

Q1: Highlight the unintended factors during British colonial rule which inadvertently contributed to the emergence of modern Indian nationalism. (150 words)

Answer:

The spirit of modern Indian Nationalism emerged around the middle of 19th century due to a variety of factors. British rule with its direct and indirect consequences provided the material, moral, and intellectual conditions for the development of a national movement.

British colonial rule factors inadvertently fueled modern Indian nationalism:

- **British Policies and Exploitation:** Exploitative policies, heavy taxes, and wealth drain fueled nationalist sentiments and a desire for self-rule.
- **Western Education and Modern Ideas:** Introduction of Western education shaped Indian nationalist movement and knowledge of democratic ideals.
- **Communication and Print Media:** Railways, telegraph, and print media spread nationalist ideas and provided a platform for expression.
- **Socio-Religious Reform Movements:** 19th-century reform movements fostered national unity, challenged social practices, and advocated for equality.
- **Revolts and Movements:** Uprisings like 1857, Indigo, and Munda rebellion ignited nationalist fervor and desire for self-governance.
- **Cultural and Literary Renaissance:** Revival of Indian culture nurtured national identity, inspired pride, and reinforced the idea of a distinct nation.
- **Politico Integration:** Uniform laws, English education, and connectivity facilitated political integration of Indians.

As the colonial administration imposed its policies and exploited the country's resources, it unintentionally sowed the seeds of resistance and fostered a collective consciousness among the Indian population, ultimately paving the way for a nationalist movement that aimed to reclaim independence and self-determination.

Q2: Do you agree that there is a need for the codification of parliamentary privileges due to its misuse and curtailment of individual fundamental rights. Comment. (250 words)

Answer:

Parliamentary privilege refers to rights, immunities, and exemptions enjoyed by MP individually and collectively to discharge their functions responsibly. Article 105 and 194 specifies privileges for Parliament and state legislature respectively.

Parliamentary privileges curtail fundamental rights:

- **Freedom of speech limitations:** Parliamentary privileges can shield lawmakers from legal consequences for defamatory, discriminatory, or violent statements, infringing on individuals' right to be free from harm.
- **Impunity for criminal acts:** Privileges may provide immunity for lawmakers, allowing them to escape accountability for serious crimes like corruption or human rights abuses.
- **Curtailment of freedom of the press:** Privileges can be misused to intimidate journalists, suppress investigative reporting, or restrict media access, undermining press freedom and public's right to information.
- **Limited access to justice:** Privileges hindering legal action against legislators for rights violations restrict individuals' access to justice and equality before the law.

Why Privileges should be codified:

- Codification eliminates ambiguity by defining privilege violations and establishing clear thresholds beyond which no penalty can be imposed.
- Codification allows for clear interpretation in democracies like India, where the constitution holds sovereignty, as seen in Australia.
- Prioritizing the Fundamental Rights of Citizen over parliamentary privileges.
- The Indian Parliament is not equivalent to the British Parliament, as the Indian Constitution supersedes parliamentary authority.
- Parliamentary privileges are granted to ensure smooth functioning, but members must exercise caution and avoid exploitation, respecting all constitutional rights.

Why privileges should not be codified:

- It would put the Indian Parliament's sovereignty in jeopardy and subject privileges to judicial review, especially when they contradict fundamental rights. It can cause delays.
- The members should be free to carry out their duties, including having the ability to speak and vote in Parliament, without having to fear or favor anyone.

Codification brings clarity, eliminates ambiguity, and sets clear thresholds for privilege violations. It enhances transparency, accountability, and safeguards individual rights. Striking the balance between parliamentary functioning and fundamental rights is crucial for robust democratic institutions and citizen trust.