

Introduction to Politics, with reference to India

Democracy

Democracy

Meaning and Interpretation

- Democracy refers to a government based on **political equality**, i.e. consent is required of all the individuals who form part of the political community. It is informed by the belief that all people are equally capable of, and have a stake in making, collective decisions that shape their lives.
- In a democracy, no one person's opinion or interest is of more value than the other, hence the principle of '**one person one vote**'. It is based on the idea of the equal moral worth of all individuals and against the exclusion of anyone from the political process. Thus, it is against hierarchy or inherited privileges and discrimination.
- In a democracy it is assumed that there will be a diversity of opinions and interests on almost every matter of common concern. Indeed, this diversity is seen as its main strength and it calls for tolerance for all shades of opinion.
- A democratic society is also called an '**open society**' where there is space for all voices, however unpopular or conventional they may be, to be heard. This requires a range of political freedoms like freedom of expression, association and movement among others, which are protected by the state. People must have access to information and be able to protest and freely criticize the government and others in order to make informed uncoerced choices and intervene in the decision-making process. Thus, the practice of democracy is unthinkable without rights.

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Meaning and Interpretation

- Democratic tradition does not advance a single and agreed ideal of popular rule, but is rather an arena of debate in which the notion of popular rule, and ways in which it can be achieved, is discussed. In that sense, democratic political thought addresses three central questions.
- First, **who are the people?** As no one would extend political participation to all the people, the question is: on what basis should it be limited – in relation to age, education, gender, social background and so on?
- Second, **how should the people rule?** This relates not only to the choice between direct and indirect democratic forms, but also to debates about forms of representation and different electoral systems.
- Third, **how far should popular rule extend?** Should democracy be confined to political life, or should democracy also apply, say, to the family, the workplace, or throughout the economy?

Democracy

Direct and Indirect Democracy

- In a ***direct democracy***, there is a high degree of participation as citizens collectively decide, often through mass meetings, on almost all major issues. In effect, people rule themselves. This form of democracy is associated with the classical Athenian model. In India, the *gram sabha* is such an institution of direct democracy as are a number of devices like *referendum*, *initiative* and *recall* practised in contemporary societies.
- In contrast, in an ***indirect or representative democracy***, government functions through representatives who are chosen through popular elections. These representatives provide a link between the governments and the people and elections allow the people to control the action of the representatives and prevent abuse of power.

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Liberal Democracy

- A liberal state is based upon the **principle of limited government**, the idea that the individual should enjoy some measure of protection from the state.
- From the liberal perspective, government is a necessary evil, always liable to become a **tyranny against the individual** if government power is not checked. This leads to support for **devices designed to constrain government**, such as a constitution, a Bill of Rights, an independent judiciary and a network of checks and balances among the institutions of government.
- Liberal democracies, moreover, respect the existence of a vigorous and healthy civil society, based upon **respect for civil liberties and property rights**. Liberal-democratic rule therefore typically coexists with a capitalist economic order.

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Liberal Democracy

- The ‘**democratic**’ element in liberal democracy is the **idea of popular consent**, expressed in practice through the act of voting. Liberal democracy is thus a form of electoral democracy, in that popular election is seen as the only legitimate source of political authority. Such elections must, however, respect the principle of political equality; they must be based upon universal suffrage and the idea of ‘one person one vote’. For this reason, any system that restricts voting rights on grounds of gender, race, religion, economic status or whatever, fails the democratic test.
- Finally, in order to be fully democratic, **elections must be regular, open and, above all, competitive**. The core of the democratic process is the capacity of the people to call politicians to account. Political pluralism, open competition between political philosophies, movements, parties and so on, is thus thought to be the essence of democracy.

Democracy

Objections to Democracy

- A key objection to democracy is that it produces **incompetent and inefficient** governments. In his critique of Athenian democracy, Plato argues that governance is a matter of skill and expertise and therefore **should be left to experts**. Human beings are by nature fundamentally unequal. However, democracy presumes that every-one can handle complex matters of governance and is, therefore, based on a false understanding of human nature. Thereby, it substitutes ignorance and incompetence for excellence and expertise. Because it allows non- experts to rule, democracy is an irrational form of government.
- A further argument against democracy sees it as the enemy of individual liberty. This fear arises out of the fact that ‘the people’ is not a single entity but rather a collection of individuals and groups, possessed of differing opinions and opposing interests. The ‘democratic solution’ to conflict is a recourse to numbers and the application of majority rule – the rule of the majority, or greatest number, should prevail over the minority. Democracy, in other words, comes down to the rule of the 51 per cent, a prospect which Alexis de Tocqueville famously described as ‘**the tyranny of the majority**’. Individual liberty and minority rights can thus both be crushed in the name of the people.

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Constitutional Government and Democracy in India

Philosophy of the Constitution

Making of the Constitution

- The Congress constituted almost 82 percent of the Assembly.
- The process of framing the Constitution involved consensus and accommodation.
- Drew from three sources
 - GoI Act of 1935
 - Other constitutions – such as the American and Irish constitutions for the provisions of fundamental rights and Directive Principles of the State Policy
 - Objective Resolution of 1946 – drafted by Nehru himself, and approved by the Constituent Assembly on 22 January 1947 provided the ‘breathing spirit’ to the Constitution and was included as the Preamble.
- A.K. Ayyar: “Our constitutional design is relative to the peculiar conditions obtaining here, according to the peculiar exigencies of our country [and] not according to a prior or theoretical considerations.”

Philosophy of the Constitution

Circumstances of its formation

- The partition of the country and the subsequent mayhem in Punjab and Bengal led to a shocking state of nervousness among the leaders who immediately set on to devise ways and means to instill in the people the confidence in the governability of the country.
- Moreover, the onerous task of ensuring the integration of over 500 princely states in the Indian Union appeared quite challenging in view of the ambivalent, if not totally defiant, positions taken by the rulers of the states like Junagadh, Hyderabad, and Jammu and Kashmir.
- In the face of such a diverse cultural base of the people, it was really a stupendous task to provide for sufficient constitutional provisions to protect the distinct religious-cultural identities of the citizens, without compromising the unity and integrity of the country.
- The tone and tenor of the national movement had aroused a high level of expectation among the common people in general and the hitherto marginalized sections of the society.
- Independent India was attempting to usher in a full blown democracy, irrespective of its preparedness to experience the mass scale of democracy based on universal adult franchise on the one hand, and the lurking dangers to the unity and integrity of the nascent nation from the dynamics of electoral politics on the other.

Philosophy of the Constitution

Ambition

- 3 strands – mutually dependent and inextricably intertwined in a ‘seamless web’
 - Protecting and enhancing national unity and integrity
 - Establishing institutions and spirit of democracy
 - Fostering a social revolution to better the socio-economic circumstances
- Undue strain on, or slackness in, any one strand would distort the web and risk its destruction, and with it, the destruction of the nation.

THE CONSTITUTION OF INDIA

PREAMBLE

WE, THE PEOPLE OF INDIA, having solemnly resolved to constitute India into a '**[SOVEREIGN SOCIALIST SECULAR DEMOCRATIC REPUBLIC]**' and to secure to all its citizens :

JUSTICE, social, economic and political;

LIBERTY of thought, expression, belief, faith and worship;

EQUALITY of status and of opportunity and to promote among them all;

FRATERNITY assuring the dignity of the individual and the ²[unity and integrity of the Nation];

IN OUR CONSTITUENT ASSEMBLY this twenty-sixth day of November, 1949 do **HEREBY ADOPT, ENACT AND GIVE TO OURSELVES THIS CONSTITUTION.**

1. Subs. by the Constitution (Forty-second Amendment) Act, 1976, Sec.2, for "Sovereign Democratic Republic" (w.e.f. 3.1.1977)

2. Subs. by the Constitution (Forty-second Amendment) Act, 1976, Sec.2, for "Unity of the Nation" (w.e.f. 3.1.1977)

Preamble of the Indian Constitution

- Preamble seeks to be the guiding light for the posterity in the country. It delineates the core concerns of the polity in independent India.
- The words 'Socialist' and 'Secular' along with the original 'Sovereign, Democratic, Republic' as well as 'Integrity' along with the original 'unity of the nation' were inserted through the Forty-second Amendment on 18 December 1976.
- It also serves as a beacon light to the higher courts in the country that are called upon to discharge the grand duty of interpreting the Constitution.
- "Preamble resembles the Declaration of Independence of the United States of America, but is more than a declaration. It is the soul of our Constitution which lays down the pattern of our political society which it states is sovereign, democratic republic. It contains a solemn resolve which nothing but a revolution can alter." - former Chief Justice of India, M. Hidayatullah