्ष्य तक पहुँचाएगी।

शुभाकांक्षा सहित ।

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**CLASS XI
COURSE STRUCTURE**

Chapter No.	Chapter Name	Marks
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Marks allotted to Indian Constitution at Work		40
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7	Nationalism	
8	Secularism	6
Marks allotted for Political Theory		40
Total		80

QUESTION PAPER DESIGN

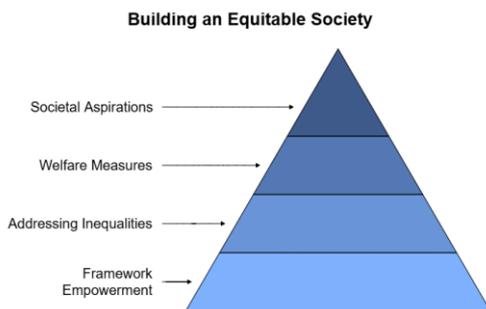
Book	Objective Type 1(M)	SA Type I 2(M)	SA Type II (4M)	Passage/Map/ Cartoon based Questions(4M)	LA Type (6M)	Total Weightage
Indian Constitution at work	6	3	3	1	2	40
Political Theory	6	3	2	2	2	40
Project/ Practical						20
Total no of marks and questions	12	6	5	3	4	80+20

CHAPTER-1

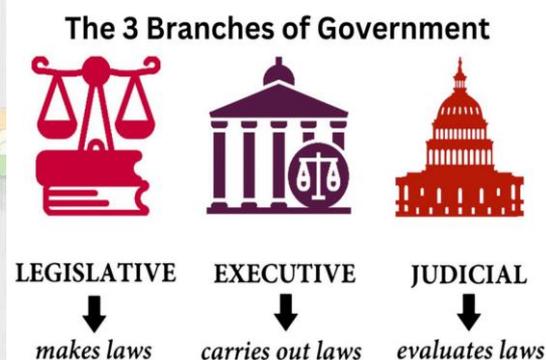
“ CONSTITUTION: WHY AND HOW? ”

GIST FOR THE CHAPTER

- The Constitution is a fundamental legal document that outlines the framework of a government. It establishes the structure, procedures, powers, and duties of government institutions
- Rule of Law: Ensures that laws apply equally to all individuals. Protection of Rights: Safeguards the rights and liberties of citizens. Unity and Integrity: Promotes national unity and integrity in a diverse society.
- The constitution specifies the basic allocation of power within society, determining who has the authority to make decisions regarding laws and policies. Outlines the process of decision-making, such as direct voting or elected representatives.
- The constitution establishes limits on the actions that government can take against its citizens, government cannot violate, like protection against unfair arrests and guarantees of freedoms such as speech and association.
- The constitution provides a framework for the government to pursue positive goals and aspirations of society and provisions for positive welfare measures, giving governments the power to implement these actions to uplift all citizens.

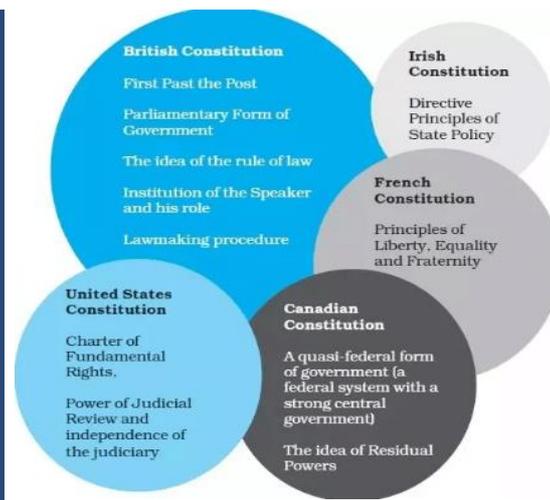


- Constitution expresses the fundamental identity of a people by setting norms and principles that form their basic political identity.
- India’s Constitution was crafted by a Constituent Assembly between December 1946 and November 1949, influenced by the nationalist movement.
- The Indian Constitution divides power among the Legislature, Executive, Judiciary, and bodies like the Election Commission, ensuring checks and balances.
- A successful constitution balances core values with the ability to adapt to change, avoiding extremes of being too rigid or too flexible.
- Constitution of India was created by a Constituent Assembly elected for undivided India, and was guided by the British Cabinet Mission (1946)



- This resulted in 292 members from the provinces and a minimum of 93 seats for princely states.
- After the Partition on June 3, 1947, members elected from territories that became Pakistan were removed from the Constituent Assembly, reducing its number to 299.

- Constituent Assembly was formed in 1946 to draft the Constitution
- The Constitution was adopted on November 26, 1949, with 284 members signing it on January 24, 1950. It officially came into force on January 26, 1950.
- Although the Constituent Assembly was not elected by universal suffrage, efforts were made to ensure it was representative, with members from all religions and twenty-eight members from the Scheduled Castes.
- Constituent Assembly had eight major committees chaired by figures like Jawaharlal Nehru, Rajendra Prasad, Sardar Patel, and B.R. Ambedkar. Despite their differences—Ambedkar's criticism of the Congress and Gandhi, and Patel and Nehru's disagreements—they worked together effectively.
- Objective Resolution of 1946, moved by Jawaharlal Nehru, best summarizes the principles brought to the Assembly.
- The Constitution institutionalized fundamental commitments such as equality, liberty, democracy, sovereignty, and a cosmopolitan identity.
- Constituent Assembly carefully balanced the roles of the executive, legislature, and judiciary, leading to the adoption of a parliamentary system and a federal structure.
- This setup distributes powers between the States and the central government, as well as between the legislature and the executive.
- The assembly comprised elected representatives and was tasked with framing a constitution that reflected the aspirations of the people.



Short Type Questions

➤ Discuss the objectives of our Constitution as embodied in the Preamble.

Ans: Following are the objectives of our Constitution given in the Preamble:

(a) Justice, social, political and economic, (b) Liberty of thought, expression, belief, faith and worship; (c) Equality of Status and of opportunity; and to promote among them all (d) Fraternity assuring the dignity of the individual and the unity and integrity of the nation.

➤ Write down the different forms of liberty mentioned in the Preamble of the Constitution.

Ans: The aim of the Preamble is to provide liberty to the people and Preamble mentioned the various types of liberties, such as:

- Liberty of Thought. Liberty of thought is given to all citizens of India.
- Liberty of Expression. Citizens are guaranteed the liberty of expression.
- Liberty of Belief and Faith. Citizens are given liberty of belief and faith.
- Liberty of Worship.

➤ The Constitution guarantees liberty of worship. Mention the kinds of Justice included in the Preamble of the Constitution.

Ans: In the Preamble the idea of achieving Social, Economic and Political Justice for all has been mentioned.

➤ Discuss the circumstances which led to the formation of the Constituent Assembly.

Ans: Our Constitution was drafted by a Constituent Assembly composed of Indian people. Mahatma Gandhi mooted the idea of Constituent Assembly in 1922 and the Indian National Congress put the demand in a concrete form in 1935. But this demand of Congress party remained unfulfilled for a number of years. It was incorporated in the Cripps Proposals of 1942 that after the end of the war, a Constitution-making body would be set up to frame a new Constitution. However, for various reasons the Cripps Proposals did not meet the approval of the Indian people. The Cabinet Mission Plan, 1946 proposed the Constitution of an Assembly to frame the Constitution. The elections to the Constituent Assembly were held in 1946 according to the Cabinet Mission Plan. Its first meeting was held on 9th December, 1946.

➤ Explain the composition of the Constituent Assembly.

Ans: The Constituent Assembly consisted of 389 members: 296 from the British-Indian provinces and 93 from the Indian states. Out of 296, 4 members were taken from the Chief Commissioners' Provinces. The first meeting of Constituent Assembly was presided over by an experienced and old member Dr. Sachidanand Sinha in which 210 members participated.

➤ Write a short note on the Constituent Assembly of India.

Ans: The Cabinet Mission, 1946 recommended the setting up of Constituent Assembly. The Constituent Assembly was to consist of 389 members: 296 from the British provinces and 93 from the Indian states. The elections to the Constituent Assembly were held in July, 1946. The results of the elections created a sense of frustration in the league. The Constituent Assembly constituted of 299 members after the withdrawal of the Muslim League. The first session of the Constituent Assembly was held on December 9, 1946. The Constituent Assembly adopted the National Flag on 22nd July, 1947. On August 29, 1947 a Drafting Committee under the Chairmanship of Dr. B. R. Ambedkar was appointed. After doing much labour, the Draft Constitution was published in January, 1948. The members of the Constituent Assembly were given full eight months to consider the draft of the Constitution. At last on November 26, 1949, the Constituent Assembly adopted the new Constitution of India. The new Constitution came into effect on January 26, 1950.

➤ Mention four sources of Indian Constitution.

Ans: (a) Amendment is the main source of Indian Constitution.

(b) Acts of Parliament is another source of Indian Constitution.

(c) The Act of 1935 is an important source of Indian Constitution. The Constitution derives a lot from the Government of India Act, 1935.

(d) Constitutional provisions of other countries like France, Britain, USA and Ireland were the important source of other constitution.

➤ What are the functions of constitutions?

Ans: All the democratic countries of the world have Constitutions. We need a Constitution due to the following reasons:

(a) Constitution is needed to provide basic rules which assure coordination amongst members of a society.

(b) Constitution is needed to provide fundamental principles and rules on the basis of which government should be run.

(c) Constitution is needed to specify how the government will be constituted.

(d) Constitution puts limitations on the three organs of the government so that no organ should become absolute and arbitrary.

➤ "Indian constitution is neither too flexible and nor too rigid" Justify.

Ans: Indian constitution is world's largest written constitution. And in general, changing a written constitution is very difficult. But Indian Constitution is both rigid and flexible, because the procedure of amendment is neither easy nor difficult. The Constitution has provided a federal structure for India. A

special majority of the Union Parliament, i.e., a majority of not less than two-thirds vote is required to amend the Constitution.

- Bring out the Significance of the Terms “Sovereign, Democratic Republic” As Mentioned In The Preamble.

Ans: India is a sovereign state. It means the state in India is the supreme authority over all men and all associations within the country and is absolutely free from any outside control. India is democratic. It means that in India all governments are formed on the basis of popular support. India is republic. It means all offices of the state from the highest to the lowest are held on the basis of merit and no office of the state is held on the basis of hereditary right.

Long Type Questions

- Examine the significance of the preamble to the Indian Constitution.

Ans: Preamble of Indian Constitution has a special significances as follows:-

- (a) The preamble expressed clearly that people are the ultimate source of authority.
- (b) The preamble emphasized the fact that India is a sovereign, socialist, democratic republic.
- (c) The preamble assures that the people of India Justice, Social, Economic and Political.
- (d) The preamble is the mirror of the constitution and is a jewel set in the constitution.
- (e) It enables the people to assess and evaluate the performance of the government in the light of the objectives laid down in the constitution.

- Why the Indian Constitution was enforced on 26th January, 1950?

Ans: On December, 31, 1929 the congress passed a resolution of complete independence at the Lahore session and decided to celebrate every 26th January as Independence Day. On January 26, 1930 our flag was hoisted on the bank of the river Ravi and this trend continued of celebrating Independence Day on 26 January until we got it on 15 August 1947. To remember the day, the entire struggle, the makers of Indian constitution had chosen 26 January, 1950 to enforce the constitution even when it was ready on 26 of November 1949.

- ‘The Constitution of India is a bag of borrowing.’ Discuss.

Ans: The Indian Constitution is generally described as a ‘borrowed Constitution’, a ‘patch work’, a ‘paste and scissors affair’ because Indian Constitution has drawn extensively from the major Constitutions of the world. The framers of the Constitution were interested in making a fine and workable Constitution which should work efficiently and should prove to be a living means for the development of India. Prof. M. P. Sharma has very rightly said that, “It was not the purpose of our Constitution makers to produce an original or unique Constitution. What they wanted was a good and workable one.” The framers of the Indian Constitution have drawn freely from the British Constitution. This is perhaps due to long association with Great Britain.

(A) The following are the gifts of the British Constitution to our new Constitution.

1. The Indian President is a Constitutional head like the British Queen.
2. Like the British House of Commons, the Indian Lok Sabha is more powerful than the Second Chamber, i.e., Rajya Sabha.
3. Like the British, Cabinet is responsible to the Parliament.
4. Like England, India had adopted a Parliamentary form of Government. (v) Rule of law has also been taken from England.

(B) The framers of the Indian Constitution have drawn the following from the American Constitution:

1. The Preamble of the Indian Constitution is akin to the Preamble of the American Constitution.
2. According to T.K. Tope, the Vice-President of India is like the Vice-President of the U.S.A. Fundamental Rights of Indian Constitution resemble to the Bill of Rights of the U.S.A.
3. Like American Judiciary, Indian Judiciary is independent.

4. The nature and functions of the Supreme Court are like those of the American Supreme Court.

(C) From Irish Constitution following are drawn:

1. Directive Principles of State Policy.
2. Some members of the Rajya Sabha are nominated.

(D) Influence of the Canadian Constitution:

1. In Indian Constitution, like the Canadian Constitution, residuary powers are given to the Centre.
2. Like the Canadian Constitution, strong centre is provided in the Indian Constitution.
3. The name Union of India for the Indian Republic has got its source in the Canadian Constitution. But borrowing these ideas was not slavish imitation. Far from it, each provision of the constitution had to be defended on grounds that it was suited to Indian problems and aspirations.

➤ Describe in brief the salient features of Indian Constitution.

Ans: The following are the salient features of the Constitution:

1. **Written and Detailed Constitution.** The Indian Constitution is a written Constitution. It is seven times as big as that of the Fourth Republic of France. The Constitution consists of 448 Articles, 22 parts, 12 Schedules and 5 appendices. They also constitute the part and parcel of the Constitution.
2. **Creation of a Sovereign Democratic Republic.** By the 42nd Amendment, Preamble of the Constitution was amended. For the words 'Sovereign Democratic Republic', the words 'Sovereign, Socialist, Secular Democratic Republic' were substituted. And for words 'Unity of the Nation', the words 'Unity and Integrity of the Nation', were substituted.
3. **People's Own Constitution.** The Indian Constitution has been framed by the Constituent Assembly formed by the people of India. The Constitution has not been imposed upon us. It originates from the people of India and is promulgated in the name of the people.
4. **Secular State.** The Constitution of India establishes Secular State. By 42nd Amendment, the word 'Secularism' is included in the Preamble of the Constitution.
5. **Flexible and Rigid Constitution.** The Indian Constitution is rigid as well as flexible. Some of the Articles of the Constitution can be amended by a simple majority of the Parliament, for example, changing the names of the States, altering the boundaries of the State, matters relating to citizenship, etc. Some of the Articles of the Constitution can be amended by at least 2/3rd majority of the members of Parliament with ratification by the legislatures of at least one- half of the States.
6. **Federation with a Unitary Bias.** Though the word 'Federation' has not been used in any of the Articles of the Constitution, yet the Constitution establishes in form federation in India. According to Art. 1 of the Constitution, "India shall be a Union of States." The Indian Constitution possesses all the necessary characteristics of a federation, powers between the Centre and the States have been divided by the Constitution.
7. **Parliamentary form of Government.** The Indian Constitution establishes a parliamentary form of Government in India as per article 79.
8. **Fundamental Rights.** Part III of the Indian Constitution deals with the fundamental rights of the people. Such as:- Right to Equality. Right to Freedom. Right to Religion. Cultural and Educational Rights. Right against Exploitation. Right to Constitutional Remedies. Under the bill of Rights, all the citizens have been given equal rights.
9. **Fundamental Duties.** By 42nd Amendment after Part IV of the Constitution, Part IV A is inserted in the Constitution. For the first time a set of 10 Fundamental Duties of Citizens have been enumerated.
10. **Independent Judiciary.** An independent judiciary is essential not only for the protection of the fundamental rights of the people, but is equally essential in a Federal Government.

➤ Discuss the main sources of the Indian Constitution.

Ans: The new Constitution of India, though ready by November 26, 1949, came into operation on January 26, 1950. The following are the main sources of Indian Constitution:

(a) Government of India Act, 1935. The new Constitution derives a lot from the Government of India Act of 1935. Both in language and substance remarks Prof. Srinivasan, "It is a close copy of the Act 1935 Almost two-third of the Constitution owes its origin to this Act with modifications in the context of the new conditions attainable in the country." Many Articles of the new Constitution have been borrowed from the Government of India Act, 1935. As many as 250 Articles, word for word or with a little modification, from the Act of 1935 have been inducted into the new Constitution. Some of the Articles of the Constitution clearly lay down that till the Parliament enacts a new law, the old rules under the Act of 1935 will continue in force.

(b) Other Constitutions. The Indian Constitution has drawn extensively from the major constitutions of the world. The framers of the Indian Constitution have drawn freely many good things from the Constitutions of England, America, Australia, Canada, Germany, South Africa and Ireland.

Very Short Type Questions

➤ Who moved the 'Objective Resolution' in the Constituent Assembly?

Ans: Pt. Jawaharlal Nehru moved the 'Objective Resolution' in the Constituent Assembly.

➤ What are the different forms of justice mentioned in the Preamble to the Constitution of India?

Ans: There are three forms of justice mentioned in the Preamble to the Constitution. These are:

(a) Social justice, (b) Economic justice, (c) Political justice.

➤ What is the nature of state according to the Preamble?

Ans: The nature of the state according to the Preamble is Sovereign, Democratic, Secular, Socialist and Republic.

➤ What are the fundamental commitments of the Indian Constitution?

Ans: The fundamental commitments of the Indian Constitution include equality, liberty, democracy, sovereignty, and a cosmopolitan identity.

➤ Why the Indian Constitution is often referred to as a "Living Document"?

Ans: The Indian Constitution is referred to as a "Living Document" because it is flexible and can be amended to address changing times and circumstances.

➤ Who was the first President of the Constituent Assembly of India?

Ans: Dr. Sachchidananda Sinha was the first President (temporary Chairman) of the Constituent Assembly when it met on 9 December 1946.

➤ What is the significance of 26th January 1950 in the context of the Indian Constitution?

Ans: January 26, 1950, is the date on which the Indian Constitution was formally adopted, marking the transition to a republic.

➤ What is the role of the Preamble in a constitution?

Ans: The Preamble of a constitution provides an introduction and sets out the guiding values and objectives of the constitution.

➤ Which country's constitution had a significant influence on the concept of "procedure established by law" in the Indian Constitution?

Ans: The concept of "procedure established by law" in the Indian Constitution was influenced by the Constitution of Japan.

➤ How long did the Constituent Assembly of India take to complete the Indian Constitution?

Ans: The Constituent Assembly of India worked for approximately two years, eleven months, and eighteen days to complete the Indian Constitution.

➤ What is the purpose of the Preamble in the Indian Constitution?

Ans: The Preamble of the Indian Constitution outlines the guiding principles, objectives, and values of the Constitution, providing the context for the entire document.

➤ Who was the chairman of the Drafting Committee of the Constituent Assembly?

Ans: Dr. B. R. Ambedkar served as the chairman of the Drafting Committee of the Constituent Assembly, which was responsible for preparing the draft of the Constitution.

➤ What is the total number of articles in the Indian Constitution?

Ans: The Indian Constitution originally had 395 articles, which have been amended over time. Currently, the number of articles has since increased to 448 due to 104 amendments since its enactment in 1950.

Assertion and Reasons Based

DIRECTION: Mark the option which is most suitable :

- (a) If both assertion and reason are true and reason is the correct explanation of assertion.
- (b) If both assertion and reason are true but reason is not the correct explanation of assertion.
- (c) If the assertion is true but the reason is false.
- (d) If both assertion and reason are false.

Assertion: The Indian Constitution is often referred to as a "Living Document."

Reason: It can be changed easily without any restrictions.

Ans- C

Assertion: The Indian Constitution was adopted on 26th January 1950 to commemorate Purna Swaraj.

Reason: Purna Swaraj was officially demanded by Congress in Lahore session 1929.

Ans- A

Assertion: The Indian Constitution draws its authority from the fact that members of the Constituent Assembly engaged in public reason.

Reason: The Constituent Assembly debated every clause of the Constitution extensively.

Ans- A

Assertion: The Indian Constitution is a "borrowed bag."

Reason: It has borrowed provisions from the constitutions of various other countries.

Ans- A

Multiple Choice Questions

➤ According to political theorists, what forms the basis of legitimate political authority?

- a) Divine right of kings b) Military strength c) Consent of the governed d) Dynastic lineage

Ans- c) Consent of the governed

➤ Which political theory argues for the abolition of private property and a classless society?

- a) Liberalism b) Socialism c) Conservatism d) Fascism

Ans- b) Socialism

➤ Which of the following best describes the term "Sovereignty" in political theory?

- a) Power to enforce laws b) Rule by the elite
- b) Power to make laws d) Authority vested in religious leaders

Ans- a) Power to enforce laws

➤ The concept of "equality of opportunity" in political theory aims to:

- a) Ensure equal outcomes for all individuals b) Provide equal resources to every citizen
- b) Guarantee everyone's right to vote d) Ensure a level playing field for all citizens

Ans- d) Ensure a level playing field for all citizens

➤ Which was the first non-official attempt at drafting a constitution of India?

- A) Constitution of India Bill, 1892 b) Constitution of India Bill, 1893
- c) Constitution of India Bill, 1894 d) Constitution of India Bill, 1895

Ans- d) Constitution of India Bill, 1895

➤ In The Constituent Assembly India, The Chairman Of The Union Constitution Committee was.

A) Rajkumari Amrit Kaur b) G.V Mavalankar c) Dr. John Mathai d) Pt. Jawaharlal Nehru

Ans- d) Pt. Jawaharlal Nehru

➤ 42nd Constitutional Amendment 1976 added which Of the term to The Preamble ‘

a) Socialist b) Secular c) Sovereign d) Both (a) and (b)

Ans- d) Both (a) and (b)

➤ The members of the constituent assembly were:

a) Directly Elected b) Appointed by the Governors or Governor- General
b) Indirectly Elected d) Nominated By Congress and Muslim League

Ans- a) Directly Elected

➤ The ideals liberty, equality, fraternity, in the preamble have been taken from:

a) French revolution b) Russian revolution
b) American civil war d) None of the above

Ans- a) French revolution

➤ Democracy is the government of the people, by the people, for the people. Whose statement is it?

a) Rousseau b) J. S Mill c) T.H Green d) Abraham Lincoln

Ans- d) Abraham Lincoln

Passage Based Questions

Read the following Passage and Answer the Questions.

The Constitution drew its authority from the fact that members of the Constituent Assembly engaged in what one might call public reason. The members of the Assembly placed a great emphasis on discussion and reasoned argument. They did not simply advance their own interests, but gave principled reasons to other members for their positions. The very act of giving reasons to others makes you move away from simply a narrow consideration of your own interest because you have to give reasons to others to make them go along with your view point. The voluminous debates in the Constituent Assembly, where each clause of the Constitution was subjected to scrutiny and debate, is a tribute to public reason at its best. These debates deserved to be memorialized as one of the most significant chapters in the history of constitution making, equal in importance to the French and American revolutions.

➤ What was the basis of the Constitution's authority, according to the passage?

Ans: The Constitution derived its authority from the practice of "public reason." Members of the Constituent Assembly emphasized discussion and reasoned argument when crafting the Constitution. They provided principled reasons for their positions, moving away from solely pursuing their self-interests.

➤ How did engaging in public reason affect the decision-making process in the Constituent Assembly?

Ans: Engaging in public reason required members to give reasons to persuade others to support their viewpoints. This approach encouraged a broader consideration beyond narrow self-interests.

➤ In what way does the passage compare the debates in the Constituent Assembly to other historical events?

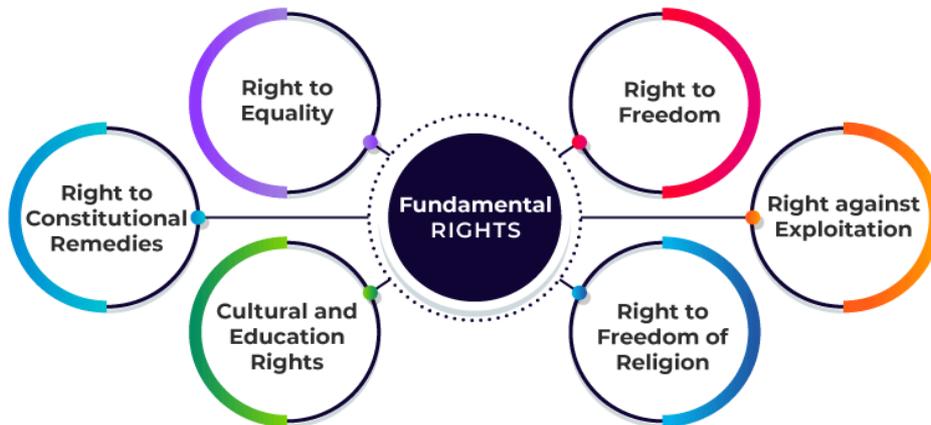
Ans: The passage compares the debates in the Constituent Assembly to the significance of the French and American revolutions. It suggests that these debates deserve recognition as one of the most important chapters in the history of constitution-making.

CHAPTER –2

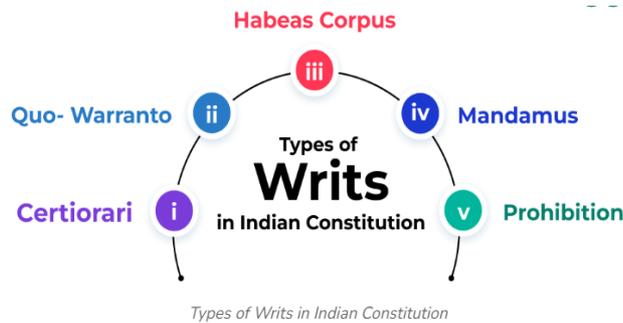
“RIGHTS IN INDIAN CONSTITUTION”

GIST FOR THE CHAPTER

- The Constitution is a document that sets limits on the powers of the government and ensures a democratic system in which all persons enjoy certain rights.
- Rights are the favourable conditions and guarantees to be provided by a state to its citizens to live up a dignified life.
- A democracy must ensure that individuals have certain rights and that the government will always recognize these rights.
- These rights can be categorized as Social Rights, Political Rights and Fundamental Rights to procure equality, liberty and social justice into society.
- Fundamental Rights are specially protected to ensure that they are not violated even by the government. Because these are protected by the constitution of the country.



- Right to equality tries to do away with such and other discriminations. It provides for equal access to public places like shops, hotels, places of entertainment, wells, bathing ghats and places of worship. There cannot be any discrimination.
- Right against Exploitation (Articles 23-24): Prohibits forced labour (begar), human trafficking, and employment of children below 14 years in hazardous jobs.
- Right to Freedom of Religion (Articles 25-28): Grants freedom of conscience and the right to freely profess, practice, and propagate religion. Also includes freedom to manage religious affairs, freedom from taxes for the promotion of any particular religion, and freedom from religious instruction in certain educational institutions.
- Cultural and Educational Rights (Articles 29-30): Protects the rights of minorities (religious or linguistic) to conserve their distinct language, script, and culture (Art 29), and their right to establish and administer educational institutions of their choice (Art 30)
- Fundamental Rights except the Right to Life and personal liberty may be suspended only during the emergencies like foreign attacks or internal disturbances.
- South African Constitution grants most extensive range of rights to its citizens including even right to dignity, privacy, fair labour practices, healthy environment, adequate housing, information, etc.
- The Right to constitutional remedies It guarantees the right to move the Supreme Court for the enforcement of the other Fundamental Rights. The Supreme Court (and High Courts under Art 226) can issue various Writs (like Habeas Corpus, Mandamus, Prohibition, Certiorari, Quo Warranto) to protect these rights.



- Indian Constitution contains Directive Principles of State Policy also to establish a welfare state alongwith the Fundamental Rights.
- The judiciary has the power to enforce the Fundamental Rights but the Directive Principles of State are not enforceable by law. Fundamental Rights mainly protect the rights of individuals while directive principles ensure the well-being of the entire society.
- In 1978, the 44th amendment to the constitution removed the right to property from the list of Fundamental rights and converted it into a simple legal right under article 300A
- By the 42nd amendment, in 1976, the Fundamental Duties have also been inserted which are ten in numbers to defend our country, promote harmony and protect the environment.
- The inclusion of fundamental duties has not changed the status of our fundamental rights.
- Protection of Rights: The Judiciary (especially the Supreme Court and High Courts) is the guardian of Fundamental Rights.
- Other bodies like the National Human Rights Commission (NHRC) also work for the protection of human rights, but their powers are recommendatory, not judicial enforcement like the courts.

Short Type Questions

- Write four main features of our Fundamental Rights?
- **Ans:** Fundamental Rights are not absolute; they can have reasonable restrictions imposed on them. These rights are justiciable, meaning individuals can seek legal remedies if their rights are violated. Fundamental Rights can be amended, and may be suspended during a state of emergency. They distinguish between citizens and non-citizens, offering specific protections to citizens
- Which Fundamental Right safeguards the protection and enforcement of other rights?
- Ans:** The Right to Constitutional Remedies (Article 32) is essential for protecting and enforcing Fundamental Rights. Often referred to as the "heart and soul" of the Constitution by Dr. B.R. Ambedkar, it allows citizens to seek judicial intervention if their rights are violated. Individuals can approach the Supreme Court or High Court to restore their rights. The courts can issue various writs, such as: Habeas Corpus: Orders the production of a detained person before the court. Mandamus: Directs an official to perform a legal duty. Prohibition: Prevents lower courts from acting beyond their jurisdiction.
- Which liberties are given in Article 19?
- Ans:** Article 19 of the Constitution grants individuals six key liberties under the Right to Speech and Expression: Right to express oneself freely. Right to assemble peacefully. Right to form associations. Right to move freely across India. Right to reside and settle anywhere in India. Right to practice any profession, occupation, trade, or business. These rights, however, are not absolute and may be subject to certain restrictions imposed by the government.
- What is given in Article 16 (4)
- Ans:** Article 16 (4) addresses the prohibition of discrimination in employment. It states that: The State can reserve appointments or posts for certain groups. This reservation is aimed at helping backward classes that are underrepresented in state services. The intention is to ensure equal opportunities for all citizens. This provision supports the principle of equality by allowing targeted measures to improve representation.

- Describe Fundamental Duties of the Constitution.

Ans: In 1976, the 42nd Amendment to the Constitution introduced the Fundamental Duties of citizens, which are outlined in Article 51A. There are ten duties that every citizen is expected to uphold: To abide by the Constitution and respect the national flag and national anthem. To cherish and follow the noble ideals that inspired the national movement. To protect the sovereignty, unity, and integrity of India. To defend the country. To promote the spirit of common brotherhood among all people. To preserve the rich heritage of our common culture. To protect and improve the natural environment. To develop a scientific temper and spirit of inquiry. To safeguard public property. To strive towards excellence in all spheres of life. It is important to note that the Constitution does not enforce these duties, nor does it make the enjoyment of rights conditional upon fulfilling them. Thus, the inclusion of these duties does not alter the status of our fundamental rights.

- Why and when were Fundamental Duties added to the Constitution?

Ans: In 1976, the 42nd Amendment to the Constitution was enacted, which introduced a list of Fundamental Duties for citizens. This was in response to the need for greater civic responsibility during the emergency declared by the Indira Gandhi government. A total of ten duties were specified in Article 51A of Part IV-A of the Constitution. These duties include respecting the Constitution, defending the country, promoting harmony, and protecting the environment. Importantly, the Constitution does not enforce these duties, nor does it link the enjoyment of rights to their fulfilment. The inclusion of Fundamental Duties serves to remind citizens of their responsibilities, but it does not alter the status of their fundamental rights.

- What are the key features of the Bill of Rights in the South African Constitution?

Ans: The Bill of Rights in the South African Constitution, enacted in December 1996, plays a central role in promoting democracy. It prohibits discrimination on various grounds such as race, gender, age, disability, religion, and social origin. The Bill guarantees a wide range of rights to citizens, ensuring equality and justice. A special Constitutional Court is responsible for enforcing these rights, ensuring their protection for all individuals in South Africa.

- What are equality before the law and equal protection of Law?

Ans: Equality before the law means that all individuals, irrespective of caste, race, color, or status, are treated equally by the law. Equal protection of the law ensures that laws are applied consistently and fairly to everyone, providing the same legal safeguards to all.

- Explain Right against Exploitation.

Ans: Right against Exploitation is crucial and is detailed in Articles 23 and 24 of the Constitution. Article 23 prohibits forced labour including bonded labour, begging, and human trafficking. Article 24 bans the employment of children under 14 in hazardous jobs, such as in factories and mines. Right to Education has been established as a fundamental right for children. Historically, forced labour was imposed by landlords and moneylenders. Although some forms of bonded labour still exist, particularly in brick kilns, it is now considered a crime and is punishable by law.

- What is the Right to Freedom of Religion?

Ans: The Right to Freedom of Religion in India, enshrined in Articles 25 to 28 of the Constitution, guarantees citizens the freedom to practice, profess, and propagate their religion. Key provisions include: Article 25: Allows every individual to freely practice, profess, and propagate any religion, ensuring secularism. Article 26: Grants religious groups the liberty to manage their affairs and administer property for charitable purposes. Article 27: Prohibits compulsory religious instruction in state-funded educational institutions. Article 28: Allows religious institutions to receive state aid on an equal basis. This right ensures religious freedom, prohibits forced conversions, and mandates equal treatment for all religions, upholding the secular nature of the Indian state.

- Explain the Right of Education and Culture.

Ans: India is a diverse society, comprising various castes, cultures, and languages. To support this diversity, the Constitution grants the Fundamental Right to Education and Culture, outlined in Articles 29 and 30. Article 29: Protects minorities from discrimination based on religion, community, or language, ensuring they

have opportunities for full development. Article 30: Allows minorities to establish educational institutions to promote their culture and identities, with access to state financial aid on an equal basis. This framework ensures that all communities can maintain their unique cultural identities while receiving support to develop their educational resources.

➤ What is the Fundamental Right of Constitutional Remedies, and why is it called the "heart and soul" of the Constitution by Dr. B.R. Ambedkar?

Ans: The Fundamental Right of Constitutional Remedies, under Article 32, allows citizens to approach the High Court or Supreme Court if their rights are violated. Dr. B.R. Ambedkar called it the "heart and soul" of the Constitution because it ensures the protection of Fundamental Rights. The courts can issue writs, such as: Habeas Corpus (to release a person from unlawful detention), Mandamus (to compel a duty), Prohibition (to prevent jurisdictional overreach).

➤ Explain following terms-

1. Habeas Corpus
2. Mandamus
3. Prohibition
4. Certiorari
5. Quo Warranto

Ans:

1. **Habeas Corpus:** This is a court order requiring that an arrested person be brought before the court. It can also demand the release of someone if their arrest was unlawful.
2. **Mandamus:** This writ is issued when a court finds that an officeholder is failing to perform their legal duties, thus infringing on an individual's rights.
3. **Prohibition:** This writ is issued by a higher court when a lower court has acted beyond its legal authority.
4. **Certiorari:** This writ orders a lower court or authority to send a case to a higher court for review.
5. **Quo Warranto:** This writ is issued when the court determines that a person is unlawfully holding an office, preventing them from acting in that capacity.

➤ What right is given in Article 21 of the constitution?

Ans: Article 21 of the Constitution ensures the protection of life and personal liberty. It states that: No individual can be deprived of their life or liberty without following a lawful procedure. This means that a person cannot be arbitrarily arrested or have their freedom taken away. If arrested, individuals must be informed of the reasons for their arrest. They have the right to legal representation of their choice. Authorities must present the arrested person before a magistrate within 24 hours. The magistrate, independent of the police, will determine the legality of the arrest. This right extends beyond mere protection against losing life; it encompasses the right to live with dignity and includes the right to shelter and livelihood, as affirmed by various Supreme Court rulings.

➤ What do you mean by Directive Principles of State Principles? What is their significance?

Ans: The Directive Principles of State Policy are guidelines in the Constitution that suggest socio-economic policies for the government to adopt in order to promote the well-being of society. These principles aim to: Promote social and economic justice. Outline goals that society should work towards. Suggest rights beyond the Fundamental Rights. Recommend specific government policies for welfare, such as equal pay, protection against exploitation, and promotion of local industries. Although non-justiciable (not enforceable by courts), they play a crucial role in guiding government actions and promoting moral responsibility for ensuring societal welfare.

Long Type Questions

➤ Explain the main features of the Fundamental Rights of the Indian Citizens.

Ans: Part III (Articles 12 to 35) of the Indian Constitution contains the list of Fundamental Rights. The Courts have been entrusted with the responsibility to enforce them when and where they have been violated. They are thus the props of the Indian democracy. Nature of the Fundamental Rights. The following are the salient features of the Fundamental Rights contained in the Indian Constitution.

1. **Integral part of the Constitution.** Fundamental Rights are the integral part of the Constitution. These Fundamental Rights cannot be altered or taken away by an ordinary Constitution.
2. **Detailed and comprehensive.** Indian Constitution has the most elaborate declaration of Fundamental Rights. Articles 12 to 35 deal with the Fundamental Rights. These 24 Articles are further divided into eight sections each of which is described in an elaborate manner.
3. **All citizens are equally entitled to the Fundamental Rights.** The Constitution unequivocally declares that rights contained in Part III of the Constitution are to be enjoyed by all the citizens of India. These rights are not meant for any particular caste, class, religion or the residents of a province. There can be no discrimination.
4. **Fundamental Rights are not absolute.** Another significant feature of these rights is that they are not absolute. The Constitution of India imposes direct restrictions on these rights. It also empowers the government to impose reasonable restrictions on the enjoyment of these rights. Thus, the Constitution empowers the government to put reasonable restrictions on the Fundamental Rights in the interest of the sovereignty and integrity of India, security of the State, friendly relations with foreign States, decency or morality.
5. **Fundamental Rights place certain limitations on the State also.** The theory of Fundamental Rights implies limited government. Accordingly, Fundamental Rights impose restrictions on the State as well. For example, the State cannot discriminate against citizens on grounds of caste, class, race, sex, religion, place of birth, place of residence, etc. Similarly, citizens cannot be deprived of the Right to equality before law. Again, there is the Right to equality of opportunity in public employment to all the citizens.
6. **Fundamental Rights can be suspended.** Another significant feature about the Fundamental Rights is that they can be restricted or suspended as the circumstances demand.
7. **Fundamental Rights are justiciable.** The Judiciary has been vested with the responsibility to act as the guardian of these rights. The right to move the Supreme Court for the enforcement of Fundamental Rights is itself a guaranteed right as provided for in Article 32 of the Constitution. Thus, whenever the State (as defined in Part III of the Constitution) or any other authority encroaches upon the rights of a person, the latter can move the Supreme Court and the High Courts for the enforcement of his rights. The Supreme Court and the High Courts are empowered to issue "Directions or order or writs whichever may be appropriate" for the enforcement of the rights. The Judiciary is thus the protector and the guarantor of Fundamental Rights.
8. **They can be amended.** Fundamental Rights can be amended by the procedure given in Article 368. According to this Article, only Parliament is competent to amend the provisions of the Fundamental Rights with two-third majority of the total membership of the Parliament.
9. **Special Constitutional provision for the enforcement of Fundamental Rights.** Another important feature of Fundamental Rights in India is that there is a special Constitutional provision for their enforcement. The right to move the Supreme Court for the enforcement of Fundamental Rights is provided in Article 32 of the Constitution.

➤ Explain briefly the scheme of 'Fundamental Rights' as contained in the Indian Constitution.

Ans: The Fundamental Rights enumerated in the Indian Constitution are the most elaborate in the world. The Constitution of India provides for Fundamental Rights by developing a complete and separate part (Part III) and classifies those under six categories. Six Fundamental Rights are as follows:

1. **Right to Equality (Articles 14–18):** The Constitution declares all the citizens of India to be equal in the eyes of law. Law provides equal protection to all. Right to equality does not mean absolute equality. Nor does it imply that all should be entitled to identity of treatment and income. The positive concept of equality is that special privileges of all kinds should be abolished. There should be no difference between two individuals on the grounds of birth, wealth, caste, class, creed, religion, language, gender, etc. Right to equality is the cornerstone of democracy.
2. **Right to Freedom (Articles 19–22):** Articles 19 to 22 of the Constitution guarantee to the citizens the Right to Freedom. Article 19 guarantees six freedoms viz. (1) Right to Freedom of Speech and

Expression; 19(a) Right to Information (RTI) Act 2005; (2) Right to Assemble Peacefully and without Arms; (3) Right to form Associations; (4) Right to move freely throughout the territory of India; (5) Right to reside and settle in any part of the territory of India; (6) Right to practice any profession. Articles 20 to 22 guarantee personal liberty including 21(A) Right of Children to Free and Compulsory Education (RTE) Act, 2009

3. **Right against Exploitation (Articles 23–24):** The Constitution of India recognizes the dignity of the individual and protects him against any form of exploitation either by the State or by the privileged classes in the society. Article 23 provides that traffic in human beings and begar (forced labour) and similar other forms of forced labour are prohibited. Article 24 prohibits the employment of children below the age of 14 years in any factory, mine or other hazardous (dangerous) employment.
4. **Right to Freedom of Religion (Articles 25–28):** Articles 25 to 28 deal with the Right to freedom of religion. Right to freedom of religion has been guaranteed to all persons residing in India. Article 25 provides that subject to public order, morality and health, all persons are equally entitled to freedom of conscience and the right to profess, practice and propagate any religion of their choice. Article 28 prohibits imparting of religious instruction in any educational institution wholly maintained out of State funds.
5. **Cultural and Educational Rights (Articles 29–30):** Under Articles 29 and 30, the Constitution guarantees certain cultural and educational rights. No citizen shall be denied admission into any educational institution maintained by the State receiving aid out of State funds on grounds of religion, race, caste, sex, language or any one of them. Article 29 protects the interests of the minorities in India. Article 30 provides that all minorities, whether based on religion or language, shall have the right to establish and administer educational institutions of their choice.
6. **Right to Constitutional Remedies (Article 32):** Article 32 guarantees the right to move the Supreme Court by appropriate proceedings for the enforcement of the rights conferred by Part III of the Constitution. Under Article 226, the High Courts have also been empowered to issue orders, directions and writs for the enforcement of Fundamental Rights. The judiciary can set aside laws and executive orders if they are violating the Fundamental Rights.

➤ Explain Right of Religions Liberty

Ans: India is a country of people of different religions and beliefs. Constitution makers have given all citizens the right of religious liberties. This right is described from Art 25 to Art 28 Art 25 – Gives religious liberty to every citizen i.e., to profess and practice any religion as a personal matter. The state will neither patronize any religion nor discriminate against. This right establishes the secular credentials of India. Art 26 – Liberty of managing own religious affairs and to own, acquire, and to administer properties for a charitable purpose. Art 27 – It prohibits compulsory religious instructions in an educational institution maintained, recognized, or aided by the state. Art 28 – It gives liberty to religious institutions to take aid from the state on an equal basis.

➤ Explain the socio-economic principles of the chapter of Directive Principles of State Policy.

Ans: Main guidelines regarding socio-economic upliftment of the people are contained in Art 38 and Art 39 of the Constitution which is as under. To secure a social order for the promotion of the welfare of the people and to minimize inequalities of income and status. To build a socialistic pattern of society. Equal pay for equal work. That the ownership and control of the material resources of the community are so distributed as best to serve the purpose of the common good. There should not be a concentration of wealth and were in few hands. To raise the standard of living of people of Sc's, St's and backward castes and handicaps and aged persons. Protection of children, women, and workers from exploitation and to ensure proper working conditions for the laborers. To ensure minimum wages for the workers.

➤ Describe the Fundamental Duties of the Constitution.

Ans: Ten Fundamental Duties have been added in the VI Part Art 51A of the Constitution by 42nd Amendment of the Constitution in 1976. In the original Constitution, there was no chapter of Fundamental duties. Followings are Fundamental duties. To abide by the Constitution and respect the national Flag and

National Anthem. To cherish and follow the noble ideals which inspired the National movement, To protect the sovereignty, unity, and integrity of India. To depend on the country. To promote the spirit of common brotherhood amongst all the people. To preserve the rich heritage of our common culture. To protect and improve the natural environment To develop a scientific temper and spirit of inquiry. To safeguard public policy. To strive towards excellence in all spheres of undivided and collective life.

➤ Differentiate between Fundamental Rights and Directive Principles of State Policy.

Ans: The followings are the main differences between Fundamental Rights and Directive Principles of State Policy. Fundamental Rights are justiciable while Directive Principles are not justiciable. The purpose of Fundamental Right is to establish political democracy while the purpose of the Directive Principle of State Policy is to establish economic democracy. The language of Fundamental Rights is legal while the language of Directive principles is not legal. Fundamental Rights make a distinction between citizens and aliens but Directive Principles of State Policy does not make any distinction. Fundamental Rights are guarantees while the Directive Principles of State Policy are just assurances.

Very Short Type Questions

➤ What is the purpose of the "BILL OF RIGHTS" in the Indian Constitution?

Ans: The "BILL OF RIGHTS" in the Indian Constitution safeguards the Fundamental Rights of citizens, ensuring their protection and recognition by the government.

➤ Where are Fundamental Rights listed in the Indian Constitution?

Ans: Fundamental Rights are listed in Articles 12-35 of the Indian Constitution.

➤ Give one example of a Fundamental Right related to equality.

Ans: An example of a Fundamental Right related to equality is the right to equality before the law and equal protection of laws, as guaranteed by Article 14.

➤ Who has the power to protect Fundamental Rights from violations?

Ans: The judiciary has the power to protect Fundamental Rights from violations by the government and legislative actions.

➤ Can Fundamental Rights be changed by ordinary lawmaking?

Ans: Fundamental Rights can only be changed by amending the Constitution itself, not by ordinary lawmaking.

➤ What does Article 21 of the Constitution protect?

Ans: Article 21 of the Constitution protects an individual's right to life and personal liberty.

➤ Which articles in the Constitution cover the right against exploitation?

Ans: Articles 23 and 24 in the Constitution cover the right against exploitation, prohibiting forced labor and trafficking in human beings.

➤ What does Cultural and Educational Rights protect?

Ans: Cultural and Educational Rights protect the rights of minorities to establish and manage their own educational institutions.

➤ How can citizens enforce their Fundamental Rights?

Ans: Citizens can enforce their Fundamental Rights by approaching the courts, specifically under Article 32, which grants the right to move to the court for the enforcement of rights.

➤ What is the role of the National Human Rights Commission (NHRC)?

Ans: The National Human Rights Commission (NHRC) investigates human rights violations, issues recommendations, and promotes human rights research, but it lacks prosecution powers.

Assertion and Reasons Based

DIRECTION: Mark the option which is most suitable :

(A) If both assertion and reason are true and reason is the correct explanation of assertion.

- (B) If both assertion and reason are true but reason is not the correct explanation of assertion.
- (C) If the assertion is true but the reason is false.
- (D) If both assertion and reason are false.

1. Assertion: Fundamental Rights can be changed by ordinary lawmaking.

Reason: Fundamental Rights are protected and guaranteed by the Constitution.

Ans- D

Assertion: Cultural and Educational Rights protect the right of minorities to establish educational institutions.

Reason: Cultural and Educational Rights are listed in Articles 29 and 30 of the Indian Constitution.

Ans- A

Assertion: Preventive detention allows the government to arrest a person without any reason.

Reason: Preventive detention can be up to three months

Ans- A

Assertion: Freedom of religion includes the right to forcibly convert others to one's own religion.

Reason: Freedom of religion allows individuals to spread information about their religion.

Ans- D

Multiple Choice Questions

- In the case of Machal Lalung of Assam, the justice was made after the intervention of:
 - (a) Supreme Court
 - (b) National Human Rights Commission
 - (c) Government of India
 - (d) Lok Priya Gopinath Bordoloi Mental Hospital

Ans- (b) National Human Rights Commission

- Article 18 of the constitution deals with
 - (a) Right against exploitation
 - (b) Right to practice own religion
 - (c) Equality before law
 - (d) Abolition of titles

Ans- (d) Abolition of titles

- The Fundamental Rights article that is enforceable during the period of emergency is:
 - (a) Article 14
 - (b) Article 20
 - (c) Article 23
 - (d) Article 29

Ans- (b) Article 20

- Which of the following is not a Fundamental Right?
 - (a) Right to Equality
 - (b) Right to Property
 - (c) Right to Freedom
 - (d) Right against Exploitation.

Ans- (b) Right to Property

- Which of the following provisions of the Indian Constitution was passed without virtually any debate?
 - (a) Introduction of Universal Suffrage
 - (b) Fundamental Rights
 - (c) Directive Principles of State Policies
 - (d) Parliamentary Democracy.

Ans- (a) Introduction of Universal Suffrage

- India borrowed the Directive Principles of State Policy from the:
 - (a) Irish constitution
 - (b) Canadian constitution
 - (c) British constitution
 - (d) South African constitution

Ans- (a) Irish constitution

- Fundamental Duties in the Indian constitution was recommended by-
 - (a) Gandhi
 - (b) Swaran Singh Committee
 - (c) Nehru
 - (d) Ambedkar

Ans- (b) Swaran Singh Committee

- The original 10 duties were then increased to 11" under which ACT?
 - (a) 86th Amendment ACT
 - (b) 49th Amendment ACT

(c) 106th Amendment ACT

(d) 78th Amendment ACT

Ans- (a) 86th Amendment ACT

Passage Based Questions

Read the following Passage and Answer the Questions.

Right to equality tries to do away with such and other discriminations. It provides for equal access to public places like shops, hotels, places of entertainment, wells, bathing ghats and places of worship. There cannot be any discrimination in this access on the grounds only of religion, race, caste, sex or place of birth. It also prohibits any discrimination in public employment on any of the above-mentioned basis. This right is very important because our society did not practice equal access in the past. The practice of untouchability is one of the crudest manifestations of inequality. This has been abolished under the right to equality. The same right also provides that the state shall confer no title on a person except those who excel themselves in military or academic field. Thus, right to equality strives to make India a true democracy by ensuring a sense of equality of dignity and status among all its citizens.

➤ What does the Right to Equality guarantee in terms of access to public places and employment?

Ans: The Right to Equality ensures equal access to public places such as shops, hotels, entertainment venues, wells, bathing ghats, and places of worship.

1. It prohibits discrimination in access based on religion, race, caste, sex, or place of birth.
2. The right also extends to public employment, preventing discrimination on the same grounds.

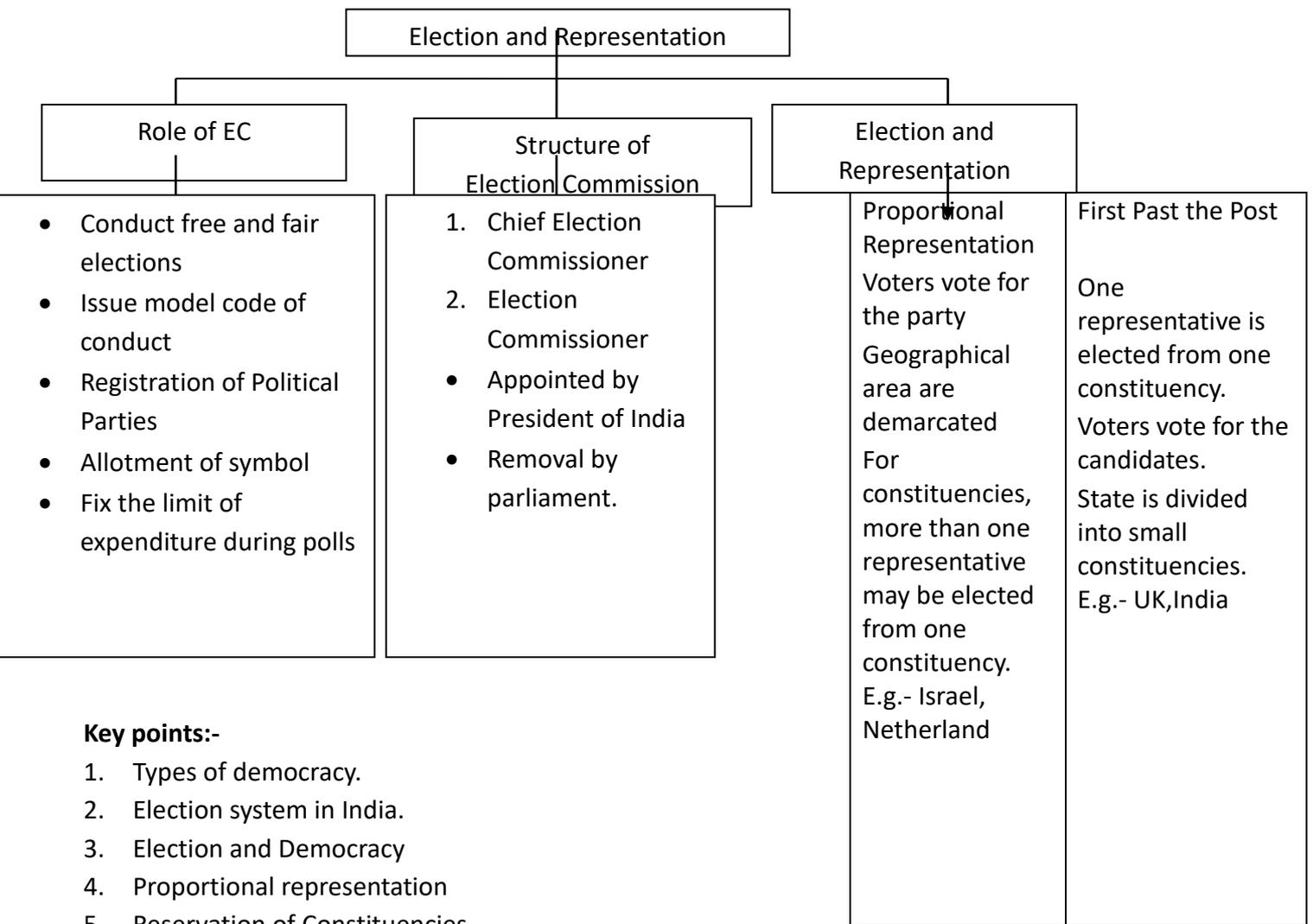
➤ Why the Right to Equality is considered crucial in Indian society?

Ans: The Right to Equality is significant because it addresses historical inequalities in Indian society. It specifically addresses the practice of untouchability, one of the harshest forms of inequality, and abolishes it. This right strives to rectify past discrimination and promote a sense of equality, dignity, and status among all citizens.

➤ What restrictions does the Right to Equality place on conferring titles by the state?

Ans: The Right to Equality limits the state from conferring titles on individuals except those who excel in the fields of military or academics. This restriction aims to ensure that titles are not granted arbitrarily and maintain a focus on merit and achievement.

CHAPTER-3 ELECTION AND REPRESENTATION



Key points:-

1. Types of democracy.
2. Election system in India.
3. Election and Democracy
4. Proportional representation
5. Reservation of Constituencies
6. Electoral reforms

Representative

Through the election process, the person who is elected by the people and sends them to Parliament or Assembly is called the representative of the people.

➤ Why do we choose a representative? Due to the huge population and large area, not all citizens can participate directly while making laws or taking decisions, so people choose representatives.

1. Types of Democracy-

Types of Democracy

Direct Democracy:-Citizens can take direct part in day to day decision and running the government (with hands raised) Eg- Ancient Greece, Gram Sabha.

Indirect Democracy:-People send their representatives and participate in government proceedings. Eg:- India, England

Election

The method by which people elect their representatives is called election.

2. **Election and Democracy:** - Both election and democracy are two sides of a coin. Democracy without elections is incomplete and democracy has no importance without elections.
 - Election system in India: - The system of conduct of elections has been described in the constitution of India. Election Commission has been formed to conduct free and fair election.
 - Election and Representation.
 - Preparation of voter list.
 - A candidate ahead of others is the winners.
 - A party gets the same percentage of seats as the proportion it gets.
 - Election commission of India works without any pressure.
 - The constitution of Independent Election Commission has been described in constitution and the functions of Election Commission are also described.
 - Election Commission:- According to Article 324 of the Constitution of India, there will be an independent Election Commission of India, consisting of 3 members (1 Chief Election Commissioner and 2 Election Commissioners) Mr. Sukumar Sen was the first Election Commissioner of India.
 - First past the post system: - This system is derived from England in India, in which the whole country is divided into small geographical units called constituencies. There is one winner from each constituency. The candidate with the most votes wins.
3. **Proportional Representation:** - Each party issues a priority list of its candidates first in the elections and selects as many candidates from the priority list as the seats quota is assigned to it. This system of elections is called a proportional representation system. In this system, the voter gets the same percentage as the percentage he gets the votes, in this system, the voters vote to party not the candidate.
 - There are two types of proportional representation systems - In Israel and the Netherlands, the whole country is considered a constituency and each party is given seats in proportion to the votes received in national elections. Secondly in Argentina and Portugal the whole country is divided into multi constituencies.
 - Why was the 'First Past the Post System' accepted in India?
 - The system is simple
 - Voters have clear choice at the time of Voting.
 - This system is suitable for a country with a large population like India.
 - Voters know the candidate personally; this opportunity is not available in other system.
4. **Reservation of Constituencies:-**
 - In an effort to give equal representation to all classes in the Parliament or State Legislative Assembly by the Constitution of India, reservation Provision has been made in the constituencies. In this system, voters of all classes will vote but the candidate will belong only to the social class whose reservation was arranged. Initially this arrangement was only for 10 years but now it has been extended to 2030.
 - Out of 543 Lok Sabha seats, 84 are reserved for Scheduled Castes and 47 for Scheduled Tribes.
 - Reservation of constituencies is based on the recommendations of the Delimitation Commission which is formed by president of India
 - Universal Adult Franchise: - The right to vote in the democratic elections to all citizens of the country above 18 years without discrimination on the basis of religion, caste, sex.
 - Special Majority: - Two-thirds majority of the members present and voting and a simple majority of the total members of the house.
5. **Electoral Reforms:-**
 - No system of election can ever be an ideal system. Every system has some shortcomings. The democratic society has to constantly make efforts to make its elections more fair and independent.

- This is called election reform such as In India people with criminal roles should be banned from contesting elections.
- **Election system faults:-**
- Purchase of votes
- Vote in the name of violence, caste, religion.
- Increased involvement of criminals.
- Make popular promises.
- Excessive expenditure by pol. Parties.

Multiple choice questions

1. In which election proportional representation is applicable in India?
 (a) Lok Sabha Elections (b) State Legislatures Election
(c) Rajya Sabha Election (d) Local body elections
2. Who appoints the Chief Election Commissioner of India?
 (a) Prime Minister (b) Lok Sabha **(c) President** (d) Rajya Sabha
3. Who ensures free and fair election in India?
 (a) Supreme court **(b) Election commission of India** (c) High Court (d) Parliament
4. Right to vote is a.....?
 (a) Legal Right (b) Fundamental Rights (c) Constitutional rights **(d) Statutory rights**
5. Where can we challenges controversies related to election commission?
 (a) Parliament (b) Election Commission (c) President **(d) High Court**
6. Whose responsibilities is fixed to conduct independent and neutral election?
 (a) Supreme court (b) Prime Minister (c) Lok Sabha **(d) Election commission**
7. When election is conducted after 5 years it is called
(a) General election (b) by-election (c) midterm elections (d) None of the above
8. When people above 18 year of age can vote in elections it is called
 (a) Statutory right **(b) Universal adult franchise**
 (c) legal rights (d) None of the above
9. What is minimum age for contesting elections in Lok sabha or state assemblies?
 (a) 30 years (b) 35 years **(c) 25 years** (d) 20 years
10. Which organization was established through article 324(I)
 (a) Lok Sabha (b) Rajya Sabha (c) Supreme court **(d) Election Commission of India**
11. Example of direct democracy in India
 (a) Assembly (b) Parliament **(c) Village Assembly** (d) City Corporation
12. From which country we have adopted proportion representation
 (a) India (b) England (c) America **d) Israel**

Assertion and Reasons Based

DIRECTION: Mark the option which is most suitable :

- (a) If both assertion and reason are true and reason is the correct explanation of assertion.
- (b) If both assertion and reason are true but reason is not the correct explanation of assertion.
- (c) If the assertion is true but the reason is false.
- (d) If both assertion and reason are false.

1. **Assertion (A):** The Election Commissioner works without any pressure

Reason: The Election Commissioner can be removed from his office only by the Parliament.

Ans- A

2. **Assertion (A):** people of India directly choose the prime minister of India.

Reason (R): The Prime Minister of India is appointed by the President of India.

Ans- D

Very Short Type Questions

1. Write two differences between direct and indirect democracy?

Ans- In a direct democracy, the people directly participate in governance, while in indirect elections; representatives elected by the people participate.

2. What is the meaning of first past the post system?

Ans- This system means that the candidate who finishes ahead of the other candidates in the election race is the winner.

3. What is proportional Representation System?

Ans- In this system, a party gets the same percentage of seats, what percentage of votes it gets, it is of two types, like somewhere the whole country is considered as a single constituency and somewhere the whole country is divided into different constituencies.

4. What is Secret vote System?

Ans- In an indirect democracy, the system of electing representatives is by secret ballot, in which no one except the voter knows who has been voted for.

5. Why seats have been reserved in lok sabha?

Ans- There is a provision in the constitution that in order to ensure the presence of representatives of minorities or lower classes in the parliament, the delimitation department reserves seats from time to time, it is called reserved constituency.

6. Write two elements of successful electoral system?

Ans- Transparent elections, free elections.

7. What do you understand by Delimitation commission?

Ans- An organization working with the Election Commission in India, which sets constituency boundaries, determines constituencies, and is constituted by the President.

8. Write shortcoming Of Indian Election System?

Ans- View Answers from Key Points.

Short Type Question

1. Write four differences between FPPS and Proportional Representation Election.

Ans- FPPS-

- A. Winner is one who gets maximum votes.
- B. The country is divided into small constituencies.
- C. One representative is elected from each constituency.
- D. The voter votes for the candidate and he knows the candidate personally.

Proportional Representation Election-

- A. Proportional representation is a single constituency.
- B. In the whole country where more than one candidate is elected.
- C. The voter votes secretly for the party so the candidate is not known.

2. Write four importance of universal adult franchise.

Ans- Universal adult franchise is important because It ensures-

Political Equality: Universal adult franchise ensures that every adult citizen, regardless of their background, has an equal say in the political process through their vote.

Citizen Empowerment: It empowers citizens by giving them the power to choose their representatives and hold them accountable, thus fostering a sense of ownership in the government.

Government Accountability: Elected governments are more likely to be responsive to the needs and demands of the electorate when they know they will be judged by their performance in the next election.

Political Education: The act of voting and participating in elections encourages citizens to become more informed about political issues and processes, contributing to a more politically aware citizenry

3. Describe the four main functions of the Election Commission of India.

Ans- Preparation of voter list, To decide the method of election, To conduct election monitoring, To release Election result.

4. What are the qualifications prescribed in the constitution to become a member of Lok Sabha and Vidhan Sabha?

Ans- A. Must be a citizen of India. B. 25 years of age. C. Must not be bankrupt.

D. Should not hold office of profit. E. Should not be of criminal nature

5. Write a note on the importance of elections in a democracy

Ans- Election is very important in a democracy. Electoral democracy is two sides of a coin. Today there is democracy in more than 100 countries of the world, where there is democracy; the election system is adopted for the election of people's representatives.

Long Type Questions

1. Describe any 6 suggestions to improve the Indian election system.

- I. To prevent money power and muscle power.
- II. The state should bear the election expenses.
- III. There must be limit for election expenses.
- IV. The candidates and the parties should submit the audited account of election expenses.
- V. Criminals should be barred from the contest of elections.
- VI. All criminal activities should be suppressed.

2. Explain the selection process of the Chief Election Commissioner of India and describe its main functions.

Ans- The Chief Election Commission is appointed by the President, he serves on his post for 6 years or till the age of 65 years, and his salary is the same as that of a judge of the Supreme Court.

Functions:

- I. It conducts and supervise selection of the president, Vice president, MPs and MLAs etc..
- II. It supervises the preparation of voters' List.
- III. Preparestheelectionschedules.
- IV. To ensure free and fair poll.
- V. ImplementsmodelcodeofConduct.
- VI. It gives recognition to political parties and allots symbols to each of them.
- VII. Supervises the machineries of elections.
- VIII. To appoint the officials for conducting elections.
- IX. Counting the votes.
- X. Announcement of final result.

3. Explain the various stages of the election process in India.

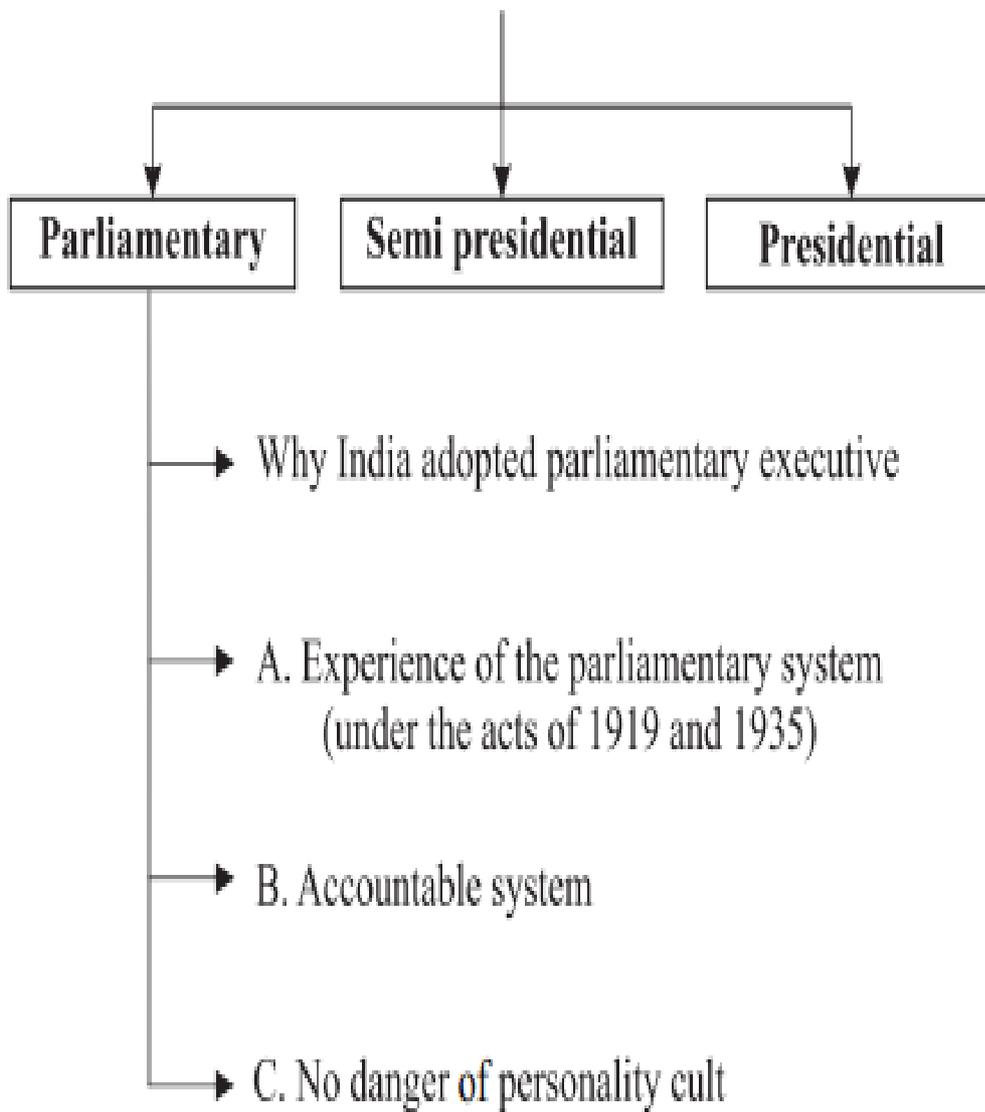
Ans- Election Process:-

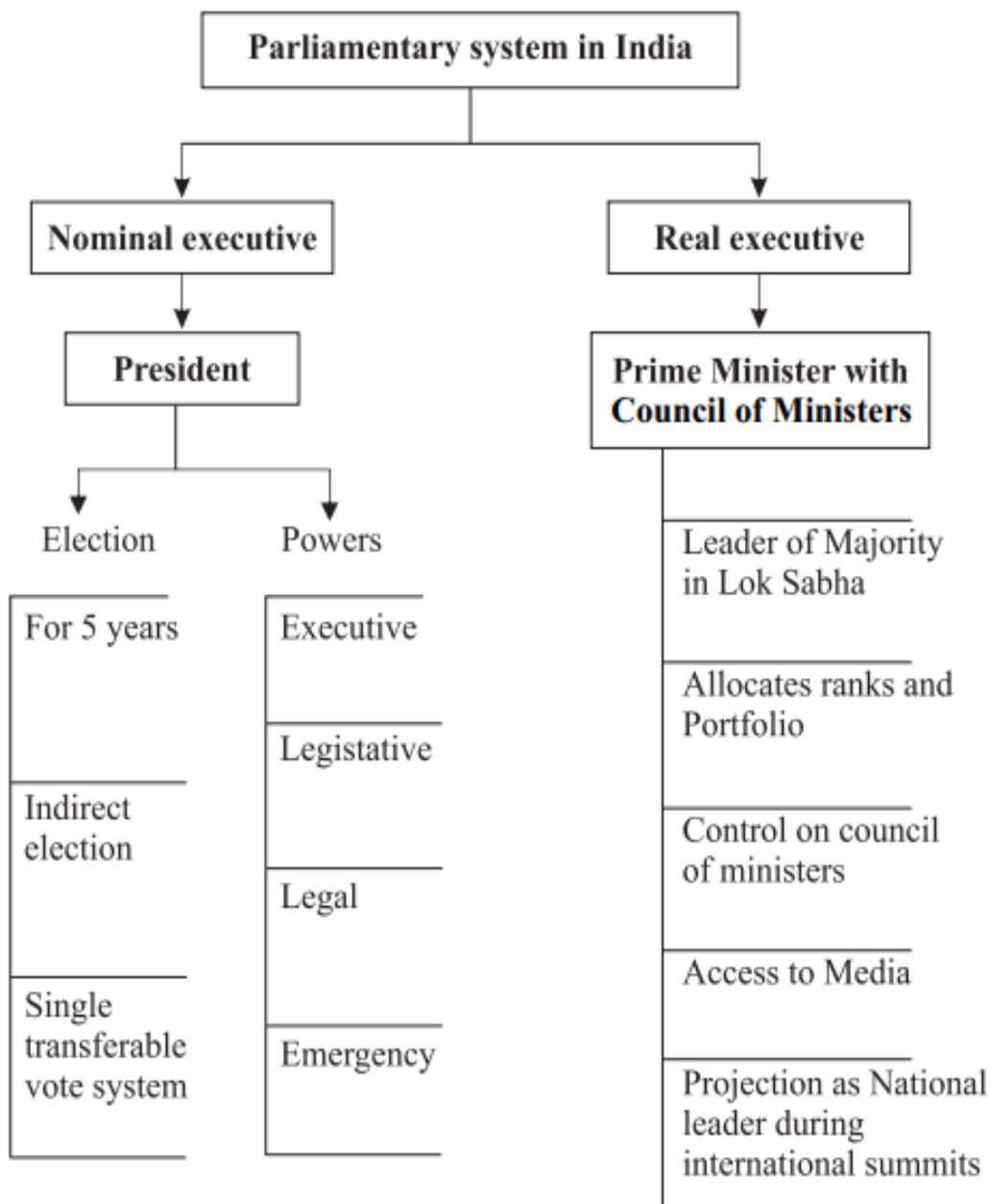
- i. Issuance of notification by the Election Commission

- ii. Date of Withdrawal of Application Date of Election
- iii. Election campaign and monitoring of election campaign
- iv. Make the election free and fair on the date
- v. Counting of votes
- vi. Declaration of election result
- vii. Appointment of Election Officers
- viii. Establishment of Polling Stations

CHAPTER-4
EXECUTIVE

Types





What is the Executive- The organ of government that primarily looks after the function of implementation and administrations called the executive.

Principal functions of the Executive-

- Executive is the branch of government responsible for the implementation of laws and policies adopted by the legislature. The executive is often involved in framing of policy. Some countries have Presidents, while others have chancellors. The executive branch is not just about Presidents, Prime Ministers and ministers.
- It also extends to the administrative machinery (civil servants) While the heads of government and their ministers, saddled with the overall responsibility of government policy, are together known as the political executive, those responsible for day to day administration are called the Permanent Executive.

What are the different types of Executive?

- **Presidential System-** The President is the Head of state as well as the head of the government. In this system the office of president is very powerful, both in theory and practice. Countries with such a system include the United States, Brazil and most nations in Latin America.

- **Semi-Presidential Executive-** Under the system of Executive Presidency, people directly elect the President. It may happen that both the President and the Prime Minister belong to the same political party or to different political parties. Countries with such a system include the France, Russia, Sri Lanka.
- **Parliamentary System-** The Prime Minister is the head of government. Most parliamentary systems have a president or a monarch who is the nominal Head of state. In such a system the role of president or monarch is primarily ceremonial and Prime Minister along with the cabinet wields effective power. Countries with such system include Germany, Italy, Japan, United Kingdom as well as Portugal.

Parliamentary Executive in India-

- India already had some experience of running the parliamentary system. Under the Acts of 1919 and 1935. This experience had shown that in the parliamentary system, the executive can be effectively controlled by the representatives of the people.

Why Parliamentary Form of Government?

- Indian Constitution wanted to ensure that the government would be sensitive to public expectations and would be responsible and accountable.
- The Presidential Executive puts much emphasis on the President as the chief executive and as source of all executive power.
- There is always the danger of personality cult in Presidential Executive. Executive will be answerable to and controlled by the legislature or people's representatives.

What is the Parliamentary Form of System?

- President who is the formal Head of the state of India and the Prime Minister and the Council of Ministers, which run the government at the national level. At the State level, the executive comprises the Governor and the Chief Minister and Council of Ministers.

Power and position of President-

- Article 74 (1): There shall be a Council of Ministers with the Prime Minister at the head to aid and advise the President who shall in the exercise of his functions, act in accordance with such advice.
- Provided that the President may require the Council of Ministers to reconsider such advice and the President shall act in accordance with the advice tendered after such reconsideration.
- Constitutionally, the President has a right to be informed of all important matters and deliberations of the Council of Ministers.
- The Prime Minister is obliged to furnish all the information that the president may call for.
- The President often writes to the Prime Minister and expresses his views on matters confronting the country.
- Three Situations where the President can exercise the Power using his or her own discretion:-
- President Can send back the advice given by the Council of Ministers and asks the Council to reconsider the decision. In doing this, the President acts on his (or her) own discretion.
- President has veto power by which he can withhold or refuse to give assent to Bills (other than Money Bill) passed by the Parliament. Every bill passed by the Parliament goes to the President for his assent before it becomes a law. The President can send the bill back to the Parliament asking it to reconsider the bill. This veto power is limited because, if the Parliament passes the same bill again and sends it back to the President, then, the President has to give assent to that bill. However, there is no mention in the Constitution about the time limit within which the President must send the bill back for reconsideration.
- This means that the President can just keep the bill pending with him without any time limit. This gives the President an informal power to use the veto in a very effective manner. This is sometimes referred to as a 'pocket veto'.
- When after an election, no leader has a clear majority in the Lok Sabha, the President has to decide whom to appoint as the Prime Minister. In such a situation, the President has to use his own discretion

in judging who really may have the support of the majority or who can actually form and run the government.

The Vice President of India-

- Election method is similar to that of the President; the only difference is that members of State legislatures are not part of the Electoral College. Vice President may be removed from his office by a resolution of the Rajya Sabha passed by a majority and agreed to the Lok Sabha. VP acts as the ex-officio Chairman of the Rajya Sabha and takes over the office of the President when there is a vacancy by reasons of death, resignation, removal by impeachment or otherwise. Acts as the President only until a new President is elected.

Prime Minister and Council of Ministers-

- The Prime Minister becomes the most important functionary of the government in our country.
- Head of the Council of Ministers.
- The President exercises his powers only on the advice of the Council of Ministers.
- In the parliamentary form of executive, it is essential that the Prime Minister has the support of the majority in the Lok Sabha. This support by the majority also makes the Prime Minister very powerful.
- Decides who will be the ministers in the Council of Ministers. Allocates ranks and portfolios to the ministers.
- Depending upon the seniority and political importance, the ministers are given the ranks of cabinet minister, minister of State or deputy minister. In the same manner, Chief Ministers of the States choose ministers from their own party or coalition.
- The Prime Minister and all the ministers have to be members of the Parliament. If someone becomes a minister or Prime Minister without being an MP such a person has to get elected to the Parliament within six months.

Size of the Council of Ministers-

- An amendment was made that the Council of Ministers shall not exceed 15 percent of total number of members of the House of People (or Assembly, in the case of the States).
- Collectively responsible to the Lok Sabha. This provision means that a Ministry which loses confidence of the Lok Sabha is obliged to resign.
- The principle indicates that the ministry is an executive committee of the Parliament and it collectively governs on behalf of the Parliament.
- Collective Responsibility
- Based on the principle of the solidarity of the cabinet.
- Implies that a vote of no confidence even against a single minister leads to the resignation of the entire Council of Ministers.
- Also indicates that if a minister does not agree with a policy or decision of the cabinet, he or she must either accept the decision or resign.
- It is binding on all ministers to pursue or agree to a policy for which there is collective responsibility.
- The death or resignation of the Prime Minister automatically brings about the dissolution of the Council of Ministers but the demise, dismissal or resignation of a minister only creates a ministerial vacancy.
- The Prime Minister acts as a link between the Council of Ministers on the one hand and the President as well as the Parliament on the other.
- The Prime Minister is involved in all crucial decisions of the government and decides on the policies of government.
- Thus, the power wielded by the Prime Minister flows from various sources: control over the Council of Ministers, leadership of the Lok Sabha, command over the bureaucratic machine, access to media, projection of personalities during elections, projection as national leader during international summitry as well as foreign visits.

At the State level-

- Similar parliamentary executive exists, though with some variations.
- The most important variation is that there is a Governor of the State appointed by the President on the advice of the central government.
- Though the Chief Minister, like the Prime Minister is the leader of the majority party in the Assembly, the Governor has more discretionary powers.
- However, the main principles of parliamentary system operate at the State level too.

Permanent Executive: Bureaucracy

- The Executive organ of the government includes the Prime Minister, the ministers and a large organization called the bureaucracy or the administrative machinery.
- In a democracy the elected representatives and the ministers are in charge of government and the administration is under their control and supervision.
- The legislature also exercises control over the administration.
- The administrative officers cannot act in violation of the policies adopted by the legislature.
- It is the responsibility of the ministers to retain political control over the administration.
- India has established professional administrative machinery.

The Indian bureaucracy-

- It consists of the All-India services, State services, employees of the local governments, and technical and managerial staff running public sector undertakings.
- The Union Public Service Commission has been entrusted with the task of conducting the process of recruitment of the civil servants for the government of India. Similar public service commissions are provided for the States also.
- Members of the Public Service Commissions are appointed for a fixed term. Their removal or suspension is subject to a thorough enquiry made by a judge of the Supreme Court.
- The bureaucracy is an instrument through which welfare policies of the government must reach the people. Bureaucracy is insensitive to the demands and expectations of the ordinary citizen.

MCQs-

1. In presidential form of government. The president is the
(a) Head of the state (b) Head of the government
(c) Head of the state and the government both (d) None of the above
2. What is the minimum age limit for the post of Prime Minister?
(a) Minimum 20 year **(b) Minimum 25 year** (c) Minimum 30 year (d) Not decided
3. The principle of collective responsibility is based on
(a) The principle of the solidarity of the Lok Sabha
(b) The principle of the solidarity of the Rajya Sabha.
(c) The principle of the solidarity of the cabinet
(d) None of the above
4. What is the process of removing the president from his office?
(a) Prosecution. (b) Indictment **(c) Impeachment** (d) All of the above
5. What type of government is there in the United States of America?
(a) Parliamentary **(b) Presidential** (c) Mixed (d) Communist
6. Which provision is related to the President as mentioned in Article-74A?
(a) 1986 (b) 1988 (c) 1987 **(d) 1989**
7. The Prime Minister is the pivot of the government. This statement was given by
(a) Dr. Rajendra Prasad (b) Sardar Patel
(c) Jawaharlal Nehru (d) Sachchidanand Sinha

8. How can the president be removed from his office?

- (a) **On the violation of the constitution** (b) On the returning the bill for reconsideration
(c) On the resignation (d) None of these

9. The task of recruiting members of the Civil Service in India is assigned to

- (a) Comptroller and Auditor General (b) **Union Public Service Commission**
(c) Finance Commission (d) NITI Aayog

10. The criterion of the selection of Indian Public Service is based on

- (a) Political ability (b) **Efficiency and competition**
(c) Mere election (d) None of these

11. President can be elected by the

- (a) Members of both houses of Parliament
(b) Members of Parliament and State Legislatures
(c) Elected Members of both the Houses of Parliament
(d) **Elected Members of Parliament and State Assemblies.**

Very Short Type Questions-

1. Describe any two forms of executive.

Ans- Presidential, Parliamentary

2. What do you understand by collective responsibility?

Ans- If vote of no confidence passes against a single minister, it leads to the resignation of the entire council of ministers.

3. What do the President's emergency powers mean?

Ans- The President (under article 352, 356 and 360 of the constitution) can declare emergency powers on the advice of Prime Minister with the council of Ministers.

4. The President is a ceremonial head of the state. Explain in brief.

Ans- Because real executive power vest in the hands of Prime Minister with the council of ministers.

5. Ministers in the cabinet swims together and sink together. What does this statement mean?

Ans- Due to collective responsibility.

6. Explain the powers of the Prime Minister.

Ans- Formation of Council of Minister, Removal of the Council of Minister, linchpin of the govt.

7. The Governor works as an agent of the Central Government. Explain.

Ans- Because Central government appoints governor.

8. What provisions have been made in the constitution to enable all sections of the society to become part of the bureaucracy? Explain.

Ans- Reservation for SC/ST/OBC in employment.

10. Bureaucracy is the mean by which the government's welfare policies must reach the public. Do you agree with this statement?

Ans- Yes, give your opinion with the help of examples.

Short Type Questions-

1. Define the four differences between the Political Executive and Permanent Executive.

Ans- Political Executive: Temporary, Tenure is not fixed, politically allegiance to the political party, less experienced (sometimes).

Permanent Executive: Tenure is fixed, practically neutral, efficient, trained and skilled officers.

2. Describe the four characteristics of the Permanent Executive.

Ans- Efficient, trained / skilled, expertise, politically neutral.

3. In a presidential government, how the President is the head of both state and the government?

Ans- Because there is only one head i.e. President.

4. Describe the emergency powers of the President.

Ans- Article 352, 356, 360

5. What are the privileges that make the power of the President effective?

Ans- The President has privileges to be informed of all important matters and deliberations of the Council of Ministers, veto power send back the advice given by Council of Ministers.

6. The President cannot exercise his own discretion in the appointment of the Prime Minister? Do you agree to this view?

Ans- No, when no leader has a clear majority in the Lok Sabha, President has to decide whom to appoint as the Prime Minister.

Long Type Questions-

1. Explain the powers of the President.

Ans- President can send back the advice given by the council of Ministers, Veto Power, appointment powers, sometimes uses discretionary powers, emergency powers.

2. How bureaucracy helps the political executive?

- Ans-**
- (a) Policy implementation.
 - (b) Efficiently works for the welfare of the people.
 - (c) Participation in drafting the policy.
 - (d) Helps the political executive.

CHAPTER 5: LEGISLATURE

Need for a Parliament:

- The Union legislature is referred to as the Parliament. The state legislatures are called State Legislative Assemblies. Here we primarily focus on the Union legislature, that is, the parliament.
- A representative, efficient and effective Parliament is characteristic of all democracies.
- The parliament is the law making body for the country. It is the open forum of debate and the centre of all democratic political process.
- It is the most representative of the three organs of a democracy. The other two are the executive and the judiciary.

- The Parliament is vested with the power to choose and dismiss the government.

Need for two houses of the Parliament:

- Bicameralism: A system of government in which the legislature is divided into two houses or chambers.
- When there are two houses of the legislature, it is called a bicameral legislature. The Indian legislature is bicameral.
- The Upper House is also known as Council of States or the Rajya Sabha and the Lower House is also known as House of the People or the Lok Sabha.
- States have the option of establishing either a unicameral (one house) or bicameral (two houses) legislature.
- At present there are only six Indian states with a bicameral legislature. They are: Andhra Pradesh, Karnataka, Telangana, Maharashtra, Uttar Pradesh and Bihar.

Advantages of having a bicameral legislature:

- Better representation: It gives representation to all sections in the society and to all geographical regions or parts of the country.
- Double check on decisions: A decision taken by one house goes to the other house for its decision. This means that every bill and policy would be discussed twice.

Characteristics of the Rajya Sabha:

- Indirectly elected: The Rajya Sabha represents the States of India. The elected members of State Legislative Assembly (MLAs) elect the members of the Rajya Sabha for a 6 year term. (Through the Single Transferable Vote System as given in Ch: 3)
- Asymmetric representation: Different states are represented in the Rajya Sabha based on the size of their population. Eg: Uttar Pradesh 31, Sikkim 1. The number of members to be elected from each State has been fixed by the fourth schedule of the Constitution.
- Never gets fully dissolved: All members of the Rajya Sabha do not complete their terms at the same time. Every two years, one third members of the Rajya Sabha complete their term and elections are held for those one third seats only. Thus, Rajya Sabha is called the permanent House of the Parliament.
- President's nominations: Apart from the elected members, the President can nominate a maximum of twelve members to it.

Characteristics of the Lok Sabha:

- Directly elected: The members of the Lok Sabha are directly elected for a period of five years. The entire country is divided into 543 territorial constituencies. One representative is elected from each constituency through universal adult suffrage.
- Gets dissolved every 5 years: All members complete their term together and fresh elections are held every 5 years. It can also be dissolved if no party or coalition can form the government or if the Prime Minister advises the President to do so.

Functions of the Parliament:

- Legislative Function: The Parliament enacts laws for the country. Bills are introduced in the Parliament for discussion and approval.
- Control of Executive: The Parliament controls the executive, ensuring it remains accountable to the people. (Discussed in point 13)
- Financial Function: The Parliament manages taxation and government spending. It grants resources to the government. The government has to give an account to the Parliament about the money it has spent.
- Representation: Parliament represents diverse views and opinions of members from different sections and parts of the country.
- Debating Function: Parliament serves as the primary forum for debate in the country.

- **Constituent Function:** The Parliament can enact changes (amendments) to the Constitution. They must be approved by a special majority in both houses.
- **Electoral Functions:** Parliament elects the President and Vice President of India.
- **Judicial Functions:** Parliament can remove the President, Vice President, and judges of High Courts and Supreme Courts.

Powers of the Lok Sabha:

- Makes Laws on matters included in Union List and Concurrent List.
- Introduce and enact money and non-money bills.
- Approves bills for taxation
- Controls the executive by asking questions
- Amends the Constitution
- Approves the Proclamation of emergency
- Elects the President and the Vice President
- Removes the Judges of High Courts and Supreme Courts

Powers of Rajya Sabha:

- Considers and approves non-money bills
- Approves constitutional amendments
- Control over executive by asking questions
- Participates in the election and removal of the President, Vice-President, Judges of Supreme Court and High court
- Can give the Union Parliament power to make laws on matters included in the State List

Special power of the Lok Sabha:

- Only the Lok Sabha can initiate, reject or amend money bills. The Council of Ministers is responsible to the Lok Sabha and not Rajya Sabha. Rajya Sabha can criticise the government but cannot remove it.

Special power of the Rajya Sabha:

- The Rajya Sabha represents the states. Any matter that affects the States must be referred to it for its consent and approval. The approval of the Rajya Sabha is necessary if the Parliament wishes to remove a matter from the State list to either the Union List or Concurrent List.

Procedure/ Steps in the law making process:

- The bill is introduced in either House of the Parliament. A bill is a draft of the proposed law.
- The bill is sent to a Committee or discussed in the House itself.
- If a bill is sent to a Committee, it gives a report. The Committee takes people's input as well.
- Detailed discussion on the bill; the House may or may not accept the report.
- After the discussion, the bill is voted upon. The bill may be accepted or rejected.
- If approved by the House, the bill is sent to the other House of the Parliament.
- The other House may send the Bill back with certain recommendations. If there is disagreement between the two Houses, attempt is made to resolve it through Joint Session of Parliament. (The Speaker of the Lok Sabha presides over a Joint Session.)
- If approved by the other House, then the Bill is sent for the President's assent.
- The President may send the Bill back with certain recommendations.
- If the President approves, then the Bill becomes a Law.

Types of Bills:

- **An Ordinary Bill:** Deals with regular legislative matters.
- **A Constitution Amendment Bill:** Deals with changes/ amendment to the Constitution itself.
- **Government Bill:** If a Minister proposes it.

- A Money Bill: Can be introduced only in the Lok Sabha. (Article 109)
- Non-Money Bill: Can be introduced in either House.

Parliament's control/ check over the Executive:

- Parliamentary privilege: No action can be taken against a member for whatever the member may have said in the legislature. They can represent people's voice effectively and fearlessly. Parliamentary privilege enables the MPs to exercise effective control over the executive.
- The presiding officer of the legislature has the final powers in deciding matters of breach of privilege.

Instruments of Parliamentary control:

- **Deliberation and discussion:** During the law making process, members of the legislature get an opportunity to deliberate on the policy direction of the executive and the ways in which policies are implemented. Control may also be exercised through:
- **The Question Hour:** Held every day during the sessions of Parliament, where Ministers have to respond to searching questions raised by the members. The aim is to gain maximum information from the government.
- **The Zero Hour:** Members are free to raise any matter that they think is important without prior notice.
- **Half-an-Hour:** Discussion on matters of public importance which needs more elucidation.
- **Adjournment motion:** Introduced only in Lok Sabha to draw attention of the House to a definite matter of urgent public importance.
- **Approval and ratification of laws:** A bill can become a law only with the approval of the Parliament. A government that has the support of a disciplined majority may not find it difficult to get the approval of the Legislature.
- **Financial control:** The budget can't be passed unless it is approved by the majority of the Parliament. The Lok Sabha can discuss the reasons for which the government requires money. It can also enquire into cases of misuse of funds.
- **No Confidence Motion:** This motion is moved to determine the confidence of the House in the Council of Ministers. Several governments in the past have been forced to resign due to lack of confidence of the house. It is because they failed to retain the support of their coalition partners.

Parliamentary Committees:

- **Need for Parliamentary Committees:** Since the Parliament meets only during Sessions; it has very limited time. The making of law for instance requires in-depth study of the issue under consideration. This in turn demands more attention and time. This gap is filled by Parliamentary Committees. The committee system has reduced the burden on the Parliament.
- **Functions of Parliamentary Standing Committees:** They supervise the work of various departments, their budget, their expenditure and bills that come up in the house relating to the department.
- **Joint Parliamentary Committees:** Members of these committees are selected from both Houses. They are set up for the purpose of discussing a particular bill and for the purpose of investigating financial irregularities.

Multiple Choice Questions (MCQs)-

- We call it a bicameral legislature when the legislature has:

(a) More than one house	(b) Two house
(c) Less than 272 members	(d) More than 272 members
- Bundestag and Bundesrat are the two houses in the legislature of:

(a) Italy	(b) England	(c) West Indies	(d) Germany
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- If there is disagreement between two Houses on a proposed bill, attempt is made to resolve it through:

(a) A President's order	(b) Joint Session of Parliament
(c) Imposition of the Prime Minister's will	(d) None of the above

- Which one of the following state does NOT have a bicameral legislature?
 (a) Andhra Pradesh **(b) Arunachal Pradesh** (c) Bihar (d) U.P.
- Which one of the following is NOT a valid argument in favour of having a bicameral legislature?
 (a) It gives representation to all sections in the society.
(b) It gives representation to all geographical regions or parts of the country.
 (c) It enables double check on decisions.
 (d) It reduces the workload of the house by half.
- Which Article of the Indian Constitution states that Money Bills shall not be introduced in the Rajya Sabha?
 (a) **Article 109** (b) Article 14 (c) Article 15 (d) Article 209
- Which Schedule of the Constitution has fixed the number of members to be elected from each State to the Rajya Sabha?
 (a) 6th Schedule (b) 8th Schedule (b) 11th Schedule **(b) 4th Schedule**

Assertion and Reasons Based

DIRECTION: Mark the option which is most suitable :

- (a) If both assertion and reason are true and reason is the correct explanation of assertion.
- (b) If both assertion and reason are true but reason is not the correct explanation of assertion.
- (c) If the assertion is true but the reason is false.
- (d) If both assertion and reason are false.

➤ Consider the following statements and choose the correct response.

Assertion (A): Law-making is not merely a legal procedure but also a political course of action.

Reason (R): Political parties, media, and interest groups influence the government to introduce certain bills.

Ans- A

➤ Consider the following statements and choose the correct response.

Assertion (A): Committees are referred to as miniature legislatures.

Reason (R): Most of the detailed discussion on a bill takes place in the committees as they can meet regularly.

Ans- A

➤ Consider the following statements and choose the correct response.

Assertion (A): A bill must be passed by both Houses of Parliament to become a law.

Reason (R): The Cabinet alone is responsible for enacting laws in India.

Ans- C

Very Short Answer Type Questions

➤ Write any one function of parliamentary standing committees.

Ans: They supervise the work of various departments, their budget, their expenditure and bills that come up in the house relating to the department.

➤ What is deemed as 'defection' in the parliament?

Ans- If a member remains absent in the House when asked by the party leadership to remain present or votes against the instructions of the party or voluntarily leaves the membership of the party, it is deemed as defection.

➤ What is the significance of a Joint Session of Parliament in the legislative process?

Ans- If there is disagreement between the two Houses on a proposed bill, attempt is made to resolve it through Joint Session of Parliament. They are called to resolve a deadlock.

- If the Union Parliament wants to move a subject from the State List to the Concurrent List in the national interest, what role does the Rajya Sabha play?

Ans- In such cases, the approval of the Rajya Sabha is necessary. This requirement adds to the strength of the Rajya Sabha as a representative body of the states.

- What is the difference between an Ordinary Bill and a Constitution Amendment Bill?

Ans- An Ordinary Bill deals with regular legislative matters whereas a Constitution Amendment Bill deals with changes/ amendment to the Constitution itself.

Short Answer Type Questions

- How does the Parliament exercise financial control over the executive?

Ans- The budget can't be passed unless it is approved by the majority of the Parliament. The Lok Sabha can discuss the reasons for which the government requires money. It can also enquire into cases of misuse of funds.

- Explain the term "Parliamentary privilege".

Ans- No action can be taken against a member for whatever the member may have said in the legislature. They can represent people's voice effectively and fearlessly. Parliamentary privilege enables the MPs to exercise effective control over the executive.

- Why is the Rajya Sabha considered an institutional mechanism to protect the powers of the States?

Ans- The Rajya Sabha is meant to provide representation to the States. Its purpose is to protect the powers of the States. Therefore, any matter that affects the States must be referred to it for its consent and approval. For example, if the Union Parliament wants to move a matter from the State List to the Union or Concurrent List, the approval of the Rajya Sabha is necessary. This strengthens the federal structure by ensuring that States have a say in national matters.

- The Rajya Sabha cannot initiate, reject or amend money bills. What constitutional logic supports this limitation?

Ans- The Rajya Sabha is elected by the MLAs and not directly by the people. Therefore, the Constitution stopped short of giving certain powers to the Rajya Sabha. In our democracy, the people are the final authority, and the Lok Sabha, being directly elected by the people, should have crucial powers like removing the government and controlling finances.

- Evaluate the statement: "The members of the Rajya Sabha represent their parties more than they represent their States." Do you agree? Justify.

Ans- Although the Rajya Sabha is meant to represent the States, experience shows that its members often represent their parties more than their States. This implies that party allegiance tends to override regional representation, possibly due to the method of their election through State Legislatures, often controlled by political parties.

Long Answer Type Questions-

- Compare the powers of the Lok Sabha and the Rajya Sabha in relation to the removal of government, impeachment of the President and money bills.

Ans- Removal of Government: The Council of Ministers is responsible to the Lok Sabha, not the Rajya Sabha. Therefore, Rajya Sabha cannot remove the government.

Impeachment of the President/Removal of Vice President: In these cases, both Lok Sabha and Rajya Sabha have equal powers.

Money Bills: Only the Lok Sabha can initiate, reject, or amend money bills. Rajya Sabha can only discuss them, not vote. Rajya Sabha has limited powers regarding money bills. It can only suggest amendments within 14 days, but cannot reject or amend them. The Lok Sabha may or may not accept these suggestions.

- Describe the process of law-making in the Indian Parliament highlighting the political, procedural, and institutional aspects involved before and after the introduction of a bill.

Ans- Political considerations before introducing a Bill: Before a bill is even introduced, there is often considerable political debate. Political parties may push for certain bills to fulfil election promises or to increase their chances in future elections. Interest groups, media, and citizen forums may also influence the government to introduce legislation. Thus, law-making begins as a political act influenced by various parties.

Drafting the Bill: The concerned ministry drafts the Bill. For instance, a bill raising the legal age of marriage for girls would be drafted by the law ministry, possibly in consultation with other relevant ministries like Women and Child Welfare.

Introduction in the Parliament: The bill may be introduced in either House—Lok Sabha or Rajya Sabha—by a minister or a member. However, a money bill can only be introduced in the Lok Sabha. Once passed, it is sent to the Rajya Sabha for consideration.

Committee Stage: Most bills are referred to Parliamentary Committees for detailed scrutiny. This is the second stage of law-making. Committees are known as miniature legislatures because they discuss the bill clause by clause and make recommendations.

Passing the Bill: In this stage, the bill is debated and voted upon. If passed by one House, it goes to the other House, where the same procedure is followed. Both Houses must approve the bill for it to become law.

Joint Session in Case of Deadlock: If there is disagreement between the two Houses, a joint session may be called. In all such instances so far, the decision has favoured the Lok Sabha due to its numerical strength. Thus, law-making in India is a multi-stage process involving political motives, public influence, and institutional scrutiny. It reflects the democratic spirit where various forces shape the creation of laws that govern the country.

- List any five functions of the Parliament.

Ans- Please refer to point no. 6 of the notes.

- Why is the Rajya Sabha called the permanent House of the Parliament? What is the advantage of this nature of the Rajya Sabha? Mention the pattern of representation for states in it.

Ans- Sabha is called the permanent House of the Parliament because it never gets fully dissolved. All members of the Rajya Sabha do not complete their terms at the same time. Every two years, one third members of the Rajya Sabha complete their term and elections are held for those one third seats only. The advantage of this arrangement is that even when the Lok Sabha is dissolved and elections are yet to take place, the meeting of the Rajya Sabha can be called and urgent business can be conducted.

The pattern of representation for states in the Rajya Sabha is symmetric representation. Different states are represented in the Rajya Sabha based on the size of their population. Eg: Uttar Pradesh 31, Sikkim 1.

- Elucidate the instruments of Parliamentary control over the executive?

Ans- Deliberation and discussion: During the law making process, members of the legislature get an opportunity to deliberate on the policy direction of the executive and the ways in which policies are implemented. Control may also be exercised through the Question Hour, Zero Hour, half-an-hour and adjournment motion.

Approval and ratification of laws: A bill can become a law only with the approval of the Parliament. A government that has the support of a disciplined majority may not find it difficult to get the approval of the Legislature.

Financial control: The budget can't be passed unless it is approved by the majority of the Parliament. The Lok Sabha can discuss the reasons for which the government requires money. It can also enquire into cases of misuse of funds.

No Confidence Motion: This motion is moved to determine the confidence of the House in the Council of Ministers. Several governments in the past have been forced to resign due to lack of confidence of the house. It is because they failed to retain the support of their coalition partners.

Competency based Questions

➤ Observe the following picture and answer the questions that follow:



"We are not walking out, we have been ordered out," said the MPs.
Why do you think such situations occur?

➤ What message is the cartoon trying to convey about the behavior of MPs in Parliament?

Ans- The cartoon highlights the frequent disruptions and indiscipline in Parliament. The MPs claim that they are not walking out (which is usually a form of protest), but are instead being "ordered out" due to their misconduct.

➤ How can such instances affect the functioning of a democracy?

Ans- Repeated disruptions delay legislation, waste public money, and erode public trust in democratic institutions. It weakens the accountability of the government and reduces the effectiveness of Parliament in representing the people's interests.

➤ Why do you think situations like MPs being "ordered out" occur in a democracy?

Ans- Such situations occur due to frequent disruptions, unruly behavior, or protests during parliamentary proceedings. MPs may shout slogans, disobey the Speaker, or create disturbances, leading to their suspension or forced exit to maintain order.

CHAPTER-6

JUDICIARY

Need for an independent judiciary:

- An independent judiciary is required to uphold rule of law.
- Rule of Law: The idea of rule of law implies that all individuals- irrespective of their personal background and wealth are subjected to the same law. The principal role of the judiciary is to protect rule of law and ensure supremacy of law.

Meaning of an Independent judiciary:

- The other organs of the government like the executive and legislature must not restrain the functioning of the judiciary in such a way that it is unable to do justice.
- The other organs of the government should not interfere with the decision of the judiciary.
- Judges must be able to perform their functions without fear or favour.
- However, it does not imply arbitrariness or absence of accountability. The judiciary is accountable to the Constitution.

Ensuring the independence of judiciary in India:

- The legislature is not involved in the process of appointment of judges.
- The judges have a fixed tenure. They hold office till reaching the age of retirement. Only in exceptional cases, judges may be removed.
- The judiciary is not financially dependent on either the executive or legislature. The Constitution provides that the salaries and allowances of the judges are not subjected to the approval of the legislature.
- The actions and decisions of the judges are immune from personal criticisms.

Appointment of Judges:

- Conventionally, the senior-most judge of the Supreme Court was appointed as the Chief Justice of India. This convention was however broken twice.

- The other Judges of the Supreme Court and the High Court are appointed by the President after consulting the CJI. In effect, the Council of Ministers too have a role in their appointment.
- Chief Justice should recommend names of persons to be appointed in consultation with four senior-most judges of the Court.

Removal of Judges:

- The Constitution prescribes a very difficult procedure for removal of judges to ensure security of office.
- A judge of the Supreme Court or High Court can be removed only on the ground of proven misbehaviour or incapacity.
- A motion containing the charges against the judge must be approved by special majority in both Houses of the Parliament.

Structure of the Judiciary:

- The structure of the judiciary in India is pyramidal with the Supreme Court at the top, High Courts below them and district and subordinate courts at the lowest level.
- This system is called single integrated judicial system. India does not have separate State courts like other federal countries.

Jurisdiction of the Supreme Court:

- **Original Jurisdiction:** Original jurisdiction means cases that can be directly considered by the Supreme Court. It includes settling disputes between Centre and State and amongst states. Supreme Court alone has the power to deal with cases involving federal matters.
- **Writ Jurisdiction:** The Supreme Court can give special orders in the form of writs. The High Courts can also issue writs, but the persons whose rights are violated have the choice of either approaching the High Court or approaching the Supreme Court directly.
- **Appellate jurisdiction:** The Supreme Court is the highest court of appeal. A person can appeal to the Supreme Court against the decisions of the High Court. However, High Court must certify that the case is fit for appeal. Appellate jurisdiction means that the Supreme Court will reconsider the case and the legal issues involved in it.
- **Advisory jurisdiction:** This means that the President of India can refer any matter that is of public importance or that which involves interpretation of Constitution to Supreme Court for advice.
- When the judiciary plays a proactive role in protecting the rights of citizens and moves beyond confining to respond to cases brought before it by the aggrieved person. It does so through instruments like PIL/SAL.
- **Public Interest Litigation (PIL) or Social Action Litigation (SAL):** In normal course of law, an individual can approach the courts only if he/she has been personally aggrieved. A PIL/SAL is a case filed not by the aggrieved persons but by others on their behalf involving consideration of an issue of public interest.

Judiciary and Rights:

- The Constitution provides two ways in which the Supreme Court can remedy the violation of rights. They are as follows:
- **Writ power:** The judiciary can restore fundamental rights by issuing writs of Habeas Corpus; mandamus etc. (article 32). The High Courts also have the power to issue such writs (article 226).
- **Review power:** The Supreme Court can declare the concerned law as unconstitutional and therefore non-operational (article 13). This is called Judicial Review.

Judiciary and the Parliament:

- The Indian Constitution is based on a delicate principle of limited separation of powers and checks and balances.
- Each organ of the government has a clear area of functioning. The Parliament is supreme in making laws and amending the Constitution, the executive is supreme in implementing them while the judiciary is supreme in settling disputes and deciding whether the laws that have been made are in accordance with the provisions of the Constitution.

- The Supreme Court in the Kesavananda Bharati case ruled that there is a basic structure of the Constitution and nobody—not even the Parliament (through amendment)—can violate the basic structure.

Multiple Choice Questions (MCQs)

- Which one of the following is NOT a function of the High Courts in India?
 - (a) Can hear appeals from the District Courts
 - (b) Can issue writs
 - (c) Can transfer Judges of High Courts**
 - (d) Can deal with cases within the
- Which is the apex court in India?
 - High Courts
 - (b) District Courts
 - (c) Supreme Court**
 - (d) Subordinate Courts
- In which one of the following case the Court ruled that there is a basic structure of the Constitution and nobody—not even the Parliament (through amendment)—can violate the basic structure?
 - (a) Maneka Gandhi v. Union of India
 - (b) Indra Sawhney and others v. Union of India
 - (c) A K Gopalan v. State of Madras
 - (d) Kesavananda Bharati v. State of Kerala**
- Which one of the following right was taken away from the list of fundamental rights in 1979?
 - (a) Right to Freedom
 - (b) Right against Exploitation
 - (c) Right to Property**
 - (d) Right to Constitutional Remedies
- Which one of the following countries in Africa has incorporated Public Interest Litigation (PIL) in its bill of rights?
 - (a) South Africa**
 - (b) Morocco
 - (c) Egypt
 - (d) Zimbabwe
- Which one of the following is NOT a valid argument in favour of having an independent judiciary?
 - (a) The other organs of the government should not interfere with the decision of the judiciary.
 - (b) Judges must be able to perform their functions without fear or favour.
 - (c) The judiciary must be able to function as a kind of super-legislature or super-executive.**
 - (d) An independent judiciary is a hallmark of healthy democracy across the world.
- Suppose that the central government has made a law, which according to some States, concerns a subject from the State list. The States goes to the Supreme Court and the court agreed with them. The court declared that the law is unconstitutional. Which one of the following mechanism had been used by the Court?
 - (a) Writ power
 - (b) Judicial Review**
 - (c) Advisory jurisdiction
 - (d) None of the above

Very Short Answer Type Questions

- Which courts have the authority to issue writs?

Ans- The Supreme Court and the High Courts.

- Mention two benefits of the advisory jurisdiction of the Supreme Court.

Ans- Firstly, it allows the government to seek legal opinion on a matter of importance before taking action on it. This may prevent unnecessary litigations later. Secondly, in the light of the advice of the Supreme Court, the government can make suitable changes in its action or legislations.

- What do you understand by the term Judicial Review?

Ans- Judicial Review means the power of the Supreme Court (or High Courts) to examine the constitutionality of any law if the Court arrives at the conclusion that the law is inconsistent with the

provisions of the Constitution, such a law is declared as unconstitutional and inapplicable. It is implicit in the Indian Constitution.

➤ How has the mechanism of PILs been a positive step of the judiciary?

Ans- Through PILs the judiciary allowed public spirited citizens, social organisations and lawyers to file petitions on behalf of the needy and the deprived. PILs have democratised the judicial system.

Short Answer Type Questions

➤ Which were the two instances when the convention of appointing the senior-most judge of the Supreme Court as the Chief Justice of India was broken?

Ans- First, in 1973 when A. N. Ray was appointed as CJI superseding three senior Judges. Again, in 1975 when Justice M.H. Beg was appointed superseding Justice H.R. Khanna.

➤ What do you understand by the principle of collegiality?

➤ **Ans-** It is followed in making recommendations for appointments by the CJI. The procedure that Chief Justice should recommend names of persons to be appointed in High Courts and the Supreme Court as judges in consultation with four senior-most judges of the Court is called principle of collegiality in judiciary.

➤ What do you understand by single integrated judicial system?

Ans- The structure of the judiciary in India is pyramidal with the Supreme Court at the top, High Courts below them and district and subordinate courts at the lowest level. The ruling of a higher court is binding on all subordinate courts. This system is called single integrated judicial system. India does not have separate State courts like other federal countries. E.g.: Unlike India, USA has State courts and a Federal court. This system is called single integrated judicial system.

➤ What is the jurisdiction of a High Court?

Ans- A High Court deals with cases within the jurisdiction of the state. It can issue writs for restoring Fundamental Rights. It can hear appeals from lower courts; exercise superintendence and control over them.

➤ What is the special power of the Supreme Court of India in its appellate jurisdiction?

Ans- A person can appeal to the Supreme Court against the decisions of the High Court. Appellate jurisdiction means that the Supreme Court will reconsider the case and the legal issues involved in it. The special power is that the Supreme Court can grant special leave to an appeal from any judgement or matter passed by any court in the territory of India.

➤ Article 144 of the India Constitution states that “...All authorities, civil and judicial, in the territory of India shall act in aid of the Supreme Court”. What does this Article speak about the powers of the Supreme Court?

Ans- This Article reveals that the Supreme Court is the apex court of India. Decisions made by the Supreme Court are binding on all other courts within the territory of India. Orders passed by it are enforceable throughout the length and breadth of the country.

➤ Suppose two states in India have a dispute over the construction of a multi-purpose river dam on a river that flows from one state and goes through the other. Which court can arbitrate over this dispute and why?

Ans- The dispute involves two states of India and thus the matter can only be decided by the Supreme Court. It involves a federal matter and Supreme Court alone has the power to deal with cases involving federal matters. This matter will come under the Original Jurisdiction of the court.

Long Answer Type Questions

- Analyse the role of the Supreme Court as an umpire in disputes involving federal relations. Which jurisdiction of the court comes into play in such cases?

Ans- The Original Jurisdiction of the Supreme Court establishes it as an umpire in all disputes regarding federal matters. In any federal country, legal disputes are bound to arise between the Union and the States; and among the States themselves. The power to resolve such cases is entrusted to the Supreme Court of India. It is called original jurisdiction because the Supreme Court alone has the power to deal with such cases. Neither the High courts nor the lower courts can deal with such cases. For example: The Supreme Court used its Original Jurisdiction to adjudicate the Cauvery Water dispute between Karnataka and Tamil Nadu.

- What do you understand by the principle of limited separation of powers and checks and balances?

Ans- This means that there is clear cut division of power among each organ of the government. Each of them has a clear area of functioning. The Parliament is supreme in making laws and amending the Constitution, the executive is supreme in implementing them while the judiciary is supreme in settling disputes and deciding whether the laws that have been made are in accordance with the provisions of the Constitution. One organ checks over the other such that no one becomes too powerful or unaccountable. This is called horizontal power sharing. Democratic government is based on each organ of government respecting the powers and jurisdiction of the others.

- What do you understand by independence of Judiciary? What measures have been adopted in India to protect this independence?

Ans- The independence of judiciary means that other organs of the government like the executive and legislature must not restrain the functioning of the judiciary in such a way that it is unable to do justice. The other organs of the government should not interfere with the decision of the judiciary. Moreover, judges must be able to perform their functions without fear or favour. However, it does not imply arbitrariness or absence of accountability. The judiciary is accountable to the Constitution.

The measures that have been adopted in India to protect the independence of judiciary include that in India, the legislature is not involved in the process of appointment of judges. The judges have a fixed tenure. They hold office till reaching the age of retirement. Only in exceptional cases, judges may be removed. The judiciary is not financially dependent on either the executive or legislature. The Constitution provides that the salaries and allowances of the judges are not subjected to the approval of the legislature. The actions and decisions of the judges are immune from personal and unfair criticisms.

- Write a note on the Jurisdiction of the Supreme Court of India.

Ans- Please refer to point no. 7 of the notes.

- Illustrate how the mechanism of PIL has democratized the judicial system?

Ans- In normal course of law, an individual can approach the courts only if he/she has been personally aggrieved. A PIL/SAL is a case filed not by the aggrieved persons but by others on their behalf involving consideration of an issue of public interest. PILs have democratized the judicial system in many ways. PILs have enabled the judiciary to move beyond confining to respond to cases brought before it. Through PIL, the court has also expanded the idea of rights. The judiciary has also shown readiness to take into consideration rights of those sections who cannot easily approach the courts since 1980s through PILs. For this purpose, the judiciary allowed public spirited citizens, social organisations and lawyers to file petitions on behalf of the needy and the deprived. It has forced executive accountability.

Case Based Questions-

- Read the following sentences and answer the question that follows.

“The removal of judges of the Supreme Court and the High Court’s is also extremely difficult. A judge of the Supreme Court or High Court can be removed only on the ground of proven misbehaviour or incapacity. A

motion containing the charges against the judge must be approved by special majority in both Houses of the Parliament.”

➤ Is it easy for the Parliament to remove a Judge?

Ans-Constitution has prescribed a very difficult procedure for removal of judges. It is very difficult for any Party to gain special majority in both houses of the Parliament. It means that unless there is a general consensus among Members of the Parliament, a judge cannot be removed.

➤ Why do you think the Constitution has prescribed such a procedure for removal of judges?

Ans- Constitution has prescribed such a procedure to ensure security of tenure for the judges. Security of tenure ensures that judges can function without fear or favour to uphold rule of law and fairness.

CHAPTER-7

FEDERALISM

● **Introduction:**

Federalism is a system of government in which powers are divided between a central authority and various constituent units, such as states or provinces. This chapter helps students understand the concept of federalism, how it functions in India and other countries, and why it is essential in a diverse nation like ours. It explores the key features of a federal system, the division of powers and responsibilities among different levels of government, and the important role of the judiciary in maintaining this balance.

- The idea of Federalism started with the establishment of United States of America in 1787. Federalism is a system of government in which power is divided between a central authority and various constituent units of the country.
- India is a land of continental proportions and immense diversities. There are more than 22 major languages and several hundred minor ones and also it is home of several major religions. In spite of all these diversities, we share a common land mass. India is a country where there is unity in diversity. Federalism helps in maintaining unity in diversity by distributing power between the central and regional governments, which allows for local autonomy and cultural recognition while preserving national unity.
- Federalism ensures two levels of government.
- Each level has independent powers as given by the constitution.
- It promotes unity in diversity by allowing different regions to govern themselves while staying united as one country.
- To prevent conflicts between the central government and states government, there is an independent judiciary to settle disputes.
- The effective functioning of a federation relies not just on constitutional rules but also on trust, cooperation and mutual respect among its units. When a single group or ideology dominates, it can cause resentment and lead to serious conflicts, including demands for secession or even civil wars, as seen in several countries.

Federalism in the Indian Constitution

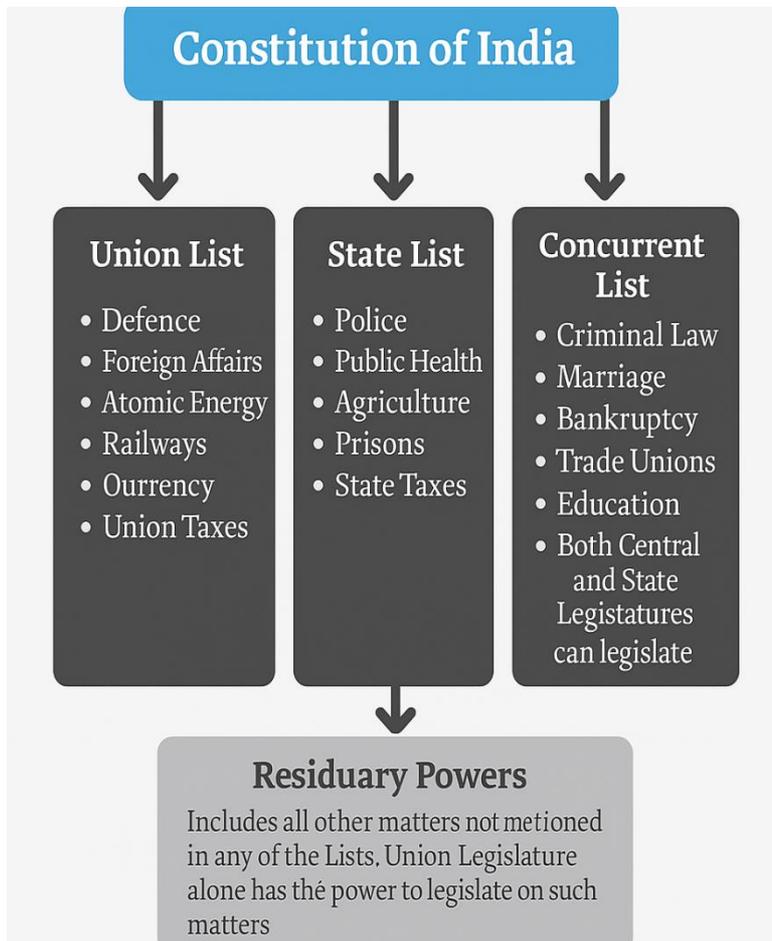
- Some scholars of government, Political debaters describe India as a quasi-federal state, and some even regard it as more unitary than federal. There is different opinion about whether India is a unitary or a federal country. The Indian Constitution used the word “Union” instead of using the word “federal”. Article “1” of the Indian Constitution states- India that is Bharat shall be a Union of states.
- There is a question about whether India is a federal country or not. To analyze this we have to know some features of Indian constitution.

Some federal features of Indian Constitution are:

- **Written Constitution:** The constitution of India is a comprehensive written document that clearly defines the powers and functions of both the centre and the states, which is a typical feature of a federal system. The Indian constitution is the world’s longest written constitution.
- **Division of Power:** Division of powers between central and state government is an important feature of federation. Our Constitution divided the powers between centre and state through three lists—central list, state list and concurrent list. The central government make laws on the subject of union list, state government make law on state lists and both the central and state government can make laws on the subject in the concurrent list.
- **Two sets of Government:** The Indian Constitution has the provisions for dual polity. In India, there is a central government and each state has its own government and jurisdiction.

- **Independent Judiciary:** Like America, Indian Constitution also provides for a supreme court. The disputes between states are to be solved by the Supreme Court. If the central or state governments make laws against the constitution then the Supreme Court will declare such laws as null and void. The Supreme Court is the guardian of Indian constitution.

Let us look at the important provisions that create a strong central government:



- **Formation of a new state:** The Constitution has given the power of breaking a state into newer states or bringing together two or more states to form one state on the parliament. This provision strengthens the powers of central government.
- **Emergency Provision:** Constitution has certain very powerful emergency provisions, which can turn our federal polity into a highly centralized system, once emergency declared. There are three types of emergency provisions in our constitution--- National Emergency (Article 352), President's Rule (Article 356), Financial Emergency (Article 360). During this emergency period, powers become lawfully centralized.
- **Financial powers:** The Constitution of India described in details the financial relationship between Centre and States. However, it has given more power to central government. Basically the States are dependent on Centre for grants and loans. At present, States need more money from

the Centre for financing the welfare policies of the state governments. Therefore, the central government can control some state financial affairs.

- **All-India Services:** Officers selected for All Indian Services like IAS (Indian Administrative Services), IPS (Indian Police Service) are appointed in the high official posts. They serve under the central government, even while working in the States. Hence, they are more accountable to the central governments. The presence of All India Service officials in state proves the influence of Centre on States.

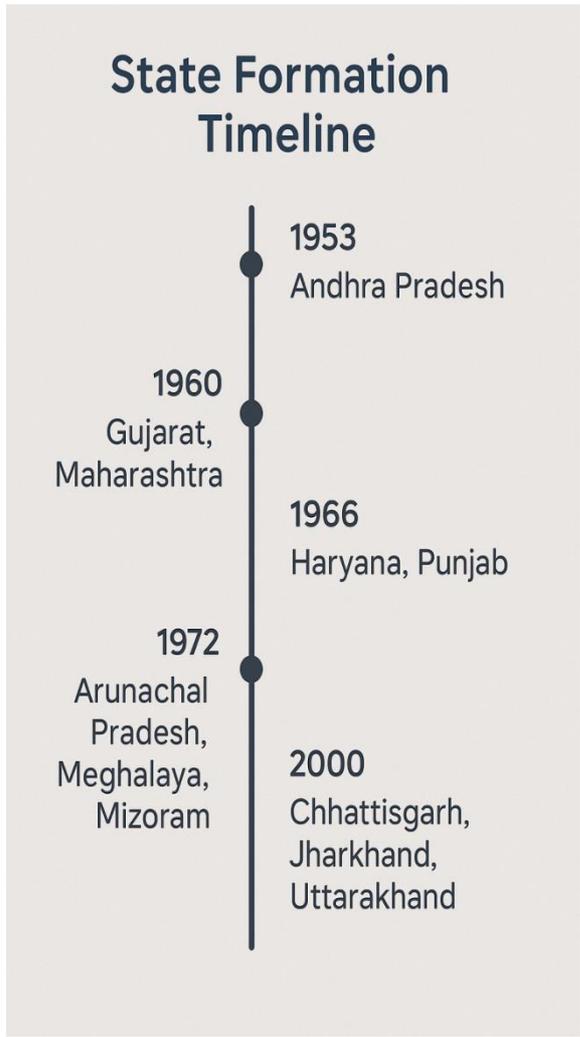
Conflicts in India's Federal System

- We have seen that the constitution has vested very strong powers in the Centre. Thus, the constitution recognizes the separate identity of the regions and yet gives more powers to the Centre. Once the principle of identity of the State is accepted, it is quite natural that states would expect a greater role and powers in the governance of the state and country as a whole. This leads to various demands from the States. It may create more tensions and conflicts in the relations between the Centre and States. To understand the terms conflict and tensions, we must analyse the Centre-State relationship.

Centre-State relations:

- **Foundation of Federalism (1950s and early 1960s):** Jawaharlal Nehru played a remarkable role in laying the foundation of Indian federalism during this period.

- Congress party dominance over both the Centre and States.
 - Shift in Political Landscape (Middle of 1960's): Congress Party dominance declined in the mid 1960's.
 - Opposition parties came into power in a large number of states.
 - Demands for Autonomy:
 - Many States and even many political parties have demanded autonomy from time to time. Hence, Autonomy refers to different things for different States and Political parties. That is mentioned in below—
1. Shift in Division of Powers:
 2. Financial Autonomy Demands:
 3. Administrative Autonomy Demands:
 4. Cultural and Linguistic Autonomy Demands:
 5. Role of Governors and President's Rule:
- The role of Governors has always been a controversial issue between the states and central government. The Governors is not an elected office-holder.
 - Many Governors have been retired military officers, Civil Servants, or Politicians, raising concern about political neutrality.
 - The Governors actions are often perceived as interference by the Central government in State affairs.
 - Tensions between the Centre and State increase when different political parties are in power at each level.



- The Sarkaria Commission (1983-1988) recommended that the appointment of Governors should be completely free from political bias.

President's Rule:

- Article 356 allows the President of India to impose President's rule in a state if the state government cannot function according to constitution. When the President's Rule imposed, the union government takes direct control of the state's administration.
- The Governor has the authority to recommend the dismissal of the state government and to suspend or dissolve the state assembly.

Demands of New States:

- Tension in federal System: A significant source of tension in India's federal system has been the demand for the creation of new states.
- Creation of Linguistic States: After Independence, the States Reorganization Commission (1953) recommended forming states based on linguistic groups, leading to the creation of linguistic states in 1956.

Inter-state Conflicts:

- States often have disputes with the Centre over autonomy and revenue sharing. There are also frequent conflicts between states regarding resources. Though legal mechanisms exist, such disputes often have political implications. Hence, they are best resolved through negotiations and mutual understanding.

- Types of Inter-state Disputes: Inter-state conflicts in India are

divided into two categories. Border Disputes:

- Maharashtra vs. Karnataka: Dispute over the city of Belgaum.

C) Financial Emergency

D) Armed Conflict

9. Which Commission was appointed by the central government to examine the issues relating to Centre-State relations?

A) Punchhi Commission

B) Rajmanna Commission

C) Sarkaria Commission

D) None of these

Very Short Type Questions

1. Define Federalism.
2. Which country is the first to adopt federalism through its Constitution?
3. What does the term “decentralization” mean in federalism?
4. What do you mean by residuary power?
5. What happens to the division of powers between the Centre and States during an emergency?
6. What do you understand by “dual polity” in a federal system?
7. How many major languages are there in India?
8. Mention any one unitary features of the constitution of India.

Ans-

1. Federalism is a system of government in which power is divided between a central authority and various constituent units of the country.
2. America.
3. Decentralization in federalism means the transfer of powers from the central government to lower levels of government, like state or local bodies, to ensure better governance.
4. Residuary powers are the subjects that are not mentioned in any of the three lists (Union, State, or Concurrent) and are given to the central government.
5. During an emergency, the central government gets more power and can make laws on subjects in the State List.
6. Dual polity in a federal system means there are two levels of government—one at the central level and one at the state level.
7. 22
8. Single citizenship

Short Types Question-

1. Which article of Indian Constitution describes India as a “Union of States”? What does this imply?
2. Why is India considered a quasi-federal state?
3. Give one example of how the Union Government can influence the state government under the Indian federal system.
4. How does the distribution of powers in Indian Constitution reflect the dominance of the Centre?
5. Do you think strong central government is necessary in a diverse country like India?
Give reason.

Ans-

1. Article 1
2. India is considered a quasi-federal state because it has features of both federal and unitary systems. Power is divided between the Centre and States but during emergencies, the Centre becomes more powerful.

3. One example is that the Governor, appointed by the Union Government, can reserve a state bill for the President's approval, allowing the Centre to influence state laws.
4. The distribution of powers in the Indian Constitution reflects the dominance of the Centre in the following ways:
 - i) Union List is larger than the State List, giving more subjects to the Centre.
 - ii) Residuary powers are with the Centre, not the states.
 - iii) During an emergency, the Centre can make laws on State subjects and control state functions.
5. Yes, a strong central government is necessary in a diverse country like India because:
 - i) It helps maintain unity and integrity among various states and cultures.
 - ii) It can effectively handle national issues like defense, foreign affairs, and natural disasters.
 - iii) It ensures uniform policies and balanced development across the country.

Long Type Question

1. List four features of the Indian Constitution that give greater power to the central government than the state government.
2. How does the distribution of powers between the Centre and the States reflect the federal character of the Indian Constitution? Explain with examples.
3. Explain Unity in diversity in Indian perspective?
4. What were the special provisions for Jammu & Kashmir under article 370? How were they different from provisions for other states?
5. What are the main reasons for conflicts between the Centre and states in India? Explain it with suitable examples.
6. What role does the Governor play in the Indian federal system? Why some states feel that, the Governor acts in a biased manner.
7. Should some states be governed by special provisions? Does this create resentment among other states? Does this help in forging greater unity among the regions of the country.

Ans-

1. The four features of the Indian Constitution that give more power to the central government than the state governments:
 - i. Union List – Only the central government can make laws on subjects in the Union List.
 - ii. Emergency Provisions – In times of emergency, the central government can make laws on state subjects.
 - iii. Appointment of Governors – Governors are appointed by the central government and act as its representatives in states.
 - iv. Single Constitution and Citizenship – India has one Constitution and single citizenship for the entire country.
2. i) Three Lists in the Seventh Schedule – Powers are divided into Union, State, and Concurrent Lists, ensuring clear jurisdiction.
 - ii) State Autonomy – States can make laws on subjects in the State List, like police and public health.
 - iii) Concurrent List – Both centre and states can make laws on subjects like education and forests, promoting cooperative federalism.
 - iv) Judicial Review – The Supreme Court resolves dispute between centre and states, maintaining the federal balance.
3. Many languages, religions and culture, common Indian identity, Constitutional provision for diversity, federal structure respecting regional differences, coexistence of festivals –traditions, democracy and secularism for ensuring harmony.

4. Article 370 gave Jammu & Kashmir special autonomy with its own Constitution, and central laws applied only with the state's consent. The state could appoint its own Governor and had special property rights for residents. It also had the right to have a separate flag and official language.

Difference from other states:

Other states do not have separate constitutions, central laws apply directly in other states, and Governors are appointed by the Centre in other States, no special property or citizenship rights in other states.

- 5. i) Division of Power ii) Financial Relations iii) Language Issues
- iv) Political Differences v) Regionalism and Demand for Autonomy
- vi) Implementation of Central Laws

6. The Governor is the constitutional head of a state and acts as a link between the Centre and the state. They appoint the Chief Minister, summon and dissolve the state legislature, and ensure the state government functions according to the Constitution. The Governor also reports to the President in case of emergencies in the state.

- i) They sometimes favor the Centre's political interests over the State's.
- ii) Interference in state politics and government formation.
- iii) Delays or refusals in giving assent to state bills.
- iv) Use of discretionary powers to undermine state government.

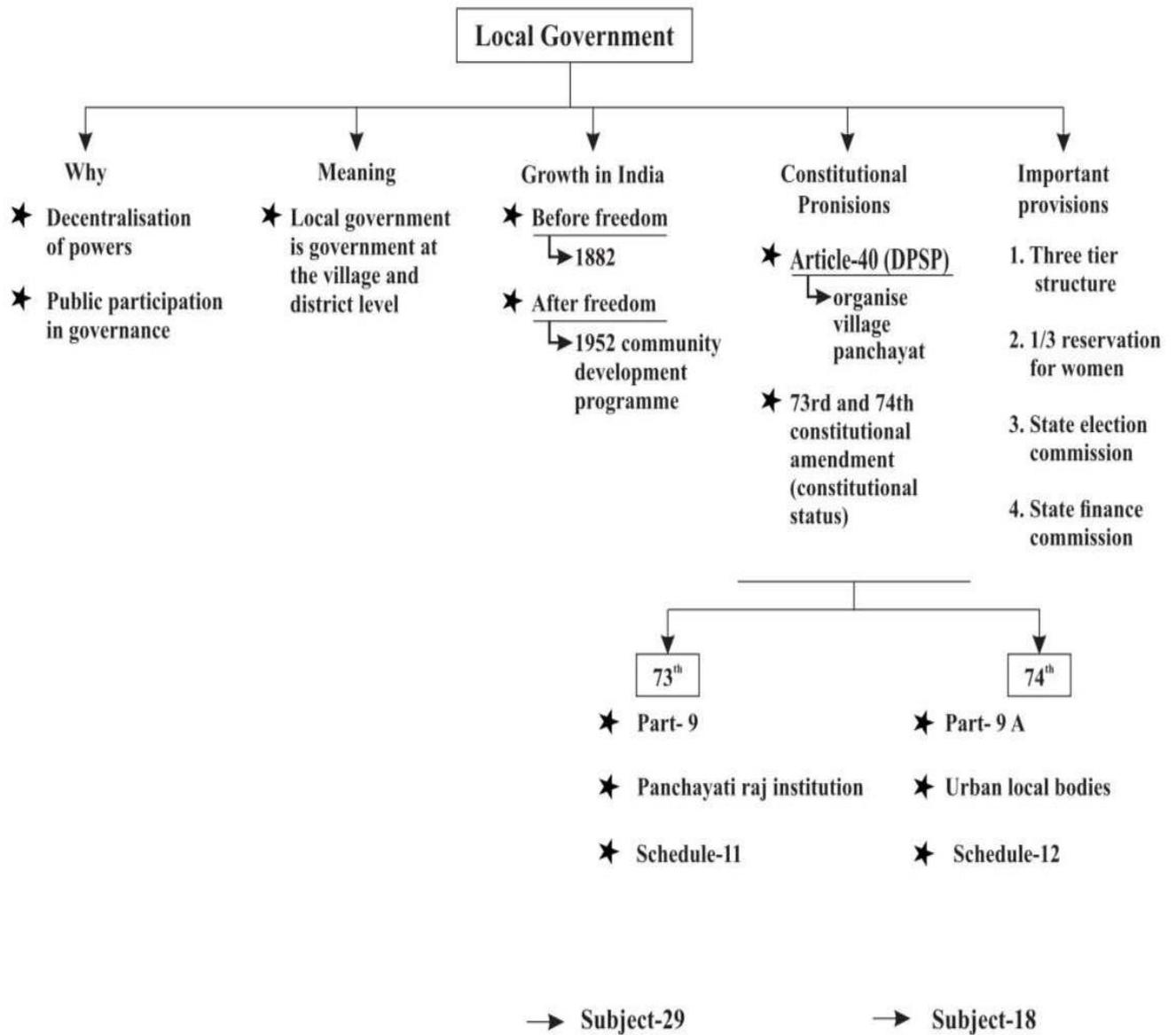
7. Yes, some states with unique cultural, historical, geographical situations require special provisions to protect their identity and address specific regional needs.

Yes, it may create resentment as other states might feel unequal treatment by the Centre, especially in financial or legal matters.

No, this does not forge greater unity among the regions of the country.

CHAPTER-8

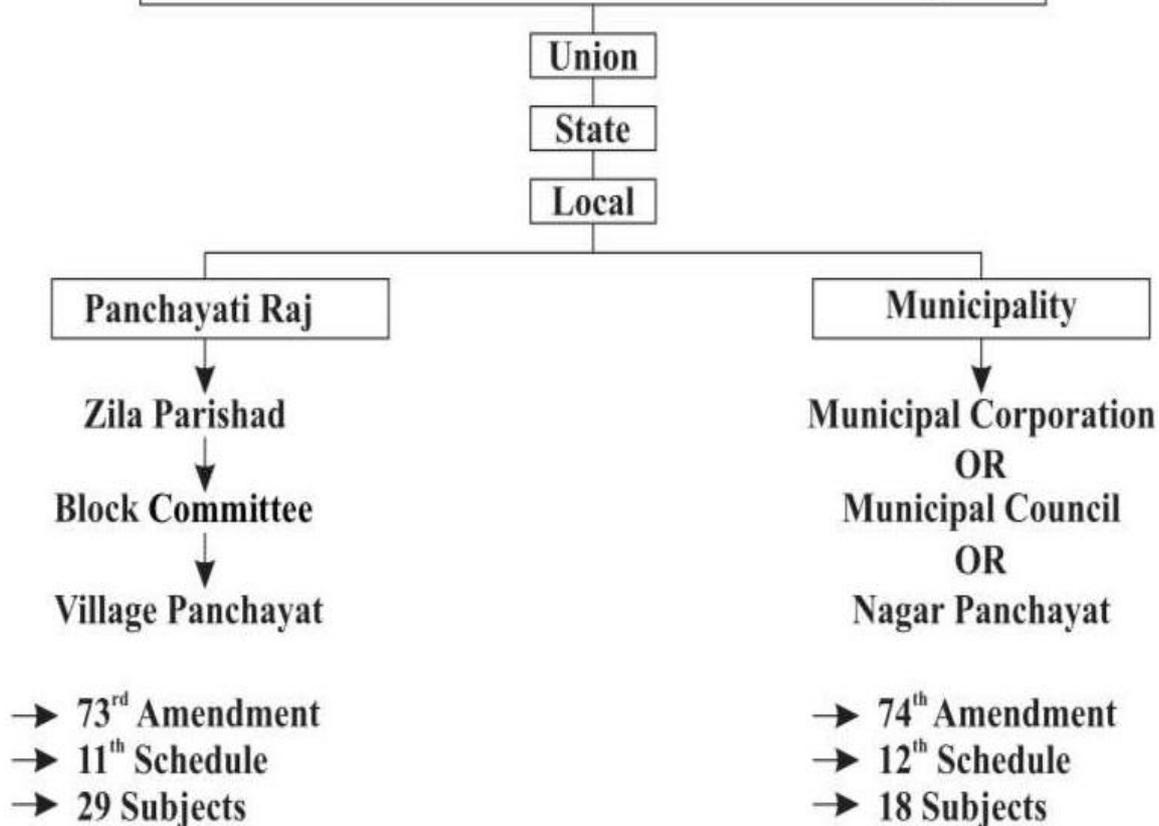
LOCAL GOVERNMENTS



Local Government:

- Local government refers to governance at the village and district levels. It is the closest form of administration to the common people, providing quick and cost-effective solutions to their everyday problems. With constitutional recognition, local self-governing institutions are often regarded as the foundation of democracy.
- Democracy means meaningful participation and accountability. This means that people should have a real role in decision-making, and leaders should be answerable to the people. Strong and active local government helps make this possible.
- The general public is more familiar with local governance than the state government or the central government.

Three Tier Governance of India's Federal System



Local Governance in Independent India:

- After the 73rd and 74th amendment of the constitution, the local governance got the strong base. Before this, the community development programme of 1952 was another effort in this field. In this background under the rural development programme a three tier Panchayati Raj system was started on the recommendation of 1959 committee. These bodies were very much dependent on the state and central government. After 1987 an intense review of these institutions was started.
- In 1989 the P.K. Thugan Committee recommended Constitutional starts to the local governance bodies.
- The constitution of Brazil provides the province, federal district and municipal council system.
- 73rd and 74th Constitutional Amendments of the Constitution:- In 1992, the Parliament passed the 73rd and 74th Constitutional Amendments.
- 73rd constitutional amendment is related to local governance of the village, it is related to Panchayati raj system, 74th constitutional amendment is related to urban local governance.

Development of Local Governance: -

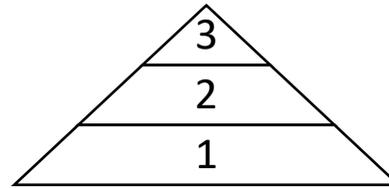
- In ancient India, communities were existed in the form of councils or Sabha which run their own rule. In modern times, elected bodies came into existence after 1882, at that time they were called Mukami Boards.
- After the formation of the Government of India Act of 1919, Gram Panchayats were formed in many provinces. When the constitution was made, the subject of local governance was handed over to the states. It is also discussed in the Directive Principles of State Policy of the Constitution.
- Mahatma Gandhi Ji also talked about strengthening the gram panchayats and decentralization of power and termed it as an effective tool.

Why do we need local governance?

- To establish a strong democratic system.
- To ensure the local level of political and economic participation.
- For access of ordinary citizens to their representatives.
- To make the public welfare work successfully and faster.
- For mutual coordination and successful administration.

73rd AMENDMENT - Some provisions of 73rd Constitutional Amendment:-

- The Three tiers Structure now a three-tier structure of the Panchayati Raj system in all the states.
1. First place - District Panchayat
 2. Second place - Block Committee
 3. Third place - Gram Panchayat.



Elections:- The elections at all three levels of Panchayati Raj are conducted directly by the public. The duration of each body is 5 years.

Raj Institutions each body is 5

Reservation:- One third seats are reserved for women. There is a provision for reservation for Scheduled Castes and Scheduled Tribes in proportion to their population. If the government of the state wants, then other backward classes (O.B.C.) can also given reservation in the seats.

The tribal populated areas of many states of India were kept away from the provisions of the 73rd Constitutional amendment but in 1996 a separate law was enacted and these areas were also included in the provisions of Panchayati Raj.

State Election Commissioner:- It is necessary for the states to appoint a state election commissioner. The responsibility of this Election Commissioner will be to conduct elections to Panchayati Raj institutions.

The State Finance Commission:- It is necessary for the government of the states to form a regional finance commission on every 5 years. This commission will ever keep an eye on the economic status of local government institutions in the state.

74th AMENDMENT: - The 74th Amendment Act of 1992 granted constitutional recognition to Urban Local Bodies in India, aiming to strengthen democracy at the grassroots level in urban areas. It provided for the establishment of three types of municipalities: Nagar Panchayats for transitional areas, Municipal Councils for smaller urban areas, and Municipal Corporations for larger cities. The amendment ensured regular elections, fixed terms for municipal bodies, and provisions for reservation of seats for Scheduled Castes, Scheduled Tribes, and women. It also mandated the formation of State Finance Commissions to improve financial accountability and efficiency in urban governance.

Implementation of 73rd and 74th Constitutional Amendments (1994- 2023)

- Local body elections have been held many times in the states during this period. Due to the election of local bodies, there has been a tremendous increase in the number of elected representatives. The power and self confidence of women has increased significantly.
- Transfer of Subjects:- The amendment of the constitution has handed over 29 subjects to the local government. All these topics are related to the needs of local development and welfare

Local Government Subjects:-

- Some topics of the eleventh schedule are - Health and family, Market and fair, Agriculture, Irrigation, Small Scale Industry, Rural Development, Roads, Drinking Water, Rural Electrification, Library, Public Distribution System, Welfare of Weaker Sections, Social Welfare, Poverty Alleviation, Women and Child Development, Technical Training etc.

Problems of Local Governance:-



MCQs

- The first state in the country to adopt the Panchayati Raj system on 2nd October, 1959 was?
 - A. Andhra Pradesh **B. Rajasthan.** C. Bihar D. Orrisa (Odisha)
- The 'National Panchayati Raj Day' is celebrated every year on.
 - A. 10th April B. 14th April **C. 24th April** D. 20th April
- Which of the following Article is related to Panchayati Raj?
 - A. Article 243** B. Article 324 C. Article 124 D. Article 73
- What is the main purpose of Panchayati Raj System?
 - A. To increase agricultural production
 - B. To make people participate in developmental administration**
 - C. Economic Development
 - D. To make people politically conscious
- In which of the following city the first Municipal Corporation was set up in India?
 - A. Calcutta(Kolkata) **B. Madras (Chennai)** C. Bombay(Mumbai) D. Delhi
- Which amendment is related with urban local government?
 - A. 73rd **B. 74th** C. 92nd D. 25th
- Which of the following States has no Panchayati Raj institutions?
 - A. Nagaland** B. Rajasthan C. Bihar D. Tamilnadu
- Which of the following stands between Zila Parishad and Village Panchayat?
 - A. Mandal Panchayat **B. Block Committee** C. Gram Sabha D. Municipal Committee
- Which of the following system is established on the basis of direct election?
 - A. Gram Panchayat** B. Block Committee C. Both(A) and(B) D. None of the above
- Which of the following statement is correct?
 - A. The Gram Panchayat is headed by the Sarpanch**

B. The Panchayat Samiti is headed by the Chairman

C. The Zila Parishad is headed by the Chairman

D. The Sarpanch and the Chairman are elected directly by the people

➤ Which of the following is one of the sources of revenue of village panchayats?

A. Sale Tax B. House Tax C. Income tax **D. Local Taxes on land**

➤ One third of total number of seats of Panchayat are reserved for which of the following group?

A. Other Backward Classes B. Scheduled Tribes C. Schedule Cast **D. Women**

➤ A person to be qualified for standing in Panchayat election must have attained the minimum age of-

A. **21 years** B. 18 years C. 25 years D. 30 years

➤ In which state direct elections to all tiers of the Panchayat were held very first after the 73th Amendment came into force?

A. **Andhra Pradesh** B. Rajasthan C. Madhya Pradesh D. Karnataka

➤ The Panchayati Raj institutions in India get their funds mainly from-

A. Voluntary contributions. B. Property tax C. Local taxes **D. Government grants**

➤ Which schedule was added in to the Constitution by the 73rd Constitutional Amendment?

A. 6th B. 7th C. 9th **D. 11th**

➤ In 1989, P.K. Thungon Committee recommended the constitutional recognition of-

A. Local govement B. Electoin commission C. Lokpal D. Financial commission

➤ At which level Local Governments not work?

A. **At state level** B. At district level C. At block level D. At village level

What is the objective of local Government†

A. Participation of women in politics B. Give finance to people

B. Decentralization of Powers. **D. Both A and C**

Very Short Type Questions-

1. Give two reasons for not having a strong local governance in India.

Ans- Castiesm. Factionalism, Communalism

2. What does the word URBAN AREA means ?

Ans- (I) Population at least 5000. (ii) More than 75% of working men work separately from farming. (iii) The density of population should be 400 people per square kilometer.

3. What are the functions of Gram Panchayats? Mention any two.

Ans- Arrangements of cleanliness, electricity, water etc construction of roads, registration of births and deaths etc.

4. Explain what has changed in the social status of women by the giving reservation in Panchayati Institutions ?

Ans- Today, many women hold positions like Sarpanch and Mayor. They have gained more power and self confidence than before. Political understanding of women has increased.

5. What are the benefits of local governance to ordinary citizens?

Ans- Solutions to the problems of citizens has been done very fast and at a low cost. Political participation of citizens increased.

6. "The local government could not perform its task with the efficiency for which it was founded" Why?

Ans- There is a lack of money. The expense is more in proportion to the income, so there is dependence on State governments and Central government for grant.

7. For how many years is the Finance Commission of the state made and what is its main function?

Ans- To estimate the economic status of local government institutions, for 5 years.

8. Recently elections have been held in some vacant places of Municipal Corporation, what do you think was the reason for holding these election?

Ans- These places must have been vacant due to many reasons:-

- I. Due to the death of a Councillor
- II. Changing the party by a Councillor
- III. Becoming an MLA of a Councillor

9. The system of Panchayati Bodies was in our country even in ancient times, what improvements have been made in their functioning in the present times?

Ans- Even in ancient times there were local institutions, but they were not accountable to the public, today these institutions are more responsible and also accountable to the public.

10. With what title is the head of a municipal corporation called? How long is his/her tenure?

Ans- Mayor, 1 year.

Short Type Questions-

1. What is the importance of local governance?

Ans- Local governance is very important in our lives, if local subjects remain with the local representatives, then the daily based problems of the lives of citizens can be resolved at a fast pace and at a low cost.

2. Write four functions of Municipal Corporation and Municipalities?

Ans- Management of cleanliness, provision of electricity, arrangement of drinking water, registration of birth and death rates, construction and repair of roads, arrangement of cremation ghats etc.

3. How many municipal corporations were there in Delhi before a few days? What was the reason for the formation of so many corporations?

Ans- That time, there were three municipal corporations in Delhi. The population of Delhi is increasing day by day and their problems too. One municipal corporation was not able to solve all the problems as efficiently as three municipal corporations were able to do.

4. To what extent are the municipal corporations successful in solving the problems of the general public?

Ans- Municipal corporations are notable to solve the problems of the public to the extent that they can, even today the roads remain broken. Garbage heaps can be seen somewhere. The problem of water, electricity has been solved, but still common citizens have to deal with these two Problems during the summer.

5. What are the problems before the Panchayati Raj Institutions?

Ans- Money problem, public awareness, political interference, disproportionate expenditure.

Six Marks Questions

What is the meaning of local government and what is its effect on the everyday life of citizens?

What is the meaning of the Panchayati Raj system, if you were district collector, what problems would you solves in the village?

If the local bodies were not there, then the day-to-day problems of the citizens would be solved or not? Why?

Where does the Municipal Corporation get its income? Is this money sufficient to solve the problems of the citizens? Why?

If you had been the Sarpanch of your village, What kind of hindrance would society have caused in your work, then how could you have got rid of those obstacles?

CHAPTER-9

CONSTITUTION AS A LIVING DOCUMENT

Introduction:

What keeps a nation united through decades of political turmoil, social change, and economic transformation? For India, the answer lies in a single, living document: its Constitution. Unlike many countries that have torn up and rewritten their constitutions to suit changing times — India has sustained one Constitution since 1950. What makes this possible? the answer is, our constitution is living document. India's founding charter was never meant to be frozen in time. Instead, it was designed to grow, evolve, and respond to the aspirations of a diverse and dynamic society. Through amendments, reinterpretations, political negotiations, and judicial insights, the Constitution has remained both deeply rooted in democratic ideals and open to change.

From the historic Kesavananda Bharati judgment that introduced the idea of a "basic structure," to the heated debates during the Emergency and the spirit of political consensus in the 1990s, this living document has seen it all. It's a story not just of law and governance, but of resilience, flexibility, and the power of democratic imagination.

Key points-

The Indian Constitution can be amended according to the needs of the time;

Though many such amendments have already taken place, the Constitution has remained intact and its basic premises have not changed;

The judiciary has played an important role in protecting the Constitution and also in interpreting the Constitution; and

The Constitution is a document that keeps evolving and responding to changing situations.

The Indian Constitution Can Be Amended According to the Needs of the Time The Indian Constitution, adopted in 1949 and operational since 1950, stands as a remarkable testament to both stability and adaptability in governance. Unlike many nations that have rewritten their constitutions in response to political upheavals or societal shifts, India has continued with its original Constitution, amending it as necessary to meet the changing needs of society. This dynamic character is what makes the Indian Constitution a true "living document."

When the Constitution was drafted, the framers understood that no society remains the same forever. Every nation/society undergoes change socially, politically, economically, and technologically. People's needs, values, and challenges change with time, and a rigid Constitution can become a barrier to progress, leading to governance crises or public dissatisfaction.

To address this, the Indian Constitution includes a built-in mechanism for amendment which balances flexibility and Stability. This means Parliament has the power to make changes to the Constitution when necessary. This power is granted under Article 368, which empowers Parliament to alter its provisions. The amendment process was deliberately crafted to strike a balance between rigidity and flexibility. It outlines different procedures for different types of amendments- some simple, others more complex. For instance:
Simple Majority Amendments: Certain provisions, such as the creation of new states (Articles 2 and 3), can be amended by a simple majority in Parliament. This makes these aspects highly adaptable to administrative needs.

Special Majority Amendments: Most constitutional amendments require a "special majority". Most significant provisions - like those related to fundamental rights, the powers of the President, or the functioning of Parliament — require a special majority.

This ensures that changes are not made lightly or without broad consensus. This means:

A majority of the total membership of each House

And a two-thirds majority of the members present and voting

Special Majority Plus State Ratification: Amendments affecting federal provisions - such as the distribution of powers between the Union and the States requires-

(Special majority in Parliament + ratification by at least half the state legislatures) This protects the federal structure and ensures that states have a direct say in critical changes. This ensures cooperative federalism and that the states also have a say.

The amendment process is intentionally rigorous. Special majorities and, where necessary, state ratification, ensure that amendments reflect broad-based support and are not driven by short-term political interests

These procedures ensure that the Constitution can be amended to:

Correct errors

Address new issues

Reflect changing social values

Reasons for So Many Amendments:

As of now, the Indian Constitution has been amended over 100 times. The need for amendments arises to address new social, economic, and political challenges. Examples include:

Administrative or technical changes (like judge's retirement age).

Social progress, such as giving more rights or changing outdated laws.

Judicial interpretations that the Parliament wants to clarify or override.

Consensus among political parties to make reforms.

Amendments Reflect Public Will:

Only elected representatives (MPs and MLAs) can amend the Constitution.

This reflects the will of the people, since these representatives are chosen by the citizens.

Many amendments are based on public demand, like:

61st Amendment: Reduced the voting age from 21 to 18 years.

73rd & 74th Amendments: Gave constitutional status to Panchayats and Municipalities.

Some Amendments have been Controversial:

42nd Amendment (1976) made during Emergency added many changes that concentrated power in the hands of the central government. Many MPs were jailed at that time; opposition had no say. After Emergency, the 43rd and 44th Amendments were passed to cancel many of those changes and restore democratic balance.

Role of the Judiciary:

Flexibility in the Constitution is not limited to formal amendments.

Judicial interpretation has also played a crucial role in adapting the Constitution to new circumstances.

The Supreme Court and High Courts have, through landmark judgments, expanded the scope of rights, clarified ambiguities, and protected the "basic structure" of the Constitution from being altered even by amendment, as established in the Kesavananda Bharati case.

This interpretative flexibility allows the Constitution to evolve without frequent textual changes.

The Indian Constitution's ability to be amended according to the needs of the time is a testament to the foresight of its framers. By combining flexibility with stability, it has guided India through decades of profound social, economic, and political transformation. It remains a living document- open to change, responsive to new challenges, and anchored in the enduring values of democracy, justice, and federalism.

The Indian Constitution: Basic Premises That Remain Unchanged

The basic premises (or foundational principles) of the Indian Constitution refer to the core values and structural elements that define its spirit and purpose. These have not changed since the Constitution came into force in 1950, despite more than a hundred amendments.

These unchanging elements are protected under what is known as the "Basic Structure Doctrine", as laid down by the Supreme Court in the Kesavananda Bharati case (1973).

Here are the key basic premises of the Indian Constitution that have not changed:

1. Sovereignty of the Nation: India remains a sovereign country, which means it is independent and free to make its own decisions without interference from any external power. This premise ensures that ultimate power lies with the people of India
2. Democratic Framework: Democracy is the bedrock of the Indian Constitution. The system of government is based on the will of the people, exercised through elected representatives.

The Constitution ensures universal adult franchise, periodic elections, and the principle of "one person, one vote." No amendment has undermined India's commitment to democracy.

3. Parliamentary System: India's government is organized on the parliamentary model, where the executive is responsible to the legislature. The President is the ceremonial head of state, while real power rests with the Council of Ministers headed by the Prime Minister.

This structure, modeled after the British system, has remained unchanged.

4. **Federal Structure with a Strong Centre:** The Constitution establishes a federal system, dividing powers between the Union and the States. While the centre is stronger (as seen in the power to create new states or alter boundaries), the federal character - States having their own governments and legislatures— remains a central premise.
5. **Secularism:** The Constitution guarantees freedom of religion and ensures that the state does not favour any religion. The word "secular" was explicitly added to the Preamble by the 42nd Amendment, but the principle was always implicit in the original text. India's commitment to secularism remains unchanged.
6. **Rule of Law and Supremacy of the Constitution:** The Constitution is the supreme law of the land. All laws and actions of government must conform to the Constitution, and the judiciary has the power to review and strike down unconstitutional acts. The rule of law is a basic premise that has remained intact.
7. **Fundamental Rights and Freedoms:** Fundamental Rights— such as the right to equality, freedom of speech and expression, and protection from discrimination— are central to the Constitution. While some rights have been clarified or expanded, their core protection remains untouched.
8. **Separation of Powers:** The Constitution ensures a separation of powers among the three main organs of government: the Legislature (makes laws), the Executive (implements laws), and the Judiciary (interprets laws). This system of checks and balances remains fundamental to our governance.
9. **Judicial Independence:** The independence of the judiciary is a cornerstone of the Constitution. The Supreme Court and High Courts have the power to interpret the Constitution and protect citizens' rights. The judiciary's role as guardian of the Constitution has not been diluted.
10. **Basic Structure Doctrine:** The Supreme Court, especially in the landmark Kesavananda Bharati case (1973), established the "basic structure doctrine." This means that while Parliament can amend the Constitution, it cannot alter its basic structure or essential features. This doctrine itself protects the core premises from being changed by amendments.

The judiciary plays an important role in protecting and interpreting the Constitution

The judiciary has played a crucial role in protecting and interpreting the Constitution of India, establishing itself as a vital guardian of constitutional values. Its interventions have ensured that the Constitution evolves with time while preserving its core ideals.

Protector of the Constitution

The Indian judiciary, particularly the Supreme Court, has acted as a watchdog of the Constitution, especially during periods of political turmoil or potential executive overreach.

Its most significant contribution in this regard is the Basic Structure Doctrine, laid down in the Kesavananda Bharati vs. State of Kerala case (1973). In this landmark judgment, the Supreme Court ruled that Parliament could amend any part of the Constitution, but not in a way that damages or destroys its basic structure. This doctrine placed substantive limits on Parliament's amending power, ensuring that core values like democracy, secularism, the rule of law, and the separation of powers remain inviolable.

This ruling became particularly significant during the 1970s when the government attempted to assert parliamentary supremacy through controversial amendments like the 42nd Amendment during the Emergency.

The judiciary struck down parts of this amendment in the Minerva Mills case (1980), reiterating the supremacy of the Constitution over temporary political interests and restoring constitutional balance.

Interpreter of the Constitution

The judiciary's interpretative role has transformed the Constitution into a living document — dynamic, responsive, and adaptable to contemporary needs. Through judicial interpretation, the courts have expanded the scope of fundamental rights, often reading into them modern meanings and protections. For example:

In the right to education, the courts played a significant role before it became a constitutional right through the 86th Amendment.

In right to life under Article 21, the judiciary interpreted it to include a right to live with dignity, expanding it to cover a wide range of protections like clean air, shelter, and privacy.

In the reservation cases, such as *Indra Sawhney vs. Union of India*, the judiciary laid down the "creamy layer" principle, restricting reservation benefits to truly disadvantaged sections, thereby balancing equity with merit.

Furthermore, even in the absence of a formal amendment, judicial interpretation has effectively modified constitutional meaning. The Basic Structure Doctrine itself, though not written in the Constitution, is now a foundational principle, widely respected across political and legal domains.

Role of the Judiciary in Protecting and Interpreting the Constitution

1. **Guardian of the Constitution:** The Judiciary acts as the protector and guardian of the Constitution. It ensures that no law or government action violates the principles and provisions of the Constitution. If any law made by the Parliament or action taken by the Executive is found to be unconstitutional, the courts can declare it null and void. Example: In the *Kesavananda Bharati case (1973)*, the Supreme Court ruled that Parliament cannot change the basic structure of the Constitution.

2. **Power of Judicial Review:** The Judiciary has the power of judicial review, which means it can examine and review laws or executive actions to check if they are in line with the Constitution. This acts as a check on the powers of the Legislature and the Executive.

Example: The court has reviewed laws related to reservation, emergency powers, and fundamental rights to ensure they do not violate constitutional values.

3. **Interpretation of the Constitution:** The Constitution is a written document, but it contains broad principles. The Judiciary interprets these principles in the light of changing needs and real-life situations. Through its judgments, it gives clarity and meaning to vague or general terms in the Constitution. Example: The court interpreted Article 21 (Right to Life) to include the right to education, clean environment, privacy, and more.

4. **Doctrine of Basic Structure:** In the *Kesavananda Bharati case*, the Supreme Court laid down the Basic Structure Doctrine. It stated that Parliament can amend the Constitution, but cannot destroy its basic structure, such as, democracy, rule of law, judicial independence, fundamental rights, etc. This ruling protected the Constitution from misuse of power by the government. This judgment is considered a milestone in Indian constitutional history.

5. **Protection of Fundamental Rights:** The Judiciary protects the Fundamental Rights of citizens. If any law or action violates a citizen's rights, the courts can intervene and provide relief. Citizens can directly approach the High Court (under Article 226) or Supreme Court (under Article 32) to enforce their rights. Example: The court struck down Section 66A of the IT Act for violating freedom of speech under Article 19.

6. **Balancing the Powers between Organs:** The Judiciary maintains the balance between the Legislature, Executive, and Judiciary through its impartial decisions. It ensures that no organ of government crosses its constitutional limits. Example: In the *Minerva Mills case (1980)*, the Supreme Court reaffirmed that judicial review is part of the basic structure, and Parliament cannot take it away.

7. **Evolving New Principles:** The Judiciary introduces progressive interpretations that shape constitutional development. It has interpreted constitutional values in a modern way, making the Constitution relevant in today's context. Example: In recent years, the court recognized protection of environment as part of the right to life.

The Constitution is a document that keeps evolving and responding to changing situations.

The Indian Constitution is a living document because it is designed to evolve and respond to changing social, political, and economic situations while preserving its foundational values.

This evolution is evident in several key aspects discussed in the chapter:

1. **Provision for Amendments:** The Constitution itself allows for its modification through Article 368, which outlines the process of amending its provisions. The framers of the Constitution struck a balance between rigidity and flexibility. Some provisions can be amended by a simple majority, others require a special

majority, and in certain cases, ratification by half of the states is necessary. This ensures that while the Constitution is not easily altered for political convenience, it can still be revised to address new realities.

2. Response to Social Needs: The Constitution has been amended multiple times — over 100 times in its first 69 years—to meet the demands of a growing and diverse society. For example:

The 73rd and 74th Amendments introduced Panchayati Raj and urban local bodies, respectively, empowering grassroots democracy.

The 86th Amendment made education a fundamental right for children aged 6 to 14, reflecting a growing recognition of education's role in development.

These examples show how the Constitution has adapted to shifting priorities such as decentralization and social justice.

3. Judicial Interpretation and the Basic Structure Doctrine: One of the most powerful ways the Constitution evolves is through judicial interpretation. The Supreme Court, especially through landmark cases like *Kesavananda Bharati* (1973), introduced the Basic Structure Doctrine, which is not explicitly mentioned in the Constitution. This doctrine protects essential features like democracy, secularism, and judicial review from being altered, even by constitutional amendments.

Thus, the judiciary has contributed to "informal amendments" — changing how the Constitution is understood and applied without altering its text. This has helped the Constitution remain relevant while resisting harmful changes.

4. Resolution of Conflicts and Political Maturity: The Constitution has also evolved through political negotiation and consensus. Even in times of deep division or coalition governments, parties have come together to support constitutional amendments that reflect broad public agreement, such as:

The 52nd and 91st Amendments related to anti-defection laws.

The 61st Amendment, which reduced the voting age from 21 to 18, empowering the youth.

This shows that the Constitution is not static, but shaped continually by the collective political will of the nation.

5. Response to Controversial Change: When the Constitution was misused - especially during the Emergency (1975-77) - controversial amendments like the 42nd Amendment was introduced. However, these were later repealed or corrected by the 43rd and 44th Amendments, restoring democratic balance. This episode reflects the self-correcting nature of constitutional democracy.

MCQS

Q1. Why the Indian Constitution is called a "living document"?

- A) It was handwritten and preserved in a vault
- B) It evolves through amendments, interpretations, and political practices
- C) It was written by living national leaders
- D) It expires every 10 years and is renewed

Q2. Which one of the following amendments inserted Fundamental Duties into the Constitution?

- A) 42nd Amendment
- B) 52nd Amendment
- C) 61st Amendment
- D) 44th Amendment

Q3. Which statement describes best the amendment process of the Indian constitution?

- A) It combines features of both rigidity and flexibility
- B) It can be amended by the President alone
- C) It is entirely rigid and cannot be changed
- D) It can be changed only by a referendum

Q4. Which of the following statement is NOT true about Article 368?

A) Some amendments require ratification by half of the state legislatures

B) It allows the Judiciary to initiate amendments

C) Some amendments require special majority in both Houses of Parliament

D) It provides for the amendment of the Constitution

Q5. What does the Constitution's amendment between 2001-2003 reveal about Indian democracy?

A) Political consensus, even in coalition governments, can drive constitutional change

B) Amendments are only possible with a single-party rule

C) Judicial interpretation halts parliamentary action

D) Amendments were mostly invalidated by courts

Q6. Why was the amendment made to clarify the President's obligation to act on the advice of the Council of Ministers considered a technical amendment?

A) It reversed an earlier practice

B) It codified an already existing convention without changing the substance of power

C) It shifted power to the Judiciary

D) It removed Article 74

Q7. What role does the President play in the Constitutional amendment process?

A) He can reject the amendment bill

B) He can send it to the Judiciary for review

C) He must give assent but cannot return it for reconsideration

D) He initiates the amendment process

Q8. Which of the following amendments is associated with reducing the voting age from 21 to 18?

A) 42nd Amendment

B) 52nd Amendment

C) 73rd Amendment

D) 61st Amendment

Q9. The term "basic structure" is:

A) Clearly listed in the Constitution

B) Approved by the President

C) Interpreted by the judiciary

D) Part of Article 368

Q10. Why did the period between 1974-1976 witness a large number of amendments?

A) Due to a coalition government

B) Due to Congress party's dominance and the Emergency

C) Due to judicial activism

D) Due to failure of federalism

Q11. In the Rajya Sabha, if the Parliament passes a constitutional amendment affecting the representation of states, what are required criteria for it to become law?

A) President's assent alone

B) Special majority in Lok Sabha

C) Ratification by all states

D) Ratification by at least half the state legislatures and special majority in Parliament

Q12. Judicial interpretations such as the introduction of the "creamy layer" principle in reservation policies are examples of:

A) Judicial amendments

B) Informal evolution of the Constitution without formal amendment

C) Executive orders

D) Parliamentary bypass of constitutional law

Q13. **Assertion (A):** The constitution is a sacred document.

Reason(R): The constitution is an instrument that may require changes from time to time.

Options:

- A) Both Assertion (A) and Reason (R) are true and Reason (R) is the correct explanation of the Assertion (A).
- B) Both Assertion (A) and Reason (R) are true, but Reason (R) is not the correct explanation of the Assertion (A).
- C) Assertion (A) is false, but Reason (R) is true.
- D) Assertion (A) is true, but Reason (R) is false.

Very Short Questions-

- Q1. Which feature of the Indian Constitution allows it to adapt without frequently rewriting the constitution?
- Q2. The doctrine that places limits on the Parliament's amending powers is known as the
- Q3. How many constitutions did the Soviet Union had in its life of 74 years?
- Q4. An amendment that only adjusts salaries or technical aspects is considered a amendment.
- Q5. What do you understand by the wording "by law"?
- Q6. The rights and powers of the States can be changed without the consent of the States.
(True/False)
- Q7. Why the Constitution is not considered an ordinary law despite being amendable?
- Q8. Differentiate between a simple majority and a special majority.

Short Questions-

- Q1. What is the dual role of the constitution?
- Q2. What is the role of President of India in the amendment of the constitution?
- Q3. How did coalition politics influence constitutional amendments post-2000?
- Q4. How does judicial interpretation strengthen the Constitution?
- Q5. Mention any two amendments made to reflect social consensus in India.
- Q6. Why certain amendments require ratification by states?
- Q7. In what way did the 42nd Amendment attempt to override judicial review, and how was this addressed later?
- Q8. "When the Constitution was made, leaders and people of our country shared a common vision of India." Explain.

Long Type Questions-

- Q1. What do you understand by basic structure doctrine? How has the infamous kesavananda Bharti case contributed to the evolution of the constitution? 1+3
- Q2. The amendment process of the Indian Constitution reflects a nuanced balance between central authority and federal principles. Explain.
- Q3. A political party in power wants to pass an amendment to change the federal distribution of powers. It has a simple majority in the Lok Sabha and Rajya Sabha but no support from the states. Can this amendment be passed? Why or why not?
- Q4. Explain how judicial interpretations can serve as a tool for social change, using examples from the Indian Constitution.
- Q5. "The Judiciary, in its famous Kesavananda ruling found a way out of the existing complications by turning to the spirit of the Constitution rather than its letter" Explain
- Q6. What are the two Principles that dominate the various procedure of amending the constitution in most modern constitution?

Q7. "Amendments made during the period 1970 to 1980 generated a lot of legal and political controversy" Explain.

Q8. Discuss the role of the judiciary in keeping the Indian Constitution relevant and effective.

Q9. Examine the reasons why the Indian Constitution has remained largely intact for over seventy years, while many other countries have rewritten their constitutions multiple times.

Q10. Analyse the role of the Indian Constitution's amendment process in protecting the federal structure of the country.

11. Explain the contribution of the Judiciary in the evolution and protection of the Indian Constitution. Support your answer with examples.

Q12. Political consensus is often necessary for constitutional amendments. Explain with examples why consensus is crucial in a diverse democracy like India, and how it affects the amendment process.

Q13. How can we classify the amendments?

ANSWER

MCQ

1. B) It evolves through amendments, interpretations, and political practices
2. A) 42nd Amendment
3. A) It combines features of both rigidity and flexibility
4. B) It allows the Judiciary to initiate amendments
5. A) Political consensus, even in coalition governments, can drive constitutional change
6. B) It codified an already existing convention without changing the substance of power
7. C) He must give assent but cannot return it for reconsideration
8. D) 61st Amendment
9. C) Interpreted by the judiciary
10. B) Due to Congress party's dominance and the Emergency
11. D) Ratification by at least half the state legislatures and special majority in Parliament
12. B) Informal evolution of the Constitution without formal amendment
13. A) Both Assertion (A) and Reason (R) are true and Reason (R) is the correct explanation of the Assertion (A).

Very Short Questions-

Ans 1. The feature of the Indian Constitution that allows it to adapt without frequently rewriting the constitution are its provision for amendments and flexible judicial interpretations.

Ans 2. Basic structure doctrine.

Ans 3. The Soviet Union had four constitutions in its life of 74 years.

Ans 4. procedural or technical

Ans 5. The wording "by law" indicates that some articles can be modified by the parliament without recourse to the procedure laid down in article 368. For example, Article 2 and Article 3.

Ans 6. False

Ans 7. The Constitution is not considered an ordinary law despite being amendable because it provides the supreme legal framework and requires a special procedure for amendments.

Ans 8. A simple majority means more than 50% of members present and voting whereas, a special majority means a majority of the total membership and two-thirds of members present and voting.

Short Questions-

Ans 1. The dual role of the constitution is, flexibility and rigidity. It is flexible as a constitution is not a frozen and unalterable document. It is a document made by human beings and may need revisions, changes and re-examination. But at the same time it is rigid, as the constitution reflects the dreams and aspirations of the concerned society. It must also be kept in mind that the constitution is a framework for the democratic governance of the society. In this sense, it is an instrument that societies create for themselves. And also the process of amending the constitution is complex and requires significant consensus.

Ans 2. The President must give assent to a constitutional amendment bill passed by Parliament. However, they cannot return it for reconsideration, unlike ordinary bills.

Ans 3. Despite fragmented mandates, coalition politics post-2000 saw several amendments due to a consensus among diverse parties on non-controversial and progressive issues like anti-defection and local governance reforms.

Ans 4. Judicial interpretation clarifies ambiguities, resolves conflicts in understanding, and protects fundamental rights, ensuring the Constitution remains relevant to contemporary challenges.

Ans 5. Amendments that reflected social consensus of that time are:

(i) 61st Amendment: Lowered voting age from 21 to 18 years.

(ii) 73rd and 74th Amendments : Introduced Panchayati Raj and Urban Local Bodies to strengthen grassroots democracy.

(iii) 52nd and 91st Amendments: Anti-Defection law

Ans 6. Certain amendments require ratification by states, When an amendment aims to modify an article related to distribution of powers between the States and the central government, or articles related to representation, it is necessary that the States must be consulted and that they give their consent.

Ans 7. The 42nd Amendment attempted to override judicial review by restricting the judiciary's power of review and expanded parliamentary supremacy. It was partially reversed by the 43rd and 44th Amendments after the Emergency to restore constitutional balance.

Ans 8. (i) In Nehru's famous speech at the time of independence, this vision was described as a tryst with destiny.

(ii) In the Constituent Assembly also, all the leaders mentioned this vision: dignity and freedom of the individual, social and economic equality, well-being of all people, unity based on national integrity.

Long Type Questions-

Ans 1. The Basic Structure doctrine, is a principle established by the judiciary that certain fundamental features of the constitution are inviolable and cannot be altered by Parliament through amendments.

Kesavananda Bharti case contributed to the evolution of the constitution in the following ways-

1. It has set specific limits to Parliament's power to amend the Constitution. It says that no amendment can violate the basic structure of the Constitution.
2. It allows Parliament to amend any and all parts of the Constitution (within this limitation).
3. It places the Judiciary as the final authority in deciding if an amendment violates basic structure and what constitutes the basic structure.

Ans 2. (i) Certain amendments require ratification by half of the state legislatures, showing state involvement in key federal matters.

(ii) However, States cannot initiate amendments, revealing the centralized dominance in the process.

(iii) This reflects a quasi-federal structure -with a strong Centre but consultative federalism in critical areas.

(iv) The process ensures that state interests are protected while maintaining national unity and coherence.

Ans 3. (i) No, an amendment changing the federal distribution of powers needs ratification by at least half the states.

(ii) It also requires a special majority in both Houses —not just a simple majority.

(iii) This provision protects the federal structure, ensuring states are involved in changes affecting them.

(iv) Therefore, without state ratification and special majority, such an amendment cannot be passed.

Ans 4. (i) Judiciary expanded Right to Life (Article 21) to include education, clean environment, etc.

(ii) Introduced the creamy layer concept in reservations to ensure fairness.

iii) Enforced gender justice and secularism through rulings.

(iv) Acts as a check on government overreach and promote justice when laws are outdated.

Ans 5. There was a controversy between the judiciary and the parliament, the parliament thought it had the power and responsibility to make laws and amendments for furthering the interests of the poor, backward and the needy. The Judiciary insisted that all this has to take place within the framework provided by the Constitution and pro-people measures should not bypass legal procedures.

So, it the judiciary found out a way of this existing complication by turning to the spirit of the constitution rather than its letters-

1. The Court came to the conclusion that in reading a text or document, we must respect the intent behind that document.

2. A mere text of the law is less important than the social circumstances and aspirations that have produced that law or document.

3. The Court was looking at the basic structure as something without which the Constitution cannot be imagined at all.

4. This is an instance of trying to balance the letter and the spirit of the Constitution.

Ans 6. One is the principle of special majority. For instance, the constitutions of U.S., South Africa, Russia, etc. have employed this principle: In the case of constitution of US, it is two-thirds majority, while in South Africa and Russia, for some amendments, three-fourths majority is required.

The other principle that is popular among many modern constitutions is that of people's participation in the process of amending the constitution. In Switzerland, people can even initiate an amendment. Other examples of countries where people initiate or approve amendment to the constitution are Russia and Italy, among others.

Ans 7. Amendments during the period 1970 to 1980 generated a lot of legal and political controversy as -

1. The parties that were in opposition during the period 1971-1976, saw many of these amendments as attempts by the ruling party to subvert the Constitution. In particular, the 38th, 39th and 42d amendments have been the most controversial amendments so far.

2. These three amendments were made in the background of internal emergency declared in the country from June 1975. They sought to make basic changes in many crucial parts of the Constitution.

3. The 42nd amendment was particularly seen as a wide ranging amendment affecting large parts of the Constitution. It was also an attempt to override the ruling of the Supreme Court given in the Kesavananda case.

4. The 42nd amendment put restrictions on the review powers of the Judiciary, and also the duration of the Lok Sabha was extended from five to six years.

Ans 8.(i) The judiciary plays a crucial role in keeping the Indian Constitution relevant and effective by interpreting its provisions in light of contemporary needs and values. (ii) Through landmark judgments, such as in the Kesavananda Bharati case, the judiciary has clarified the limits of Parliament's amending powers and protected the Constitution's basic structure.

ii) Courts have also expanded the scope of fundamental rights through progressive interpretations, ensuring that the Constitution evolves with society.

iv) By acting as a guardian and interpreter, the judiciary ensures that the Constitution remains a living document, capable of addressing new challenges while upholding its core principles.

Ans 9. (i) The Indian Constitution has remained largely intact for over seventy years due to a combination of its robust design, adaptability, and the foresight of its framers. (ii) Unlike many countries that have rewritten

their constitutions in response to political upheavals or changing social dynamics, India's Constitution was crafted with provisions for amendment, allowing it to evolve without complete overhauls.

(i) The framers anticipated the need for change and incorporated flexible amendment procedures, enabling the Constitution to address new challenges and correct errors. (iv) At the same time, certain core principles were made rigid to protect the nation's

Fundamental values.

(v) Additionally, the judiciary's role in interpreting and protecting the Constitution has ensured that its spirit is upheld, even as its letter is amended. (vi) This combination of flexibility, rigidity, and judicial oversight has allowed the Constitution to adapt to India's diverse and changing society, maintaining its relevance and authority without the need for frequent rewrites.

Ans 10.(i) Amendments affecting federal balance require special majority + ratification by half the states.

(ii) Ensures states have a say in major constitutional changes affecting their powers.

(iii) Protects states against arbitrary central dominance.

(iv) Reflects India's quasi-federal structure-strong Centre with state participation.

(v) Encourages cooperation between Centre and States.

(vi) Maintains the unity and integrity of the country through balanced governance.

Ans 11.(i) Guardian of the Constitution: The Judiciary ensures that laws and actions of the government are in conformity with the Constitution. It has the power of judicial review to strike down unconstitutional laws or amendments.

(ii) Basic Structure Doctrine: In the Kesavananda Bharati case (1973), the Supreme Court introduced the Basic Structure Doctrine. This means Parliament can amend the Constitution, but cannot alter its fundamental features like democracy, secularism, federalism, and rule of law.

(ii) Judicial Interpretation as Informal Amendment: Through interpretation, the Judiciary has expanded the scope of fundamental rights. For example, Right to Education was included under Right to Life (Article 21). The Judiciary has also protected minority rights, freedom of expression, and environmental rights.

(iv) Limiting Arbitrary Use of Power: During times like the Emergency (1975-77), the Judiciary emphasized that even Parliament's power has limits. In the Minerva Mills case, it reiterated that limited government is a basic feature.

(v) Ensuring Balance of Power: The Judiciary plays a key role in maintaining the balance among Legislature, Executive, and Judiciary. It acts as a check on the misuse of power by the other two organs.

(vi) Living Constitution through Judiciary: The dynamic role of the Judiciary helps in making the Constitution a living document, adapting to social and political changes while preserving core principles.

Ans 12. Amendments require special majority and sometimes state ratification, necessitating broad agreement.

Examples:

Anti-defection laws (52nd and 91st Amendments) passed through multi-party consensus.

Voting age reduction (61st Amendment) accepted widely.

Panchayati Raj (73rd and 74th Amendments) strengthened grassroots democracy with broad political support.

Consensus prevents polarization and misuse of constitutional power by a single party.

It reflects respect for India's diversity and pluralism.

Consensus-based amendments carry greater legitimacy and promote political stability.

Ensures that amendments reflect national interest rather than narrow political goals.

Ans 13.

(i) Technical or Administrative Amendments- These amendments deal with clarifications, explanations, and minor modifications. They do not substantially change the original provisions. Examples include: Increasing the retirement age of High Court judges from 60 to 62 years, Increasing judges' salaries, Clarifications

regarding the President acting on the advice of the Council of Ministers. Certain provisions of the Constitution were meant to be temporary or limited to a certain period. These have been extended repeatedly through amendments to continue their operation. The prime example is the reservation of seats for Scheduled Castes and Scheduled Tribes in legislatures, initially limited to 10 years but extended multiple times to maintain social justice.

(ii) Amendments Arising from Political and Judicial Conflicts- These amendments occurred mainly due to differences between Parliament and the Judiciary regarding interpretation and scope of constitutional provisions. Parliament made amendments to override judicial rulings it opposed. The period between 1970 and 1975 saw many such amendments, including the controversial 42nd Amendment during the Emergency, which made sweeping changes like restricting judicial review and extending the Lok Sabha term. Later amendments like the 43rd and 44th reversed many controversial changes.

(iii) Consensus-Based Amendments- A large group of amendments has been passed due to broad political consensus. These reflect the political maturity and evolving democratic aspirations of the society. Examples include: Anti-defection laws (52nd and 91st Amendments). Lowering the voting age (61st Amendment). Establishing Panchayati Raj (73rd and 74th Amendments). Expanding and clarifying reservations.

(iv) Controversial Amendments- There has been amendments that generated controversy. For example- amendments during the period 1970 to 1980 generated a lot of legal and political controversy. During the period 1971-1976 saw amendments as an attempt by the ruling party to sub the constitution such as 38th, 39th and 42nd.

CHAPTER 10

THE PHILOSOPHY OF THE CONSTITUTION

Introduction:

- The Indian Constitution is not just a book of rules and laws. It is a document full of ideas and values that were meant to guide the country after independence. It was written to help build a fair, equal, and free society. This chapter helps us understand the real meaning and purpose behind the Constitution — what our leaders were thinking when they created it, and what kind of country they wanted India to become.
- This chapter explores the philosophical vision behind the Constitution- its commitment to justice, liberty, equality, and fraternity— and explains why it must be understood not just as a legal text, but as a living document that continues to guide and shape Indian society.
- It also shows us that the Constitution is not just for the courts or the government —it belongs to all of us. It gives us rights, protects our freedoms, and encourages peace, justice, and respect for every person, no matter their background. The framers intended the Constitution to shape future generations by binding them to principles of justice, equality, and democracy. It's not a frozen document; it's a living moral compass.
- **Why it is important to study the philosophy of the Constitution?**

1. For Understanding the Moral Foundation:

The Constitution is not just a collection of legal rules, it is grounded in a moral vision that reflects the values and aspirations of society. Many constitutional laws are closely tied to deeply held ethical principles-such as equality, justice, and freedom. For instance, laws prohibiting discrimination are rooted in the value of equality. Thus, examining the philosophy helps us see the connection between legal provisions and the moral values they embody.

2. For Clarifying Key Concepts:

A philosophical approach enables us to understand the conceptual structure of the Constitution. This means exploring the nuanced meanings of terms like 'rights,' 'citizenship,' 'minority,' or 'democracy. Understanding these concepts is essential to grasp the ideals embedded in the Constitution and how they shape the vision of society and governance.

3. For Interpreting and Arbitrating Values:

The Constitution's ideals are often interpreted differently by various institutions and actors-such as legislatures, courts, political parties, and the media. Sometimes, these ideals are even manipulated for partisan interests. Studying the underlying philosophy allows us to arbitrate between conflicting interpretations and to critically evaluate whether there is a gap between constitutional ideals and their practical expression in society.

4. For Contextualizing Constitutional Practices:

Revisiting the debates and intentions of the Constituent Assembly helps us understand the reasons behind various constitutional provisions and practices. This historical and philosophical context is vital, especially when current practices are questioned or threatened, as it reminds us of the foundational principles that continue to guide the nation.

5. For Ensuring Relevance and Adaptability:

The philosophy of the Constitution provides a coherent vision for society and polity, guiding not only the interpretation of laws but also their evolution. It helps ensure that constitutional values remain relevant and adaptable to changing circumstances while maintaining their core principles.

6. For Empowering the Marginalized and Promoting Social Transformation:

Constitutions are designed not only to limit the power of those in authority but also to empower those who have been historically deprived. The Indian Constitution, in particular, was crafted to break the shackles of traditional social hierarchies and usher in an era of freedom, equality, and justice. Studying its philosophy highlights its role as a means of peaceful, democratic transformation and collective self-determination.

● **What are the core features of the Indian Constitution?**

The Constitution is a unique blend of multiple ideals — liberalism, democracy, secularism, multiculturalism, and social justice — unified by a commitment to peaceful and democratic means. **Key ideals include:**

1. Individual Freedom (Liberalism): Freedom of speech, conscience, and protection against arbitrary power are essential features. These were hard-won through decades of resistance to colonial rule. Indian liberalism is distinct — it is home-grown, forged through political struggle rather than imported. It is a product of continuous intellectual and political activity of well over a century. State freedom of expression is an integral part of the Indian Constitution. So is the freedom from arbitrary arrest.

Indian liberalism has two streams-

I. Individual rights

II. Social justice

2. Social Justice: The Constitution ensures not just formal equality but also substantive justice. Measures like reservations for SCs/STs and other disadvantaged groups reflect a corrective philosophy - acknowledging past injustices and seeking to rectify them. Indian liberalism is intertwined with justice, unlike Western liberalism which prioritizes individual autonomy.

3. Respect for Diversity and Minority Rights: India's vast linguistic, religious, and cultural diversity is acknowledged and protected in the Constitution. Minority communities can run their own educational institutions, even with government support. Rather than suppressing identities, the Constitution promotes equal dignity among communities.

4. Secularism (Principled Distance): Unlike Western secularism, which mandates strict separation between state and religion, Indian secularism is based on "principled distance". The state may intervene in religion to promote equality (e.g., abolishing untouchability, or support religious groups (e.g., funding minority schools), depending on the moral goal involved. This approach balances freedom of religion with social reform.

5. Universal Franchise: The right to vote was granted to all adults from the beginning — an act of radical democratic faith. At a time when even Western democracies were restricting suffrage, India recognized political equality across caste, gender, and class.

6. Federalism and Asymmetric Structure: The Constitution provides for asymmetrical federalism allowing special status to regions like Jammu & Kashmir (Article 370) and Nagaland (Article 371). It acknowledges India's regional complexity while maintaining national unity.

7. National Identity and Unity: The Constitution attempts to build a common national identity rooted in fraternity, not forced uniformity. It encourages a shared civic identity while respecting sub-national identities. For instance, it rejected separate electorates for religious communities because they would fragment the democratic fabric, not because religious difference was unwelcome. True national unity, it insists, comes from shared values —not imposed sameness.

● **What are the criticisms of this Constitution?**

Length and Complexity: The Indian Constitution is often criticized for being too long and detailed. It is one of the longest constitutions in the world, with numerous articles, schedules, and amendments.

Too Many Provisions: Critics argue that it tries to cover every possible situation, making it cumbersome and difficult to interpret or implement. Leading to administrative complexity and frequent legal disputes.

Frequent Amendments: The need for regular amendments is seen as evidence that the Constitution is not easily adaptable and often struggles to keep pace with the country's changing needs.

Unrepresentative

Elite-Made Document: Some critics claim that the Constituent Assembly did not fully represent the masses of India. The Assembly was largely composed of educated, urban elites, lawyers, and professionals.

Lack of Direct Public Participation: The process of constitution-making did not involve direct participation of the common people, especially the rural poor, women, and marginalized groups.

Limited Reflection of Popular Will: As a result, some argue that the Constitution reflects the values and aspirations of a small section of society rather than the diverse Indian population as a whole.

Borrowed Features: The Constitution has been criticized for borrowing extensively from other countries' constitutions (e.g., UK, USA, Ireland, Canada), rather than being rooted in Indian traditions and realities.

Western Ideals: Some believe it imposes Western ideals of democracy, secularism, and liberalism, which may not always align with Indian social and cultural contexts.

Disconnect with Indian Traditions: Some view the document as disconnected from India's historical and cultural context, making it seem imposed or artificial rather than a natural outgrowth of Indian society.

● What are the limitations of the Constitution?

First, the Indian Constitution has a centralized idea of national unity.

Second, it appears to have glossed over some important issues of gender justice, particularly within the family.

Third, it is not clear why in a poor developing country, certain basic socio-economic rights were relegated to the section on Directive Principles rather than made an integral feature of our fundamental rights.

MCQ

Q1. How is Indian secularism different from the western model of secularism?

- A) Promotion of one religion
- B) Principle of 'principled distance'
- C) Principle of 'mutual exclusion' Complete separation of religion and state
- D) Complete separation of religion and state

Q2. What does Article 370 and 371 of the Indian Constitution signifies?

- A) Asymmetric federalism
- B) Unitary governance
- C) Judicial overreach
- D) Total centralization

Which right is both individual and group-based in the Constitution of India?

- A) Right to Property
- B) Right to Vote
- C) Right against Exploitation
- D) Cultural and Educational Rights

Q4. Which of the following is a limitation of the Indian Constitution?

- A) Directive Principles are enforceable
- B) Universal franchise
- C) Gender justice within family remains under-addressed
- D) Federal structure

Q5. Why the Indian Constitution is said to be innovative borrowing?

- A) It adapted global ideas and indigenized it
- B) It replicated U.S. practices only
- C) It was copied entirely from the British
- D) It was written by foreigners

Q6. Why does the Constitution reject the idea of separate electorates for religious communities?

- A) To increase state power
- B) To foster fraternity and national unity

- Q5. What is the need to understand the political philosophy approach to the constitution?
- Q6. Mention any 2 limitations of the Constitution.
- Q7. "Although the Constitution did not originally envisage this, India is now a multi-lingual federation." Explain.
- Q8. Why is universal adult franchise considered a revolutionary step in Indian democracy?
- Q9. Separation of state and religion in India does not mean mutual exclusion. Why?
- Q10. What are the two streams of Indian liberalism?

Long Type Questions-

- Q1. Explain the need to study the philosophy of the Indian Constitution.
- Q2. Discuss how the Indian Constitution balances individual liberty and social justice.
- Q3. What are the substantive achievements of the constitution?
- Q4. Examine the criticism that the Constitution is unrepresentative.
- Q5. Explain the importance of the Constituent Assembly Debates in understanding the Constitution today.

ANSWERS

MCQs

- Ans 1. B) Principle of 'principled distance'
- Ans 2. A) Asymmetric federalism
- Ans 3. D) Cultural and Educational Rights
- Ans 4. C) Gender justice within family remains under-addressed
- Ans 5. A) It adapted global ideas and indigenized it
- Ans 6. B) To foster fraternity and national unity
- Ans 7. A) They help understand the values behind legal practices
- Ans 8. C) Understanding key concepts, their coherence, and debates
- Ans 9. B) Jawaharlal Nehru
- Ans 10. C) Liberty, equality, fraternity
- Ans 11. C) Freedom of expression and protection from arbitrary arrest
- Ans 12. D) All the above

Very Short Question-

- Ans 1. The abolition of untouchability represent Social justice and equality.
- Ans 2. Popular
- Ans 3. The Japanese Constitution of 1947 is known as the "peace constitution"
- Ans 4. All over the world the Experience of state power shows that most states are prone to harming the interests of at least some individuals and groups. So, we need to draw the rules of the constitution in such a way that this tendency of states is continuously kept in checked.
- Ans 5. Alternative modernity is a term refers to a blend of Western ideas and Indian traditions in the Constitution.
- Ans 6. Western conception, of secularism means mutual exclusion of state and religion in order to protect values such as individual freedom and citizenship rights of individuals.
- Ans 7. Fraternity
- Ans 8. False

Ans 9. The Indian Constitution criticised of being an alien document as it is borrowed article by article from western constitutions and sits uneasily with the cultural ethos of the Indian people.

Ans 10. we should be interested in studying the intentions and concerns of those who framed the Constitution, so as, to get a handle on current constitutional practice, to grasp our value and meaning. hence, we may have no option but to go back in time to the Constituent Assembly debates and perhaps even further back in time to the colonial era.

Short Question-

Ans 1. Yes, there is a connection between laws and moral values as, all laws do not have a moral content, but many laws are closely connected to our deeply held values. For example, a law might prohibit discrimination of persons on grounds of language or religion. Such a law is connected to the idea of equality. Such a law exists because we value equality.

Ans 2. We should read the Indian Constitution in conjunction with the Constituent Assembly debates-

I. To refine and rise to a higher theoretical plane.

II. To justify the values embedded in the Constitution.

Ans 3. Indian Constitution different from Western constitutions in its approach to community rights as-

I. It recognizes and protects group rights like religious and cultural freedoms.

II. It aims to ensure equality among diverse communities, not just individuals.

Ans 4. i. It guarantees fundamental rights like freedom of speech and equality.

ii. It provides reservations and affirmative action's to uplift marginalized communities.

Ans 5. We need to understand the political philosophy approach to the constitution so as to-

I. Find out the moral content expressed in the constitution and to evaluate its claims.

II. Use it to arbitrate between varying interpretations of the many core values in our polity.

Ans 6. Mention any 2 limitations-

i) The Indian Constitution has a centralized idea of national unity.

It appears to have glossed over some important issues of gender justice, particularly within the family.

II. It is not clear why in a poor developing country, certain basic socio-economic rights were relegated to the section on Directive Principles rather than made an integral feature of our fundamental rights.

Ans 7. Although the Constitution did not originally envisage this, India is now a multi-lingual federation as each major linguistic group is politically recognized and all are treated as equals. Thus, the democratic and linguistic federalism of India has managed to combine claims to unity with claims to cultural recognition. A fairly robust political arena exists that allows for the play of multiple identities that complement one another.

Ans 8. The universal adult franchise considered a revolutionary step in Indian democracy as-

I. It granted equal voting rights to all adults regardless of caste, class, or gender.

It strengthened the democratic foundation by promoting political equality.

Ans 9. Separation of state and religion in India does not mean mutual exclusion because, religious sanctioned customs such as untouchability deprived individuals of the most basic dignity and self-respect. Such customs were so deeply rooted and pervasive that without active state intervention, there was no hope of their dissolution. The state has to interfere in the affairs of religion.

Ans 10. First stream began with Rammohan Roy. He emphasised individual rights, particularly the rights of women.

The second stream included thinkers like K.C. Sen, Justice Ranade and Swami Vivekananda.

They introduced the spirit of social justice within orthodox Hinduism.

Long Type Questions-

Ans 1. Studying the philosophy of the Constitution is essential to not just understand what the Constitution says, but why it says so. It also provides the moral and ideological foundation of our legal system and helps us interpret its meaning in changing contexts.

II. Connection Between Law and Values: While laws are seen as legal instruments, many have deep connections to moral values. For example, the law against discrimination is rooted in the value of equality.

III. Conceptual Clarity: Understanding terms like rights, citizenship, democracy, or minority helps clarify the vision of society and polity the Constitution aims to establish.

IV. Moral Justification of Provisions: The framers didn't merely list laws; they debated their ethical implications. Referring to these helps us see how and why certain values were chosen.

V. Arbitrate between Competing Interpretations: Constitutional values are often interpreted differently in political or legal settings. Studying the philosophy helps us resolve these disputes in an informed and principled manner.

VI. Continuity Between Past and Present: The world of the Constitution's framers isn't completely alien to us. Their concerns about justice, freedom, and dignity remain relevant today.

VII. Democratic Citizenship: To be active and informed citizens, we must engage not just with the letter of the law, but also its spirit and purpose.

Ans 2. Indian Constitution balances individual liberty and social justice through following ways by ensuring both freedom and fairness in society (key points)-

I. Protection of individual liberties: Fundamental Rights safeguard freedoms such as speech, religion, and protection from arbitrary arrest. These are rooted in liberal traditions.

II. Affirmative Action and Social Justice: Provisions like reservations for SCs and STs, and the abolition of untouchability, are meant to address centuries of social discrimination.

III. Directive Principles of State Policy: These reflect the state's commitment to economic and social equity, guiding policies toward a welfare state. Blend of Liberal and Egalitarian IV. Values: While liberalism emphasizes personal freedom, the Constitution integrates Indian reformist traditions that stress justice and equality.

V. Legal and Institutional Frameworks: The judiciary, legislature, and executive are all empowered to protect both individual and collective rights.

VI. Context-Sensitive Approach: The Constitution recognizes that in a deeply unequal society, true liberty is impossible without some degree of state intervention to ensure justice.

Ans 3. The Indian Constitution is not just a legal document but a visionary framework that lays the foundation for a just and inclusive society. Its core achievements reflect its moral and political philosophy. Here are the substantive achievements of the constitution- (key points)

I. Liberal Individualism: the constitution is committed to individual freedom. Individual freedom is the product of continuous intellectual and political activity of well over a century. It guarantees fundamental rights like freedom of speech, religion, and protection from discrimination. Emphasis on personal liberty within a democratic society.

II. Social Justice: Indian liberalism talk about both individual rights as well as social justice. Reservations for SCs, STs, and later OBCs reflect the commitment to substantive equality. Special constitutional measures were required to balance the interests of various groups. It seeks to empower the oppressed, not merely protect rights on paper.

III. Recognition of Group Rights: The Indian Constitution encourages equal respect between communities. It was not an easy task because of the hierarchical relationship and rivalry between the communities. Hence, Minority rights to language, religion, and culture are protected, ensuring communal harmony.

IV. Universal Adult Franchise: it is an achievement to commit oneself to universal franchise, especially when there is widespread belief that traditional hierarchies in India are congealed and more or less impossible to eliminate, and when the right to vote has only recently been extended to women and to the working class in

stable, Western democracies. Despite social hierarchies, India adopted voting rights for every adult citizen—a revolutionary step in post-colonial democracies.

V. Asymmetric Federalism: By introducing the articles concerning Jammu and Kashmir (Art. 370) and the North-East (Art. 371), the Indian Constitution anticipates the very important concept of asymmetric federalism. The Constitution recognized regional diversity, allowing flexibility in governance.

VI. Promotion of National Identity: While preserving plural identities, it fosters a sense of common citizenship and fraternity. The Indian Constitution tried to balance national identity with distinct religious or linguistic identities.

Ans 4. Here are the key points-

I. Gives special rights to minorities: Religious and linguistic minorities can run their own schools and protect their culture.

II. Respects all communities: The Constitution encourages equal respect between different groups like Hindus, Muslims, Sikhs, etc.

III. No community dominance: It tries to stop any one group from dominating others and promotes equal treatment.

IV. Asymmetric federalism: Articles 370 and 371 gave special status to regions like Jammu & Kashmir and Nagaland.

V. Equal citizenship for all: Despite differences, everyone is an equal citizen under one Constitution.

VI. Unity in diversity: The Constitution balances national unity with the freedom for communities to follow their traditions.

Ans 5. The Constituent Assembly Debates (CADs) are a rich source of insight into the meaning, intent, and spirit of the Constitution. They remain relevant for interpreting and upholding constitutional values today.

I. Understanding the Framers' intentions: The debates show what framers hoped to achieve and provide moral and political justifications for key provisions.

II. Clarifying complex concepts: Terms like secularism, liberty, justice, etc., are better understood when viewed through the lens of the debates.

III. Moral anchoring of law: CADs reveal the ethical reasoning behind provisions, which helps in resolving modern legal and political dilemmas.

IV. Continuity in values: Many of the issues debated then remain current - like minority rights, federalism, or gender justice. The CADs bridge the past with the present.

V. Shield against misinterpretation: In times of constitutional challenge or political misuse, CADs serve as a standard of reference for what the Constitution truly intended.

VI. Democratic engagement: Studying the debates fosters a deeper civic understanding and respect for democratic processes and compromises made.

PART-B
POLITICAL THEORY

CHAPTER-1

Political Theory: An Introduction

Politics

- The word 'Politics' has been derived from the Greek word 'Polis' which means City state. In ancient Greece there were small city states and their area and population was quite limited. These City states were independent and self sufficient and the subject concerned with their study was known as Politics. At that time, the Politics was concerned with all type of economic, social, moral and political problems of the state. Aristotle known as the father of Political Science, wrote his book about city state and name it 'Politics'. With the passage of time, the period of City states came to an end and the present day nation states came into existence. The subject matter of nation states too changed and today in the 21st century Politics and Political Science have become two independent subjects.
- Most of the thinkers do not make any distinction between Political Science and Politics and use both these words interchangeably. But there are some basic differences between the two. The Political Science is concerned with Political principles whereas Politics is concerned with political activities.
- The definition of Politics has different meaning for different sections of society. On one hand the leaders who contest elections to secure political office consider Politics as a medium to provide service to the people.
- There are several sections who find Politics as a method to manipulate the choices of people to achieve certain desired outcomes for personal benefits
- Some people look at the politics as a scam when they see leaders making false promises, indulged in corruption practices, changing parties for the sake of power and many other things.
- The term Politics has become synonymous with manipulation. Whenever an individual tries to persuade someone or something into his favour, it is usually termed that he is doing Politics. The society has established a negative connotation with regard to the Politics due to lack of trust in the government and their representatives.
- Politics is referred to struggle for power to maintain relationship between power and authority which is a desire of an act or will.

Political Theory

- Political Theory has been made one of the sub fields with the rise of Political Science as a subject.
- Political Theory is the study of the state from the philosophical and empirical point of view. And a Political Theory can be referred to as a combination of thoughts, philosophies and sciences or arts.
- Political Theory deals with the ideals and principles that shape Constitutions, governments and social life in a systematic manner. It clarifies the meaning of concepts such as freedom, equality, justice, democracy and so on.
- Political Theory deals with how the present has come and on what assumptions, it may stay and in future, what it will lead.

What do we study in Political Theory?

- Political Theory examines the values and principles that have inspired people and guided policies throughout history.
- Ideas like democracy, freedom and equality are central to political theory. These values are often enshrined in constitutions, as seen in the American and Indian constitutions.
- These documents did not just emerge overnight, they are built upon the ideas and principles debated almost since the time of Kautilya, Aristotle to Jean Jacques Rousseau, Karl Marx, Mahatma Gandhi and Dr. B.R. Ambedkar.
- As far back as the fifth Century B.C, Plato and Aristotle discussed with their students whether monarchy or democracy was better.
- In modern times Rousseau first argued for freedom as a Fundamental right to humankind

- Karl Marx argued that equality was as crucial as freedom.
- In India Mahatma Gandhi discussed the meaning of genuine freedom or swaraj in his book Hind Swaraj.
- Dr. Ambedkar vigorously argued that the scheduled castes must be considered a minority, and as such, must receive special protection.
- Political Theory helps clarify the meaning of concepts such as freedom, equality and justice and examines principles like rule of law and judicial review.

Why this is relevant now?

- Firstly, because issues concerning freedom, equality, democracy, arise in many areas of social life and they are being implemented in different sectors at different places. For example, although equality may exist in the political sphere in the form of equal rights, it may not exist to the same extent in the economic or social spheres.
- Secondly, though freedom is guaranteed in our Constitution, we encounter new interpretations all the time. For example, the right to life has been interpreted by the Courts to include the right to livelihood. The right to information has been granted through a new law.
- Thirdly, As our world changes, we may discover new dimensions of freedom as well as new threats to freedom. For example, global communications technology is making it easier for activists to network with one another across the world for protecting tribal cultures or forests. But it also enables terrorist and criminals to network. As a result, questions are raised regarding how much freedom should be given to people using the net.

Putting Political Theory to practice

- Unlike in Mathematics where there can be one definition of a triangle or square we encounter many definitions of equality or freedom or justice.
- This is because terms like equality concern our relationships with other human beings, unlike things, have opinions on issues like equality.
- Political theorists clarify the meaning of political concepts by looking at how they are understood and used in ordinary language. They also debate and examine the diverse meanings and opinions in a systematic manner.

Why should we study Political Theory?

- Firstly, political theory is relevant for all the groups such as bureaucrats, politicians, lawyers, activists and journalists. As high school students, we may choose one of the above professions in the future and so indirectly it is relevant for us even now.
- Secondly, we all are going to be citizens entitled to vote and decide other issues. To act responsibly, it is helpful to have a basic knowledge of the political ideas and institutions that shape the world we live in.
- Thirdly, freedom, equality and secularism are not abstract issues in our lives. People daily encounter discrimination of various sorts in families, schools, colleges, shopping malls and so on. Political Theory encourages us to do is examine our ideas and feelings about political things.
- Finally, as students we enjoy debates and elocution competitions. We have opinions about what is right or wrong, just or unjust but do not know whether they are reasonable or not. Political theory exposes us to systematic thinking on justice or equality so that we can polish our opinions and argue in an informed manner and for the sake of common interests.

Multiple choice questions-

Q1. The term 'Politics' is derived from:

- | | |
|------------------------------|------------------------------|
| (a) Latin word 'Polis' | (b) Greek word 'Polis' |
| (c) English word 'Political' | (d) Greek word 'City -State' |

Ans- (b) Greek word 'Polis'

Q2. Scope of Political theory is

- (a) Study of power (b) To determine the political principles
(c) Study of state and government (d) All of the above

Ans- (d) All of the above

Q3. Human beings are unique because they

- (a) Posses power of reasoning and reflection (b) Are social beings and depend on society
(c) Participate in politics (d) Never fight with one another

Ans- (a) posses power of reasoning and reflection

Q4. Identify the leader who advocated the cause of the scheduled castes.

- (a) Machiavelli (b) B.R. Ambedkar (c) Karl Marx (d) Aristotle

Ans- (b) B.R. Ambedkar

Q5. Mark the correct statement related to Traditional View of politics.

- (a) Politics is the study of state and the government
(b) Study of analysis of the whole of political system
(c) Class struggle between haves and have not
(d) Relationship between an environment and the system.

Ans- (a) Politics is the study of state and the government

Q6. Which of the following is correct about the political theory?

- (a) It projects the future of the politicians.
(b) It maps the political plans of the government
(c) It questions the arguments of the political thinkers
(d) It probes the significance of political principles

Ans- (d) It probes the significance of political principles

Q7. Identify the thinker associated with the Modern Approach.

- (a) David Easton (b) Plato (c) Aristotle (d) Socrates

Ans- (a) David Easton

Q8. Man by nature is a social and political animal is the cornerstone of the philosophy of:

- (a) Montesquieu (b) Aristotle (c) Socrates (d) Plato

Ans- (b) Aristotle

Q9. Who is often considered the father of modern political theory?

- (a) Karl Marx (b) Plato (c) Aristotle (d) Machiavelli

Ans- (d) Machiavelli

Q10. According to political theory, what is the primary purpose of state?

- (a) Economic growth (b) Individual liberty
(c) Maintaining law and order (d) Serving the ruling class

Ans- (c) Maintaining law and order

Q11. Which political theory argues for the abolition of private property and a classless society?

- (a) Liberalism (b) Socialism (c) Conservatism (d) Fascism

Ans- (b) Socialism

Q12. The concept of "equality of opportunity" in political theory aims to:

- (a) Ensure equal outcomes for all individuals (b) Provide equal resources to every citizen
(c) Guarantee everyone's right to vote (d) Ensure a level playing field for all citizens

Ans- (d) Ensure a level playing field for all citizens

Q13. Which of the following best describes the term 'Sovereignty' in political theory?

- (a) Power to enforce laws (b) Rule by the elite

(c) Power to make laws

(d) Authority vested in religious leaders

Ans- (c) power to make laws

Q14. According to political theorists, what forms the basis of legitimate political authority?

(a) Divine right of kings

(b) Military strength

(c) Consent of the governed

(d) Dynastic lineage

Ans- (c) consent of the governed

Q15. "Hind Swaraj" was written by.....

(a) B.R. Ambedkar

(b) Mahatma Gandhi

(c) Jawaharlal Nehru

(d) Subhash Chandra Bose

Ans- (b) Mahatma Gandhi

Assertion and Reasons Based

DIRECTION: Mark the option which is most suitable :

(a) If both assertion and reason are true and reason is the correct explanation of assertion.

(b) If both assertion and reason are true but reason is not the correct explanation of assertion.

(c) If the assertion is true but the reason is false.

(d) If both assertion and reason are false.

Q16. **Assertion (A)** : Political Theory explores the principles that shape social life.

Reason (R) : Social life is heavily influenced by economic factors.

Ans- (b) Both Assertion (A) and Reason (R) are true, but the Reason is not the correct explanation of the Assertion.

Q17. **Assertion (A)** : Political Theory is considered as a clean profession in India

Reason (R) : Politics is essential for the administration of the nation.

Ans-(c) The Assertion (A) is true, but the Reason (R) is false.

Q18. **Assertion (A)** : Political Theory raises questions on several issues in society like freedom, equality and secularism.

Reason (R) : The political theory varies according to the ideologies of the philosophers and the situations in the nation.

Ans-(b) Both Assertion (A) and Reason (R) are true, but the Reason is not the correct explanation of the Assertion.

Q19. **Assertion(A)** : Political Theory helps individuals refine their opinions on political matters.

Reason (R) : Political Theory provides definitive answers to political questions.

Ans- (b) Both Assertion (A) and Reason (R) are true, but the Reason is not the correct explanation of the Assertion.

Q20. **Assertion(A)** : Dr. Ambedkar did not fight for the rights of the depressed classes.

Reason (R) : Depressed classes do not receive preferential treatment in India.

Ans-(c) The

Assertion (A) is true, but the Reason (R) is false.

Very Short Answer Type Questions

Q21. Explain the meaning of Political Theory.

Ans- Political Theory is a systematic study of political leadership, processes, events and systems based on analysis, reasoning and societal Utility. It also explains attitude and actions in every day political life.

Q22. Mention two functions of Political Theory.

Ans- Political Theory serves several important functions in society:

- (i) Formulation of concepts: It helps create and clarify key ideas and generalisations that guide political thought.
- (ii) Providing direction: Political theory offers clear guidance to society, helping to eliminate confusion and uncertainty.

Q23. Describe any two significance of Political theory.

Ans- Two points of significance of political theory are:

- (i) Political Theory is helpful in giving us a basic knowledge of political ideas and institutions that shape the world we live in.
- (ii) Political Theory liberalises the outlook of an individual. By studying political theory an individual may think and analyse more logically the concepts such as liberty, equality and justice.

Q24. What are the issues and subjects of a political theory?

Ans- Political Theory deals with the ideas and principles that shape the Constitution, governments and social life in a systematic manner. It clarifies the meaning of concepts such as freedom, equality, justice, Liberty and secularism. A theorist and his theory are generally related to establishing the truth by a reason based study.

Q25. Explain the area of political theory.

Ans- Every political issue and action falls within the scope of political theory. This field systematically examines questions of political relevance, addressing issues such as freedom, equality and justice, as well as the institutions like the state, government and administration. Political Theory seeks to explain the meaning and significance of these concepts. Moreover it clarifies existing definitions by focusing on the major political thinkers of both the past and present. Each political thinker has confronted the problems of their time and provided judgements that society may follow. Political Theory also reexamines the meanings and definitions of these concepts, seeking to modify them as needed.

Short Answer Type Questions

Q27. What is Political Theory?

Ans- The political theory refers to the value of Judicial decisions and a generalisation about the political issues like state, government, political leadership, based on the study and analysis and which is useful for the society and which is accepted by the society. The political theory attempts to explain the attitudes and actions arising from ordinary political life. The political theory is a generalised statement about political issues and political realities.

Q28. Who called Political Science A Master Science and why?

Ans- The Father of Political Science "Aristotle" had called Political Science 'A Master Science' because 'Polis' covered almost all the activities of individuals in social institutions. Aristotle defined the scope of Polity to include political and social institutions. He did not make any distinction between politics and society.

Q29. Vigilant citizens are a must for the successful working of a democracy. Comment.

Ans- Vigilant citizens are a must for the successful working of democracy for the following reasons:

- i. Vigilant citizens encounter the corrupt actions of their representatives and democratic government due to be aware of politics.
- ii. Vigilant citizens form a public opinion by forming associations, public meetings, etc. against the malpractices done by the politicians, i.e. defection, false commitments to people, to look after only their own individual or family member's interest, etc.
- iii. Vigilant citizens keep a check on wrong policies issued by the government and corruption which endanger people's lives and security as well.
- iv. Vigilant citizens can organize the campaign also to negotiate the interests of particular groups and demonstrations to persuade the government to change the laws if required.

v. Vigilant citizens aspire to create a better society by debating the actions of their representatives.

Q30. Discuss the main features of the modern view of Political Theory.

Ans- Following are the main features of the modern view of Political Theory:

- i. **Broader Scope:** The scope of modern political theory is broader. It not only studies the formal structure of government but also includes the political behaviour, voting behaviour, legislative behaviour, judicial behaviour, political socialization, political participation, political development, modernization, political culture, sovereignty, power, legitimacy, etc., in its field.
- ii. **Inductive Method:** Modern political theory is based on the inductive method. It draws general conclusions on the basis of the study, analysis, and explanation of events.
- iii. **Objectivity:** Modern political theory was the feature of objectivity. Its theories are based on scientific methods.
- iv. **A Value Free Study:** The modern political theory provides for a value-free study. The theorists do not deal with the normative aspect of State and government rather they study what is.
- v. **The relation between Research and Theory:** Modern political theory draws a relationship between research and theory. Theories can be drawn only on the basis of research.

Long Answer Type Questions

Q31. Discuss the meaning scope and Utility of the political theory.

Ans- Political Theory is essential for functioning of life, society and governance. It comprises a collection of tested hypothesis, conceptual decisions and generalisations that guide societal progress. This theory is founded on rational discussion debate and analysis.

The scope of political theory is broad, covering concepts such as:

- Equality, freedom and justice
- Processes and institutions like decision making, state and government forms.
- Modern concepts including power, authority, legitimacy and political socialisation.

Political Theory is crucial for:

Understanding and analysing political ideas and situations.

Providing a rationale for political decisions based on reason and debate.

Guiding societal directions and fostering positive change by clarifying misunderstandings

It also addresses Fundamental questions about society such as :

How should society be organised?

What is the role of government?

What are the rights and responsibilities of citizens?

By examining such questions, political theory helps citizens think critically about political issues and assess contemporary events.

Q32. What is politics?

Ans- Politics is a concept that has different meanings depending on one's perspective. At its core, politics is often understood as the distribution and exercise of power. It refers to the ability of individuals or groups to influence or control decisions, resources and authority within a society. Politics can be viewed from various angles, each highlighting different dimensions of power, governance and human relations.

Key aspects of politics include:

(i) **Politics as struggle for power:** Politics is frequently seen as a contest for power, where various actors – whether individuals, political parties or nations compete to gain control and influence over resources, policies and decision – making processes.

(ii) Politics as public service: For some, politics is viewed as a means of serving the public good. Politicians and leaders may be seen as working for the betterment of society, striving to create policies that benefit the general population.

(iii) Politics as an Art of domination: Another interpretation of Politics is as a tool for exercising control or domination. In this view, politics is about maintaining authority and securing power, often through strategic manoeuvring or the use of force.

(iv) Politics as commanding obedience: Politics can also be seen as the art of commanding obedience from others. Leaders and institutions use laws, norms and influence to ensure that people follow directives and maintain social order.

(v) Politics as controlling the political process: Politics is also about controlling the political system itself-determining the rules of engagement, shaping institutions and influencing the direction of government and policy.

(vi) Marxist perspective: In Marxist theory, Politics is closely tied to the control of economic relations. It is seen as a means of maintaining and altering the structure of economic power, with political decisions often reflecting the interests of economic classes.

Hence, politics encompasses a wide range of activities and viewpoints, from power struggles and public service to domination and economic control. It is an essential part of human society, influencing how decisions are made and how authority is exercised.

Q33. What is the difference between traditional political theory and modern political theory?

Ans- Political Theory is the outcome of the approach which we adopt for the political issues and political problems. There have been mainly two approaches i.e, Traditional approach and Modern Approach.

Following are the features of the Traditional and Modern approach with their difference-

1. Traditional approach: It is subjective, It is descriptive, It is hypothetical, It is value based, It is institutional, It is philosophical, legal and reformative.

2. Modern approach: It is objective, It is empirical, It is scientific, It is inter-disciplinary, It is based on facts, It is analytical.

Cased based questions

Q34. In the fifth century B.C., Plato and Aristotle discussed whether monarchy or democracy was better. In modern times, Rousseau first argued for freedom as a fundamental right of humankind. Karl Marx argued that equality was as crucial as freedom. Mahatma Gandhi discussed the meaning of genuine freedom. Dr. B. R. Ambedkar vigorously argued that the scheduled castes must be considered a minority, and these ideas find their place in the Indian Constitution.

Political theory deals with the ideas and principles that shape Constitutions, governments and social life in a systematic manner. It clarifies the meaning of concepts such as freedom, equality, justice, democracy, secularism and so on. It probes the significance of principles such as rule of law, separation of powers, judicial review, etc. This is done by examining the arguments advanced by different thinkers in defence of these concepts.

(i) Who pleaded for equality?

(a) Rousseau (b) Plato (c) **Marx** (d) Aristotle

(ii) Which political theorist argued about Swaraj?

(a) **Mahatma Gandhi** (b) Dr. B.R. Ambedkar (c) Karl Marx (d) Rousseau

(iii) The political theory clarifies the meaning and concepts of:

(a) Democracy (b) Equality (c) Justice (d) **All of these**

(iv) Which of the following is correct about the political theory?

a. It projects the future of the politicians

b. It maps the political plans of the government

- c. It questions the arguments of the political thinkers
- d. It probes the significance of political principles**

CHAPTER-2

FREEDOM

Introduction

Human history includes numerous examples of domination, enslavement and exploitation by more powerful groups. However, it also showcases heroic struggles against such oppression. Freedom is the core of these

struggles, representing the desire for individuals and communities to control their own lives and destinies. It involves the opportunity to express oneself freely through choices and activities.

The Ideal of Freedom

Before we understand the ideal of freedom, look at the following stories from around the world:

Case I : Nelson Mandela, South Africa

- Nelson Mandela's autobiography, "Long Walk to Freedom," details his personal struggle against Apartheid in South Africa, highlighting the resistance against Segregationist policies, the humiliations and hardships faced by black South Africans, and the constraints imposed by the apartheid regime.
- Mandela spent 27 years in jail, often in solitary confinement, giving up his youth, personal pleasures, and freedom for the ideal of removing unjust constraints and achieving freedom for all South Africans.

Case II : Aung San Suu kyi, Myanmar

- Inspired by Gandhiji's thoughts on non-violence, Aung San Suu Kyi remained under house arrest in Myanmar, separated from her children and unable to visit her dying husband in England. Her commitment to her people's freedom mirrored Mandela's dedication.
- Aung San Suu Kyi's book "Freedom from Fear" emphasizes that true freedom is freedom from fear. She believes that living a dignified human life requires overcoming fear of others' opinions, authority, community reactions and peer ridicule.

The stories of Mandela and Aung San Suu kyi illustrate the powerful ideal freedom, central to the national struggles in Asia and Africa against colonialism and oppression. These examples show that the ideal of freedom has been a driving force in the fight against injustice and for the dignity and well being of all people.

▪ What is Freedom?

- ❖ Freedom is absence of constraints (restrictions). Freedom is said to exist when external constraints on the individual are absent. In terms of this definition an individual could be considered free if he/she is not subject to external control or coercion and is able to make independent decisions and act in an autonomous way.
- ❖ Freedom is also about expanding the ability of people to freely express themselves and develop their potential.
- ❖ Determining which social constraints are necessary involves understanding the core relationship between individuals and their Social groups, communities or the state.
- ❖ Freedom has both negative and a positive dimensions depending upon the constraints and capabilities of an individual:

Negative Dimension: Freedom is said to exist when external constraints on the individual are absent.

Positive Dimension: Freedom in this sense is the condition in which people can develop their creativity and capabilities.

- ❖ A free society would be one which enables all its members to develop their potential with the minimum of social constraints.
- ❖ No individual living in society can hope to enjoy total absence of any kind of constraints or restrictions. It becomes necessary then to determine which social constraints are justified and which are not, which are acceptable and which should be removed.
- ❖ To be free means to reduce or minimise social constraints that limit our ability to make choices freely.
- ❖ There is another aspect of freedom, It allows the full development of the individual's creativity, sensibilities and capabilities: be it in sports, science, art, music or exploration. A free society is one that enables one to pursue one's interests with a minimum of constraints.

Swaraj:

The term Swaraj incorporates within it two words – Swa(Self) and Raj(Rule). It can be understood to mean both the rule of self and rule over self. Swaraj in context of the freedom struggle in India referred to

freedom as a constitutional and political demand, and as a value at socio – collective level. That is why Swaraj was such an important rallying cry in the freedom movement inspiring Tilak’s famous statement- “Swaraj is my birth right and I shall have it”

For Gandhiji, Swaraj was the same as freedom. He said that swaraj does not only mean freedom from British rule and making India independent, but it has other aspects too. swa’ means self and ‘raj’ means rule. So there needs to be self-rule. It meant the rule of the self and rule over self: Rule of self means that India needs to be ruled by its own people. Rule over self means that every individual should live with respect and dignity. Poverty and unemployment should be eliminated so that people can earn a living in a respectful manner and have access to a minimum standard of living. Rather than being forced to work, he/she should have self-responsibility for his/her work.

The Sources of Constraints

- Restrictions on the freedom of individuals may come from domination and external controls.
- Such restrictions may be imposed by force or they may be imposed by a government through laws which embody the power of the rulers over the people and which may have the backing of force. Colonial rule and apartheid in South Africa exemplify these constraints.
- If the government is a democratic one, the members of a state could retain some control over their rulers. That is why democratic government is considered to be an important means of protecting the freedom of people.
- But constraints on freedom can also result from social inequality of the kind implicit in the caste system, or which result from extreme economic inequality in a society.
- Subhas Chandra Bose emphasized the need to remove these constraints to achieve true freedom.

Why do we need Constraints?

- ❖ We need some constraints or else society would descend into chaos.
- ❖ Differences may exist between people regarding their ideas and opinions, they may have conflicting ambitions, they may compete to control scarce resources.
- ❖ People around us ready to fight for all kinds of reasons ranging from the serious to the trivial. Therefore every society needs some mechanisms to control violence and settle disputes.
- ❖ Constraints are necessary to protect the rights of others, maintain order, and promote the common good.

Harm Principle:

- In his essay “On Liberty,” John Stuart Mill introduced the concept of the “Harm principle”.
- Mill differentiated between “self-regarding” actions that affect only the individual actor and “Other regarding” actions that also impact others.
- The state or others shouldn’t interfere in actions that only affect the person doing them. However, if those actions might harm others, then the state or others have a reason to step in.
- People should tolerate different viewpoints and interests, as long as they do not harm others. However, such tolerance should not extend to views or actions that endanger people or incite hatred against them.
- While freedom is crucial to human society, it should only be restricted in specific circumstances. Mill suggested that for minor harm, social disapproval should suffice rather than the force of law.

What is Liberalism?

- ❖ Liberalism is often associated with tolerance, supporting the right to hold and express differing opinions and beliefs.
- ❖ Tolerance is not the sole aspect of Liberalism and other ideologies also support it.
- ❖ Modern Liberalism focuses on the individual.
- ❖ Liberals generally prioritize individual Liberty over equality and are often suspicious of political authority.
- ❖ Historically, liberalism supported a free market and minimal state intervention.

❖ Today's Liberalism recognizes a role for the welfare state and supports measures to address social and economic inequalities.

Negative and Positive Liberty

In political theory, there are two types of liberty: Negative Liberty and Positive Liberty

Negative Liberty:

Negative liberty refers to the absence of external constraints and the existence of an inviolable area of non-interference, in which he or she could 'do, be or become' whatever he or she wished to 'do, be or become'.

The negative liberty tradition argues for an inviolable area of non-interference in which the individual can express himself or herself. If the area is too small then human dignity gets compromised.

It focuses on the idea of "freedom from" external interference and emphasizes human dignity and autonomy.

Positive Liberty:

Positive liberty is concerned with the idea of "freedom to" and aims to create conditions that enable individual development.

Positive Liberty recognizes that one can be free only in society hence tries to make that society such that it enables the development of the individual whereas negative liberty is only concerned with the inviolable area of interference and not with the conditions in society, outside this area as such.

It addresses the relationship between the individual and society, emphasizing resources, participation, and access to education.

Freedom of Expression:

- Freedom of expression is a fundamental value and considered part of the minimum area of non-interference.
- Bans on books, films, and academic articles have been demanded in the past, posing a challenge to freedom of expression. Banning is a harmful short-term solution that can develop into a habit and threaten long-term freedom.
- Constraints on freedom of expression exist in different contexts, such as contractual agreements, but voluntary acceptance of restrictions does not curtail freedom.
- Coercion is the key factor in determining whether freedom is genuinely limited.

Mill on protecting freedom of speech and expression:

- No idea is completely false. What appears as false has some element of truth.
- Truth does not emerge by itself. It is only through debates and discussion that truth emerges.
- The conflict of ideas is important not only for the past but for the present and future also. Only when the truth is exposed to constant criticism, it (truth) then becomes trustworthy.
- We cannot be sure what we considered true is actually true. Ideas which were true at one point in time are false at another point in time.

MCQs-

Choose the correct option:

Q1. Constraints on freedom emerge from social inequalities of

- (a) Caste, imperialism and gender
- (b) Caste, gender and colonialism
- (c) Gender, class and caste
- (d) Political bondage, caste and gender

Ans- (c) gender, class and caste

Q2. Aung San Suu Kyi is a

- (a) Political prisoner
- (b) Feminist writer
- (c) Human rights lawyer
- (d) Political philosopher

Ans- Political prisoner

Q3. Negative Liberty means-

- (a) Liberty without restraints (b) Liberty with some restraints
(c) Liberty with many restraints (d) Liberty with a few restraints

Ans- Liberty without restraints

Q4. Identify the focus of Modern Liberalism.

- (a) Family (b) Community (c) Individual (d) Society

Ans-(c) Individual

Q5. Liberty of the individual prevails when there is

- (a) No policemen (b) No judge (c) Democracy (d) No law

Ans- Democracy

Q6. The power of government to disallow media from publishing or showing certain stories is

- (a) Censorship (b) Dictatorship (c) Rule of law (d) Freedom of press

Ans- (a) Censorship

Q7. In the absence of legal constraints, society would

- (a) Progress (b) Descend into chaos
(c) Function on the principles of moral Liberty (d) Resolve disputes with the help of spiritual gurus

Ans- (b) Descend into chaos

Q8. Liber means

- (a) Free (b) No Freedom (c) Limited Freedom (d) None of these

Ans- (a) Free

Q9. Positive Liberty means-

- (a) Liberty to do anything (b) Liberty with restraints
(c) Only restraints (d) None of these

Ans- (b) Liberty with restraints

Q10. In Buddhist philosophy, Freedom is directly related to-

- (a) Discipline (b) Rights (c) Constitution (d) State

Ans-(a) Discipline

Q11. What does modern Liberalism acknowledge regarding role of state?

- (a) Minimal role in social welfare
(b) Complete control over individual liberties
(c) Welfare state and measures to reduce inequalities
(d) Minimal role in reducing inequalities

Ans- (c) Welfare state and measures to reduce inequalities

Assertion and Reasons Based

DIRECTION: Mark the option which is most suitable :

- (a) If both assertion and reason are true and reason is the correct explanation of assertion.
(b) If both assertion and reason are true but reason is not the correct explanation of assertion.
(c) If the assertion is true but the reason is false.
(d) If both assertion and reason are false.

Q12. **Assertion (A)** : Society doesn't need any mechanisms to control violence and settle disputes.

Reason (R) : So long as we are able to respect each other's views and do not attempt to impose our views on others we may be able to live freely and with minimum constraints.

Ans- (c) The Assertion (A) is incorrect but the Reason (R) is correct.

Q13. **Assertion (A)** : Freedom of speech is the most important Liberty of people in a democratic policy.

Reason (R) : State can regulate free speech in the interest of public order.

Ans-(b) Both the Assertion (A) and the Reason (R) are correct but the Reason (R) is not the correct explanation of the Assertion (A).

Q14. **Assertion (A)** : Restrictions on the freedom of individuals may come from domination and external controls.

Reason (R) : Such restrictions may be imposed by force or they may be imposed by a government through laws which embody the power of the rulers over the people and which may have the backing of force.

Ans-(a) Both the Assertion (A) and the Reason (R) are correct and the Reason(R) is the correct explanation of the Assertion (A).

Q15. **Assertion (A)** : Freedom is said to exist when external constraints on the individual are absent.

Reason (R) : Freedom is about expanding the ability of people to freely express themselves and develop their potential.

Ans- (b) Both the Assertion (A) and the Reason (R) are correct but the Reason (R) is not the correct explanation of the Assertion .

Very Short Answer Type Questions

Q16. Give any two characteristics of Liberty.

Ans- (i) Liberty is not freedom from all restraints

(ii) Liberty is absence of arbitrary, immoral and unjust restraints.

Q17. What are the negative aspects of Liberty?

Ans- In its literal sense, Liberty implies complete freedom from all restraints. If this connotation is translated into practice, it is bound to create lawlessness in which 'might is right ' will prevail. Hence this is the negative aspect of Liberty. Political Science accepts only the positive aspect of Liberty.

Q18. Describe the positive aspects of Liberty.

Ans- Positive aspect of Liberty means that individual should get the positive power of doing and enjoying something worth doing and enjoying. It doesn't imply absence of all restraints but absence of immoral, arbitrary and unjust restraints. Positive aspect requires the creation of an atmosphere in which proper opportunities are available to individuals for their personality development.

Q19. What do you mean by Political Liberty?

Ans- Political Liberty means enjoying one's Political rights. These rights are feasible only under democratic society. Political Liberty is of no avail in the absence of political rights. Political Liberty implies right of the individual to participate in the affairs of the state. Right to vote, right to contest election, right to hold public office , right to criticize government, right to file petition are some of the political rights. The existence of political liberty depends upon their availability.

Q20. What is Economic Liberty?

Ans- Economic Liberty means freedom from hunger and unemployment, exploitation and insecurity. In other words "security and opportunity to find reasonable significance in the earning of one's daily bread. It includes right to work, right to adequate wages and social security in case of sickness and old age. Economic Liberty is essential for the enjoyment of civil and political Liberty.

Short Answer Type Questions

Q21. What do you understand by Freedom of speech and expression?

Ans-Every citizen is free to hold certain views or ideas and also has the right to express it before other citizens. He can express his ideas through speech or writing. Hence, freedom of speech has been given to

all the individual to express their ideas by speaking to the people or by writing it in some newspaper, journal or a book. However, there are certain restrictions on this freedom. These are:

- (i) Security of the state
- (ii) Friendly relations with foreign countries
- (iii) Contempt of court
- (iv) Defamation of any citizens.

Q22. Write any four Safeguards of Liberty.

Ans-Following are the four Safeguard of Liberty:

(i) Democracy- Liberty and democracy are closely related. Liberty can be Safeguard only in democratic set up. Democracy is government of the people and as such Liberty of citizens cannot be curtailed. Under monarchy or dictatorship Liberty is not safe.

(ii) Fundamental Rights- Constitutions, especially of democratic states, embody Fundamental rights. If a government tries to curtail them, the citizens can go to the court for redress. The constitutional safeguard is available.

(iii) Free press- Free press is necessary for safeguarding Liberty. If press is under control of government it cannot air public grievance and will degenerate into a mouthpiece of party in power.

(iv) Independence of Judiciary- Independent and Impartial Judiciary can Safeguard Liberty. When a country has committed Judiciary, it can play havoc with Liberty of citizens.

Q24. Explain how Economic and Political Liberties are inter- related.

Ans- Economic Liberty means freedom from hunger and want, opportunity to fulfil basic needs of life, reasonable wages for work. Political Liberty means right to vote, right to contest election, right to hold public office, right to criticize the government etc.

Economic and political freedom are closely related. In the absence of economic Liberty, political Liberty becomes a farce. Right to vote becomes a cruel joke for one who is unable to get two square meals a day. A labourer, who is turned out of service without any rhyme or reason by his factory owner and he is made to starve on the footpath, can he utilise his right to vote? Right to contest Election is possible only for moneyed people. A citizen sells out his vote for bread, and a purse – proud candidate buys it. All this goes to prove that economic Liberty is a must for utilising political Liberty

Q25. Is Liberty absolute? Explain.

Ans-Supporters of negative Liberty believe that Liberty is absolute and unrestricted, but in practice, Liberty can never be absolute and unrestricted. True Liberty does not mean the absence of restrictions. It is not possible for all persons in society and state to enjoy Liberty in the absolute sense. If one person is allowed to have absolute and unrestricted liberty, it will be impossible for others to have liberty worth the name. Absolute and unrestricted Liberty would mean “might is right” and there will be the law of the jungle. If the strong man sees no restraints in society and state he is likely to condemn other people to slavery without feeling anything for others. There is not a single country in the world where people enjoy absolute and unrestricted Liberty. Thus, Liberty cannot be absolute and unrestricted.

Long Answer Type Questions

Q26. What is the difference between positive and negative conception of Liberty?

Ans- When we think about the negative conception of liberty, our attitude implies the absence of restraints and the right to do whatever one likes. But this is not the real meaning of liberty because in this interpretation of liberty the poor shall then always be at the mercy of the rich. Powerful shall dominate the powerless and everyone shall bow before the most powerful in the society. Liberty shall be enjoyed as long as the powerful wishes that to be enjoyed. Such a conception of liberty is now neither acceptable nor desirable. The absolute liberty must be limited by law.

There is a positive conception of liberty as well. According to this interpretation, liberty lies in the removal of hindrances. According to Green, State should hinder upon hindrances. We are living in a society which is divided into two great halves. On the one hand the rich and on the other the poor. On one side are exploiter and on the other are exploited. In such a society unless there is an authority to check the actions

of those who have grown strong, existence shall be difficult for those who are weak and poor. Positive liberty, therefore, implies and is meant to be understood as liberty in which adequate facilities are available for each section of the society to live and enjoy socially desirable rights. It is the freedom of not only a few rich people but for many or rather for the common masses. The liberty should be such that any individual or section of society does not stand in the progress of the others, or it may be said that liberty implies that the people have the freedom to do whatever is permissible under the laws.

Q27. What is the relationship between liberty and authority? Explain.

Ans-The relationship between liberty and authority is:

- i. The one who thinks freedom is to do whatever one likes to do is a wrong opinion. So the authority imposes restrictions which are a number of times undesirable.
- ii. On the contrary, the basic idea is that liberty and authority go hand-in-hand because authority not only guarantees the freedom but for equal opportunities also.
- iii. Both authority and liberty must remain within their limits for the existence of both the state and individuals.
- iv. If one crosses the limits, one is bound to destroy the purpose for which it was being maintained.
- v. Excess of liberty may destroy authority and concentration of authority can abolish the existence of liberty.

Q28. Describe the various kinds of Liberty.

Ans- The kinds kinds of Liberty are as follows

(i) Natural liberty: Natural Liberty is that liberty which man used to enjoy before the origin of the state. Some writers hold the view that men are born free and they are free to do anything. They have full freedom to do everything and there are no restrictions on their activities. Thus, Natural Liberty means that liberty which man is used to enjoy is the state of nature, it is unlimited right of the individual to do anything like birds and beasts.

(ii) Civil liberty: Civil liberty is that liberty which an individual enjoys for being a member of an organized society. It implies the enjoyment of those rights which aim at the development of all round personality of an individual. These include right to life, right to property, freedom of speech, freedom to move freely, freedom to practice any profession and equality before law etc.

(iii) National liberty: National liberty means freedom of a country from foreign control. As every individual loves liberty, so every individual loves liberty, so every nation wants freedom. Freedom is quite necessary for a nation organised on the basis of common religion, language, caste and culture, because without it, economic and political progress is not possible.

(iv) Religions liberty: Religion is a personal matter of an individual. He should have the freedom to practice and preach any religion, to go to any place of worship or to follow any religious Guru. There should be no state religion and the state should not discriminate among its citizens on the basis of religion. Religious freedom is more important in those countries where people belonging to different religions live.

(v) Economic Liberty: Other freedom can be enjoyed only on the basis of economic freedom. Economic Liberty means freedom of the individual from unemployment and hunger. It recognizes that right of the individual by which he should have the freedom to choose the profession of his choice. In the absence of economic Liberty, man cannot enjoy his political liberty.

(vi) Political liberty: Political liberty is that liberty by which the citizens get an opportunity to participate in the affairs of the government. Right to elect their representatives, right to get elected, right to hold public office- provided the individual has the requisite Qualifications, right to criticise the government and its policies.

Case Based Questions

Q29. Mandela spent twenty-eight years of his life in jail, often in solitary confinement. Imagine giving all comforts up and choosing instead to be locked up alone in a room, not knowing when one would be

released, only because one campaigned for the freedom of one's people. For freedom, Mandela paid a very high personal price.

Aung San Suu Kyi saw her freedom as connected to the freedom of her people. In her book of essays she says, "for me real freedom is freedom from fear and unless you can live free from fear you cannot live a dignified human life". These are deep thoughts that lead us to pause and consider their implications. We must not, her words suggest, be afraid of the opinions of other people, or of the attitude of authority, or of the reactions of the members of our community to the things we want to do, of the ridicule of our peers, or of speaking our mind. Yet we find that we often exhibit such fear. For Aung San Suu Kyi living a 'dignified human life' requires us to be able to overcome such fear.

(i) Who is an inspiration for Aung San Suu Kyi?

- a. All of these b. Nelson Mandela c. Indira Gandhi d. Mahatma Gandhi

Ans- (d) Mahatma Gandhi

(ii) Long Walk to Freedom is an autobiography of:

- a. Aung San Suu Kyi b. Mahatma Gandhi c. Michelle Obama d. Nelson Mandela

Ans- (d) Nelson Mandela

(iii) Freedom from Fear is a book written by:

- a. Mahatma Gandhi b. Nelson Mandela
c. Aung San Suu Kyi d. Michelle Obama

Ans- (c) Aung San Suu Kyi

(iv) Aung San Suu Kyi feared that if she visited her husband in _____ she would not be able to return to her country.

- a. England b. South Africa c. India d. Myanmar

Ans-(a) England

CHAPTER-3

EQUALITY

Main Points:-

Meaning of Equality:

Equality means that all human beings are equal in all aspects as they are equal from birth as a human being. Equality refers to the state of being equal in status, rights, and opportunities. It means treating individuals with fairness and justice, without discrimination or favouritism.

What is Equality?

Equality means that all individuals are treated with the same respect and dignity, and have the same fundamental rights and opportunities, regardless of their background or identity.

Equal Respect: Every person deserves to be valued.

Equal Rights: Everyone has the same basic legal protections.

Equal Opportunities: Fair chances for everyone to succeed in life, education, work, etc.

No Unfair Discrimination: Not being treated worse due to background race, religion, gender, etc.

Importance of Equality

Equality is crucial because it:

1. Recognizes Human Dignity: Equality acknowledges that every person has inherent value and deserves respect.
2. Foundation of Human Rights: The concept of equality is the basis for universal human rights, ensuring that all individuals are treated with fairness and justice.
3. Promotes Personal Growth: Equality provides opportunities for individuals to develop their full potential, leading to overall well-being and progress.

Different dimensions of equality

Political Equality: - Granting equal citizenship to all citizens entails certain basic rights become centered around equal citizenship like the right to vote, freedom of expression, movement and association and freedom of belief

These are considered necessary to enable citizens to develop themselves and participate in the affairs of the state

Social Equality : The first step in the pursuit of equality is the Equality before Law or Political Equality however it needs to be complemented with the equality of opportunities. The pursuit of equality requires that people belonging to different groups and communities have a fair and equal chance to compete for those goods and opportunities. A certain minimum conditions of life can be ensured to all members of the society only by minimizing the effects of socio-economic inequalities.

In India, it's not only the lack of equal opportunities or facilities but a special issue that may exist centered around some of the customs which prevail across the country, or among different groups. For instance, women may not enjoy equal rights of inheritance in some groups.

Significant role of states: It should make policies to prevent discrimination or harassment of women in public places or employment, etc.

Economic Equality: Economic equality aims to bridge the gap between the rich and the poor by providing equal opportunities for all. It's not about achieving absolute equality in wealth, but rather creating a fair and just society where everyone has a chance to improve their economic situation. By offering equal opportunities, individuals can work towards a better future, regardless of their background or current circumstances. This concept promotes social justice, fairness, and human dignity, ultimately contributing to a more harmonious and prosperous society.

Marxism:

●Karl Marx was an important 19th century thinker who argued that the root cause of entrenched inequality was private ownership of important economic resources such as land, oil, forests as well as other forms of property.

●He pointed out that such private ownership did not only make the class of owners wealthy, it also gave them political power which enabled them to influence state policies and laws and this could prove a threat to democratic government.

●Marxist and socialist feel that economic inequality provides support to other forms of social inequality such as differences of rank or privilege. Therefore, to tackle inequality in society we need to go beyond providing equal opportunities and try and ensure public control over essential resources and forms of property.

Liberalism:

●Liberals uphold the principle of competition as the most efficient and fair way of distributing resources and rewards in society.

●They believe that while states may have to intervene to try and ensure a minimum standard of living and equal opportunities for all, this cannot by itself bring equality and justice to society.

●For them, as long as competition is open and free, inequalities are unlikely to become free, inequalities are unlikely to become entrenched and people will get due reward for their talents and efforts

●Unlike socialists, liberals do not believe that political, economic and social inequalities are necessarily linked. They maintain that inequalities in each of these spheres should be tackled appropriately

How can we promote equality?

1. By establishing formal equality.

2. By ceasing to protect the system of equality in government and law.

3.The formal system of special rights will also have to be abolished

4. The legal system and customs establishing social, economic and political equality around the world have to be abolished.

5. By allowing women to participate in a lots of business and activities

6. Fostering Equality in Society

Promoting equality involves multiple approaches:

1. Establishing Equal Rights: Removing discriminatory laws and customs that hinder certain groups from accessing opportunities is crucial. Governments must ensure equal treatment under the law, prohibiting biases based on religion, race, caste, sex, or birthplace.

2. Differential Treatment for Equal Opportunities: Sometimes, different treatment is necessary to achieve equal rights. Considering individual differences and implementing policies like affirmative action or reservations can help bridge gaps.

3. Affirmative Action and Equal Opportunities: Governments should provide comparable opportunities for education and growth, avoiding discrimination based on caste, creed, race, color, or wealth. This ensures everyone has an equal chance to succeed.

4. Addressing Generational Inequalities: Societal divisions can persist when wealth and power accumulate over generations. Addressing these disparities requires targeted efforts to empower marginalized groups and promote social mobility.

Multiple choice Questions

1. Which of the following best describes the core idea of equality?

- a) Treating everyone exactly the same, regardless of their differences.
- b) Ensuring everyone has the same level of income and wealth.
- c) Providing everyone with fair opportunities and minimizing disparities.
- d) Guaranteeing the same social status for all citizens.

2. The idea of 'affirmative action' is often implemented to promote:

- a) Formal equality by eliminating all distinctions.
- b) Substantive equality by addressing historical disadvantages.
- c) Absolute equality in terms of income and property.
- d) Equality of opportunity in all sectors immediately.

3. Which of the following thinkers is most closely associated with the idea of 'social equality'?

- a) John Locke b) Jean-Jacques Rousseau c) Karl Marx d) Mahatma Gandhi

4. The Indian Constitution promotes equality through which of the following fundamental rights?

- a) Right to Freedom of Speech and Expression b) Right to Constitutional Remedies
- c) Right against Exploitation d) All of the above.

5. Which dimension of equality focuses on ensuring that all individuals have access to basic necessities like food, shelter, and healthcare?

- a) Political equality b) Economic equality c) Social equality d) Legal equality.

6. Consider the following statements regarding the significance of equality:

Statement I: Equality ensures that all individuals have the same level of talent and ability.

Statement II: Equality is crucial for upholding the dignity and self-respect of every individual.

Which of the following is correct?

- a) Statement I is correct, and Statement II is incorrect.
- b) Statement I is incorrect, and Statement II is correct.
- c) Both Statement I and Statement II are correct.
- d) Both Statement I and Statement II are incorrect.

7. Match the Following:

Match the dimension of equality in Column A with its focus in Column B.

Column A Column B

- (i) Political (a) Fair distribution of wealth and resources.
- (ii) Economic (b) Equal access to participate in decision-making and governance.
- (iii) Social (c) Equal status and opportunities regardless of social background.

- a) (i)-(b), (ii)-(a), (iii)-(c)
- b) (i)-(a), (ii)-(b), (iii)-(c)
- c) (i)-(c), (ii)-(a), (iii)-(b)
- d) (i)-(b), (ii)-(c), (iii)-(a)

8. **Assertion (A):** The principle of equality of opportunity suggests that everyone should be provided with the same resources and facilities to succeed.

Reason (R): Differences in individual talents and abilities will naturally lead to different levels of achievement, even with equal opportunities.

In the context of the above statements, which of the following is correct?

- a) Both (A) and (R) are true, and (R) is the correct explanation of (A).
- b) Both (A) and (R) are true, but (R) is not the correct explanation of (A).
- c) (A) is true, but (R) is false.
- d) (A) is false, but (R) is true.

9. **Assertion (A)** : Equality before the law is not applicable to the president of India.

Reason (R): The president of India enjoys special powers and privileges under the constitution.

A- Both A & R are true and R is the correct explanation of A.

B- A is true and R is false.

C- A and R, both are true but R is not the correct explanation of A.

D- Both are False

10. Satisfaction of minimum needs means:

A. Social equality B. Economic equality C. Natural equality D. Cultural equality

Very Short Type Questions:-

1. What is the core idea of equality?
2. Define 'formal equality'.
3. What is 'substantive equality' concerned with?
4. Give one example of a fundamental right in the Indian Constitution that promotes equality.
5. What does 'equality of opportunity' aim to ensure?
6. Name one thinker closely associated with the idea of social equality.
7. What is the main aim of affirmative action policies?
8. What is a key debate surrounding 'equality of outcome'?
9. What is meant by the 'dignity of the individual' in relation to equality?
10. Which article of the Indian Constitution guarantees equality before the law?
11. Name one dimension of equality besides political and economic equality.
12. What is the primary aim of the struggle for gender equality?

Short Type Questions:-

- 1) How can we differentiate between inequalities that are considered fair and those that are seen as unfair? Explain briefly.
- 2) Briefly explain what is meant by economic equality.
- 3) In your own words, describe what the concept of perfect equality would entail.
- 4) It's sometimes argued that societal structures treat certain differences as if they are natural rather than socially constructed. What are your thoughts on this idea?
- 5) Briefly explain the difference between inequalities that might arise from inherent individual differences and those that originate from societal arrangements.
- 6) Considering the various forms of inequality that exist, would you describe contemporary society as truly based on equality? Explain your reasoning.
- 7) In the context of India's history and social fabric, why might social equality be considered a particularly crucial concept?
- 8) Briefly describe the core ideas of Marxism.
- 9) Briefly explain socialism and identify a significant Indian thinker who advocated socialist ideas.
- 10) Explain the argument that affirmative action or reservation policies can be a significant measure in the pursuit of equality.

Long Type Questions-

1. Discuss the significance of social equality in a democratic society. What are some of the major challenges in achieving social equality in India?
2. What is affirmative action? Argue for or against the implementation of affirmative action policies to address historical inequalities.
3. Explain the difference between Marxism and Liberalism keeping in mind the concept of equality.
4. How can we promote equality?
 1. Explain the meaning of equality. Describe any three different dimensions of equality .
 2. Discuss the difference between 'treating everyone the same' and 'treating everyone equally'. Give examples to illustrate your point.
 3. Describe two ways in which the Indian Constitution promotes equality among its citizens. Why equality is considered an important value in a democracy?

Multiple choice Answers

1. c) Providing everyone with fair opportunities and minimizing disparities.
2. c) Absolute equality in terms of income and property.
3. c) Karl Marx
4. c) Right against Exploitation.
5. c) Social equality.
6. c) Both Statement I and Statement II are 1 correct.
7. c) (i)-(c) (ii)-(a), (iii)-(b)
8. c) (A) is true, but (R) is false.
9. c) A and R, both are true but R is not the correct explanation of A.
10. c) Natural equality

Very Short Type Answer-

1. The core idea of equality is that all individuals, as human beings, are of equal worth and should be treated with the same respect and consideration. It implies the absence of unjustified discrimination and the provision of fair opportunities.
2. 'Formal equality' refers to establishing equality in law and policy. It ensures that the law treats everyone the same, without explicit discrimination based on factors like religion, race, caste, sex, or place of birth. It focuses on equal treatment under the law.
3. 'Substantive equality' is concerned with achieving actual equality in social, economic, and political life, especially for those who have historically faced disadvantages. It goes beyond formal legal equality to address existing inequalities and ensure fair outcomes.
4. One example of a fundamental right in the Indian Constitution that promotes equality is Article 14, which guarantees equality before the law and equal protection of the laws within the territory of India.
5. 'Equality of opportunity' aims to ensure that everyone has an equal chance to develop their talents and pursue their goals, without facing discrimination based on their social background or other irrelevant factors. It focuses on providing a level playing field.
6. Karl Marx is one thinker closely associated with the idea of social equality, particularly in his critique of capitalist societies and his advocacy for a classless society with greater social and economic parity.
7. The main aim of affirmative action policies is to address historical and systemic disadvantages faced by certain social groups and promote substantive equality by providing them with preferential treatment in areas like education and employment to level the playing field.

8. A key debate surrounding 'equality of outcome' is whether it necessitates guaranteeing the same results for everyone, regardless of their efforts or choices, which some argue can lead to unfairness and disincentives individual initiative. Others argue it's necessary to truly address deep-rooted inequalities.
9. The 'dignity of the individual' in relation to equality means that recognizing the equal worth of every person is fundamental to ensuring their self-respect and preventing their exploitation or marginalization. Equality is essential for upholding the inherent dignity of all human beings.
10. Article 14 of the Indian Constitution guarantees equality before the law.
11. One dimension of equality besides political and economic equality is social equality, which concerns equal status, opportunities, and treatment in society regardless of social background, caste, religion, or gender.
12. The primary aim of the struggle for gender equality is to achieve equal rights, opportunities, and treatment for all genders, dismantling patriarchal structures and eliminating discrimination and prejudice based on sex.

Short & Long Type Questions Answer-

1. Fair inequalities can be like someone working harder at their studies and getting better grades than someone who doesn't study as much. This difference in outcome is often seen as fair because it's linked to effort. Unfair inequalities happen when someone doesn't get the chance to even try, like a student from a poor background not having access to good schools, while a richer student does. This lack of equal opportunity makes the resulting inequality unfair.
2. Economic equality doesn't mean everyone has the exact same amount of money. Instead, it means that the differences in wealth and income between people aren't too huge. It also means that everyone in society has access to basic things they need to live a decent life, like enough food, a place to stay, and basic healthcare. For example, in a more economically equal society, you wouldn't see some people owning multiple mansions while others are homeless.
3. Imagine a race where everyone starts at the exact same line, has the same good shoes, and the track is completely even. Perfect equality in society would be like that. It would mean every single person is born with the same chances to learn, get a job, and succeed, and they all have the same amount of resources available to them. There would be no advantages or disadvantages based on who their parents are or where they come from.
4. It's sometimes argued that societal structures treat certain differences as if they are natural rather than socially constructed. What
Think about how, in some places, people might say that women are naturally better at taking care of children and men are naturally better at being leaders. These ideas aren't really based on biology; they are things that society has taught us over many years. When we treat these socially created differences as if they are natural, it can lead to unfair situations, like women not getting the same opportunities for leadership roles as men.
5. People are born with different talents, like some being naturally good at sports and others at music. Inequalities that come from these natural differences might be seen when a talented athlete becomes a professional player while someone less naturally gifted doesn't. However, inequalities from societal arrangements happen when the way society is set up gives some groups an unfair advantage. For example, if only children from wealthy families can afford good coaching in a sport, then talent alone isn't enough to succeed.
6. No, I wouldn't say our society today is truly equal. Look at how much more wealth some people have compared to others, or how people from certain minority groups still face discrimination in jobs or education. Even though laws might say everyone is equal, in reality, people don't have the same opportunities or the same level of respect just because of who they are or where they come from.

7. For centuries, India had the caste system, which rigidly divided people and gave some groups many privileges while denying basic rights to others. Even though the caste system is now illegal, its effects still linger. Social equality in India means making sure everyone, regardless of their caste, religion, gender, or background, has the same status, the same opportunities, and is treated with the same dignity. It's about undoing the harm of past inequalities and building a truly fair society.

8. Marxism, at its heart, says that society is divided into groups (classes) based on who owns things like factories and land. Karl Marx argued that in capitalist societies, the working class is exploited by the owners and doesn't get a fair share of the wealth they create. His main idea was that to achieve true equality, these class differences need to be removed, and the workers should collectively own and control the means of production.

9. Socialism is a set of ideas that believes the government should play a significant role in managing the economy and ensuring that wealth and resources are distributed more fairly among all people. Socialists often advocate for things like public ownership of key industries and strong social safety nets (like free healthcare and education). Jawaharlal Nehru, India's first Prime Minister, was a key figure who advocated for a socialist pattern of development for India, aiming to reduce poverty and inequality through government planning and a mixed economy.

10. Imagine a race where some runners have been held back for a long time. Affirmative action or reservation policies are like giving those runners a slight head start to help them catch up. The argument is that because certain groups in society have faced historical discrimination and continues to be disadvantaged (like lower castes or women in some contexts), special policies are needed to ensure they have a fair chance in education, jobs, and other areas. These policies aim to correct past wrongs and create a more equal society in the long run by helping these groups overcome existing disadvantages.

Some of the important rights which are granted in most liberal democracies today include civil rights such as the rights of life, liberty and property, political rights like the right to vote, which enable people to participate in political processes, and certain social rights which would include the right to enjoy equal opportunities with other members of the society.

The principle of treating equals equally would require that people should not be discriminated against on grounds of class, caste, race or gender.

Proportionate Justice: Equal treatment is not only the principle of justice. There could be circumstances in which we might feel that treating everybody equally would be unjust. If everybody starts from the same base line of equal rights, justice in such cases would mean rewarding people in proportion to the scale and quality of their effort.

However, it would be fair to reward different kinds of work differently if we take into account factors such as the effort required, the skills required, the possible dangers involved in that work, and so on. For justice in society, the principle of equal treatment needs to be balanced with the principle of proportionality.

Recognition of Special Needs

1. Society should consider special needs when distributing rewards or duties.
2. This principle extends equal treatment, recognizing differences in people's circumstances.
3. Special needs or disabilities may require different treatment.
4. Factors like physical disabilities, age, or lack of access to education/healthcare may warrant special help.
5. Examples include reservations for SCs, STs in India due to historical discrimination.

Just Distribution :-

Justice also means fair distribution of goods and services. This distribution takes place among different groups and individuals of the society so that citizens can get equal level of living, such as abolition of untouchability in India, system of reservation and there are steps like land reforms taken by the state governments.

John Rawls: Theory of Justice John Rawls argues that the only way we can arrive at a fair and just rule is if we imagine ourselves to be in a situation in which we have to make decisions about how society should be organised although we don't know which position we would ourselves occupy in that society.

Rawls describes this as thinking under a "Veil of ignorance". He expects that in such a situation of complete ignorance about our possible position and status in society, each person would decide in the way they generally do, that is, in terms of their own interests.

But since no one knows who he would be, and what is going to benefit him, each will predict the future society from the point of view of the worst-off. This would not help those who are born in disadvantaged sections of society.

It is of course not easy to erase our identities and to imagine oneself under a veil of ignorance. But then it is equally difficult for most people to be self-sacrificing and share their good fortune with strangers.

The merit of the 'veil of ignorance' position is that it expects people to just be their usual rational selves. They are expected to think for themselves and choose what they regard to be in their interest.

Rawls therefore argues that rational thinking, not morality, could lead us to be fair and judge impartially regarding how to distribute the benefits and burdens of a society.

Free market Vs State Intervention:

Supporters of free markets believe that if markets are left free of state interference the sum of market transactions would ensure overall a just distribution of benefits and duties in society.

However, not all free market supporters today would support absolutely unregulated markets. Many would now be willing to accept certain restrictions, for instance states could step in to ensure a basic minimum standard of living to all people so that they are able to compete on equal terms.

One of the arguments put forward in favour of market distribution is that it gives us more choice.

d) A is false, but R is true.

9. A just society is one in which increasing feeling of mutual respect and decreasing sense of humiliation together form a society full of compassion."

Who's given the above statement?

- (a) Mahatma Jyoti Rao Phule (b) Mahatma Gandhi
(c) Dr. Rajendra Prasad (d) Dr. B R. Ambedkar

10. In ancient Indian society, who was seen in association with justice?

- (a) Education (b) Religion (c) Culture (d) Community

11. Who was the author of the book "The Republic"?

- (a) Aristotle (b) Socrates (c) Plato (d) Locke

12. Who among the following was a disciple of Socrates?

- (a) Aristotle (b) Lasky (c) Rousseau (d) Glaucon

13. Which commission had proposed seat reservation in educational institutions or government jobs to establish social justice in India?

- (a) Sarkaria Commission (b) Mandal Commission
(c) Shah Commission (d) Jain Commission

2 MARKS QUESTIONS

1. What was the concept of justice in ancient Indian society?
2. Explain the meaning of justice in simple terms.
3. What can be a way to promote justice?
4. What is the meaning of equal treatment towards the same people?
5. The concept of minimum requirements was introduced in which five-year plan?
6. What is the meaning of 'Just distribution'?
7. What are the basic requirements for a person's life?
8. Due to lack of access to basic necessities in India, which communities have been provided reservation in government jobs and educational-institutions?

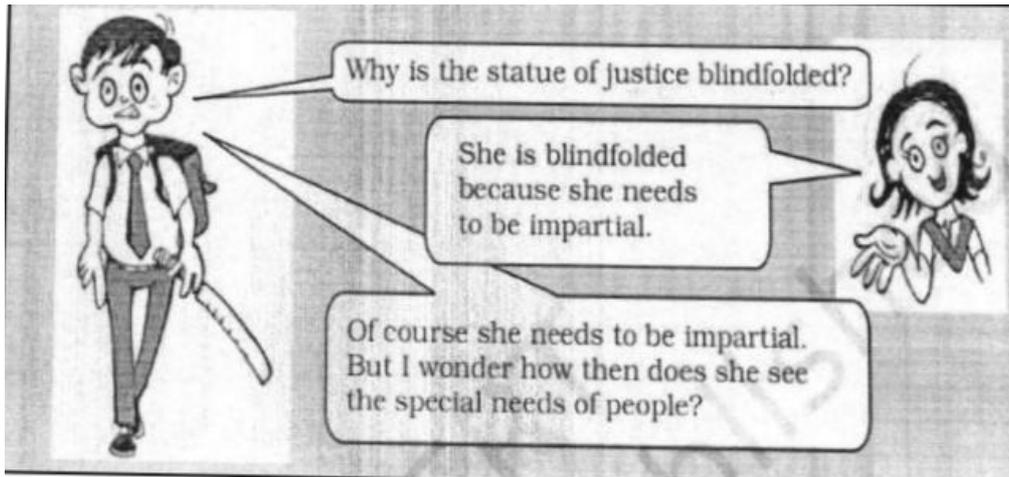
TWO MARKS QUESTIONS

1. Explain the meaning of "veil of ignorance" of John Rawls.
2. Explain the relation between equality and social justice.
3. What is meant by Just Distribution?
4. What is expected from the concept of a just society?
5. What facilities have UN units calculated to have minimum requirements?
6. What is meant by free market?

FOUR MARKS QUESTIONS

1. 'Justice delayed' is justice denied. Explain the meaning of this sentence.
2. Justice is a complete process in itself, yet why special emphasis has been laid on social justice in India?
3. Give arguments in favour opposition to free market.

PICTURE BASED QUESTION Q. Answer the following questions based on the cartoon.



- (i) What does justice mean?
- (ii) What does special needs signify?
- (iii) Does the doctrine of special needs obstruct the path of justice? Write your thoughts.

SIX MARKS QUESTIONS

1. What core values should guide the government's approach to promoting social justice?
2. Can you outline John Rawls' concept of justice as fairness?
3. Discuss the principle of establishing social Justice.
4. Describe in detail the various dimensions of justice.

ANSWERS

Here are the answers of multiple-choice questions:

1. b) Promoting equality and fairness in society
2. c) Equal opportunities
3. c) Resources, opportunities, and privileges
4. c) John Rawls
5. d) Environmental justice (While environmental justice is related to social justice, it's often considered a distinct, though overlapping, dimension.)
6. c) Recognition justice
7. c) Reservations in education and employment for certain backward communities
8. A) Both A and R are true, and R is the correct explanation of A.
9. d) Dr. B R. Ambedkar
10. b) Religion (In ancient Indian society, the concept of 'Dharma' was closely associated with justice and righteousness.)
11. c) Plato
12. a) Aristotle (Plato was Socrates' disciple, and Aristotle was Plato's disciple.)
13. b) Mandal Commission

The answers of one-mark questions:

1. In ancient Indian society, the concept of justice (Dharma) was rooted in cosmic order, individual duty, and the proper functioning of society according to one's Varna (social class) and ashrama (stage of life). It emphasized righteousness, moral conduct, and the maintenance of social harmony.
2. Justice, in simple terms, means fairness and ensuring that everyone gets what they deserve.
3. A way to promote justice can be through fair laws, impartial enforcement, and ensuring equal opportunities for all.
4. Equal treatment towards the same people means that individuals in similar situations should be treated alike without any discrimination.
5. The concept of minimum requirements was introduced in the Fifth Five-Year Plan.
6. 'Just distribution' means the fair and equitable allocation of resources, opportunities, and benefits within a society.
7. The basic requirements for a person's life typically include food, shelter, clothing, clean water, sanitation, healthcare, and education.
8. Due to a lack of access to basic necessities in India, Scheduled Castes (SCs) and Scheduled Tribes (STs), and Other Backward Classes (OBCs) have been provided reservation in government jobs and educational institutions.

The two-mark answers

1. John Rawls's "veil of ignorance" is a thought experiment where individuals imagine themselves in a situation to decide the rules of society, but without knowing their own social position, talents, or preferences. This hypothetical "veil" ensures that people will choose principles of justice that are fair to everyone, including the least advantaged, as they could end up in that position themselves.
2. Equality and social justice are related in that social justice often aims to promote fairness by addressing existing inequalities. While formal equality (treating everyone the same) is important, social justice may require recognizing and rectifying historical disadvantages to ensure substantive equality of opportunity and a more just distribution of resources and benefits in society.
3. Just Distribution refers to how a society fairly allocates resources like wealth, income, opportunities, and power among its members. Different principles guide just distribution, such as equality, recognition of different needs, and consideration of merit. A just society strives for a distribution that minimizes unfair disparities.
4. A just society upholding the fundamental rights and freedoms for all individuals. It implies a system where there is no discrimination based on social status, religion, gender, or other such factors. A just society aims to provide conditions for individuals to pursue their well-being and participate meaningfully in society.
5. The basic necessities that every individual needs to live a life with dignity. These often include food, shelter, clothing, healthcare, and education. The idea is that a just society should ensure these basic needs are met for all its members.
6. A free market, is an economic system where the production, distribution, and pricing of goods and services are primarily driven by private individuals and businesses based on supply and demand, with limited government intervention. The textbook might explore the potential benefits and drawbacks of free markets in relation to achieving social justice and equitable distribution.

Four Marks Answers

1. The saying "Justice delayed is justice denied" means that if legal proceedings take an unreasonably long time, the person seeking justice might as well not receive it at all. Think of it this way:
The purpose of justice is timely relief and fairness. If someone has been wronged, they need a resolution that addresses the harm done in a reasonable timeframe.

Delay can erode the value of justice. Witnesses may forget details, evidence can be lost or destroyed, and the emotional and financial toll on the individuals involved can become unbearable.

Prolonged uncertainty creates further injustice. Imagine waiting years for a court decision that affects your life, your property, or your reputation. The constant anxiety and lack of closure can feel like a punishment in itself.

2. The spirit of justice is lost. When justice is delayed, it loses its immediate impact and may fail to serve as a deterrent or to restore faith in the legal system. It can feel like the system is failing the very people it's meant to protect.

So, while the legal process needs to be thorough, unnecessary delays can effectively deny people the justice they deserve.

Right, justice is a complete process in itself, aiming for fairness and righteousness in all aspects. However, in India, special emphasis has been laid on social justice due to the historical and existing inequalities within the society. Here's why:

Historical Disadvantage: India has a long history of social stratification based on caste, religion, gender, and other factors. Certain groups have faced systemic discrimination and have been denied equal opportunities for centuries.

Constitutional Mandate: The Constitution of India, in its Preamble and Directive Principles of State Policy, explicitly emphasizes the goal of securing social, economic, and political justice for all citizens. This reflects the nation's commitment to address historical injustices.

Therefore, while the general concept of justice is crucial, the specific focus on social justice in India is a necessary step to rectify historical wrongs, address ongoing inequalities, and build a truly just and equitable society for all its citizens.

3. Pros:- The market Class not care about the caste, religion or gender of the person. The market only cares about the ability and skill of the person.

Cons:- The free market tends to work in the interest of the powerful and influential people. The impact of which may not be denied to the opportunities for the disadvantaged.

Picture Based Question answers

1. Every person should get a fair share of it and should get equal opportunities to develop his talent.

2. People who are not equal in some important contexts should be treated differently.

3. No, it is not obstruction in the way of justice but establishment of justice. People with special needs or disability may be considered unequal and deserving of special assistance in certain cases. Lack of access to basic facilities caste-based social discrimination. Being attached to the Constitution of India, there is a provision of reservation in government jobs in educational institutions

Six Marks Question Answers

1. A government committed to promoting social justice should be guided by several core values:

Equality: It means ensuring equal opportunities for all individuals, regardless of their background like caste, religion, gender, socio-economic status, etc. It also involves addressing existing inequalities through measures that aim for substantive equality, where outcomes are more equitable.

Equity: Recognizing that people start from different positions, equity involves providing differential treatment or support to ensure fair outcomes. This might involve affirmative action to uplift marginalized communities.

Rights: A just government must uphold the fundamental rights of all its citizens, as enshrined in the Constitution. These include civil and political rights like freedom of speech and the right to vote as well as social and economic rights like the right to work, education, and healthcare. Ensuring these rights are accessible to all is crucial for social justice.

Fairness: Government policies and actions should be just and impartial. This means avoiding arbitrary decisions, ensuring due process, and providing mechanisms for redressal of grievances.

Inclusion: Social justice requires that all individuals and groups feel a sense of belonging and participation in society. The government should actively work to dismantle exclusionary practices and create a society where everyone's voice is heard and valued.

Dignity: Every individual possesses inherent worth and dignity. Government policies should uphold this dignity by ensuring a basic standard of living, protecting individuals from exploitation and discrimination, and fostering respect for all members of society.

2. John Rawls: Theory of Justice

John Rawls argues that the only way we can arrive at a fair and just rule is if we imagine ourselves to be in a situation in which we have to make decisions about how society should be organised although we don't know which position we would ourselves occupy in that society.

Rawls describes this as thinking under a "Veil of ignorance". He expects that in such a situation of complete ignorance about our possible position and status in society, each person would decide in the way they generally do, that is, in terms of their own interests.

But since no one knows who he would be, and what is going to benefit him, each will predict the future society from the point of view of the worst-off.

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It is of course not easy to erase our identities and to imagine oneself under a veil of ignorance. But then it is equally difficult for most people to be self-sacrificing and share their good fortune with strangers.

The merit of the 'veil of ignorance' position is that it expects people to just be their usual rational selves. They are expected to think for themselves and choose what they regard to be in their interest.

Rawls therefore argues that rational thinking, not morality, could lead us to be fair and judge impartially regarding how to distribute the benefits and burdens of a society.

3. Three principles of establishment of Social Justice:

Equal Treatment for Equals:

One of the principles regarding equal importance of all people is the principle of treating equals of equality. It is considered that all individuals share certain characteristics as human beings. Therefore they deserve equal rights and equal treatment.

The principle of treating equals equally would require that people should not be discriminated against on grounds of class, caste, race or gender.

Proportionate Justice:

Equal treatment is not only the principle of justice.

There could be circumstances in which we might feel that treating everybody equally would be unjust.

For justice in society, the principle of equal treatment needs to be balanced with the principle of proportionality.

Recognition of Special Needs

Society should consider special needs when distributing rewards or duties.

This principle extends equal treatment, recognizing differences in people's circumstances.

Special needs or disabilities may require different treatment.

4. Dimensions of Justice:

Social Justice: This dimension focuses on fairness in the distribution of resources, opportunities, and privileges within a society. It addresses systemic inequalities and aims to ensure that all individuals and groups have equal access to essential goods and services like healthcare, education, housing, equal opportunities for social mobility, and are treated with dignity and respect.

Economic Justice: This dimension specifically concerns fairness in the distribution of economic resources and opportunities. It encompasses issues such as fair wages, equitable distribution of wealth, access to

employment, regulation of markets to prevent exploitation, and the provision of a social safety net for the vulnerable.

Political Justice: This dimension focuses on fairness in the distribution and exercise of political power and rights. It includes the right to vote, freedom of speech and expression, the right to participate in political processes, equality before the law, and access to justice through a fair and impartial legal system. Political justice ensures that all citizens have an equal opportunity to influence government and hold it accountable. It also involves protecting minority rights and ensuring that political institutions are fair and representative.

Legal Justice: This dimension concerns the fairness and impartiality of the legal system. It includes principles like due process, the presumption of innocence, the right to a fair trial, and equal application of the law. Legal justice aims to ensure that individuals are treated fairly when interacting with the legal system.

These dimensions of justice are interconnected and often overlap. Achieving a truly just society requires progress across all these fronts, ensuring fairness and equity in social, economic, political, and legal spheres.

CHAPTER -5 RIGHTS

MEANING: WHAT ARE RIGHTS?

- Rights are an entitlement or a justified claim, but what you desire may not be desirable. There is a difference from what we want to what we are entitled to. Rights are necessary entitlements or requirements as an individual or a group of people to leave life with dignity and respect. For example the Right to livelihood may be considered necessary for leading a life of dignity. Where rights are justifiable claims which represent condition of human life. For example right to education for instance, help to develop our capacity to reason gifts useful skills and enable ask to make informed choice in life. Right are rightly called social claims which help individuals attend their best selves and help them developed their personalities.

- Claims could be from Moral, Legal, Natural and Historical bases. Rights are indeed claims but every claim is not a right. A claim is not a right if it is not recognized. It is not a right if it is not enforced. Claims which are not recognized are empty claims and claims not enforced are powerless claims. Rights are different from claims.

CHARACTERISTICS OF RIGHTS

- Rights developed citizen's talents, skill and help make informed choices.
- Rights rise in society, they are the result of social nature of man there can be no right without society.
- Rights must be compatible with common goods society only recognizes those rights which are for common goods.
- Right are universal they are not mean for particular person, in the modern age rights are of all.
- Rights are at a minimum basis are identical. It is the duty of the state to guarantee is certain minimum of right to everybody.
- Rights are reasonable claims recognized by society and protected by law. They help individuals lead a life of respect, dignity, and freedom.
- The state does not create rights it only maintains and coordinates those rights which are socially recognized.

WHERE DO RIGHTS COME FROM?

- In 17th - 18th century right from nature or god. Right as per all philosophers like Locke and Kant were given to us by nature or god. The rights of man where derived from natural law and that humans are born with them. That means it is recognized that the rights that individual enjoy are by virtual of being human rather than by being members of a political community and embedded in the concept of right is the acceptance of ideas of personal autonomy individuality liberty and human equality and any denial and discrimination has to have sufficient reason. The natural rights have been used widely to oppose the exercise of arbitrary power by states and government and to safeguard individual freedom.
- Only Three Natural Rights of man where identified in earlier times

1. Right to Life
2. Right to Liberty
3. Right to property

- These three rights were considered as the basis of all other rights. Where the idea that we are born with certain rights is implies that no state (country) or organization (government) has the authority to take away what has been given to us by the law of nature. This conception of Natural Rights has been used widely to safeguard individual freedom with the progress of society and abolition of oppression.

For example, Abolition of Slavery Rights to clean environment
 Rights to children Rights to freedom Rights to livelihood
 Rights to education etc.

- All the Three of these rights it was believe that human beings are born with it which are inalienable also be said that any state cannot take these rights away from human beings and all other rights that exist or derived from these three rights. It is something this is belongs to us by the nature or the God.
- Later on the concept change and it was believed that, right are guarantees that human beings themselves in order to seek for all to achieve for a good and a decent life.
- Some of the human rights which have evolved. In recent years the term human rights is being used more than the term natural right this is because the idea of their being a natural law or set of norms that are laid down for ask by Nature or god appears unacceptable in present time .

HUMAN RIGHTS

- After the First World War (1914- 1918) humanity witnessed changes in several sphere of state. After the devastating work the United Nation was established an in the UN charter special attention was paid to Human rights. Universal declaration of human rights in 1948 was a step to the recognition of people's

concern for rights also talked about a life of dignity, equal opportunities, freedom of speech, promote friendly relations, dignity of individual, social progress and all these things to understand and maintain a protect our environment . Human rights assets each person is unique and equally valuable and no one is born to serve others. Individuals must possess equal opportunities in order to be free and to be capable to realize self-potential.

- In 1948, 10th December the general assembly of United Nation adopted and proclaimed the "UNIVERSAL DECLARATION OF HUMAN RIGHTS". Right to social security, Right to free movement and 30 such rights constitute universal human rights. These rights are those that people have been born with and are applicable to all humans as equals. These rights are sought by oppressed people to overcome laws which segregate them and deny them to give equal opportunities and rights. For example, slavery. These laws extend to children, women and sick people. The UN declaration of human rights is based on the this idea of equal opportunity so that individual can lead a respectful and dignified life.

Immanuel Kant on human dignity:

- Kant is called the father of idealism in Germany. The view of Kant is that men by Nature are free and equal. According to him for development of personality every man must be given certain rights by the state this rights out to be rational and must be respected by the head of the state .Immanuel Kant describes that even when a person is uneducated, poor or powerless, dishonest or immoral, but as a human being he deserves to be given some minimum dignity. Kant treat people with dignity were to treat them morally .Kant's view represent what is called the moral conception of rights.

Kant's View on Moral Concept of Rights:

- First, treat others like you would like to be treated.
- Second, WE should not treat others as means to our ends.

Legal Rights and the State

- According to the legal theory of rights the state is the source of rights. Rights have not been gifted by nature and are not in men's nature itself. Rights can be regarded as the artificial creations. Rights emerged from the state and a maintained by the state. Moreover rights are those conditions of social life which are essential to the development of human personality. Thus the theory of legal rights is against the theory of natural rights.
- Legal rights are the claims which are recognized by the state, each of the constitution represents the highest law of the country and this constitution has certain bill of rights .In India, we call it as fundamental rights .These fundamental rights are basic thing that is present based on to the history and the customs of an individual country.
- Whereas, in Morals Right; it depends on the adoption and implementation by the state. Right to good life, means state is obligated to provide for clean air and water. Also a state cannot arrest at will and would have to produce before a judicial court. Rights prove to be restrictive and state and impose obligations upon the state to act in a justified way. Authority of the state should be exercised without violating individual life and liberty. State exists for people and to ensure that individual's good life and dignity is to be maintained.

KINDS OF RIGHTS

There are three kinds of rights

I. Political Rights

II. Economic Rights

III. Cultural Rights

POLITICAL RIGHTS: Political rights for citizens are capability to take part in political processes .It also provides citizens with the right to equality before law. These rights make government accountable to the people. Where make individual as an important entity in the state. All the people have opportunity to influence their decisions or to make a important role in the decision making process. Political rights are :Right to vote, right to stand for election, right to public office, right to petition, right to criticize government ,right to residence, right to protection. Political rights are supplemented by civil liberties. Political rights include civil liberties, Civil liberties allows Right to a free and fair trial. The right to express one's view freely.

The right to protest and express dissent. Together civil rights and political rights form the basis of a democratic system of government.

- **ECONOMIC RIGHTS:** These guarantee that every person should be afforded conditions under which they are able to meet their needs and have reasonable conditions of work. Political rights can only be exercised when our basic economic needs like food, clothing, shelter are met. Economic rights provide livelihood and adequate wages to citizens, with low incomes. For example, In INDIA; the government has recently introduced a rural employment guarantee scheme among others measures to help the poor. Economic rights are : right to work, right to carry on living property, right to unemployment allowance, right to get sufficient wages, right to leisure, right to economic security, right to old age allowance.
- **CULTURAL RIGHTS:** These are human rights that aim at assuring the enjoyment of culture and its component in conditions of equality, human dignity and non-discrimination. These days various social groups are asking for cultural rights. Cultural rights are: Right to have primary education in one's mother tongue , Right to establish Educational Institutions for teaching one's languages and culture etc. Cultural rights are associated with the social values of rights.

RIGHTS AND RESPONSIBILITIES

- Our social responsibilities or duties are the basis of our rights. Society functions on the principle of rights involving responsibility on the part of others to respect my rights and also responsibility and respect the similar rights of others.
- Thinking beyond ourselves
- Respect rights of others
- Balancing rights when conflicts arise
- Vigilant about limitations placed on others rights
- Rights put both state and its citizens under certain obligation. For example both the state and its citizens are responsible for protecting the environment. It compels people to think beyond personal needs and defend things good for all. Like preventing air and water pollution, a forestation etc.
- Secondly, it requires every individual to respect the rights of others and emphasize on common good. Example standing in a queue for buying tickets.
- Thirdly, one must balance one's right when they come into conflict. We should not post offensive pictures on social media.
- Fourthly we must be cautious about limitation placed on our rights.
- But in some point increased restrictions on the civil liberties of citizens on the ground of national security has led to serious debate. For example suspension of fundamental rights during national emergency, except article no 20 and articles no 21 of Indian constitution.

MCQs (1 Marks)

1. Which of the following best defines a "right"?
A. A benefit granted by the government
B. A moral claim that people are entitled to
C. A desire expressed by citizens
D. A privilege given to elites
2. Rights are essential because they:
A. Allow people to do anything
B. Restrict government completely
C. Help individuals to lead a dignified life
D. Are only for the rich
3. Which of the following is not a characteristic of rights?
A. They are universal
B. They are enforceable by law
C. They do not involve duties
D. They are essential for development
4. Rights and responsibilities are:
A. Opposed to each other
B. Unrelated concepts
C. Interdependent
D. Optional in a democracy

Instructions: For each question, choose the correct option:

- (A) Both A and R are true, and R is the correct explanation of A.
- (B) Both A and R are true, but R is not the correct explanation of A.
- (C) A is true, but R is false.
- (D) A is false, but R is true.

1. **Assertion (A):** Rights are essential for the development of individuals.

Reason (R): Rights provide individuals with the freedom to express themselves and participate in society.

2. **Assertion (A):** Economic rights are less important than political rights.

Reason (R): Economic rights do not contribute to individual freedom.

3. **Assertion (A):** Cultural rights help preserve the identity of communities.

Reason (R): They allow communities to maintain their language, traditions, and customs.

4. **Assertion (A):** Rights impose limitations on the power of the state.

Reason (R): They ensure that the state does not act arbitrarily against individuals.

5. **Assertion (A):** The Right to Freedom of Speech is absolute.

Reason (R): Individuals can express any opinion without any restrictions.

6. **Assertion (A):** Moral rights are legally enforceable.

Reason (R): They are recognized by the constitution and can be upheld in courts.

7. **Assertion (A):** Rights and responsibilities are interrelated.

Reason (R): Enjoying rights requires individuals to perform their duties towards others and society.

VSA TYPE QUESTION (1 Marks)

1. What are rights?
2. Why are rights important in a democracy?
3. Mention one political right.
4. What is the relationship between rights and responsibility (duties)?
5. What is a fundamental right?
6. What are civil rights?
7. What are natural rights?
8. What are economic rights?
9. Can rights be limited?
10. Mention one cultural right.
11. How can laws help in protecting rights?
12. What is meant by the universality of rights?
13. What is the difference between legal and moral rights?

SHORT TYPE QUESTION (2 Marks)

1. What do you understand by the term 'Rights'?
2. Explain any two characteristics of rights.
3. Why are rights essential in a democracy?
4. What is the difference between legal rights and moral rights?
5. Explain the concept of natural rights.
6. Mention any two political rights and explain.
7. What are civil rights? Give examples.
8. Explain how the judiciary helps protect rights.

9. What do you understand by economic rights? Give one example of it.
10. Why is “the Right to Freedom” considered crucial in a democracy?

LONG TYPE QUESTION (4/6 Marks)

1. What are Rights? Explain their importance in a democratic society.
2. Explain the relationship between rights and duties. Why are both necessary?
3. What is the difference between legal rights and moral rights? Give examples.
4. How do rights place limits on state power? Why is this essential in a democracy?
5. Explain how the concept of rights has evolved over time. What are some new rights being discussed in present time?
6. What do you understand by civil rights? Mention any two such rights.
7. Explain any four economic rights of a citizen.
8. Explain how rights are different from claims.
9. How are Rights and Duties interrelated? Give two examples.

MCQs

- | | | | | |
|---------------|---------------|---------------|---------------|---------------|
| 1. Answer-B | 2. Answer: B | 3. Answer: C | 4. Answer: C | 5. Answer: C |
| 6. Answer: B | 7. Answer: A | 8. Answer: C | 9. Answer: C | 10. Answer: C |
| 11. Answer: C | 12. Answer: B | 13. Answer: C | 14. Answer: B | 15. Answer: B |
| 16. Answer: C | 17. Answer: B | 18. Answer: A | 19. Answer: B | 20. Answer: B |

Assertion Reason question answers

1. (A) Both A and R are true, and R is the correct explanation of A.
2. (A) Both A and R are true, and R is the correct explanation of A.
3. (D) A is false, but R is true.
4. (A) Both A and R are true, and R is the correct explanation of A.
5. (A) Both A and R are true, and R is the correct explanation of A.
6. (D) A is false, but R is true.
7. (D) A is false, but R is true.

VSA TYPE QUESTION

1. Answer: Rights are justified claims that individuals can make on others or society.
2. Answer: Rights protect individual freedom and ensure participation in political processes.
3. Answer: Right to vote
4. Answer: Rights and duties are interdependent; enjoying rights implies respecting the rights of others.
5. Answer: Fundamental Rights are mainly types of legal rights. A right guaranteed by the Constitution and enforceable by law.
6. Answer: Rights that protect individual freedom such as the right to speech and expression
7. Answer: Rights believed to be inherent and universal, such as life, liberty, and property.
8. Answer: Rights related to economic well-being like the right to work and property.
9. Answer: Yes, to protect public order or the rights of others.
10. Answer: Right of minorities to preserve their language and culture.
11. Answer: Laws provide legal backing and mechanisms to enforce rights.
12. Answer: Rights belong to every individual regardless of background
13. Answer: Legal rights are backed by law; moral rights are based on ethical principles.

SHORT TYPE QUESTION ANSWERS-

1. Answer: Rights are moral or legal entitlements that individuals have in a society, enabling them to act in certain ways or be treated in particular ways.
2. Answer: (i) Rights are justifiable claims. (ii) Rights are recognized and enforced by the state.
3. Answer: Rights protect individual freedom, allow participation in governance, and limit the power of the government.
4. Answer: Legal rights are enforced by law, while moral rights are based on ethical or social principles and may not have legal backing.
5. Answer: Natural rights are those inherent to all human beings, such as the rights to life, liberty, and property
6. Answer: Right to vote – allows citizens to choose representatives.
Right to contest elections – enables participation in governance.
7. Answer: Civil rights are related to personal liberty, such as the right to freedom of speech, religion, and protection against arbitrary arrest.
8. Answer: The judiciary can hear petitions, issue writs, and strike down laws violating fundamental rights.
9. Answer: These are rights that ensure economic well-being, like the right to work, earn a living wage, and own property
10. Answer: It allows individuals to express themselves, assemble peacefully, and pursue personal goals without arbitrary restrictions

LONG TYPE QUESTION ANSWERS (4/6 MARKS)

1. Answer: Rights are justified claims that individuals or groups can make on society or the state. They are essential for the well-being and dignity of individuals. In a democracy, rights allow people to express their views, participate in decision-making, and seek protection from the misuse of power. Without rights, democracy cannot function, as people would have no freedom or security.
2. Answer: Rights and duties are two sides of the same coin. While rights ensure freedom and protection, duties ensure responsibility and social harmony. For example, one person's right to freedom of speech must be balanced with the duty not to spread hate. Duties help maintain a just and orderly society, ensuring that the exercise of one's rights does not infringe upon the rights of others.
3. Answer: Legal rights are those granted and protected by the law and enforced by the courts (e.g., right to vote, right to equality). Moral rights are based on ethical principles and are not necessarily recognized by law (e.g., right to be treated with respect). While moral rights may not be legally binding, they influence the development of legal rights and shape societal behaviour.
4. Answer: Rights act as checks on the power of the state by defining what the state can and cannot do. For instance, the state cannot arrest someone arbitrarily due to the right to personal liberty. This limitation ensures that state authority is exercised within a legal and moral framework, protecting citizens from tyranny and abuse of power, which is crucial in a democracy.
5. Answer: Initially, rights focused on life, liberty and property, but over time, they expanded to include social and economic rights like education, health, and livelihood. Today, newer rights such as the right to privacy, right to a clean environment, and digital rights are being recognized due to changing social needs and technological developments. This evolution shows that rights are dynamic and respond to the needs of society.
6. Answer: Civil Rights Those rights which relate to the protection and enjoyment of life and property of the individual are known as civil rights. Civil rights are regarded as essential to civilized existence. These rights relate to the achievement of man's highest self-development. They are granted, protected and enforced by the state. The two important civil rights are:
 1. Right to Life: It means that the state must afford protection to the individual against all inimical forces.

2. Right to Personal Liberty: It means that an individual must be given the freedom to enjoy his personal life. He must not be interfered with by the laws of the state till he remains within the bounds of law

7. Answer: The citizens in a Modern State enjoy economic rights for their economic wellbeing. The most important economic rights of a citizen are as follows:

1. Right to Work. Every citizen enjoys the right to get a job or to take up a profession according to his ability and capacity. It is the duty of the State to provide job to every individual. If the state is unable to provide work to every citizen, it should give monthly allowance.

2. Right to get Proper Wages. It is not enough to provide work to each individual; rather they should be given proper wages to make both ends meet.

3. Right to Property. The liberal democratic state recognizes the right to property, subject to the limitation that the property may be acquired for public purposes.

4. Right to Economic Security. In the modern welfare state, citizens are granted the right to economic security.

8. Answer: Rights are those conditions and guarantees which the state should provide to every citizen in order that he may attain his best self in the society. Right is a claim of the individual for doing things independently. The individual claims his right from the society. But each and every claim of the individual cannot be termed and accepted as a right. In order to become a right individual's claims must fulfil certain condition. A right is a claim recognized by the society and enforced by the state. The claim of the individual takes the form of a right only when it is recognized by the society. Any claim which is neither acceptable to society nor enforceable by the state cannot be called as a right in a true sense. Without recognition, rights are empty claims. An individual is a part of the society. An individual cannot have any right apart from what the society concedes. Every right has a corresponding duty. But a claim may or may not have a corresponding duty. Thus in order to become rights, rights, and claims of the individual must be recognized by the society and enforced by the State.

9. Answer: Rights and Duties are two sides of the same coin. Right and duties go side by side.

1. One's right is another's duty. A right belonging to one person imposes a corresponding duty on the others to respect his right. For instance, an individual's right to property implies that it is the duty of others not to take away or steal his property without his consent.

2. One's right is one's duty also. A right is at the same time a duty. If an individual enjoys a right, it must be remembered that the same right belongs to all other individuals. Therefore, it is his duty not to interfere in the enjoyment to other's rights.

CHAPTER 6

Citizenship

Introduction to Citizenship

- Citizenship has been defined as full and equal membership of a political community in which there is no discrimination. The idea of citizenship was developed by Aristotle in the Greek era. Nations have given their members a collective political identity as well as certain rights. That is why we call ourselves Indian, Japanese or German.

Full and Equal Membership

Meaning: Citizenship is not just a legal title; it signifies full and equal membership in the political community. It means all citizens are treated equally, regardless of their background. No discrimination based on religion, caste, gender, or wealth. Everyone has access to basic rights and justice. Example: In India, both a rich businessman and a poor farmer have the same voting rights.

Equal Rights

Meaning: Citizenship ensures that all individuals have equal rights under the law, including civil, political, and social rights.

Types of Rights:

- Civil Rights: Freedom of speech, religion, equality before the law.
- Political Rights: Right to vote, contest elections.
- Social Rights: Right to education, health, and work.

Importance:

- Protects individual freedom.
- Promotes dignity and equality.

Citizen and Nation

- Meaning: Citizenship creates a strong bond between the individual and the nation. It fosters a sense of belonging and loyalty to the country. A citizen can express his national identity through symbols such as a national anthem, flag, national language or special celebrations. Democratic countries are as inclusive as possible, allowing all citizens to identify themselves as part of the nation. Such as France, which includes not only people of European origin but also citizens from other regions such as North Africa, it is called statehood citizenship.
- The conditions for allowing applicants for statehood citizenship are different in each country, as elements such as religion and ethnic origin in Israel or Germany are preferred. The Indian Constitution has attempted to accommodate many diverse societies. It has attempted to give full and equal citizenship to individual communities such as Scheduled Castes and Scheduled Tribes, women, some remote communities in the Andaman and Nicobar Islands.
- The provisions about citizenship in the Indian Constitution can be found in Part Two (Articles 5 – 11) and in subsequent laws passed by Parliament.
- Ways to acquire citizenship in India – By birth, descent, registration, naturalisation or inclusion of territory.
- Citizens contribute to the development of the nation.
- They uphold national values like democracy, secularism, and justice.
- They have duties like paying taxes, voting, and respecting the Constitution.
- Example: Celebrating national events like Republic Day strengthens national identity.

Universal Citizenship

- Concept: This idea supports the view that everyone, regardless of nationality, should have equal rights and responsibilities as global citizens.
- Purpose: To ensure human dignity and justice across the world, To reduce inequality and promote peace.

Challenges: Nations have different laws and priorities, Some countries may deny rights to immigrants or refugees.

Global Citizenship

- Meaning: Global citizenship extends the idea of belonging not just to one nation, but to the entire world. It emphasizes global responsibility and cooperation.
- Key Values: Environmental responsibility, Respect for cultural diversity, Solidarity with global issues like poverty and climate change.

Meaning of some important terms –

- Refugee- Due to the Displacement, people who can neither return home nor any country is ready to adapt them, they are called stateless or refugees.
- Migrant – In search of work, People go from one city to another and from one country to another country, then they are called Migrants.
- Urban Poor – People living on illegally occupied land or urban slums in urban areas, who often work on low wages are called urban poor.

Multiple Choice Questions

Q.1 What is the primary definition of citizenship?

- (a) Being a resident of a country
- (b) Full and equal membership of a political community**
- (c) Having a passport of a country
- (d) Participation in political activities

Q.2 In the contemporary world, what do state provide to their members?

- (a) Economic stability (b) Social welfare
(c) Collective political identity and certain rights (d) Cultural identity

Q.3 When was the first revolution to get equal citizenship in Europe?

- (a) 1785 (b) **1789** (c) 1885 (d) 1889

Q.4 Martin Luther King Jr. is related to which country?

- (a) Russia (b) Germany (c) **America** (d) England

Q.5 In the colonies of Asia and Africa, what was a key component of their struggle for independence?

- (a) Establishing new trade policies (b) **Demanding equal citizenship**
(c) Building alliances with European powers (d) Developing industrial economies

Q.6 Which movements in India are mentioned as ongoing struggles for equal rights and opportunities?

- (a) The independence movement and the workers' movement

(b) The women's movement and the dalit movement

- (c) The environmental movement and the farmers' movement

- (d) The student movement and the labor movement

Q.7 The national policy on urban street vendors was framed in:

- (a) 1995 (b) 2000 (c) **2004** (d) 2010

Q.8 The English sociologist T.H. Marshall wrote the book "Citizenship and Social Class" in the year

- (a) 1960 (b) 1918 (c) **1950** (d) 1980

Q.9 National identity can be expressed by.....

- (a) National Anthem (b) Flag (c) National Language (d) **All of the above**

Q.10 Which three types of rights are considered essential in citizenship by the sociologist TH Marshall?

- (a) Civil, economic and social rights (b) Social, Educational and Civil Rights
(c) **Civil, political and social rights** (d) Civil, political and cultural rights

Q.11 In which part of the Indian Constitution the provisions related to "citizenship" are mentioned

- (a) Part 1 (b) Part 3 (c) **Part 2** (d) None of the above

Q.12 Citizenship is obtained in India

- (a) by birth (b) by naturalisation (c) by registration (d) **all of the above**

Q.13 What was one of the earliest struggles for citizenship focused on?

- (a) Fighting against foreign invaders

(b) Asserting independence and rights against powerful monarchies

- (c) Establishing trade routes

- (d) Building infrastructure

Q.14 A significant challenge for slum-dwellers in exercising their right to vote is:

- (a) Lack of education (b) **Not having a fixed address**

- (c) Inability to register online (d) Harassment by police

Q.15 Which group is becoming increasingly marginalised along with slum-dwellers?

- (a) Urban middle class (b) Industrial workers

- (c) Tribal people and forest dwellers** (d) Wealthy business owners

Very Short Answer Type Questions (2 Mark)

Q.1: What is citizenship?

Ans: Citizenship is the legal status of being a recognized member of a state, with rights and duties.

Q.2: Name the three types of rights included in citizenship according to T.H. Marshall.

Ans: Civil, Political, and social rights.

Q.3: What does full and equal membership mean in citizenship?

Ans: It means all citizens enjoy equal rights and opportunities without discrimination.

Q.4: Which revolution emphasized democratic rights of citizens?

Ans: The French Revolution (1789).

Q.5: What is global citizenship?

Ans: Global citizenship refers to the idea of belonging to a global community with responsibilities beyond national borders.

Q.6: Give one example of a political right.

Ans: The right to vote.

Q.7: What is meant by universal citizenship?

Ans: It is the concept that everyone in the world should have equal rights, regardless of nationality.

Q.8: Who provides rights to the citizens?

Ans: The state.

Q.9: What duty do citizens have towards the state?

Ans: Citizens must obey the law, pay taxes, and uphold the Constitution.

Q.10.: How does globalization affect citizenship?

Ans: It encourages the idea of global citizenship through communication and interconnectedness.

Short Answer Type Questions (4 Marks)

Q.1: Explain the concept of full and equal membership in the context of citizenship.

Ans: Full and equal membership means that every citizen, regardless of their background (caste, gender, religion, wealth), is entitled to the same set of rights and responsibilities. All citizens should be treated equally before the law and have access to equal opportunities for development.

Q2: What are the three types of rights according to T.H. Marshall?

Ans: **Civil Rights:** Include personal freedoms such as freedom of speech and equality before law.

Political Rights: Include the right to vote and participate in political processes.

Social Rights: Include the right to education, healthcare, and basic welfare.

Q3: How does citizenship link individuals to the nation

Ans: Citizenship binds individuals to the nation by granting them rights and assigning duties. It fosters a sense of belonging and loyalty, and citizens participate in national development through their civic responsibilities.

Q4: What is universal citizenship? Give examples of some refugees.

Ans: Full membership of a country should be available to all those who normally live and work in that country and who apply for citizenship like Bangladeshi etc.

Q5: What problems do refugees face?

Ans: i) Any country does not accept them.

(ii) They are forced to live in camps or as illegal migrants.

(iii) They cannot educate their children.

(iv) Cannot acquire property.

Q6: What are civil and social rights?

Ans: Civil Rights: Freedom of speech, religion, equality before the law Social Rights: Right to education, health, and work.

Long Answer type questions (6 Marks)

Q1: Explain the relationship between citizenship and nation with suitable examples.

Ans: Citizenship and nation are deeply connected. Citizenship provides legal recognition to individuals as members of a nation-state. It implies both rights and responsibilities. For example, an Indian citizen has the right to vote and freedom of speech but must also respect the Constitution and pay taxes. The concept of national citizenship developed significantly after the French Revolution (1789), where ideas of democratic rights and nationhood became prominent. Citizenship creates a shared identity, encouraging participation in national life and unity among people.

Q2: What is global citizenship? How is it different from national citizenship?

Ans: Global citizenship is the idea that individuals belong to the global community and have responsibilities beyond their nation. It focuses on universal values like human rights, environmental protection, and global cooperation. Unlike national citizenship, which is limited to legal rights and duties within a specific country, global citizenship emphasizes interconnectedness and shared responsibilities across countries. For example, fighting climate change or supporting international peace are duties of global citizens.

Q3: Discuss how globalization has influenced the concept of citizenship.

Ans: Globalization has expanded the scope of citizenship beyond national borders. With advancements in communication, travel, and trade, people are more connected than ever. This has led to a growing awareness of global issues like inequality, climate change, and migration. As a result, the concept of global citizenship has gained importance, promoting the idea that individuals have duties not only toward their own country but toward humanity at large. Globalization has thus encouraged the idea of shared global responsibility.

Q4: "The rights that citizens have today are the result of their hard struggle". Prove.

Ans: i. In many European countries such conflicts occurred, such as the French Revolution of 1789.

ii. The demand for equal citizenship in Asia Africa has also been obtained through conflict.

iii. Even in South Africa, the black population had to wage a long struggle against the ruling white minorities.

Q5: "The fundamental principle of democracy is that disputes should be resolved by treaty negotiations and discussions rather than by force". According to you, will this method promote world citizenship?

Ans: Yes, public participation in democracy is necessary for these citizens must be aware. The next step may be the government's counter-affidavit, but the condition is that the life and property of other citizens and government should not be damaged. The process of protest may be slow, but problems can be resolved by negotiation or by treaty.

Q6: "India is a democratic and secular state". How? Explain

Ans: The basis of the freedom movement was broad and people of different religions, regions and cultures had to make efforts in relation to each other. Partition could not be stopped in India but the secular and inclusive character in India has been upheld. It has been included in the constitution. There has been an effort to give full and equal citizenship to scheduled castes, scheduled tribes, women, some remote communities of Andaman and Nicobar Islands and many other communities.

CHAPTER-7

NATIONALISM

- Generally, if public opinion is taken, nationalism will only mean listening to such things as the national flag, patriotism and sacrifice for the country, Republic Day parade seen on the Rajpath in Delhi is a unique symbol of nationalism.
- During the last two centuries, nationalism has emerged as a compelling political doctrine that has played an important role in creating history, it has helped in liberating from slavery, it has also led to protests, bitterness and wars.
- There have also been nationalist conflicts that have contributed to the determination and re-determination of the boundaries of the armies and empires.
- In the nineteenth century, nationalism has consolidated many small princely states of Europe such as Germany and Italy, because of the spirit of nationalism, nationalism has also been involved in the decline of great empires, Austria in Europe in the beginning of the twentieth century.
- Nationalism was at the core of the partition of the French, British, Dutch and Portuguese empires in the Hungarian and Russian empires as well as in Asia and Africa.

Nation and Nationalism:-

- A nation is to a large extent an imaginary community that is bound together by the collective beliefs, hopes and imaginations of its members, based on certain beliefs that people formulate for the entire community from which they establish their identity. Nations are believed to be constructed by such groups as a clan or language or religion or ethnicity, and share some identity.

Assumptions about the Nation:-

- 1. Shared Faith:- A nation can exist only as long as its members believe that they are with each other.
- 2. History:- Individuals consider themselves as a nation, they have a sense of permanent identity in them. To present the structure of the permanent identity of the country, they themselves understand the history of the nation through the creation of legends, memories and historical buildings and records make up.
- 3. Land Area :- Living together on a land area to a great extent and the memories of the shared past related to it, make the common people experience a collective identity like someone calls the land area as motherland or fatherland.

- 4. Common political ideals:- The members of the nation have a common vision of what kind of state they want to create. They accept values and principles like democracy, secularism and liberalism, they come together and live with these conditions.
- 5. Common political identity :- People believe that shared political views about the state are not enough to bind individuals as a nation, but want a common political identity like a common language or ethnic lineage tradition.

National Self-determination:-

- Apart from other social groups, nations want the right to govern them and decide their future. In other words, they want the right to self-determination. In their claim of self-determination, the nation demands from International community that its first political entity or State status should be recognized or accepted.
- A Culture in Europe in the Nineteenth Century:- The recognition of a state increased emphasis after the Treaty of Versailles, the formation of various small and newly independent states resulted in changes in the boundaries of the state, displacement of large population, many Were people were also victims of communal violence.
- The boundaries were changed keeping in mind that different cultural communities got different nation states, but it was not possible to do. so because people of more than one race and culture lived in one nation state.
- Surprisingly, nation states that gained independence after conflicts, but now deny minority groups demanding the right to national self-determination in their territories.

How to deal with the movements of self-determination?

- There is no solution in the formation of new states, but in making the states. more democratic and egalitarian, the solution to the self-determination movement is that people of different cultural and racial identities can coexist in the country as equal citizens and friends.

Nationalism and Pluralism:-

- One culture after giving up the idea of a state, democratic countries have introduced ways to culturally accept and protect the identity of minority communities. The Indian constitution has broad provisions for the protection of linguistic, religious and cultural minorities.
- While it may be that despite providing recognition and protection to minority groups, some groups have remained adamant on the demand of a primitive state. It would be a contradictory fact that where global village talk is going on, national aspirations are still being addressed by different sections and communities. To resolve this, the concerned. Country will have to show generosity and efficiency to various sections, as well as to deal harshly with intolerant one ethnic form.

MCQs

1. Which is not included in nationalism?

- (i) Common history (ii) Common land area (iii) Common belief (iv) Common religion

2. Which of the following treaty constituted new states?

- (i) Treaty of Versailles ii) Treaty of London iii) Treaty of Paris (iv) Treaty of New York

3. Who said nationalism cannot be our final destination?

- (i) Pandit Nehru (ii) Mahatma Gandhi (iii) Ravinder nath thakur (iv) Aurbind Ghosh

4. The word 'Nation' is derived from which language?

- (I) Greek (ii) French (iii) Latin (iv) Russian

5. A hindrance in the development of nationalism is

- (i) Strong historical legacy (ii) Communalism
(iii) Emotional integration (iv) Common civilisation

Assertion and reason questions

1. Assertion (A): Nationalism was the main factor in integration of Italy and Germany.

Reason (R): major violence was seen during integration of Italy and Germany

(A) Both A and R are true and R is the correct explanation of A.

(B) Both A and R are true, but R is not the correct explanation of A.

(C) A is true, but R is false,

(D) A is false, but R is true.

2. **Assertion (A):** concept of nationalism is no more important in present time.

Reason (R): whole world is shifting towards a global village

(A) Both A and R are true and R is the correct explanation of A.

(B) Both A and R are true, but R is not the correct explanation of A.

(C) A is true, but R is false.

(D) A is false, but R is true.

Two Marks Questions

1. What does nationalism mean?

2. What is the meaning of the word nation?

3. What has been the contribution of history in nation building?

4. By what other name do people know the territory?

5. What is meant by the principle of national self-determination?

6. What does egalitarian society mean?

7. What does the principle of one culture - one state mean?

8. Under which spirit was Germany and Italy united?

9. Who has written a book titled "Discovery of India"?

10. How to deal with self-determination movements?

Six Marks Questions

1. Describe the various elements that promote nationalism.

2. How have democratic governments proved more effective in dealing with conflict-prone forces, rather than dictatorial governments?

3. What are the limitation of nationalism?

MCQs ANSWER

1. (iv) Common religion

2. (i) Treaty of Versailles

3. (iii) Rabindra nath Thakur

4. (iii) Latin

5. (ii) Communism

Assertion and reason answers:

1. A is true, but R is false

2. Both A and R are true and R is the correct explanation of A

Two Marks Answers

1. A nation is to a large extent a fictitious community that is bound together by the collective beliefs, hopes and imaginations of its members.

2. The same community that lives in a certain geographical range. All the people living in the nation have a sense of historical identity.

4. Motherland or fatherland or holy land.

5. When nations want the right to govern themselves and decide their future.

6. To co-exist as equal citizens and friends in a country with different cultural and racial identities.
7. People of the same culture reside in a state.
8. Nationalism
9. Jawaharlal Nehru
10. By making states more democratic and egalitarian

Six Marks Answers

- (i) Shared history
- (ii) Shared trust
- (iii) Shared land area
- (iv) Common political ideals
- (v) Common political identity

2. Democratic governments struggle to be equitable and inclusive; they are adept at dealing with the forces of dictatorship. Today, the world is dreaming of a world class, in such a way that the conflict-prone powers obstruct the dream of such obstacles. Can be resolved and the country concerned will have to show its ability and efficiency.

It is necessary that we accept the veracity of these claims of national identity, but this does not mean that we are tolerant of nationalism and have any sympathy with one of the ethnic forms.

3. (i) Regionalism (ii) Decline of moral values (iii) Religious diversity. (iv) Economic disparity
- (v) Linguistic asymmetry

CHAPTER-8

SECULARISM

Secularism:- Freedom to all people to follow and propagate their religion without any discrimination, that is, when the state does not discriminate about religion. It is called a secular state.

- India is a country of various diversities, the task of providing equal opportunities to all to maintain democracy is difficult. Hence, with the 42nd amendment to the Indian Constitution, the term secularism was added. The Declaration of the constitution declares to oppose hegemony, to oppose the domination of religion and to promote equality between and among different religions, etc.

Supremacy among religions:- Every Indian citizen has the right to live with freedom and dignity in any part of the country, yet many examples of discrimination are prevalent, in which the domination among religions is bigger because we consider our own religion superior and other's inferior.

Domination inside Religion:- There are differences and hierarchy within the religions which becomes a reason of religious disputes.

Secular State:- A State where no religion has been given official (legal) recognition by the government. Importance to the concept of equality of all religions. Stopping the domination of the religious group.

- There should be a clear distinction between religious institutions and institutions of state, then only peace, freedom and equality will be established. Avoiding any kind of religious association.
- In such symptoms, one should be committed to such principles and aims which give importance to freedom from religious oppression, discrimination and taboo, along with establishing peace and religious freedom.

The Western Model of Secularism: -

- American Model of Religion and the separation of state power is considered as mutual prohibition. Religion does not interfere in matters of state power.
- This concept describes freedom and equality in an individualistic manner.
- There is no space for pro-state religious reforms in secularism.

The Indian Model of Secularism:-

- The Indian secularism does not merely emphasize the separation between religion and state.
- Gives freedom to minority and all persons to adopt religion.
- In Indian constitution, minorities have the right to find their own problems and can also get help through state power.
- After the 42nd Amendment 1976 in the Preamble of the Indian Constitution, the word 'secular' was added.

16. Assertion: Article 25 says that all have a right to Practice and promote any religious belief.

Reason: state cannot control or ban economic financial, Political or any other religion effected of secular activity.

- A) Both are correct and the reason is the Correct explanation of the assertion.
- B) Both are correct but the reason is not the Correct explanation of assestion.
- C) Assertion is right but reason is wrong.
- D) Assertion is wrong but reason is right.

Two Marks Questions (Answer in 50-60 words)

- 1. What does the word 'Dharma' mean?
- 2. Give two ways to maintain secularism.
- 3. What is the specialty of the Indian secularism?
- 4. What do you understand by the theoretical distance of the state from the religion?
- 5. Write any two shortcomings of secularism.
- 6. How did Turkey adopt secularism in the twentieth century?
- 7. Explain the meaning of inter religious domination.
- 8. What is the basic mantra of western secularism? How is this an example of domination?
- 9. Is secularism allowed for a minority community to make its own educational institution? Give reasons.

Four Marks Questions

- 1. What is the difference between Indian concept of secularism and Western concept?
- 2. What is the meaning of communalism? What are the ways to prevent this?
- 3. What are the reason for adopting secularism in India?
- 4. Why is the secular state criticized?

Six Mark Questions

- 1. Explain the main causes of the criticism of the Indian secularism.
- 2. The emphasis of Indian secularism is not on the separation of religion and states, but more than that Explain this statement.
- 3. Is secularism justified in the following things?
 - (i) To provide financial grant for the pilgrimage site of minority community?
 - (ii) To conduct religious rituals in government offices?

One Mark Answers

- 1. Secularism is an ideology in which it is the duty of the government / state to provide equal opportunities to all without discrimination between different religions.
- 2. A secular state is one which has no religion / creed of its own and does not pressurize its citizens to follow any religion / creed. Secular states are neither religious, nor establish a particular religion.
- 3. Yes, India is a secular state. You can find its description only in the Preamble of the Indian Constitution. Every citizen in India has the right to religious freedom.
- 4. 'Ataturk' means "father of Turks".
- 5. Mustafa Kamal Pasha changed his name to 'Kamal Ataturk'.
- 6. The term secular was added to the Indian Constitution by the 42nd Constitutional of Amendment in 1976.
- 7. Freedom to practice, and propagate religion is given under Articles 25 to

8. In the Indian Constitution.

8. The secular state has no religion. It does not protect any particular religion nor does it make laws based on religion.

9. Using one religious community against another community and nation is called communalism.

10. Communal riots are carried out by anarchist elements in India, then democracy of India is affected and this hinders social progress.

11. (d) Secular State

12. (d) All of the above

13. (c) Jawaharlal Nehru

14. (c) Advocates for the rights of minorities

15. (d) All of the above

16. A) Both are correct and the reason is the Correct explanation of the assertion.

Two Marks Answers

1. To perform duty

There are many cause included in religion.

2. i) The state should not inclined towards any religion. (ii) Not favouring any religion.

3. The right to equality in the constitution without any religious discrimination, All have freedom to practice as their religion, Equality before the law, regardless of religion.

4. The state has no religion of its own.

5. i) Politics of vote bank. ii) An impossible project.

6. i) Ban on Muslims for wearing a special cap. ii) Emphasis on wearing western dress.

7. i) To get to be dominated or arbitrary of a particular community within a particular religion.

ii) Exploitation and discrimination of women and Dalit.

8. i) Separating religion from state power (Raj Satta). ii) Both do not interfere in each others matters. iii) The use of the internet, wearing western clothing, consuming McDonald's food and drinks, the prevalence of millions such things is called dominations.

9. Yes, because according to Article 29, minorities have the right to retain their special, script or culture.

Article 31: Minorities and all others can get education of their interest.

Four Marks Answers

(i) There is religious tolerance in India which is not in Western countries.

ii) Protection of minorities, no discrimination with diversity, not in the west,

2. To give more importance to your religion, consider other religion to be inferior.

i) De recognition of discriminatory political parties. ii) Punishing the culprit officials. iii) Changes in Contractual educational materials. iv) Prohibition of the news that creates discrimination.

(v) Avoiding rumors and stop their spread.

3. To maintain fraternity equality among people of different language, caste, religion.

4. (i) Secularism is considered an impossible project. ii) The politics of vote bank gets a boost. (iii) Financial assistance to minorities and numbers opposing the right to equality.

Six Marks Answer

1. Anti-religion, imported from the west Promoting minorityism, interventionist, vote bank politics and is an impossible project.

2. To instil a feeling of love, fraternity, unity in people, to preserve integrity, and to develop cultural and language of minority people.
3. (i) Yes, it is justified, so that minorities can spread their religion, and respect the feelings of the economically backward.
ii) No, it is against secularism because rituals of a particular religion in government office are against other religions.

SAMPLE QUESTION PAPER
POLITICAL SCIENCE (028)
CLASS XI (2023-24)

Time allotted: 3 hours

Maximum Mark :80

INSTRUCTIONS:

1. The question paper consists of five sections (A, B, C, D and E) with 30 questions in total.
2. All questions are compulsory.
3. Question numbers 1-12 are multiple choice questions of one mark each.
4. Question numbers 13-18 are of 2 marks each. Answers to these questions should not exceed 50-60 words each.
5. Question numbers 19-23 are of 4 marks each. Answers to these questions should not exceed 100-120 words each.

There is an internal choice in two of the 4 marks questions

6. Question numbers 24-26 are passage, cartoon and map-based questions. Answer accordingly.
7. Question numbers 27-30 are of 6 marks each. Answers to these questions should not exceed 170-180 words.
8. There is an internal choice in 6 marks questions.

SECTION-A

1. Which of the following is not a dimension of equality? 1
 a. Political Equality b. Social Equality c. Religious Equality d. Economic Equality
2. Who wrote "a long walk to freedom"? 1
 a. Mahatma Gandhi b. Aung sang su ki c. Nelson Mandela d. Abraham Lincoln
3. Which one of the following book is written by Pluto? 1
 a. The Politics b. Republic c. On liberty d. A theory of justice
4. Universal declaration of human right was announced by United Nations on..... 1
 a. 9th December 1948 b. 10th December 1948
 c. 11th December 1948 d. 12th December 1948
5. Which one of the following is not required to build a nation? 1
 a. Common belief b. Common religion
 c. Common political values d. Common land
6. In the following question, a statement of Assertion (A) is followed by a statement of Reason (R). Choose the appropriate option: 1

Assertion (A): India gives equal importance to all religion.

Reason (R): secularism of India is different from western countries.

- a. Both the Assertion and the Reason are correct, and the Reason is the correct explanation of the Assertion.
- b. Both the Assertion and the Reason are correct, but the Reason is not the correct explanation of the Assertion.
- c. The Assertion is incorrect, but the Reason is correct.
- d. The Assertion is correct, but the Reason is incorrect

7. Match the following

	Rights		Article
A	Right to freedom	i	25-28
B	Right to Equality	ii	23-24
C	Right against exploitation	lii	19-22

- a. Some provisions of constitution become irrelevant after some time.
- b. To make provision in our favor
- c. To make constitution more attractive
- d. None of the above

(iv) What types of our constitution has?

1

- a. Rigid
- b. Flexible
- c. Both rigid and flexible
- d. None of the above

25. In the given outline political map of India, four states have been marked as (1), (2), (3) and (4). Identify these states on the basis of the information given below and write their correct names in your answer book along with the respective serial numbers of the information used and the concerned alphabets as per the format that follows:

- 1. State which has highest population. 1
- 2. State in which film industry exists. 1
- 3. State where kannad language is spoken. 1
- 4. State which has Amravati as capital city. 1



S. No	Number Concerned	Name of the State
1		
2		
3		
4		

26. Study the given cartoon and answer the questions that follow:



1. Who is the head of council of minister? 1
2. To whom Prime minister and council of minister has accountability? 1
3. What is the importance of council of minister without prime minister? 2

SECTION E

27. Affirmative actions in India are filling up gaps between high class and lower class. Write your supportive explanation. **OR**

Explain theory of justice given by John Rowels. 6

28. Concept of human rights has emerged an important part of human life in globalization era. Explain in detail. **OR**

How can a person attain citizenship in India? Explain all methods. 6

29. How definition of nationalism has changed in contemporary days? Write supportive arguments. **OR**

Constitution of India is called a bag of borrowing. Do you agree with this statement? 6

30. Criminals in Indian politics are more successful than others. Write your own views in details. **OR**

Why do we require parliament in India? Write supportive facts. 6

Practice Question Papers (With Solutions)

Class 11 Subject: Political Science

Time: 3 Hours

Max Marks: 80

General Instructions:-

1. There are five sections (A, B, C, D and E) in the question paper with a total of 30 questions.
2. All questions are compulsory.
3. Question numbers 1-12 are multiple choice questions of one mark each.
4. Question numbers 13-18 are of 2 marks each. Answer to each question should not exceed 50-60 words.
5. Question numbers 19-23 are of 4 marks each. Answer to these questions should not exceed 100-120 words each.
Two of the 4 marks questions have internal choice
6. Question numbers 24-26 are passage, cartoon and map based questions. Answer accordingly.
7. Question numbers 27-30 are of 6 marks each. Answer to these questions should not exceed 170-180 words.
8. There will be an internal choice in the questions carrying 6 marks.

Section A

1. When was the first meeting of the Indian Constituent Assembly held?

- (a) 7 December 1946 (b) 15 August 1947 (c) 9 December 1946 (d) 26 January 1950

Answer :- (c) 9 December 1946

2. When did the "Motilal Nehru Committee" raise the demand for a "Declaration of Rights"?

- (a) 1947 (b) 1950 (c) 1926 (d) 1928

Answer:- 1928

3. Who among the following sits closest to the direct democracy?

- (a) Discussion held in the family meeting. (b) Election of Class Monitor
(c) The selection of a candidate by a political party (d) Referendum conducted by the media | Answer:- (a)
Discussion held in the family meeting.

Fill in the blanks:-

4. By the time the Constitution of India was being written, India had had some experience of operating a parliamentary system under the Act of 1919 and

Answer:- 1935

5. At present the Lok Sabha consists of..... constituencies. This number is from the 1971 census.

Answer:- 543

6. Independence of the Judiciary means that- the other two organs of the government.... and should not create any hindrance in the work of the Judiciary so that it can do justice properly.

Answer: Legislature and Executive

Correct and rewrite the following statements:-

7. To strengthen the Indian Union, a strong state government has been established by the Indian Constitution.

Answer:- To strengthen the Indian Union, a strong Central Government has been established by the Indian Constitution.

Examine the following statements on the basis of true and false statements :-

8. In modern times, elected bodies of local government came into existence after 1882.

Answer:- True

9. Article-3 Parliament can give admission to new states in the union by law.

Answer:- False

In the following question(10-12), Assertion (A) is followed by Reason (R).

Select the appropriate option from the following:-

(a) Assertion (A) and Reason (R) both are correct, and Reason (R) is the correct explanation of Assertion (A).
is not the correct explanation

(b) Both Assertion (A) and Reason (R) are correct, but Reason (R) of Assertion (A).

(c) Assertion (A) is false, but Reason (R) is true. (d) Assertion (A) is correct, but Reason (R) is incorrect.

10. Assertion (A): The Indian Constitution refuses to be bogged down in any one title.

Reason (R): The Indian Constitution is liberal, democratic, secular, federalist, supportive of community values, religious and linguistic minorities as well as historically empowered, sensitive to the deprived sections.

Answer: (a) Assertion (A) and Reason (R) both are correct, and Reason (R) is the correct explanation of Assertion (A).

11. Assertion (A): Nelson Mandela spent 28 years of his life in prison for the independence of South Africa.

Reason (R): Nelson Mandela wrote his autobiography in the book "Long Walk to Freedom"

Answer: (b) Both Assertion (A) and Reason (R) are correct, but Reason (R) is not the correct explanation of the statement.

12. Assertion (A): The concept of equality implies that all human beings are entitled to equal opportunities to develop their skills and talents.

Reason (R): Men are superior to women. This is a natural truth.

Answer:- (d) Assertion (A) is correct, but Reason (R) is wrong.

Section-B

13. Explain any two areas of political theory.

Answer:- Two areas of political theory:

(i) Study of state and government. (ii) Study of power and political ideologies.

14. What is meant by Rawls's "veil of ignorance"? explain

Answer:- "Rawls's Veil of Ignorance" means:- Let us imagine ourselves to be in a situation where we have to decide how to organize the society and at the same time we do not know that our role in the society is What will be the place, then we will take such a decision which will be beneficial for all.

15. Describe any two political rights.

Answer:- Political rights:- (i) Right to vote. (ii) Right to be elected.

16. What are the duties of a citizen towards other citizens?

Answer:- It is the duty of a citizen to respect the rights of other citizens.

All citizens have an obligation to participate and contribute in everyday life.

17. "Nationalism has been responsible for the decline of empires". Explain.

Answer:- In the beginning of the twentieth century, nationalism was the fall of Austria-Hungary and Russian empires in Europe and the division of French, British, Dutch and Portuguese empires with them in Asia and Africa.

18. Mention two important functions of the constitution.

Answer:- Two important functions of the constitution:-

(i)" The constitution provides such a set of rules, which creates a minimum coordination and trust in each other in the society.

(ii) The constitution decides who will have the final decision making power in the society.

Section-C

19. Why do we need fundamental rights?

Answer;- Fundamental rights are necessary for the basic development of the individual, all- round development. Fundamental rights provide cooperation in bringing equality, freedom, fraternity, economic, socio cultural development in the society.

20. Write any four differences between 'the one who gets the most votes wins' and 'proportional representation' electoral system.

First past the Post	Proportional Representation
1. divide the country into small constituencies	1. There is only one constituency for the whole country.
2. Only one representative is elected from each constituency.	2. More than one representative is elected.
3. The voters vote for the candidate.	3. The voter vote for the party.
4. the candidate is known to the voter personally	4. The voters does not know the candidate personally.

21. Describe the change in the powers of the Prime Minister in India.

Answer: - The following changes have taken place in the powers of the office of the Prime Minister:-

- (i) The role of the President has increased in the selection of the Prime Minister.
- (ii) There is an increased tendency to consult political allies.
- (iii) The privileges of the Prime Minister have been curtailed.
- (iv) Policies are made only after negotiation and agreement with the allies.

OR

Describe the four powers of the Lok Sabha. Answer:- Four powers of the Lok Sabha:-

- (i) Legislature related powers-(ii) Financial powers-(iii) Judicial Powers -
- (iv) Powers relating to control over the executive - (v) Powers to amend the Constitution - (any four)

22. Why do we need Parliament? Explain with four reasons.

Answer:-

- (i) Parliament makes laws.
- ii) Parliament passes the budget.
- (iii) Parliament controls the government.
- (iv) Parliament amends the constitution.

OR

Describe any four functions of the Speaker of the Lok Sabha.

Answer:The Speaker of the Lok Sabha has the following functions-

- (i) Presiding over the meetings of the Lok Sabha.
- (ii) Allowing the Lok Sabha motion.
- (iii) To appoint the chairpersons of select committees and other committees of the House.
- (iv) Taking decision on Finance Bill.

23. On which issues has there been a conflict between the Parliament and the Judiciary in India?

Answer:- In the Indian Constitution, each organ of the government has a clear scope of work. Despite this division of work, the conflict between the Parliament and the Judiciary has been a feature of Indian politics, which are as follows:-

- i) Regarding the right to property.
- (ii) With regard to the power of Parliament to amend the Constitution.
- iii) In relation to preventive detention law.
- (iv) Regarding the law related to reservation in jobs.

Section-D (12 Marks)

24. Study the following cartoon carefully and answer the questions given below:-



24.1 Who appoints the Governor?

- (a) Prime Minister
- (b) Deputy Prime Minister
- (c) President
- (d) Vice president

Answer:- (c) President

24.2 For how many years the Governor is appointed?

- (a) 2 years
- (b) 4 years
- (c) 6 years
- (d) 5 year

Answer:- (d) 5 year

24.3 Which commission recommended in its report that the appointment of governors should be made compulsory and fair?

- (a) Shah commission
- (b) Circle commission
- (c) Sarkari commission
- (d) Sarkariya commission

Answer:- (d) Sarkariya commission

24.4 Under which article the Governor can recommend to the President to impose President's rule in the state?

- (a) Article 356
- (b) Article 352
- (c) Article 358
- (d) Article 556

Answer:- (a) Article 356

25. Study the following passage carefully and answer the questions given below:-

Constitution is not an inert and immutable document. Constitution is created by human beings and hence there is always scope for amendment, change and reconsideration.. Constitution is a reflection of the wishes and aspirations of the society. Constitution is a framework for running the society democratically. There is also, which the society creates for itself.

25.1 What do you mean by constitution?

- (a) Constitution is a set of rules.
- (b) Constitution is a set of laws.

(c) Constitution is a set of principles. (d) All of the above

Answer:- (d) All of the above

25.2 Who was the chairman of the Indian Constitution Drafting Committee?

(a) Dr. B N Rao (b) Dr. BR Ambedkar (c) Dr. BR Verma (d) Dr. Rajendra Prasad

Answer:- (b) Dr. BR Ambedkar

25.3 What is the evidence of the vitality of the Indian Constitution?

- (a) It is the largest constitution in the world
- (b) There is a constitution for the world's largest democracy.
- (c) Constitutional amendments were done according to the demand of time.
- (d) none of the above

Answer:- c) Constitutional amendments were done according to the demand of time.

25.4 Constitution is made...

- (a) As per the wishes of the government. (b) As per the wishes of the society.
 - (c) As per the wishes of the President (d) As per the wishes of the Prime Minister
- Answer:- (b) As per the wishes of the society.

26. Fill in the names of the four bicameral states in the outline map of India given below



Answer:-

- (i) Andhra Pradesh (ii) Maharashtra (iii) Uttar Pradesh (iv) Karnataka
- (v) Telangana (vi) Bihar (any four)

Section-E

27. How Public Interest Litigation can help the poor ?

Answer:-

- (i) Getting rights, preventing discriminatory treatment by the Central / State Government.
- (ii) Non-interference of the central government while working by the states.
- (iii) Central government not giving financial assistance by the state government, interference on non-making of development related plans.

OR

"Judiciary is the guardian of the constitution". Do you agree with this statement?

Answer:-

- (i) Protection of fundamental rights,
- (ii) Judicial review,
- (iii) Judicial activism,
- (iv) Important assessment of social and economic justice. Etc.

28. What is the meaning of Panchayati Raj system? If you were the District Collector, What problems would you solve in the Village?

Answer:- The local government of the village is called Panchayati Raj, it has three levels and all three are to be explained.

OR

If you were the Sarpanch of your Village, what kind of hindrance would the society create in your work? Then how do you get rid of those obstacles.

Answer:- Students have to write problems and their solutions using their own thinking power

29. What is the meaning of Freedom of Expression? What in your opinion would be appropriate restrictions on this freedom? Explain with example.

Answer:- Freedom of expression is the freedom to express one's thoughts. A person can express his/ her views by speaking, writing or by any means. People can remain free due to restrictions by Article 19 of the Indian Constitution. Too many restrictions can be a hindrance to freedom.

OR

Describe the John Stuart Mill's 'Loss Theory'.

Answer:- The whole purpose of interfering individually or collectively with someone's freedom to act is self-defense. The only purpose of a justifiable use of force against the will of a member of a civilized society may be to prevent harm to another. It can be banned. This is called the principle of harm

30. Explain three principles to be implemented by the Government to Establish Social Justice.

Answer:-

Equality treatment among equals.

Provision of minimum necessities of life and opportunities for the needy

Recognition of different efforts while determining benefits.

Special consideration of special needs.

OR

Explain the different dimensions of the Justice in detail.

Answer: - Different Dimensions of Justice:-

1. Legal Justice
2. Political Justice
3. Social Justice
4. Economic Justice
