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MODULE NO 1 –Introduction to the Political Science

Meaning, Definition and Origin of Political Science

The term ‘Politics’ is closely related to the Greek word ‘Polis’ meaning ‘city-state’ (for affairs of the cities-for affairs of the state). The study of politics dates back to 5th century BCE Greece with immense contributions by political philosophers *Plato* (428/427 BCE – 348/347 BCE) and *Aristotle* (384 BCE- 322 BCE). Before the 20th century, the study of politics was integrated with other disciplines such as history and philosophy.

Politics was primarily concerned with the study of ethics. It further focused on the study of political ideas, political institutions and processes within states and the relations between states. But the last two centuries witnessed the study of politics concentrating on the conflict between liberty and equality. In the 21st century, a central theme has been the constant conflict between liberty and security. Some other major themes that are not central to the study of politics are development, environmental sustainability, gender equality and international peace and co-operation.

All through history, political philosophers have different perspectives on the central theme of politics. The Greek philosopher *Aristotle*, the father of Political Science, considered the study of politics as a systematic inquiry to understand the truth about politics so as to explain the relationship between the State and the individual. He described and classified different political systems. *Aristotle* and *Plato* made immense contributions to the origin and development of the discipline. *Plato* analyzed different political systems and *Aristotle*, closely following the trails of his teacher *Plato*, gave the analysis a historical perspective. They tried to understand the working of different forms of governments.

Politics was a matter of discussion in the churches during the medieval period as political power remained with the church under the Holy Roman Empire. The works of philosophers such as *St. Augustine* (‘The City of God’) amalgamated the principles of political philosophy with those of religion. It must be noted here that for the Greek and medieval philosophers, politics was knowledge centering on the city-state, which by and large had spiritual bond. It was more of a community than a state.

It was during the Italian Renaissance that *Niccolo Machiavelli* laid the foundations of modern political science through his emphasis on empirical observation and investigation of political structures and political behaviour from a secular perspective.

Politics, in the words of *Harold Lasswell*, an American Political Scientist, is ‘Who gets What, When and How?’ This definition is based on the assumption that all societies exhibit sharp diversities with people pursuing different interests and values and hence there requires a mechanism through which the conflicting interests are reconciled. Also, scarcity of resources is a feature of all modern societies and so politics would mean the mechanism through which goods and resources are distributed.

For *Karl Marx*, politics was all about class conflict and political power and to *David Easton* politics meant ‘the authoritative allocation of values’.

Political scientists have explained politics through its basic concepts such as power, order and justice. Power is the ability to make and enforce rules and to influence the behaviour of the individuals. Power may or may not be legitimate. One needs to understand the difference between power and authority. Authority is the moral or legal right and is the ability to control. It implies legitimacy, where power is exercised through established institutions and people willingly accept it as proper and just. Power, on the other hand, may or may not be legitimate.

Politics is also concerned about order which denotes the structures, rules, rituals, procedures and practices that make up the political system. As the majority is ruled by the minority, there is always an apprehension of the fairness of the government mechanism. Therefore, the exercise of power should be based on the foundations of justice. Thus, power, order and justice are regarded the basic concepts in politics. Since the late 19th century, the study of politics as an academic discipline is commonly referred to as ‘Political Science’

Political Science

The switch from ‘Politics’ to ‘Political Science’ occurred as the discipline began to emerge as an autonomous discipline in the modern period. The term politics referred to the affairs of the city state, which was a small community, in the ancient Greece. But the term nowadays refers to as *Gilchrist* says, ‘current problems of the government’. It means that when someone says he is interested in politics it implies that he is involved in several political activities relating to political issues, legislations, labour issues, party activities and the rest which has far wider canvass. On the

other hand, the political studies are distinct and hence they need to be differentiated from current problems. Further, politics in one country differ from the others. What is 'politics' in India may not mean the same in other places. But 'political science' will mean one and the same thing everywhere. Hence it would be better to name the discipline as Political Science than as Politics. The Political Scientists who met at Paris in 1948 also found the term 'Political Science' more acceptable. It is not appropriate to use the two terms as synonyms, though a few still prefer to style the discipline also as politics.

The important developments in Political Science since the time it became a distinct academic discipline occurred in the United States. Until then, Politics was a part of disciplines such as philosophy, law and economics. Political Science as an autonomous discipline dates back to 1880 when *John W. Burgess* established a School of Political Science at the Columbia University. By 1920's most of the leading Universities established an exclusive department for the study of Political Science. The American Political Scientists showed tremendous interest in this direction and took efforts to separate it from history, law and philosophy. The discipline then had very formalistic and institutional approach and this trend continued up to the Second World War.

But later, scholars such as *Woodrow Wilson* and *Frank Goodnow* stressed more on the study of social facts over the study of static institutions. There was a conscious effort by scientists such as *Arthur Bentley* to develop an objective, value-free analysis of politics and the principle impetus in this regard came during the 1920's from the Chicago University. *Charles E. Merriam* was the leading figure in this movement for empirical observation and measurement in political analysis. *Charles E. Merriam*'s 'Political Power' and *Harold Lasswell*'s 'Politics: Who Gets What, When, How?' made the aspect of power the central theme of politics. The totalitarian regimes in Europe and Asia in the 1920's and 30's and the onset of the Second World War turned the discipline away from its focus on institutions and procedures. Works during this phase focused more on political parties, pressure groups, elites and the basis of electoral choices. This new focus on political behaviour came to be known as 'behaviouralism'. The term was borrowed from 'behaviourism' in psychology. Later, the 1960's saw the emergence of a new trend known as 'Post-Behaviouralism'. It was a reaction against the orthodoxy and dominance of the behavioural methods in the study of politics. The call for the development of this trend was given by *David Easton*, who ironically, was one of the leading advocates of the behavioural revolution. He claimed that the behavioural method lost touch with reality and hence post-behaviouralism argued that

research did not have to be necessarily value free and the emphasis had to be on relevance over precision. Thus, the intellectual revolution resulted in many political scientists attempting to comprehend the sociological, anthropological and psychological aspects of the study of Political Science. They vehemently criticized the traditional methods and its formal and parochial tools of analysis. They pointed out that the political theorists in the past concentrated on state, government, institutions and their formal structures and did not take into consideration the interactions between them and the subjects and failed to examine the political behaviour of humans. Thus, modern political analysis began to rest upon the following four principles:

- the search for comprehensive scope
- the search for realism
- the search for precision
- the search for intellectual order

Definitions of Political Science

Scholars have defined Political Science in different ways. For *Garner* it begins and ends with State. *Leacock* and *Seeley* see its dealing with government. *Robson* and *Lasswell* regard it as the study of power and influence. Some scholars define it as the study of political aspects of organized human society. But the latter one instantly enlarges the scope of political science as it tends to include everything. Thus Political Science has been variously defined though for most part of the history the emphasis was placed on state, its institutions, laws and processes. Political behaviour of individuals and groups also became a part of it after the behavioural revolution. The latest addition to this has been the concept of governance.

Political Science is a science which is concerned with the State, endeavors to understand and comprehend the State in its essential nature, various forms, manifestations and development.

- Bluntschli

There is a limited amount of power in society, which can only be held by one person or group at a time.

- Karl Marx

Power is a relationship in which one group of persons are able to determine the actions of the others in the direction of the former's own end. - *David Easton*

Power breeds power and this form the central tenet of elitism. - *Robert Michel*

Man is by nature a political animal and he, who by nature and not by mere accident is without state is either above humanity or below it. -*Aristotle in his book Politics*

POLITICAL SCIENCE AS ART OR SCIENCE:

Aristotle, the father of political science considered political Science as the master of all sciences. Writers like **Laski**, Burke and Maitland used the title politics instead of political science. Some other Writers like **Godwin, Vico, Hume, Bodin, Hobbes, Montesquieu** used the title political science Professor Maitland once wrote, ' When I see a good set of examination questions headed by the words 'Political Science', I regret not the questions but the title. Buckle observed in the present state of knowledge, politics far from being a science is one of the most backward of all arts'. There is a great deal of controversy over the question whether political science is a science or art. Science means a body of systematized knowledge arranged on certain principles.

Art is a systematic knowledge to the solution of problems of human life. Physical science like physics, chemistry etc., follow the scientific method while studying physical phenomena. For example, law of gravity. If you throw a ball upwards, it will come down due to law of gravitation. Similarly, two parts of hydrogen and one part of oxygen constitute water. If you do it anywhere any number of times the result will be the same, correct and exact.

Social sciences like history, sociology, political science, economics also follow the scientific method while studying social phenomena. Laboratory tests are not possible in social sciences.

The basic difference lies in the fact that physical sciences study about matter whereas social sciences study about human beings. Hence the results obtained in physical sciences are precise, perfect and exact at all times. That is not possible in social sciences. This does not mean that political science claim to be a science can be denied.

It is true that political science cannot be an exact science, since its laws and conclusions cannot be expressed in precise terms and it cannot predict political events accurately. Besides social and

political relationships are constantly changing and what may be true of them today may not be true in the future. Hence political science can be called both a science and an art.

NORMATIVE / EMPIRICAL STUDIES:

There are two types of political theories:

Normative or prescriptive

Empirical or descriptive

Normative or prescriptive theory is based on postulates, deals, assumptions or values. It concerns itself on what ought to be. It focuses the attention on:

1. Good order of the society.
2. Ends of the state.

The works of **Plato's Republic**, **Rousseau's Social Contract** are the examples of normative type. To say that, India should not adopt presidential system of government is to make normative. This statement can be accepted or rejected but it cannot be proved or disproved.

Empirical or descriptive is based on state structure, political process etc, a system requiring knowledge of a subject by actual experience. **Max Weber** in his book 'Bureaucracy'.

Graham Wallas in his book 'Human Nature in Politics' and **Arthur Bentley** in his book 'Process of Government' gave an empirical dimension to the study of politics. To say that one political party has more electoral support than the other is to make an empirical statement. This statement is based on facts and facts are verifiable.

THE TWO FACES OF POLITICAL SCIENCE:

Conflict and co-operation are the two faces of political science. As a matter of fact, they are two sides of the same coin.

Conflicts are not desirable but unavoidable and inevitable in human society. Conflicts may arise due to many factors like social, economic, cultural and psychological. Whatever may be the degree or stage of conflict, solution has to be found out to solve it.

The state is the final authority in society. It finds solution in the form of integration. State enacts laws, rules and procedures for society. The state can also use force through police, the army and the prisons. But it should be used as a last resort. To be precise force should be used as the very, very last resort. Education plays a major role in the process of integration. The newspapers, the radio, the television and internet are important. Welfare of the people is the aim of every state. With the advancement of science and technology, a new set of conflicts are not ruled out.

It is the responsibility of the state to solve the conflicts paving way for the welfare of the people. And of course, there is no denying the fact that, that is the aim of the state.

Nature of Political Science

Human being is a social animal. They prefer company to solitude. Humans are never self-sufficient and depend on fellow beings for the satisfaction of their diverse needs. So, they have always lived in social groups. They have been a part of the society with set rules of common behaviour. Such a society had to be properly organized with individuals to enforce rules and regulations and also their observance had to be ensured. The society thus organized is called the State, the rules that govern social conduct are the laws of the State and the individuals who enforce the same and ensure their observance is the government. Thus, Political Science deals with human being in relation to the State and government. It is the study of humans in the process of governing themselves.

Political Science is concerned with the theory and practice of politics. It describes and analyzes political systems and political behaviour. It traces the origin and development of State. It studies the associations and institutions related to the State. Political Science attempts to explain what men and women do in political situations. At the initial stages the discipline was closely aligned with subjects such as history and philosophy. The American Political Science Association founded in 1903 made efforts to separate the study of politics from other social sciences such as history and economics. At the later stages, when scientific approach became the order of the day it was aligned with disciplines such as psychology and anthropology. The behavioural revolution stressed on the need for a scientific and systematic analysis of individual and group behaviour. With the advent of Post-Behaviouralism, relevance to social problems along with political facts became the focus of Political Science.

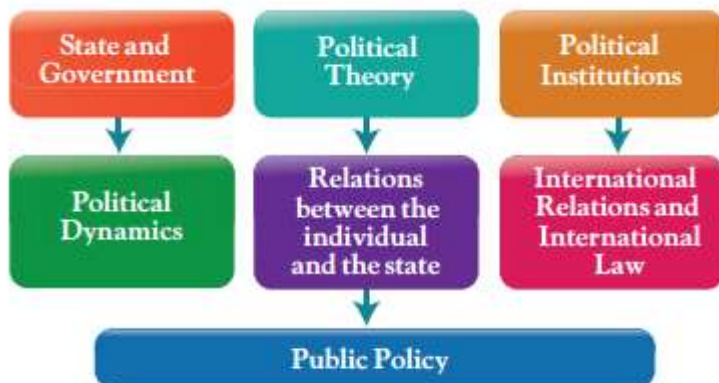
Scope of Political Science

Scope of the discipline implies its jurisdiction or subject-matter. Political Science covers a vast field. Basically it is seen as a study of State. The state is located on a territory with its own people and a government to maintain and promote orderly and happier life. Hence the scope of the discipline takes a quantum jump. Further the human nature will not remain static. Men Change and the scope of the discipline keep expanding. As the subject matter of political science includes enacting legislations that binds every one and every other activity its areas of inquiry also includes fields like economics, commerce, sociology, law, etc.,

In the year 1948, the International Political Science Association mentioned the following as the Scope of Political Science;

- Political Theory
- Political Institutions
- Political Dynamics
- International Relations

As the scope of Political Science cannot be limited to the above mentioned sub-disciplines, the following diagram illustrates the broad scope of Political Science.



Political Science primarily studies the problems of the State and Government. State possesses the authority to frame rules for governing its people. The State executes its will through the government. The government is an agency of the State. Some political theorists such as *Bluntschli* have restricted the scope of Political Science to the study of State alone as they believe the State includes also the government. The government is considered the part and parcel of the State. On the other hand, other writers such as *Karl Deutsch* opines that Political Science deals only with the government. Scholar such as *Harold Laski* argue that Political Science is the study of both state and government. Despite the fundamental differences between the state and government, the scope of one cannot be separated from that of the other. The scope of Political Science includes the study of the past, present and future developments of the State.

Political Theory is an important component of Political Science. It includes political thought and philosophy and further explains the basic concepts of the discipline. Political Science examines the nature, structure and working of political institutions. It undertakes a comparative analysis of different constitutions and governments. The scope of the discipline also includes the study of contemporary forces in government and politics. This includes the study of political parties, interest groups and pressure groups. An empirical study of political dynamics explains the political behaviour of individuals, groups and organizations. Most importantly, Political Science throws light on the relationship between individuals and the state. Consequently, modern political scientists under the behavioural and systems approach have widened the scope of political science to cover many more aspects like political socialization, political culture, political development and informal structures like pressure groups, etc.

Moreover, the study of International Relations which includes diplomacy, international laws and international organizations also come within the purview of Political Science. It is also a study of Public policy explaining the governmental and non-governmental responses to public issues.

Is Political Science, a Science or an Art?

There is a great debate on the scientific nature of Political Science. Some scholars consider it a science of the State and the Government. While others are of the opinion that it is one of the most backward of all the arts. Writers like *Auguste Comte* and *Maitland* are of the opinion that social sciences lack scientific character as there is no consensus of opinion among experts on its nature, methods and approaches. It lacks continuity and development and the elements that constitute a basis of precision. There are no universal principles and the scientific methods of observation and

experimentation may not be applicable to Political Science. The elements of reliability, verifiability, precision and accuracy found in natural sciences are absent in Political Science. There is no uniformity in the principles of Political Science and it does not strictly observe the relation of cause and effect as the other sciences do. Similarly we do not find that exactness and absoluteness in Political Science as it is found in Physics and Chemistry. Hence several scholars identify it with Arts.

On the other hand, some writers argue that Political Science is the science of state and government. *Aristotle* was the first one to call it as a supreme science. Writers such as *Bodin, Hobbes, Montesquieu* and *Bluntschli* subscribe to this view. *Dr. Garner* defines science as knowledge relating to a particular subject acquired by a systematic study, observation or experience. If science is thus defined, conclusions in Political Science are also drawn after systematic study, observation or experience. Though Political Science cannot claim of universal laws as in the case of natural sciences, there are conclusions that can be proven. For instance, it cannot be denied that democracy is the most suited form of government in pluralistic societies and that it is best possible one to promote social welfare. This conclusion was derived after a systematic study of the other forms of governments in different parts of the world during the ancient, medieval and modern period. There is no consensus among scholars on the nature, methods and principles of the discipline as it engages in the study of human beings and the institutions manned by them. These institutions adapt themselves to changing needs of human life and hence scholars are also of different views and opinions. Nevertheless, all Political Scientists unanimously agree that Imperialism, Colonialism, inequality, illiteracy and poverty affect the society at large.

Though Political Science does not strictly adhere to the theory of cause and effect, certain political phenomena have their own cause and effect. For instance, poverty and unemployment are causes that can result in the consequence of revolution. Hence, some writers conclude that Political Science is undoubtedly a 'Science'.

Though Political Science cannot be equated with the natural sciences but nevertheless, it is a social science dealing with individuals and their relations with the State and government. One can say that, whether Political Science could be seen as an Art or Science would largely depend on the chosen subject matter for the study and the approaches used to carry out the study.

Approaches to the Study of Political Science

An approach is the way of looking at a political phenomenon and then explaining it. The approaches and methods to the study of Political Science are many. There are both traditional and modern or scientific approaches. The traditional approaches are highly speculative and normative and the modern approaches are more empirical and scientific in nature.

I. Traditional Approaches

i. Philosophical Approach

It is the oldest approach to the study of politics. It is also known as speculative, metaphysical or ethical approach. The study of state, government and the political behaviour of man is intricately linked with the quest for achieving certain goals, morals or truths. Here, the discipline moves closer to the world of ethics. The approach is criticized for being highly speculative and abstract.

ii. Historical Approach

This approach throws light on the past and traces the origin and development of the political institutions. It seeks to study the role of individuals and their motives, accomplishments and failures in the past and its implications for the future. In understanding the political issues of today, the help of historical parallels are sought. However, critics argue that historical parallels can be illuminating, but at the same time they can also be misleading as it is loaded with superficial resemblances.

iii. Legal Approach

The study of politics is linked with the study of legal institutions created by the State for the maintenance of the political organization. As the State is engaged in the maintenance of law and order, the study of judicial institutions become the concern of political theorists. This approach looks at the State as an organization primarily concerned with the creation and enforcement of law. However, critics argue that this approach has a narrow perspective. The State has various other functions to perform other than enforcement of law and order. Laws deal with only one aspect of an individual's life and do not enable the complete understanding of his political behaviour.

iv. Institutional Approach

This approach is also known as the structural approach. It lays stress on the formal structures of the political organization such as legislature, executive and judiciary. The informal structures are also

studied and a comparative study of the governmental systems are encouraged. However, this approach is criticized for laying too much emphasis on formal and informal structures and ignoring the role of individual in those institutions.

Scope of political science :

The term 'scope' refers to the subject matter or the boundaries of political science. The international Political Science Association at its Paris conference in 1984 discussed, the scope of the subject political science and marked out the subject matter as follows :

I Political Theory :

1. Political theory

2. Political ideas

II Political Institutions :

Constitution

National government

Regional and local government.

Public administration.

Economic and social functions of government.

Comparative political institutions.

III. Political Parties :

Political parties.

Groups and associations

Participation of the citizen in the government and administration.

Public opinion.

International Relations :

International politics.

International organization and administration

International law.

Broadly speaking, the scope of political science may be divided into **three** parts:

- 1) Scope of political science concerning the **state**.
- 2) Scope of political science with reference to **human rights**.
- 3) Scope of political science in relation to **government**.

Scope of political science concerning the state :

Present Form Historical Form Ideal Form of the state of the state of the state

In political science, we study the present form of the state Its aims and objectives and the means adopted by the state to achieve its objectives. This aspect of the study of political science has been termed by **Gottell** as the analytical study of the state.

The present form of the state is the result of its historical development. Political science makes a historical analysis of the origin of the state and the theories of the state.

The study of political science has to predict the future of the state that is how it ought to be. According to **Gottell** political science is a historical investigation of what the state has been, an analytical study of what the state is and a politico - ethical discussion of what the state should be.

Scope of political science with reference to human rights:

The citizens have their civil, political and economic rights. These rights have to be preserved and protected by the State for the welfare of its citizens.

Scope of political science in relation to government :

Stephen Leacock said that, political science deals with government. A state cannot exist without government. Government is the working agency of the state. The different forms of government, various organs of government, political parties, local self - government, judiciary, and internationalism are covered by the political science.

BEHAVIOURALIST MOVEMENT:

Behaviouralist movement came into existence after the end of World War II (1939 - 45). The behaviouralists made significant contributions to political science during the period. Writers like **Gabriel A.Almond, Robert A.Dahi and David Easton** are some of them.

According to **Robert A.Dahi** behavioralism is 'a protest movement within political science associated with a number of political scientists mainly Americans' who shared 'a strong sense of dissatisfaction with the achievements of conventional political science, particularly through historical, philosophical and the descriptive institutional approach' and a belief that additional methods and approaches either existed or could be developed that would help political science with empirical propositions and theories of a systematic sort, tested by closer, more direct and more vigorously controlled observations of political events.

Merits of Behavioural Methods:

It may assist the student of political science to compare and contrast institutions of one culture with those of another.

Behaviouralism is dynamic in nature and can attempt to relate changes in changes in the social order as they occurred to changes in political orders.

Models can be used in relation to a theory and hypothesis of how the world is likely to behave.

field investigations, survey of attitudes and testing of hypothesis may throw new lights upon the old political and social problems.

Demerits:

The behavioural approach is possible for micro level studies only. Through behavioural they cannot

discuss questions like 'what is justice?' or 'what is liberty?'

The ideas generated by behaviouralist are not new and they just introduced only alternative terms in political science.

By following inter-disciplinary approach, the content of politics has been considerably reduced.

POST - BEHAVIOURALISM:

In the late 1960's the behavioural movement lost its original attraction and the momentum of the early years, and soon a reaction started which culminated in a new movement called post behaviouralism.

The post-behaviouralists did not reject the scientific method of the behaviouralists. Their against behaviouralism was that because it had ignored current social problems, it was relevant to contemporary social reality. Political science, they insisted, should be relevant to life and its problems.

It should seek to solve the problem of life and thereby enhance human welfare. Post-behaviouralism emphasizes that in political research the substance is more important than the technique. It is more important to be relevant and meaningful for present day urgent problems.

David Easton an authority on post behaviouralism impressed the need for 'relevance and action'. Post behaviouralism is action-oriented and future oriented.

POLITICAL SCIENCE AND OTHER SOCIAL SCIENCES:

Social science are those sciences, which discuss about the things connected with the affairs of individuals living in society, political science, economics, history, geography are some of the important social sciences.

Political science is immensely benefited from other social sciences. It is essentially connected and related to other social sciences. As a matter of fact, all social sciences are interrelated and interdependent.

Political Science and History:

There is closed and intimate relationship between political science and history. The relationship between political science and history is beautifully explained by **John Seeley**.

'History without political science has no fruit and political science without history has no root'.
To quote the same author again,

'Politics is vulgar when not liberalized by history and history fades into mere literature when it loses sight of its relation to politics'.

According to **Freeman**,

'History is past politics and politics is present history'. They are complementary to each other. **Montesquieu and Bryce** made use of historical materials to study political science.

Lord Bryce claims that,

political science stands midway between history and politics, between the past and the present.

It has drawn its materials from the one; it has to apply them to the other.

History deals with past events, movements revolutions, national struggles etc. and gives information about the origin and development of political institutions and thought. When various issues, concepts and terms, ideologies, are discussed in political science, their historical development is also taken into consideration.

Political Science and Economics:

Political science and economics are very closely related. In the past, economics has been regarded as a branch of political science. **Adam Smith** the father of economics in his book 'An Enquiry into the Nature and Courses of Wealth of Nations' also considered economics as an important branch of political science. It was called political economy.

Now the two social sciences namely political science and economics have their individuality and identification. Economics is a social science dealing with the production, distribution, exchange and consumption of wealth in the society. All economic activity is carried on within the state on conditions and stipulations laid down by the state.

Political science and economics are concerned with such matters, as formulation of five year plans, the socialistic pattern of society economic and welfare activities of government.

The political conditions of a country are greatly affected by its economic conditions. Healthy economy depends on a strong, effective and efficient administration of a country.

Political Science and Geography:

Political science is also related to geography. Geo means earth and graphy means description and geography is the description of the earth. Geography is the study of the earth's surface, physical features, natural and political divisions, climatic conditions, population, etc.

It helps us to understand the impact and influence of geographical conditions of the political institutions of a country. Political geography is known as geopolitics, a new branch of study in modern times. **Montesquieu** stressed the influence of physical environments on the forms of government and liberty of the people. As territory is an essential element of a state, geo - political

factors influence political environment. According to **Rousseau**, there is a link between the climatic conditions and form of government. Warm climates are conducive to despots, cold climates to barbarism and moderate climate to a good polity.

Political Science and Sociology:

Sociology is the root of all social sciences. **Auguste Comte** is the father of sociology. Sociology is the study of Society. Political science and sociology are inter-related political scientists and sociologists contribute mutually for the benefit of whole society.

For example, the institution of marriage and related problems after that, namely divorce are within the domain of sociology. How to solve these problems in a harmonious way for better standard of life is within the competence of political science.

What was once a sub-field of sociology has now takes the form of 'political sociology' which is now a legitimate sub-field of political science.

MODULE 2 -The Origin Of The State: The Historical or Evolutionary theory

Political thinkers have attempted to explain the origin of the state in various ways. When, where and how the state came into existence have not been recorded anywhere in history. Therefore, the political thinkers were compelled to adopt various hypotheses, many of which are now discredited in the light of modern knowledge. Among the many theories which are concerned with the origin of the state the following are explained in this chapter.

1. The Theory of Divine origin
2. Social Contract Theory.
3. Matriarchal and Patriarchal Theory.
4. Force Theory.
5. Evolutionary Theory.

Definitions :

The state is the most universal and most powerful of all social institutions. The state is a natural institution. Aristotle said man is a social animal and by nature he is a political being. To him, to live in the state and to be a man were identical.

The modern term 'state' is derived from the word 'status'. It was Niccolo Machiavelli (1469 - 1527) who first used the term 'state' in his writings. His important work is titled as 'Prince'.

The state is the highest form of human association. It is necessary because it comes into existence out of the basic needs of life. It continues to remain for the sake of good life.

The aims, desires and aspirations of human beings are translated into action through the state. Though the state is a necessary institution, no two writers agree on its definition.

To **Woodrow Wilson**, 'State is a people organized for law within a definite territory.'

Aristotle defined the state as a 'union of families and villages having for its end a perfect and self - sufficing life by which it meant a happy and honourable life'.

To **Holland**, the state is 'a numerous assemblage of human beings generally occupying a certain territory amongst whom the will of the majority or class is made to prevail against any of their number who oppose it.'

Burgess defines the state as 'a particular portion of mankind According to **Sidgwick**. 'State is a combination or association of persons in the form of government and governed and united together into a politically organized people of a definite territory.'

According to **Garner**, 'State is a community of people occupying a definite form of territory free of external control and possessing an organized government to which people show habitual obedience.'

Prof. Laski defines 'state as a territorial society divided into government and subjects whose relationships are determined by the exercise of supreme coercive power.'

Elements of the State :

From the above definitions, it is clear that the following are the elements of the state :-

Physical bases of the State

1. Population
2. Territory

Political bases of the State

1. Government
2. Sovereignty

Elements of the State

Population :

It is the people who make the state. Population is essential for the state. Greek thinkers were of the view that the population should neither be too big nor too small. According to Plato the ideal number would be 5040.

According to **Aristotle**, the number should be neither too large nor too small. It should be large enough to be self - sufficing and small enough to be well governed. **Rousseau** determined 10,000 to be an ideal number for a state. Greek thinkers like **Plato** and **Aristotle** thinking on the number was based on small city - states like Athens and Sparta. Modern states vary in population. India has a population of 102,70,15,247 people according to 2001 census.

Territory :

There can be no state without a fixed territory. People need territory to live and organize themselves socially and politically. It may be remembered that the territory of the state includes land, water and air - space.

The modern states differ in their sizes. Territory is necessary for citizenship. As in the case of population, no definite size with regard to extent of area of the state can be fixed. There are small and big states.

In the words of **Prof. Elliott** 'territorial sovereignty or the Superiority of state overall within its boundaries and complete freedom from external control has been a fundamental principle of the modern state life'.

India has an area of 32,87,263 sq. km. Approximately India occupies 2.4% of the global area.

Government :

Government is the third element of the state. There can be no state without government. Government is the working agency of the state. It is the political organization of the state.

Prof. Appadorai defined government as the agency through which the will of the State is formulated, expressed and realized.

According to **C.F. Strong**, in order to make and enforce laws the state must have supreme authority. This is called the government.

Sovereignty :

The fourth essential element of the state is sovereignty.

The word 'sovereignty' means supreme and final legal authority above and beyond which no legal power exists.

The concept of 'sovereignty' was developed in conjunction with the rise of the modern state. The term Sovereignty is derived from the Latin word *superanus* which means supreme. the father of modern theory of sovereignty was Jean Bodin (1530 - 1597) a French political thinker.

Sovereignty has two aspects :

- 1) Internal sovereignty
- 2) External sovereignty

Internal sovereignty means that the State is supreme over all its citizens, and associations.

External sovereignty means that the state is independent and free from foreign or outside control.

According to **Harold J. Laski**, 'It is by possession of sovereignty that the state is distinguished from all other forms of human association.

The diagram given below shows that the society is the outer most and the government is the inner most.

THEORIES OF ORIGIN OF STATE

THEORY OF DIVINE ORIGIN

The theory of divine origin is the oldest among all theories. According to this theory state is established and governed by God himself. God may rule the state directly or indirectly through some ruler who is regarded as an agent of God.

The trace of divine origin is seen in the epic Mahabarat. According to the Mahabarat there was anarchy in the beginning in the society and the people prayed to God to come to their rescue.

They offered the following prayer. 'Without a chief, O Lord we are perishing Give us a chief, whom we shall worship and who will protect us'. It was under these circumstances that God appointed the king to rule the people.

To quote King James I of England,

'Kings are justly called gods for they exercise a manner of resemblance of divine power on earth. Kings are accountable to God above and only. The people cannot question him for the right or wrong done by him.

The rise of Christianity and the growth of the power of the church in the medieval period led to a conflict between church and state and an active discussion of the divine origin of political power. All were agreed that the ultimate source of authority was divine but the supporters of the church say that Pope alone received his power directly from God.

Kings are breathing images of God upon earth. Even if the king be wicked, the subject has no right to rebel against him. To rebel against the king is to rebel against God himself for the God's chosen Vassal.

The main points in the doctrine of the divine right of kings may thus be summed up.

1. Monarchy is divinely ordained and the king draws his authority from God.
2. Monarchy is hereditary and it is the divine right of a king that it should pass from father to son.
3. The king is answerable to God alone; and
4. Resistance to the lawful authority of a king is a sin.

The theory of divine origin was popular for a long time but later on it began to decline on account of many factors.

Criticism

The theory of divine origin has been criticised on many grounds.

To say that God selects this or that man as ruler is contrary to experience and common sense. God cannot be expected to do such worldly things for human beings. The theory is dangerous because it pinpoints the unlimited and arbitrary power of the kings.

The theory of divine origin of the state advocates only monarchical form of government. The monarchical form of government is practically disappearing from the world. No wonder the theory of divine origin also does not find its supporters in modern times.

We all believe in the theory of evolution. Everything in the world has grown up by slow degrees and consequently the same must have been the case with the state. It is too much to believe that one day God thought of creating the state and created one.

The theory put emphasis on revelation and not reason. In modern times we attribute everything to reason and hence it is not accepted today.

Although the theory has many defects and is no longer accepted today, it cannot be denied that it had its utility.

The theory of social contract with its emphasis on consent, was a great deadlock to the theory of divine origin. It was maintained that state was created by individuals by means of a contract and not by God. The separation of the church from the state was also partly responsible for the decline of the theory.

The Historical or Evolutionary theory

Five theories in explanation of the origin of the state, but no single theory offers an adequate explanation. The theory which explains and is now accepted as a convincing origin of the state, is the Historical or Evolutionary theory. It explains the state is the product of growth, a slow and steady evolution extending over a long period of time and ultimately shaping itself into the complex structure of a modern state. This theory is more scientific.

The state is neither the handiwork of God, nor the result of superior physical force, nor the creation of evolution or convention, nor a mere expansion of the family. The state is not a mere artificial mechanical creation but an institution of natural growth or historical evolution says professor Garner.

There were a number of factors which helped the evolution of the state. They were kinship, religion, war, migration economic activities and political consciousness. The important factors which contributed to the growth of the state are

1. Kinship
2. Religion
3. Property and defence
4. Force
5. Political consciousness

Kinship

Kinship is the most important and was based upon blood relationship and kinship was the first strongest bond of unity. Family constituted the first link in the process of the evolution of the state with the expansion of the family arose new families and the multiplication of families led to the formation of clans and tribes. Kinship was the only factor which bound the people together.

According to Professor Mac Iver, the magic of names

'reinforced the sense of kinship, as the course of generations enlarged the group. The blood bond of sonship changed imperceptibly into the social bond of the wider brotherhood. The authority of the father passes into the power of the chief once more under the aegis of kinship new forms arise which transcend it. Kinship creates society and society at length creates the state'.

Religion

Religion provided the bond of unity in early society. It also affected all walks of life. The worship of a common ancestor and common gods created a sense of social solidarity. There was fear in the hearts of men as far as religion was concerned. Even today we see religious practices, affairs and faith in uniting people. In the early days a number of races are united by religion and unity was essential for the creation of state.

Force

Force also played an important part in the evolution of the state. It was the use of physical force that was responsible for the growth of kingdoms and empires.

Property and Defence

Property and defence played a vital role in the evolution of state in ancient times particularly among the people who were nomads and wanderers and tribals. Prof. Laski has referred to the necessity of acquiring property by the members of society and protecting the property acquired with reference to the population mentioned above.

This led to making adjustments in the social system and relationship between the members of different groups. The need to protect property ultimately compelled the ancient people to establish the state.

Political consciousness

The last is political consciousness arising from the fundamental needs of life for protection and order.

When the people settle down on a definite territory in pursuit of their subsistence and a desire to secure it from encroachment by others. The need for regulating things and persons is felt imminently and this is the essence of political consciousness.

Conclusion

It follows that many factors helped the growth of the state. No single factor alone was responsible for its origin. Sometimes all and sometimes many of them help the process by which uncivilized society was transformed into a state.

Of all the theories which seek to explain the origin of the states, the evolutionary theory is the most satisfactory. It should be noted that no theory pin-points the time at which the state originated as a consequence of many factors working in union at different times.

GENETIC THEORY (MATRIARCHAL THEORY)

McLennan, Morgan and Jenks are the notable exponents of matriarchal theory. The matriarchal system was prior to the patriarchal system and tribe. There was no permanent institution of marriage. A woman had more than one husband and because of the uncertainty of male parentage kinship was reckoned through woman that is from mother to daughters.

In the place of a family consisting of a man his wife and children there was a large and loosely connected group called a horde or pack organised for matrimonial purposes.

The matriarchal family developed as indicated below.

1. First there was a tribe and it was the oldest and primary social group.
2. In course of time a tribe breaks into clans.
3. Clans in their turn give place to households.
4. Atlast comes the modern family.

Criticism

The matriarchal theory is more sociological than political. It seeks to explain the origin of family and not that of the state.

There is no adequate proof in support of the matriarchal system as the universal and necessary beginning of society.

PATRIARCHAL THEORY

The Patriarchal theory explains that the state originated from the patriarchal family or the family in which the pater or father was the head.

State is an enlargement of the family. Originally the family consisted of a man, his wife and children. The father was the head of the family and his control and authority was complete in all respects over all its members. When his children married there was expansion in the original family and it led to the establishment of new families. But the authority of the father and head of the original family remained as before, and it was duly acknowledged by all his descendants. This constituted the patriarchal family. The chief exponent of the patriarchal theory is Sir Henry Maine.

The following important points may be noted in Maine's Patriarchal theory.

1. In the Patriarchal family the element of paternity was the chief fact.
2. Descent was traced not only through males and from the same ancestor. None of the descendants of a female was included in the primitive notion of family relationship. Kinship was accordingly, purely negative.
3. Permanent marriage was the rule whether monogamy or polygamy

The Head of the family was the basis of all authority, and his power was unqualified over his children and their houses and other relations of all descendants. howsoever numerous.

5. He controlled not only the business affairs of the group which he headed but its religion and its conduct.

The family was the primal unit of political society, 'the seed led of all larger growths of governments, 'as Woodrow Wilson calls it. The single family had developed into several families; yet all of them were fully conscious of their ultimate kinship. Bound together by ties of common ancestors, they associated in a wider common fellowship group, the gens, owing allegiance to some elected elder - perhaps the oldest living ascendent or the most capable. Similarly, the gens broadened into the tribe. The pastoral pursuits gave way to agriculture and settled life on a definite land became a matter of necessity; land tribes united to form the state.

In support of his statement, Sir Henry Maine cited the patriarchs of the old testament 'families' and 'brotherhood' of Athens, the patriapotestos in Rome and the Hindu Joint family system in India.

SOCIAL CONTRACT THEORY

The social contract theory is not only the most ancient but also the most famous of the theories regarding the origin of the state. The substance of this theory is that state is the result of an agreement entered into by men who originally had no governmental organisation. In the first period

there was no government and no law. The people lived in a state of nature. After some time they decided to set up a state. That they did by means of a contract.

The social contract theory described the original condition of men as the 'state of nature'. To escape from the condition of the state of nature man made a social contract. To some writers the contract was pre-social and to others it was pre-political.

Writers on this theory are agreed on the point that the state of nature preceded the establishment of government there was no organised life in the state of nature. Each lived according to his own wish and fancies. No man made laws were there to control man. The law known to men living in the state of nature was the law of nature or natural law. There was none to interpret the law or adjudicate. Hence men lived under uncertain conditions.

When men felt the need to escape from this type of life he did so by common agreement or contract. As a result of this, a civil society was created. Thus creation of civil society preceded the emergence of the state.

In the sixteenth and seventeenth centuries the supporters of the social contract theory multiplied and there was more or less universal acceptance of the doctrine. Hooker was the first scientific writer who gave a logical exposition of the theory of social contract. The theory found real support in the writings of Thomas Hobbes, John Locke, Jean Jacques Rousseau who are known as contractualists.

Comparison of Social Contract Theories of Hobbes, Locke and Rousseau

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1. The State of Nature :

Principal works Leviathan (1651) : Man egoistic moved by fear, power glory political equality of all no question of right or wrong. Just or unjust war of all against all, life, nasty, brutish and short.

Civil government(1690) : A state of good will, mutual existence and preservation state of peace not war governed by law of nature but state became necessary to have one standard-ized interpretation of law of nature.

Social contract(1762) : Men in state of nature equal self sufficient and contented, lived life of idyllic, happiness man actuated by impulse and not reason, origin of property creates inequality necessity of state.

2. Law of nature :

Principal works Leviathan (1651) : In state of nature there was no civil law, law of nature was regulative of human action, law of nature conceived differently by Hobbes to mean different things on different occasions i.e.(a) it was dictate of right reason for preservation of life. (b) It was based on prudence which dictated that everybody should try to secure peace by sacrificing natural right by covenants and it must be respected.

Civil government(1690) : Law of nature does not represent natural impulse but a moral law based upon reason to regulate human conduct.

Social contract(1762) : Law of nature based on instinct sociability resulting from feeling and not from reason.

3. Natural Right :

Principal works Leviathan (1651) : Natural right depends upon ones

Civil government(1690) : Right inherent in man by nature; natural rights of man are to life, liberty and property.

Social contract(1762) : Man is free in the state of nature and enjoys all rights incidental to his person.

4. Social Contract

Principal works Leviathan (1651) : The individual gives up all his rights except on ie right of defence and self preservation to a common sovereign, social contract creates a common wealth and a sovereign (one, few, or many) contract uni-lateral and not binding on sovereign.

Civil government(1690) : Men enter into social contract that is create a state to have a common agency for interpretation and execution of the law of nature. Individuals surrender some but not all the rights. Not clear whether locke an contract creates civil society or only gov-ernment. Govern-ment limited in au-thority and not abso-lute.

Social contract(1762) : State results from a contract between individuals in their personal capacity and individuals in their corporate capacity. A, B, C and D etc. in their individual capacity surrender all rights to A+B+C+D etc as a corporate whole.

5. Sovereignty

Principal works Leviathan (1651) : Hobbesian sovereignty is unlimited, indivisible, inalienable, absolute above law, source of law, justice, property above state and church has no right of revolution against sovereign.

Civil government(1690) : Locke does not conceive of a sovereign state. His government is limited to performance of its duties. The inherent right of man to life, liberty and property, represents a limitation on government. Locke conceives of popular and not le-gal sovereignty.

Social contract(1762) : The corporate whole that is people as a whole are sovereign. Thus Rousseau believes in popular sovereignty. People are the legal sovereign. Sovereignty resides in the 'general will 'of the people. The characteristics of this sovereignty are its unity, individuality, permanencies, in alienability and its absolute and unrepresentable character. The government is dependent on the sovereign of the people. Rousseau distinguish between the sovereign state and subordinate government.

6. Liberty :

In the state of nature liberty depends upon the state and is guaranteed by the state. It is a gift of the state and can be abrogated by the state. It cannot be quoted against the authority of the state.

A man has certain rights inherent in him ie. rights to life, liberty and property which the state cannot deprive him of

In the civil state individual liberty is a gift of the sovereign state. It must be reconciled with the absolute authority of the state and cannot be quoted against the same.

7. Individual and the state :

Principal works Leviathan (1651) : **The Hobbesian individual owes everything i.e. rights peace and law to the state and is there-fore best in the state.**

He must obey the sovereign and pay taxes. Individual has some kind of liberty even in the civil state i.e.

(a) Liberty not to kill himself if asked to do so by the sovereign.

(b) Liberty to life which enables him to resist the sovereign if the latter at-tacks his life.

(c) Liberty to refuse allegiance to a sovereign who cannot save his life or to a deposed sovereign.

Rousseau compared with Hobbes and Locke

Rousseau had drawn something from Hobbes and something from Locke. In fact he began with the method of Locke and ended with those of Hobbes. Both Rousseau and Locke agreed that man in the state of nature was free and happy. Formation of civil society by means of a contract was deemed the only way out. Both Locke and Rousseau made the distinction between the state and government though Rousseau maintained that the institution of government was not the results of contract. Both believed that the contract did not remove the supreme power from the people. Rousseau's voice is the voice of Locke but the hands are those of Hobbes.

Evaluation of Social Contract Theory

The social contract theory as expounded by Hobbes, Locke and Rousseau does not explain the origin of the state. There is no evidence to support this theory. The contention of these philosophers is not borne out by facts. What was contributed by Hobbes to political philosophy was absolutism. Locke gave recognition to the concept of limited government. Rousseau popularised the idea of popular sovereignty.

Theory of Social Contract

Criticism

The doctrine that the state originated in a contract was a favourite home of political speculation during the seventeenth and eighteenth centuries.

Historically the theory is a mere fiction. There is nothing in the whole range of history to show that the state has ever been deliberately created as a result of voluntary agreement. Primitive man did not possess that maturity of outlook which the making of social contract presupposes.

The social contract theory is unhistorical. It is merely a fiction.

The social contract theory is also attacked on legal grounds. It is contended that a legally sound contract implies the prior existence of some authority and its sanction before the contract is entered into. In the case of social contract theory there was neither the authority nor the sanction before the contract was concluded. The social contract theory is also criticised on philosophical grounds. The social contract theory is criticised as bad history, bad law and bad philosophy. It is bad philosophy, because it looks upon the state as an artificial contrivance and not a natural process of growth.

Development of State

The State occupies the most important place among all social institutions. It is 'the keystone of the social arch', as Laski says. In the words of Finer 'the state is the supreme social frame work. Without state there would be chaos and confusion in the society. It is not only a natural but also a necessary institution. It exists to control and regulate the behaviour of the human beings. It protects the weak against the strong, maintains peace and order and serves the common good life of all individuals. Man cannot live without the state.

The state is the result of a slow and steady growth extending over a long period and has many stages in its development.

Different factors produced different types of states in different societies. It is difficult to show the stages of evolution which the modern nation state had to undergo during its emergence.

The process of the evolution of the state has not been uniform. In the early period there were the Oriental empire, Greek city-state, the Roman Empire, the Feudal state, the Nation state, socialist state and welfare state. The following typologies of state are described below: (1) City State, (2) Feudal State, (3) Nation-State, (4) Socialist State and (5) Welfare State.

CITY STATE

After the Oriental Empire there was the City-State in Greece around 1000 B.C. In fact, political theory may be said to begin with the Greek City-States. The Greek City-States were the first communities to have given conscious thought to 'politics'. Although the Greek political institutions were probably not unique, yet they presented the most fully developed instance of a way of life and government for which evidence is available.

When the Greeks settled in Europe, they were divided into local communities organised on the primitive model according to clans and tribes. Each clan and tribe occupied distinct valleys and islands into which Greece was broken up by sea and hills. These valleys and islands, over the lapse of time, became centers of political life sharply different from the Oriental Empires. From the history of the Greek City-States, and especially from the history of Athens, we can trace how the tribal administration gradually gave place to the local principle in government, and how the local community was developed into the City—a new political type of governance. The Greek City was a true State in the modern sense of the term in which the political, economic, intellectual, and moral life of the people was focussed on the central city.

With the Greek City-State two ideas were integral. Each City was a politically organised State independent of others and proud of its independence. The Greeks never thought, and perhaps it was foreign to their nature, to merge their identity in any other City and to make a large unit of political administration. Secondly, the Greek City-State was deliberately limited in size and population. According to Greek political philosophy, the concentration of political, social and intellectual life at one central city was possible only when the State was small. Aristotle put definite limitations on the population and size of the State. He held that neither ten nor a hundred thousand could make a good State, because both these numbers were extremes. He laid down the general principle that the number should be neither too large nor too small. It should be large enough to be self-sufficing and small enough to be well governed.

The Greek City-State developed to the stage of a conscious effort directed to the realisation of liberty and equal laws. It was a great experiment not only in the art of self-government, but also in quest of virtue. To be a citizen of the State did not merely imply, in the Greek view, the payment of taxes and the casting of a vote. It implied a direct and active co-operation in all the functions of civil and military life. A citizen was normally a soldier, a judge and a member of the governing assembly. He performed his public duties in person; the Gods of the city were his Gods, and he

attended all festivals. The State was, thus identified with society. The Greek City was at once a State, church and school and it embraced the whole life of man. Since the object of the State was to secure a good life for all citizens all forms of State control calculated to secure that end were considered proper and justified, and no line was drawn between matters of political, moral, religious and economic. Edmund Burke's description of the State as 'a partnership in all science, a partnership in all art, a partnership in every virtue and in all perfection' was the real life of the Greek City-State, Athens at the height of her fame was regarded as the embodiment of all that was most advanced in Greek political ideas.

The City-States of Greece were typical examples of direct democracy in the modern sense of term. All citizens were directly associated with the governance of the State and it really meant the power of the people. But forms of government, according to Greek philosophers, were subject to cyclic changes. Monarchy was the first and in time it gave way to aristocracy. Aristocracy was succeeded by oligarchy. Then came polity and, finally, democracy. Democracy was held to be rule by the mob.

The Greek City-States fundamentally differed from the Oriental Empires. But there were snags, too, in the Greek political life. Their love of independence verging on separatism ultimately resulted in their collapse, when a powerful state arose in the north under Philip of Macedonia. They were also wanting in what may be called the submissive virtues—patience, self-denial, and the spirit of compromise and tolerance. Their self-will and lack of disciplined life embittered the faction fight in their Cities between the rich and the poor, nobles and commons, friends of Athens and friends of Sparta. The works of the Greek historians and political thinkers clearly show that the Greek society of their time was not in a sound state. The philosophers were constantly asking the question, what virtue was, and how it might be taught. And they looked on this question as one of immediate and even urgent importance to society. They felt that their countrymen were thinking too much of liberty,' and far too little of discipline. They foresaw that a people in this state of mind must fall before that power whose people were better disciplined than the Greeks. The Macedonians, and after them the Romans, proved the truth of this forecast.

The Greeks were also wanting in humanity. They made liberty the exclusive right of superior people and denied the same to others what they valued for themselves the most. Even the wisest of the Greeks regarded slavery as a natural institution and they never dreamt that civilised life was

possible without slavery. Athens, for example, had only about 20,000 citizens who obtained leisure for their public duties by turning over all the rough work to a much larger body of slaves. Slavery is incompatible with civilisation and, as such, with democracy. A democratic society is one in which all enjoy equal rights and privileges without any barrier of class distinction. The brotherhood of man is its basis and all its members are equal.

The Greek City-State was an all-inclusive partnership in every aspect of human existence. But this broad inclusiveness made the Greeks neglect one of the most essential of political problems, that of clearly defining the functions of the State and separating it from various other associations which composed, society. 'The failure to distinguish the State from the community' says Mac Iver, 'left Athenian liberty itself a monument broken and defaced. The all-inclusive State, whether its dimensions are those of the city or nation, cannot draw the line between law and customs, between enforcement and spontaneity, between the conditions of order and those of culture, so long as the theory is accepted that the State is omnipotent. Under such a theory no form of life is safe, no religion, no opinion, unless its adherents control the government. So the very diversity which enriches a civilisation when recognised as existing of right, creates under the principle of the 'universal partnership' those violent and factious oppositions which on the contrary destroy it'.

Plato's Ideal State

“Until philosophers are kings or the kings and princes of this world have the spirit and the power of philosophy and political greatness and wisdom meet in one, cities will never rest from their evils.” (Plato)

The Republic of Plato is interpreted as Utopia to end all Utopias, not because it is a romance, but because he constructed an ideal state in it. He compares the construction of an ideal state with an act of an artist who sketches an ideal picture without concerning himself with the fact whether individual characteristic features of imaginative picture are to be found anywhere or not? In the same way, Plato never thought of the possibility of the institutions of his ideal state, being capable of ever becoming a reality. He never thought of the impracticability of this idea concerning his ideal state.

Plato built his state on the analogy of an individual organism. He believed that the virtues of an

individual and of the state were identical. He was of the view that an individual presented almost the same features and qualities on a smaller scale as society on a bigger scale.

Features of an Ideal State

1. Rule of Philosophy

Plato was of the view that in an ideal state the philosopher-ruler should be prominent. He should have a broad vision of unity of knowledge. Philosopher-kings are immune from the provisions of law and public opinion.

2. No unqualified absolutism

Though, neither, there is any restraint of law nor of public opinion over philosopher-rulers but that is not an unqualified absolutism. It is not all despotism, because rule of philosophy is not free from the basic articles of the constitution.

3. Control over the education system

Philosopher ruler should control the education system in an ideal state.

4. Justice in ideal state

Justice is the main feature of Plato's Republic and it is also present in his ideal state. Justice is the bond which binds every member of society together. It forms a harmonious union of individuals.

5. Censorship of art and literature

In ideal state, there should be a complete censorship of art and literature. It is necessary so that nothing immoral things might fall into the hands of the young individuals.

6. System of Communism

Plato was of the view that guardian class should live under the system of communism of property and family. The rulers and soldiers do not possess any property of their own.

7. Equality among men and women

According to Plato, equal opportunities should be given to both men and women for their economic, social, intellectual and political uplift. We can say that Plato was the first feminist of his

time.

8.Principle of Functional Specialization

Plato was of the view that due to multiple wants, an individual could not fulfill all his desires by himself alone due to lack of capacity. Thus co-operation among individuals should be necessary to satisfy their mutual desires. Some people are specialized in performing some certain tasks.

Criticism

1.Plato built his ideal state on the analogy of individual and this identification leads to confusion. He failed to distinguish ethics from politics. His ideal state is based not merely on analogy but almost identification between the individual and the state, which is quite wrong.

2.Plato fails to condemn the institution of slavery and regard it as fundamental evil.

3.Plato's system of communism of women and temporary marriage is detestable and unethical.

4.Plato is a moralist rather than a political idealist. His assumption that the state should control the entire lives of its citizens is false and contrary to human liberty.

5.By the system of functional specialization, Plato tends to dwarf the personality of the individual. There is no possibility of any full development of human personality in his ideal state.

6.Plato completely ignores the lower class in his ideal state which forms the great bulk of population. Such negligence may divide the society into two hostile groups.

THE FEUDAL STATE

The downfall of Rome meant the death of the 'State' in Western Europe. A long period of confusion followed. The Teutonic barbarians who invaded Rome from the north were still living in the tribal stage, not yet having conceived of strong central authority. They were lovers of local independence and individual liberty and their kings were simple successful war Chiefs. The freemen had a voice in all public affairs.

When such people came into contact with the Roman political system which was characterised by order, unity, and centralisation conflict was the inevitable result. Out of this conflict feudalism arose as a compromise between the clan type of society represented by the Teutonic barbarians and the imperial State type represented by Romans. It is easy enough to decry feudalism and belittle its importance in the evolution of the State. It has been rightly said that it was not a system at all. But in the anarchic state into which society had fallen following the decline of Rome, it was feudalism which gave the people of Europe comparative peace and protection and preserved the machinery of the State. It was confusion roughly organised. It marked the transition from the imperialism of the Roman world to the nationalism of the modern world.

Rise of Feudal State

On the decline of the Roman Empire, the vast territories of Rome fell into the hands of powerful Nobles. Each of these Nobles became an authority unto himself and each by a process of 'sub-infeudation' of land created a community of his own around him. The supreme lord parcelled out his land among the tenants-in-chief, and the tenants-in-chief among the tenants, and the tenants in turn among the Vassals and Serfs. Thus a hierarchy was built upon the basis of land-holding. A rigid system of classes was established and the 'State' was swallowed up in the community. Services of various kinds, particularly military, were rendered to the immediate overlord, and the control of the supreme lord, or king, at the top of the social and economic ladder over the Vassals and Serfs at the bottom of the ladder was indirect and remote. The loyalty of each class was in the first instance to the class immediately above it. As a result of such limited loyalty, the idea of a sovereign power reigning supreme in a given territory remained foreign to the feudal period. In the place of a system of uniform and impartial law which the Romans had done so much to build up, there was reversion to custom as law. Real political progress was impossible as long as feudal ideas prevailed. Yet feudalism was not synonymous with anarchy. It justified its existence by providing peace and protection to the people of Europe. It was based upon personal loyalty and contract. In its later stage, particularly in England, where allegiance to the king took precedence over allegiance to the immediate lord, it helped the growth of the 'Nation State'.

Another institution which survived the confusion following the downfall of the Roman Empire was the Christian Church. Christianity began as a humble faith among the lower classes of society, but in the course of a few centuries it reached mighty proportions and about the year 337 A.D. the Roman Emperor Constantine was converted to Christianity. By the end of the fourth century it was the only recognised religion in the Roman World. It built its organisation on the Roman imperial model and when the Empire fell to pieces, it was able to step into its place and give Europe order and peace. During long periods of the Middle Ages, it was able to control the State; and itself became a powerful temporal authority, holding in its possession considerable wealth, especially landed property.

In feudalism the Church found a valuable ally, for it was in the interest of the political aspirations of the Church that Western Europe should be kept divided with no common political superior to offer resistance to the extravagant claims of the Church. The Protestant Reformation which came soon after in effect ended the secular supremacy of the Church, and the way was prepared for national monarchies.

With all its imperfections, feudalism has rendered inestimable service to the European polity. The political unity and the way of life of the State, built up laboriously by Rome in Western Europe, were threatened with complete destruction in consequence of the barbarian invasions, which caused the downfall of her Empire. At such time, by welding together the strong sentiment of personal loyalty and the stable attachments connected with the possession of land, feudalism gave some order and avoided total chaos; it provided a temporary scaffolding or framework of order on which a true national life could grow.

Secondly, it fostered among the big landlords self-reliance and love of personal independence.

Turbulent, violent, and ungovernable as was the feudal aristocracy of Europe says Myers, 'it performed the grand service of keeping alive during the later medieval period the spirit of liberty. The feudal lords would not allow themselves to be dealt with arrogantly by their king; they stood on their rights as freemen'.

As against a royal tyranny, exceeding the bounds of law, the greater lords could oppose a military power greater than the king's.

The defect, however, of the feudal system was, as may be seen from the foregoing discussion, 'the confusion of public, and private rights', which was yet essential to it. It also rendered difficult the formation of strong national Government, as a country was split into a vast number of practically independent principalities. Briefly, it was liable to the disease of anarchy; indeed where the private ownership of land by a feudal chief was the basis of social order, anarchy was, inevitable. Adam's remark that the feudal system was confusion roughly organised sums up its true place in the evolution of European polity.

NATION State

Feudalism was only 'a temporary scaffolding or framework order'. It gave to the people of Europe some order, but a true national life could not grow on such a system. Many factors contributed to its decline. The general course of events had been that powerful lords subdued less powerful ones, and small kingdoms emerged by successful conquest or lucky marriage, and by the consolidation of an authority that was generally welcomed by the masses, if not by the more important lords, whose powers were gradually limited by the new monarchs. The Renaissance and the Reformation accelerated the pace of this change. The Tudors in England took advantage of the situation and demonstrated to the European countries how the people could unite and progress under a strong and centralised authority. The ties of unity were further fostered by the sentiments of nationality. Britain's insular position helped the British in attaining the full stature of an organised and conscious nationhood. The attempt of the English, in the early fifteenth century, to dominate France roused the national spirit in that country too. A similar awakening, due to various causes, had come in Spain and Portugal. The sixteenth century saw the Danish and Swedish peoples also similarly organised.

A new type of State, thus, emerged. The old concept of the State was replaced by the State based on bonds of nationality strengthened by natural boundaries. A national State, with a distinct and separate territory of its own, gave rise to the modern theories of sovereignty and equality of States. The nation-State also helped the growth of international law.

Growth of Nation State

The Nation-States began their careers as absolute monarchies. When Papal authority was set aside, and feudal rights were giving way, it was natural for the people to cling to the central institution in which their political life was embodied. The growing national consciousness of the people had made them realise the need for consolidation. But consolidation demanded concentration of authority. Protestantism, too, while limiting the authority to a territorial State, placed the spiritual and civil authority in the hands of the king. The political thought of this period, also supported absolutism. Machiavelli freed the ruler even, from the limitations imposed by public morality. The theory of Divine Right of Kings championed the cause of absolute monarchy.

But the absolute authority of the kings could not remain unchallenged for long. The next stage in the development of nation-State was the conflict between the king and the people. The people demanded their rights and privileges. They began to realise that power was ultimately theirs, if they wished to wield it. It was the rise of democracy and the aspirations for a representative system of government. Democracy brought with it three main principles; equality, popular sovereignty and nationality. The manifestation of the first principle was found in the Declaration of the Rights of Man drawn up by the French Revolutionaries in 1789. Ever since 1789, this principle 'has been at work emancipating and elevating the hitherto unfree and downtrodden orders of society, and removing civil, religious and race disabilities from disqualified classes in the State.' The Declaration of the Rights of Man also embraced the concept of popular sovereignty. It means, in simple words, that the people are the source of all authority and law is the expression of their will. Finally, the principle of nationality requires that the people, who feel they are one, are free to choose their own form of government and to manage their affairs in their own way. Here, again, it may be stated that the French Revolution was primarily responsible for the revival of the national sentiment.

The advance of democracy wrecked absolutism and brought about a great improvement in the political customs of the civil nations. The selfishness of the ruling families was checked and methods of government became milder and fairer. Laws were made with due consideration of the interests of the people, and opinions were freely brought to the test of discussion. Another characteristic of the democratic State had been the pursuit of the policy of *laissez-faire* in the field of industry, trade and commerce. This policy 'to let people alone' had certain obvious results. First, there had been a great expansion in enterprise and invention. Secondly, there had been a movement of diffusion owing to economic freedom. Finally, there had been a marked tendency in concentration both of capital and land.

The modern State is a nation-State and it has become the basic pattern throughout the world. It actualises the principle of self-determination, or the right of each nation to govern itself. Loyalty in the nation-State is expressed to the nation, or, in the other words, to the people. A nation-State, accordingly, places emphasis on the ethnic, if possible, and geographic unity of the people. It adopts all means at its disposal to preserve the integrity of its natural frontiers and tries to maintain a homogeneous and united people. This has been the course of the development of the State during the past five centuries.

Definition of Welfare State

The concept of 'Welfare State' is defined differently by different writers which are listed below.

1. 'The Welfare State is one which provides a wide range of social services and security'. (T.W.Kent)
2. 'Welfare State regards want, disease, ignorance, squalor and idleness as five great enemies of the people and wants to give them a fight and destroy them'. (Nehru)
3. 'The Welfare State is a society in which an assured minimum standard of living and opportunity becomes the possession of every citizen'. (G.D.H. Cole)
4. 'The Welfare State is a system wherein government agrees to underwrite certain levels of employment, income, education, medical aid, social security and housing for all its citizens'. (Amartya Sen)

The concept of Welfare State is a compromise between extreme Individualism and Socialism. Individualism gives maximum importance to the individual and degrades the state. Socialism, on the other hand, gives maximum importance to the state and degrades the individual. But Welfare State gives importance to both state and individual. It promotes the general happiness and welfare of the people. It regards itself more as an agency of social service than as an instrument of power. It aims at the attainment of moral progress, development of individual personality and maintenance of certain good conditions of social life

Features of Welfare State

The following are the basic features of the Welfare State

1. Emphasises the worth of man

Welfare State emphasises the worth and dignity of the individual and helps and assist him to lead a respectable life in the society. It regards all individuals on an equal footing irrespective of their social and economic status.

2. Undertakes progressive measures

Welfare State tries to implement progressive measures like land reforms, agricultural development, price control, public distribution system of essential commodities, provision of health, education, sanitation, communications etc.

3. Undertakes wide-range of Social Services

Welfare State undertakes wide-range of social services for the betterment of its citizens. They include measures like eradication of untouchability, dowry, child marriage, sati, etc. It takes steps to abolish illiteracy, poverty and unemployment. It established schools, hospitals and other institutions to meet the needs of the people. It provides unemployment relief, maternity benefit, old-age and other social benefits.

Functions of Welfare State

Welfare State undertakes numerous functions which are divided into

- A. Regulative
- B. Protective and
- C. Welfare functions

A. Regulative Functions

These include: (i) maintaining law and order, (ii) promoting peace (iii) curbing anti-social elements and their activities, (iv) putting down

communal, caste and class clashes, (v) checking exploitation of labourers by passing necessary legislation etc.

B. Protective Functions

These include: (i) maintenance of internal order, (ii) protecting territorial integrity, (iii) maintenance of basic institutions, (iv) maintenance of sound net-work of postal system, transport and communication systems (v) regulation of trade, markets, weights and measures, (vi) prevention of theft, decoity and other criminal activities, (vii) conducting foreign relations with other countries, (viii) administering justice and punishing criminals, and (ix) safeguarding the country's territories sovereignty and independence against external attacks and invasions etc.

C. Welfare Functions

These include: (i) eradicating the spread of contagious diseases like malaria, cholera etc. (ii) eradicating illiteracy by establishing educational institutions (iii) reducing the economic inequalities by taking steps for distribution of national income, (iv) providing employment opportunities to all qualified persons (v) improving the working conditions of the workers by fixing hours of work, compensation etc. (vi) creating healthy atmosphere in and outside industries. (vii) providing adequate social services such as unemployment benefits, disability benefits, maternity benefits etc. (viii) introducing jail reforms for speedy disposal of cases and reducing the cost of judicial litigation, (ix) introducing land reforms, (x) encouraging cottage and small-scale industries, (xi) undertaking Community Development Programmes, and (xii) checking social evils etc. In brief Welfare State provides full employment, social security, housing, health and education for all people.

Criticism of Welfare State

There are a few writers who criticised the idea of Welfare State on the following grounds:

1. Very expensive

Welfare State, is an expensive state and is beyond the reach of poorer nations. Providing a wide range of social services involves a lot of expenditure.

2. Kills individual initiative and freedom

It is said that Welfare State curbs the individual freedom, initiative and self-help. It retards moral development because it makes a man inferior and dependent on charity. It develops in him proper mentality.

3. Undue importance to Bureaucracy

It is also argued that Welfare State gives undue importance to bureaucracy because it is bureaucracy which makes policies and implements them.

4. Leads to inefficiency

It is pointed out that Welfare State undertakes too many functions which in turn results in administrative inefficiency and mismanagement of human and natural resources.

5. Retards the work of Association

Finally, it is said that Welfare State regulates the work of voluntary organisations in the society. They are pushed back and the willingness to undertake social service activities on the part of the associations are undermined.

Importance

Most of the criticisms given above, are not correct. In order to make the Welfare State an ideal system, some steps have to be taken. They are: (1) Defining the objectives and laying down the means to achieve them; (2) Avoiding red-tapism (3) Periodic evolution of Welfare Schemes (4) Checking totalitarianism and (5) Encouraging voluntary associations etc.,

If the above measures are adopted the Welfare State may

certainly become heaven of peace because it reconciles individual freedom with the authority of the state, brings about a fair degree of equality of income among all people and recognises the dignity and worth of the human beings.

Micro State

A **microstate** or **ministate** is a sovereign state having a very small population or very small land area, and usually both. The meanings of "state" and "very small" are not well-defined in international law.[1] Recent attempts, since 2010, to define microstates have focused on identifying political entities with unique qualitative features linked to their geographic or demographic

limitations. According to a qualitative definition, microstates are "modern protected states, i.e. sovereign states that have been able to unilaterally depute certain attributes of sovereignty to larger powers in exchange for benign protection of their political and economic viability against their geographic or demographic constraints." [2] In line with this and most other definitions, examples of microstates include Liechtenstein, Monaco, San Marino, Andorra, the Cook Islands, Niue, and the Federated States of Micronesia.

The smallest political unit recognized as a sovereign state is Vatican City, with around 1,000 citizens as of 2017 and an area of only 44 hectares (110 acres). However, some scholars dispute qualifying Vatican City as a state, arguing that it does not meet the "traditional criteria of statehood" and that the "special status of the Vatican City is probably best regarded as a means of ensuring that the Pope can freely exercise his spiritual functions, and in this respect is loosely analogous to that of the headquarters of international organisations.

MODULE NO. 3. Sovereignty

Sovereignty is an essential element of the state. State cannot exist without sovereignty. State is regarded superior to other associations only because of sovereignty. In fact modern theory of state got its proper shape and perfection only when the concept of sovereignty was introduced in it.

When we try to search for the origin of this concept we find that the term sovereignty is the product of modern political thinking but the idea goes back to the time of Aristotle who referred to it as the 'supreme power' of the state.

In middle ages Roman jurist and civilians were also familiar to this idea. But it was **Jean Bodin** who developed for the first time the theory of sovereignty systematically in his book 'Six Books on the Republic'.

Meaning, Nature And Definitions:

The term sovereignty is derived from the Latin word 'Superanus' meaning supreme. It is basically a legal concept. It denotes supremacy of state. To understand the term sovereignty, it is desirable to look into some definitions of the given by some political thinkers.

Jean Bodin defined sovereignty as 'absolute and perpetual power of commanding in a state. It is supreme power over citizens and subjects unrestrained by law'.

Pollock says that 'Sovereignty is that power which is neither temporary nor delegated nor subject to particular rules, which it cannot alter, nor answerable to any other power on the earth.'

Burgers described sovereignty as 'original absolute unlimited power over the undivided subjects and over all associations of subjects. It is the underived and independent power to command and compel obedience.'

D.F Russell defines sovereignty as 'the strongest power and supreme authority within a state, which is unlimited by law or anything else.'

According to **Laski** sovereign is 'legally supreme over any individual or group. It possesses

supreme coercive power.' The above definitions may differ from each other but one thing is very clear and there is no doubt about the superior authority of sovereignty.

The basic idea is that the sovereignty is able to declare law, issue commands and take political decisions, which are binding on individuals and associations within his jurisdiction.

There are two aspects of sovereignty

- a) Internal sovereignty

- b) External sovereignty

Internal sovereignty means that the sovereign is the supreme authority over the individual and associations, within its territory. External sovereignty means that the sovereign is an independent entity, free from alien rule or control, in its conduct with other states and international organization.

Modern state claims supremacy in internal matter and freedom from the control of external government on the basis of the attribute of the sovereignty. Sovereignty has the following characteristics:

1. Sovereignty is absolute from the legal point of view.

2. Sovereignty is permanent. It lasts as long as the state. Change in Government does not end sovereignty but only transfers it to the next bearer.

3. Sovereignty of the state is universal. It extends to all within its territory.

4. Sovereignty is inalienable. Sovereignty of the state cannot be given away without destroying the state.

5. Sovereignty cannot be divided between or shared by a plurality. To Gettell - 'If sovereignty is not absolute no state exists; if sovereignty is divided more than one state exists; but with the

emergence of the concept of federalism, the idea of dual sovereignty was provided by Tocqueville, Wheaton and Halleck.

6. Sovereignty is exclusive. State alone has the sovereign authority and legitimate power to make citizens obey its dictates. It is again important to note that all these characteristics of sovereignty are peculiar to the legal notion of sovereignty. They are best represented by an absolute monarchy.

In the actual working of the state - especially in the case of democratic, federal, pluralist and constitutional government - it becomes extremely difficult to discover the seat or real character of sovereignty.

We shall now study the characteristics of Sovereignty. What are they?

1. Permanence

The chief characteristic of sovereignty is permanence. Sovereignty lasts as long as the state lasts. The death of the king or the overthrow of the government does not affect sovereignty. Hence, the people of England say 'King is dead, Long live the king'.

2. Exclusiveness

Exclusiveness here implies that there cannot be two sovereign in one independent state and if it exists the unity of the state will be destroyed.

3. All comprehensiveness

Every individual and every association of the individual is subject to the sovereignty of the state. However rich or powerful association or group may be, it cannot resist or disobey the sovereign authority.

4. Inalienability

Sovereignty is the life and soul of the state and it cannot be alienated without destroying the state itself.

5. Unity and Everlasting

The spirit of sovereignty lies in its unity. Sovereignty is not bound by time and lasts until the state lasts.

6. Indivisibility

Indivisibility is the life line of sovereignty.

7. Absoluteness

Sovereignty is unconditional and unlimited. Sovereignty is beyond obedience and it is entitled to do whatever it likes.

8. Originality

Sovereignty wields power by virtue of its own right and not by anybody's mercy.

Kinds of Sovereignty:

Sovereignty can be classified into different kinds. This classification is based on the location of sovereignty.

Titular Sovereignty:

By titular sovereignty we mean sovereignty by the title only. It refers to the sovereign powers of the king or monarch who has ceased to exercise any real authority.

In theory he may still possess all the powers but in practice sovereign power is enjoyed by some other person or body of persons. Titular sovereign is only a symbol of authority, a legacy of

past. Britain presents a good example of titular sovereign. The king is the titular head and he does not enjoy any real powers. Actual powers are enjoyed by council of ministers and parliament. In India president is a titular sovereign and the cabinet is a real sovereign.

De Facto and De Jure Sovereignty:

De facto sovereignty indicates to a sovereign who without legal support or constitutional support enjoys sovereign power. De jure sovereign is recognized by law or the constitution, but not in position to practice its power.

In case of revolutions, that is a successful overthrow of the existing regime in a state there may be de facto and de jure sovereigns. For example when Mussolini came to power in Italy in 1922, de facto sovereignty passed into his hands although Victor Emmanuel was the de jure sovereign.

The military dictatorship of the present world, established after a coup d'etat also represents de facto sovereignty until it evolves suitable means to legitimize its authority.

Usually de facto and de jure sovereign stay together for a very short period and the de facto sovereign tries to become De Jure sovereign. The de facto and de jure sovereigns should ultimately coincide; otherwise there is danger of conflict between them. New laws are made in order to give him definite status to the de facto sovereign to give it legal support.

Legal and Political Sovereignty:

Distinction is some times drawn between legal and political sovereignty. The sovereign is supposed to be absolute and omnipotent. It functions according to its own will. Law is simply the will of sovereign.

There is none to question its validity. Legal sovereign grants rights to its citizens and there can be no rights against him. It means rights of citizens depend on the will of legal sovereign and any time he can take away. Legal sovereign has following characteristics-

1. The legal sovereignty is always definite and determinate .

2. Legal sovereignty may reside either in one person or in a body of persons.
3. It is definitely organized, precise and known to law.
4. Rights of citizen are gift of legal sovereign.
5. The will of state is expressed by the legal sovereign only.
6. Legal sovereignty is absolute. It cannot be question.

In Britain King in Parliament is the sovereign. In U.S the legal sovereign consists of the constitutional authorities that have the power to amend constitution.

But behind the legal sovereignty there is another power, which is unknown to law. It is political sovereignty. In practice absolute and unlimited authority of the legal sovereignty does not exist anywhere. Even a dictator cannot act independently and exclusively. The will of legal sovereignty is actually sharpened by many influences, which are unknown to law. All these influences are the real power behind the legal sovereign; and this is called political sovereignty. As **Professor Gilchrist** says- 'The political sovereign is the sum total of the influences in the state which lie behind the law.' The political sovereignty is not known to law. In modern representative democracies the political sovereignty is very often identified with either the whole mass of the people or with electorate or with public opinion. The legal sovereign cannot act against the will of political sovereign.

Dicey says that 'body is politically sovereign which the lawyers recognize there is another sovereign to whom the legal sovereign bow- that body is political sovereignty; that which is ultimately obeyed by the citizens of the state.'

A lot of confusion arises when we attempt the exact definition of political sovereignty. It is a vague and indeterminate and cannot be located with exactness. It is suggested by some writers that there is no justification for making a distinction between legal and political sovereignty, as that involves the division of sovereignty, which is not possible.

Popular Sovereignty:

When the sovereignty resides in the people of the state it is called as popular sovereignty. This theory was expounded by **Rousseau**, when later became the slogan of French Revolution. The

doctrine of popular sovereignty regards people as the supreme authority. It is people who decide right or wrong. People are not bound by any natural or divine law.

Government exists only as a tool for the good of the people. It should be held directly responsible to the people. It can exercise authority only on the basis of the law of land.

Will of the people should not be ignored popular sovereignty is the basis of modern democratic system.

AUSTIN'S THEORY OF SOVEREIGNTY (MONISTIC VIEW):

In the 19th century the theory of sovereignty as a legal concept was perfected by Austin, an English Jurist. He is regarded as a greatest exponent of Monistic Theory. In his book 'Province of Jurisprudence Determined (1832) Austin observed' 'if a determinate human superior, not in the habit of obedience to a like superior, receives habitual obedience from the bulk of a given society, that determinate superior is sovereign in that society and that society (including superior) is a society political and independent.' To **Austin** in every state there exists an authority to whom a large mass of citizen show compliance. This authority is absolute, unlimited and indivisible.

Austin's theory of sovereignty depends mainly upon his view on nature of law. According to **Austin** 'Law is a command given by a superior to inferior' the main tenets of Austin's theory of sovereignty are as follows-

1. Sovereign power is essential in every political society.
 - a. Sovereignty is a person or body of persons. It is not necessary that sovereign should be a single person. Sovereignty may reside in many persons also. Austin explains that a 'Sovereign is not necessarily a single person, in the modern western world he is rarely so; but he must have so much of the attributes of a single person as to be a determinate.' To Austin state is a legal order, in which there is a supreme authority, which is source of all powers. Sovereignty is

concerned with man, and every state must have human superior who can issue commands and create laws. Human laws are the proper subjects of state activity.

2. Sovereign power is indivisible. Division of sovereignty leads to its destruction. It cannot be divided.

3. The command of sovereignty is superior to over all individuals and associations. Sovereign is not bound to obey anyone's order. His will is supreme. There is no question of right or wrong, just or unjust, all his commands are to be obeyed.

4. Austin's theory says that the obedience to sovereign must be habitual. It means that obedience should be continuous. He also includes that is not necessary that obedience should come from the whole society. It is sufficient, if it comes from the lay majority of people. Obedience should come from bulk of the society otherwise there is no sovereign.

In brief we can say that sovereignty according to **Austin** is supreme, indivisible and unquestionable.

Like all other theories of sovereignty Austin's theory is also not free from criticism. The first criticism is regarding sovereignty residing in a determinate superior. Even sovereign's acts are shaped by so many other influences, such as morals, values and customs of the society.

Sir Henry Maine gives the example of Maharaja Ranjit Singh. He pointed out that the Maharaja 'could have commanded anything. The smallest disobedience to his command would have been followed by death or mutilation.' In spite of this, the Maharaja never 'once in all his life issued a command which **Austin** could call a law. The rules which regulated the life of his subjects were derived from their immemorial usage.'

Secondly Austin says that the sovereign is possessed of unlimited powers, which is again not acceptable. It is possible only in theory not in practice. **Laski** points out that 'no sovereign has anywhere possessed unlimited power and attempt to exert it has always resulted in the establishment of safeguards.'

Thirdly **Austin** says that sovereign is indivisible. All powers must be centered in the hands of one person or a body of persons called sovereign. But this has been also disproved by Federal system of governments. It is characteristic of federal state that power must be divided between the federal government and its units.

Austin's theory is criticized further on the grounds of his definition of law. Austin defines law as 'command given by a superior to inferior'. This is also not true. No sovereign can ignore the existence of customary law, which has grown through usage in every country.

It seems to be that Austin's theory may not be accepted as valid for political philosophy. His legal theory of sovereign narrows down 'the meaning of vital terms.' It should, however be admitted that as an analysis of strictly legal nature of sovereignty. Austin's theory is clear and logical.

Pluralist Theory of Sovereignty:

The pluralist theory of sovereignty was a reaction to monistic or legal theory of sovereignty. To monistic theory state is supreme association and all other associations are the creation of state and their existence depends on the will of the sovereign power.

The pluralist theory rejects this and tries to establish that there is no single source of authority that is all competent and comprehensive. **Laski** says that sovereignty is neither absolute nor a unity. It is pluralist, constitutional and responsible. State has no superior claim to an individual's allegiance. It can justify itself as a public service corporation. State exists to coordinate functions of human association in the best interest.

Another exponent of pluralist theory **Robert M. MacIver** propounds that state is one of the several human associations, although it exercises unique functions. Important feature of the state is supremacy of law.

Pluralists believe that state enjoys a privileged position because of its wider jurisdiction, which covers all the individuals and associations within its boundary. This does not mean that it is superior to other associations. It is also true that state has power to punish those who defy its command but that does not mean that it is absolute. The state must justify the exercise of its special powers. Pluralist is divided and limited.

The pluralist demand that the same must justify its claim to allegiance on moral grounds. Actually to them the management and control of society must be shared by various associations in proportion to their contribution to the common goods. This theory stands for the decentralization of authority.

The pluralist also rejects the distinction between state and government. They insist on a realistic political science and consider the distinction between two as artificial.

The pluralists are not against the state but would discard sovereign state with its absolute and indivisible power.

The chief tenets of pluralist theory of sovereignty are as follows.

- a) Pluralist sovereignty deals with political aspects of sovereignty.
- b) State is one of the several human associations catering to various interests of the individuals. c) State is arbiter over conflicting interests of different associations.
- d) State should compete with other human associations to claim superior authority.
- e) State was not absolute or supreme legally.
- f) State is not the only source of legislation or law.

- g) Law is very antithesis of command.
- h) The state is both the child and parent of law.
- i) The root of obedience of law isn't coercion but the will to obey.
- j) State and government are not different.

The pluralist theory of sovereignty is also not free from criticism. Critics maintain that without establishment of a classless society, sovereignty can neither be divided nor be limited. In order to limit the sovereignty of the state there must be a classless society.

The demands for freedom from different associations also are criticized. Division of sovereignty among different associations is not only impossible but also improper. The pluralist view will lead to political anarchy and social instability.

The pluralist limits the sovereignty in order to maintain independence of individuals and other associations, however in order to maintain the rights of the individuals and associations, the state must have sovereign power. The interest of individuals and associations, will conflict and the state will be helpless if it does not possess sovereign power.

In spite of all these criticisms it cannot be denied that the pluralist theory of sovereignty protested the rigid and dogmatic legalism of Austin's theory of sovereignty. It supports humanist and democratic ideas. It challenged the concept of unlimited sovereignty.

This theory also pointed out the importance of other associations. Only state is not important but in a society there are also many other associations, which play an important role in its development. At last we can say that the greatest contribution of this theory is that it gave state a human face, and checked it from being a threat to the liberty.

MODULE NO 4 The Theory of Separation of Powers:

There are three distinct activities in every government through which the will of the people are expressed. These are legislative, executive and judicial functions of the government. Corresponding to these three activities there are three organs of the government, namely the legislature, executive and judiciary.

The legislative organ of the government makes laws, the executive enforces them and the judiciary applies them to specific cases arising out of the breach of law.

Now the question comes what should be the relation among these three departments of the government. In other words, whether there should be complete separation of powers or there should be co-ordination among them. St. Thomas Aquinas, who belonged to the medieval period, was a campaigner against the theory of separation of powers.

He said:

“The greater the unity within the government itself, the greater the likelihood of achieving unity among the people.”

Doctrine of Separation of Powers

Introduction

“Power corrupts and absolute Power tends to corrupt absolutely.”

The separation of powers is based on the principle of trias politica. The Doctrine of Separation of Power is the forerunner to all the constitutions of the world, which came into existence since the days of the “Magna Carta”. Though Montesquieu was under the erroneous impression that the foundations of the British constitution lay in the principle of Separation of Power, it found its genesis in the American Constitution. Montesquieu had a feeling that it would be a panacea to good governance but it had its own drawbacks. A complete Separation of power without adequate checks and balances would have nullified any constitution. It was only with this in mind the founding fathers of various constitutions have accepted this theory with modifications to make it relevant to the changing times.

The Doctrine of “Separation of Powers”, a vintage product of scientific political philosophy is closely connected with the concept of “judicial activism”. “Separation of Powers” is embedded in the Indian Constitutional set up as one of its basic features. In India, the fountain-head of power is the Constitution. The sovereign power has been distributed among the three-wings:

Legislature

Executive

Judiciary

The doctrine of separation of powers envisages a tripartite system. Powers are delegated by the Constitution to the three organs and delineating the jurisdiction of each.

Historical Background

The tripartite model of governance has its origin in Ancient Greece and Rome. Though the doctrine is traceable to Aristotle the writings of Locke and Montesquieu gave it a base on which modern attempts to distinguish between legislative, executive and judicial power is grounded.

The doctrine may be traced to ancient and medieval theories of mixed government, which argued that the processes of government should involve the different elements in society such as monarchic, aristocratic, and democratic interests. The first modern formulation of the doctrine was that of the French writer Montesquieu in *De l'esprit des lois* (1748), although the English philosopher John Locke had earlier argued that legislative power should be divided between king and Parliament.

Locke distinguished between what he called:

Discontinuous legislative power

Continuous executive power

Federative power.

He included within 'discontinuous legislative power' the general rule-making power called into action from time to time and not continuously. 'Continuous executive power' included all those powers, which we now call executive and judicial. By 'federative power' he meant the power of conducting foreign affairs. Montesquieu's division of power included a general legislative power and two kinds of executive powers; an executive power in the nature of Locke's 'federative power' and a 'civil law' executive power including executive and judicial power.

It was Montesquieu who for the first time gave it a systematic and scientific formulation in his book *Esprit des Lois* (The Spirit of the laws) published in the year 1748.

Locke and Montesquieu derived the contents of this doctrine from the developments in the British constitutional history of the 18th Century. In England after a long war between the Parliament and the King, they saw the triumph of Parliament in 1688, which gave Parliament legislative supremacy culminating in the passage of Bill of Rights. This led ultimately to a recognition by the King of legislative and tax powers of the Parliament and the judicial powers of the courts. At that time, the King exercised executive powers, Parliament exercised legislative powers and the courts exercised judicial powers, though later on England did not stick to this structural classification of functions and changed to the parliamentary form of government.

After the end of the war of independence in America by 1787 the founding fathers of the American constitution drafted the constitution of America and in that itself they inserted the Doctrine of separation of power and by this America became the first nation to implement the Doctrine of separation of power throughout the world.

The Constituent Assembly Of France in 1789 was of the view that “there would be nothing like a Constitution in the country where the doctrine of separation of power is not accepted”. In France, where the doctrine was preached with great force by Montesquieu, it was held by the more moderate parties in the French Revolution. However, the Jacobins, Napoleon I and Napoleon III discarded the above theory for they believed in the concentration of power. But it again found its place in the French Constitution of 1871.

Later Rousseau also supported the said theory propounded by Montesquieu. England follows the parliamentary form of government where the crown is only a titular head. The mere existence of the cabinet system negates the doctrine of separation of power in England as the executive represented by the cabinet remains in power at the sweet will of the parliament.

In India, under the Indian constitution, there is an express provision under Article 50 of the Constitution which clearly states that the state should take necessary steps to separate the judiciary from the executive i.e. independence of the judiciary should be maintained.

Montesquieu’s Theory

According to this theory, powers are of three kinds: Legislative, executive and judicial and that each of these powers should be vested in a separate and distinct organ, for if all these powers, or any two of them, are united in the same organ or individual, there can be no liberty. If, for instance, legislative and executive powers unite, there is apprehension that the organ concerned

may enact tyrannical laws and execute them in a tyrannical manner. Again, there can be no liberty if the judicial power is not separated from the legislative and the executive. Where it joined the legislative, the life and liberty of the subject would be exposed to arbitrary control, for the judge would then be the legislator. Where it joined with the executive power, the judge might behave with violence and oppression.

Writing in 1748, Montesquieu said:

“When the legislative and the executive powers are united in the same person or in the same body of magistrates, there can be no liberty, because apprehensions may arise, lest the same monarch or senate should exact tyrannical laws, to execute them in a tyrannical manner. Again there is no liberty if the judicial power be not separated from the legislative and the executive. Where it joined with the legislative, the life and the liberty of the subject would be exposed to arbitrary control; for the judge would be then a legislator. Where it joined to the executive power, the judge might behave with violence and oppression.

There would be an end of everything, where the same man or the same body, whether of nobles or of the people, to exercise those three powers, that of enacting laws, that of executing the public resolutions and of trying the causes of individuals.”

The theory of separation of powers signifies three formulations of structural classification of governmental powers:

The same person should not form part of more than one of the three organs of the government. For example, ministers should not sit in Parliament.

One organ of the government should not interfere with any other organ of the government.

One organ of the government should not exercise the functions assigned to any other organ. [\[xi\]](#)

Now the question in the subject is whether this doctrine finds a place in England? In England, the King being the executive head is also an integral part of the legislature. His ministers are also members of one or other Houses of Parliament. This concept goes against the idea that the same person should not form part of more than one organ of the Government.

In England House of Commons control the executive. So far as the judiciary is concerned, in theory, House of Lords is the highest Court of the country but in practice, judicial functions are discharged by persons who are appointed specially for this purpose, they are known as Law

Lords and other persons who held judicial post. Thus we can say that the doctrine of separation of powers is not an essential feature of the British Constitution.[xii]

Principle of Checks and Balances

The doctrine of separations of powers may be traced back to an earlier theory known as the theory of mixed government from which it has been evolved. That theory is of great antiquity and was adumbrated in the writings of Polybius, a great historian who was captured by the Romans in 167 BC and kept in Rome as a Political hostage for 17 years in his history of Rome.

Polybius explained the reasons for the exceptional stability of the Roman Government which enabled Rome to establish a worldwide empire. He advanced the theory that the powers of Rome stemmed from her mixed government. Unmixed systems of government that is the three primary forms of government namely, Monarchy, Aristocracy, and Democracy – were considered by Polybius as inherently unstable and liable to rapid degeneration.

The Roman constitutions counteracted that instability and tendency to degeneration by a happy mixture of principles drawn from all the three primary forms of government. The consuls, the Senate and the popular Assemblies exemplified the monarchical, the aristocratic and the democratic principles respectively.

The powers of Government were distributed between them in such a way that each checked and was checked by the others so that an equipoise or equilibrium was achieved which imparted a remarkable stability to the constitutional structure. It is from the work of Polybius that political theorist in the 17th Century evolved that theory of separation of powers and the closely related theory of Checks and Balances.

Effects

The doctrine of separation of powers as propounded by Montesquieu had a tremendous impact on the development of administrative law and functioning of Governments. It was appreciated by English and American jurists and accepted by politicians. In his book ‘Commentaries on the Laws of England’, published in 1765, Blackstone observed that if legislative, executive and judicial functions were given to one man, there was an end of personal liberty. Madison also proclaimed: “The accumulation of all powers, legislative and executive and judicial, in the same hands, whether of one, a few or many and whether hereditary, self-appointed or elective

may justly be pronounced the very definition of tyranny.” The Constituent Assembly of France declared in 1789 that there would be nothing like a Constitution in the country where the doctrine of separation of powers was not accepted.

SIGNIFICANCE

The doctrine of separation of power in its true sense is very rigid and this is one of the reasons why it is not accepted by a large number of countries in the world. The main object as per Montesquieu in the Doctrine of separation of power is that there should be government of law rather than having will and whims of the official.

Also, another most important feature of the above-said doctrine is that there should be the independence of judiciary i.e. it should be free from the other organs of the state and if it is so then justice would be delivered properly.

The judiciary is the scale through which one can measure the actual development of the state if the judiciary is not independent then it is the first step towards a tyrannical form of government i.e. power is concentrated in a single hand and if it is so then there is a cent percent chance of misuse of power.

Hence the Doctrine of separation of power does play a vital role in the creation of a fair government and also fair and proper justice is dispensed by the judiciary as there is the independence of the judiciary.

Also, the importance of the above-said doctrine can be traced back to as early as 1789 where The constituent Assembly Of France in 1789 was of the view that “there would be nothing like a Constitution in the country where the doctrine of separation of power is not accepted”. Also in 1787, the American constitution inserted the provision pertaining to the Doctrine of separation of power at the time of the drafting of the constitution in 1787.

Defects

Though theoretically, the doctrine of separation of powers was very sound, many defects surfaced when it was sought to be applied in real life situations. Mainly, the following defects were found in this doctrine:

Historically speaking, the theory was incorrect. There was no separation of powers under the British Constitution. At no point in time, this doctrine was adopted in England. As Prof. Ullman says: “England was not the classic home of separation of powers.” It is

said: “Montesquieu looked across foggy England from his sunny vineyard in Paris and completely misconstrued what he saw.”

This doctrine is based on the assumption that the three functions of the Government viz legislative, executive and judicial are independent of distinguishable from one another. But in fact, it is not so. There are no watertight compartments. It is not easy to draw a demarcating line between one power and another with mathematical precision.

It is impossible to take certain actions if this doctrine is accepted in its entirety. Thus, if the legislature can only legislate, then it cannot punish anyone, committing a breach of its privilege; nor can it delegate any legislative function even though it does not know the details of the subject-matter of the legislation and the executive authority has expertise over it; nor could the courts frame rules of procedure to be adopted by them for the disposal of cases. Separation of Powers thus can only be relative and not absolute. d) Modern State is a welfare State and it has to solve complex socio-economic problems and in this state of affairs also, it is not possible to stick to this doctrine. Justice Frankfurter said; “Enforcement of a rigid conception of separation of powers would make modern Government impossible.” Strict separation of powers is a theoretical absurdity and practical impossibility.

The modern interpretation of the doctrine of Separation of Powers means that discretion must be drawn between ‘essential’ and ‘incidental’ powers and one organ of the Government cannot usurp or encroach upon the essential functions belonging to another organ but may exercise some incidental functions thereof.

The Fundamental object behind Montesquieu’s doctrine was liberty and freedom of an individual, but that cannot be achieved by mechanical division of functions and powers. In England, the theory of Separation of Powers is not accepted and yet it is known for the protection of individual liberty. For freedom and liberty, it is necessary that there should be Rule of Law and impartial and independent judiciary and eternal vigilance on the part of subjects.

Module No-5 Political Obligation

Political obligation binds a person to the performance of duties as mentioned in the Constitution. An individual has to follow the rules and regulations in the society for his own welfare and the society's welfare. When the State is responsible towards the citizen, the citizen must also reciprocate to the Government. The proper functioning of the State depends upon the proper functioning of the systems of the government.

The word 'political' actually deals with policy and the government's administration. The framework of the political system is framed and then the limitations of the power are identified.

T.H. Green states political obligation as, "it is intended to include the obligation of the subject towards the sovereign, the obligation of the citizen toward the state, and the obligation of the individual to each other as enforces by the political superior."

When the state has a political authority, it has the right to compel the non-compliers. For example if anything within the State's authority to levy the taxes, then the State has all the rights to compel the non-compliers to pay the taxes. However, even if the State does not enforce its authority, still it is the moral duty of the citizens to comply with the laws.

Hence, every human being is subject to political obligation owing to the omnipresence of the modern nation state. Political obligation otherwise involves three major aspects:

The identifiable authority to which political obligation is rendered: If a person has an obligation to do or refrain from doing, he has to be directed by a person who has the authority or the power to direct or instruct. However, a person's political obligation has a certain link to the citizenship of the state. A foreigner will not have political rights but will have legal obligation and protection.

To what extent political obligation can be rendered: The State can enforce laws and expect minimum obligation. This means that the people cannot be selective about the laws but have to obey the laws. Examples to quote can be voting, military duty, etc. These are the basic duties of the citizens which have to be compulsorily implied without being selective.

The basis of Political Obligation: Political obligations have gained momentum only after the sixteenth century. Earlier, the people considered Political obligation as the will of God. But,

modern political theory differs in its explanation. This theory says that no person is forced to do a work but they voluntarily assume their own duties as their valid obligations.

Why the people assume in such a way? The reasons are self-interest and realisation of the state's basic duties. The State is providing the people with physical safety and security. People are aware that securing justice or maximizing happiness cannot happen without the political authority. When these are provided by the state, naturally the people are responsible for political obligations.

Features of Political Obligation

- There prevails a source of political spirit and social service
- Honesty and integrity are the essential aspects when it comes to the performance of public duty.
- There must prevail political legitimacy and effectiveness
- The citizens also have the responsibility of guarding their guardians

Let us think over the kinds of Political Obligations

Political Obligations are of four kinds. What are they?

Moral Obligation: Are you hospitable to the guests who come to your house? Do you help the poor? Will you not take care of your parents in their old age? These are your moral obligations. They do not legally bind the community and the individuals and if you do not behave within the moral obligations, you can also not be punished. However, this is your ethics and moral principle innate in you.

Legal Obligation: Our nation is a welfare state where the Government focuses on providing us with the infrastructural facilities. Roads, health centres, hospitals, education, etc are few of the examples of concern.

Positive Obligation: There are certain rules made by the state which cannot be disobeyed and hence they are considered as the positive obligation. Can you think of some examples related

to positive obligations? Yes, paying tax and serving the defence are some of the examples under positive obligation.

Negative Obligation: This is the direct opposite of positive obligation. Here, an individual is not permissible to do what the government prevents him from doing so.

Individual and Political Obligation

- Playing with your friends.
- Cast votes during the election time.
- Teaching your sister.
- Payment of taxes to the state.
- To join the Public Service.
- To serve the army during emergency time.

Now, think of some examples under negative obligation. Have you seen some people get drunk and behave in a very disorderly manner? Some drink and drive, some of them cause a lot of problems to the family after being drunk. In the same way, commission of crime is also a negative obligation. Hope, you understood what negative obligations are?

Theories of Political Obligation

All of us have some theories, values in life. We practise whatever is right and do not follow misguiding principles. In the same way, theories are applicable for political obligations too. There are different types of theories of political obligation:

- i. The Divine theory

In the olden days, people thought that the God created the state and the king was his representative. But this theory could be popular only during the ancient and middle ages but not during the modern era.

ii. The Consent Theory

This theory proposes that the authority of the state is based on the people's consent. **Hobbes**, **Locke** and **Rousseau** justified this theory on the grounds that the authority of power was dependent on the people's consent. But, later it could not be accepted because it treated state as an artificial organisation.

iii. The Prescriptive Theory

This theory states that the respect to the political authority is based on the principle of customary rights. It is a fact that political institutions are continuous from the past, this idea has been supported by **Edmund Burke**. But over a period of time, it lost its effect due to its overemphasis on the respect for the well-established practices.

iv. The Idealistic Theory

This theory regards man and the state as two entities. "Man" is regarded as a political and rational creature while "state" is considered as a self-sufficing community. This idealistic theory propounds that when the individual receives his rights from the state, he can have no rights that can conflict with the state. However, this theory proved to be quite abstract and which could not be understood by man.

v. The Marxian Theory

The Marxian theory is actually different from the other theories. It has been classified into three stages:

Pre - revolutionary stage- This stage explains political non-obligation

Revolutionary Stage- It is an eventual change from political non- obligation stage to a stage of total political obligation.

Post- revolutionary stage-This stage is a complete transition from total political obligation to social development.

The Marxian theory of politics explains the state as an instrument of power in the hands of the proletariat. Towards the success of the revolution to consolidate the socialist order, it may lead to what is called as 'withering away' of the state. However, this theory was also considered to be illogical since it made man subservient to the state.

Why should we obey the state? Is it necessary?

Though the theories mention about the political obligation, yet some seem to be abstract while some are illogical too. But, have you ever thought why should we obey the state? Is it because you fear or you have a sense of patriotism? Shall we see, what are the reasons that make an individual to obey the state?

i. Fear of Punishment:

Do you fear being punished by your teacher with an imposition if you go to school with an incomplete homework? Does your father obey the traffic signals properly fearing being penalised? Yes, fear is always there if we do not perform our tasks properly. In the same way, individuals perform their functions fearing punishments. In other ways, it is actually the coercive authority of the state that compels a man to conform to the system of regulations.

ii. Patriotism:

Why do we stand up for our National Anthem? It is because of patriotism. We love our nation. Hence, to keep our surroundings as well as to keep the streets and roads garbage free is also our duty. So, the members of the state are conscious about the state they live as without that they cannot live as civilized human beings. The members develop a binding towards the state.

iii. Fear of disorder and anarchy:

Do you like your house to be run in a disorganised manner? Imagine you have breakfast in the afternoon everyday and the clothes are strewn here and there. Would you like if your place is unclean? We don't. It is a general principle that human beings always wish for peace and order. They not only obey the laws but also look upon the ones who do not obey.

iv. Habits and traditions:

We are all brought about to follow good habits like being courteous, honest, discipline and obedient. This is what our traditional values instilled. Hence, in a nation, even the citizens wish to establish good traditions, and obedience to the state, that which becomes a habit.

Therefore, let us understand that political obligations are necessary for the citizen to maintain a good system nationwide. Every individual hence has to abide by the laws for a good reciprocation from the state as well.

Concept of Punishment

Manu and Chanakya maintained that punishment is the basis of the state. Where there is no punishment, thieves and dacoits rule supreme there. In his well known book “Arthashastra”, Acharya Chanakya explains that if the king awards heavier punishment than justified, people rise in revolt against him and if the king is more lenient than wanted, he is despised by the people and people do not bother about him but if the king awards punishment according to the criminal law to impart justice, he is respected and revered by the people.

So law breakers are convicted, tried and punished in the state. If this is not done, the strong will exploit the weak and people will follow the maxim, “might is right”. Peace, law and order are maintained in the state only because of punishment.

In the absence of punishment, there will be chaos, confusion and disorder in the state and the weak will be exploited and victimized by the strong. Process of punishment is essential for the smooth running of society.

Following are the theories of punishment:

1. Retributive Theory:

Blood for blood is the basis of this theory. Now this right of taking revenge has been taken back by the state. In ancient times, if somebody was murdered, his relatives used to find out the murderer and kill him and thus took revenge on him. The feeling of revenge was nourished by the people from generation to generation. The relatives of the murdered persons thought it their right to take revenge and avenge his murder. The maxim blood for blood was popular in the ancient time.

“Eye for eye and tooth for tooth” was a very popular maxim in those days. Such maxims are still popular in some of the tribes living in border areas between Afghanistan and Pakistan. Blood for blood is the basis of this theory.

This theory of punishment is very cruel and inhuman. It does not seem to be fit for human beings. It is fit only for uncivilized people or for animals. These days no individual enjoys the right to avenge the murder of his relative. The state conducts the trial and permits the relative to put forward their arguments and imparts justice by punishing the criminal.

By this process of holding a trial and then punishing the criminal, the state attempts to appease the desire of revenge lurking in the heart of the relatives. If the individual is permitted to take revenge, this doctrine will lead him to barbarism. Anarchy and chaos will prevail in the state. This is the reason why the state has taken this right back from the individual.

2. Preventive and Deterrent Theory:

The supporters of this theory maintain that state should give such type of punishment as will prevent crimes and teach a lesson to other criminals. Keeping this idea in view in olden times, hands and feet of the thieves and decoits were severed and they were made disabled so as not to repeat those crimes.

According to this theory, the state should not take revenge but create so much terror in the mind of the criminal that others also start shunning such ghastly and despicable crimes. We will remember the words of a judge who uttered the following sentence, while awarding punishment to the criminal”, I am giving punishment to you not because you stole the sheep but because of the fact that people should not steal sheep in future”. This sentence makes it very clear that this theory aims at giving heavy punishment in the form of a warning to others.

3. Reformatory Theory:

The supporters of Reformatory Theory maintain that crime is a kind of disease and the criminal should be treated well so that he may be able to recover from this disease. They maintain that just as a disease is diagnosed before the actual treatment, so crime should be diagnosed and then Proper treatment should be given to the criminal.

Many writers on this subject are of the opinion that a person commits a crime only because he was not taught moral Lessons in his childhood, or he is extremely poor, he does not have

square meals or lives or had to live in the polluted social environment or had been living in the company of bad person like thieves, dacoits and gamblers and drunkards or is suffering from some mental disease. The supporters of Reformatory theory opine that the government should adopt measures to remove such bad conditions and thus prevent crime.

4. Modern Theory of Punishment:

Modern Theory of Punishment is a combination of all the three theories discussed above. Retributive Theory is applied in the civil courts. In other words, the monetary loss of the sufferer is compensated and the criminal has to compensate for the loss.

Preventive and Deterrent Theory is applied to the old and habitual criminals so that they feel harassed and terrified enough not to repeat the crimes. If the old and habitual criminals are not given severe punishment, law and order cannot be maintained in the state and there will be a rapid increase in the number of criminals.

Therefore, it is wise to punish such criminals severely. By so doing the sufferers are also appeased and the other criminals are warned. Reformatory Theory is applied only to the new criminals and juvenile delinquents.

These days education is given to criminals and they are taught the lessons of morality in jails. Not only this they are taught various crafts. Criminal's sick of mental disease are given due mental treatment. In addition to this, it is also necessary that the state should give punishment according to the degree of crime. If it happens to be a gravest crime, severest punishment should be given, otherwise in case of ordinary crimes mild punishment should be awarded.

There should be separate jails for juvenile delinquents and more comforts should be given to them. Justice should not be delayed and the conditions of jails should be improved. Dark cells should be demolished in order to keep the prisoners in good health.

The state should run dispensaries and reformatory schools. While giving punishment to the criminal, his age, personal record and his social and economic conditions should be kept in mind.

In addition to this, the judge should keep it in his mind very well, what effect the punishment, which is to be awarded to him, will leave on the dynasty of the criminal and on the law and order situation in the state. Provision for the Borstal Jail should be made for the juvenile delinquents. The aim of these jails is not to punish but to educate the delinquents.

Locke maintained that punishment should have certain aims:

They are as follows:

- (a) The process of punishment should aim at the social good. Severest punishment should be given for the gravest crime and light punishment for a light crime;
- (b) The injured persons should be treated well;
- (c) Punishment should aim at preventing the criminal from repeating the crime;
- (d) Punishment should prove a sort of warning to others.

Green regards man as an ethical being who seeks good life, as a member of a Punishment is the only means to enable the individual to achieve this end. The deterrent punishment, if it is not unnecessarily harsh, can lead to this effect indirectly. It can shock the criminal into realizing the anti-social character of his the importance of the rights of others.

An offender may be reformed not only by awakening his consciousness but also by making him fear the coercive power of the state. In the opinion of Kant, punishment should aim at justice. According to Bentham, the aim of punishment is to maintain peace, law and order.

Is the State empowered to give punishment?

The state is quite empowered to give punishment because the state is sovereign. The state frames laws in order to maintain peace, law and order in the state. The state punishes law-breakers. If the state fails to punish the law-breakers, there will be no law and order and no peace in society.

Evils and crimes will be given impetus and thieves, dacoits, robbers and bandits will rule supreme. Being afraid of punishment, thieves, robbers, bandits and dacoits hesitate to commit crimes. In the absence of punishment, the big fish will swallow the small fish and the weak will be exploited by the strong. Only punishment ensures the security of individual liberty

Differences between State and Government

1. Government is only an element of the state:

A State has four essential elements—Population, Territory, Government and Sovereignty. Government is only one element of the State. It is just one part of the State which acts for the state.

2. Government is an Agency or Agent of the State:

Government is an agency of the State. It acts for the state. It is that agency of the State which formulates the will of the state into laws, implements the laws of the state and ensures conformity to the laws of the state. Government exercises power and authority on behalf of the state.

3. State is Abstract, Government is Concrete:

State is a concept, an idea or a name used to denote a community of persons living on a definite territory and organised for the exercise of sovereignty. State cannot be seen. Government is made by the people of the State. It is formed by the representatives of the people. It has a definite and defined organisation and form. It can be seen as a team of people exercising the power of the State

4. Government is organised only by a portion of the population of State:

The whole population is a part of the State. All the people are citizens of the State. However, government is made by the representatives of the people. Only some people, who get elected act as representatives of the people, form the government of the State. Their number is limited to few hundred only. In India around 5500 MPs and MLAs represent the total population of around 110 crores and exercise the political power at the centre and in all states of India.

5. Membership of a State is compulsory but not of Government:

All people are citizens of the State. They together constitute the population of the State. Each one normally gets the membership (citizenship) of a state automatically right at the time of one's birth and continues to live life as such. However, membership of the government is not automatic. No one can be forced to become its part. Anyone can voluntarily seek an election, get elected as a representative of the people and become a part of the government. Only some persons form the government.

6. Sovereignty belongs to State and not to Government:

Sovereignty is the hallmark of the State. It belongs to the State. The government exercises power on behalf of the State. It acts on the basis of the sovereignty of the State. Sovereignty is comprehensive, absolute, unlimited and all inclusive supreme power of the State. The government exercises only well defined and limited powers.

7. Territory belongs to the State:

The State has sovereign ownership and jurisdiction over its territory. State is a territorial entity and territory belongs to it. The government has the responsibility to preserve, protect and defend the territory of the State. The laws made by the government are applicable to all parts of the territory of State but territory belongs to the State and not to the government.

8. Every State has uniformly four essential elements, however the forms and features of Government differ from State to State:

Each State has a uniform personality with its four essential elements Population, Territory, Government and Sovereignty. However, governments can be of different forms—Parliamentary or Presidential, Unitary or Federal or a mixture of these. A government can be monarchical or aristocratic or democratic or a dictatorship. The people can by choice change the form of their government. But the State exists independently and has a uniform character.

9. State is Permanent, Government is Temporary:

Governments come and go regularly. After every general election the government changes. It can also undergo a total change through an election or even through a revolution. State is permanent. It continuously lives so long as it continues to enjoy sovereignty. Independent India continues to live as a sovereign independent state since 1947. However, she has witnessed the rise and fall of several governments at the national and state levels.

Thus, there are several well-defined and well-recognised differences between the State and Government. In common usage no distinction is made between the two. A government department is often referred to as state department.

Like-wise State Transport, State College of Sports is really government transport and Government College of sports. It is indeed a loose and inexact use of the name State. A student of Political Science fully realises and accepts the difference between State and Government

Plato and Aristotle's Classification of Government:

Philosopher Plato discusses **five types of regimes** (*Republic*, Book VIII; Greek: πέντε πολιτεῖαι). They are Aristocracy, Timocracy, Oligarchy, Democracy, and Tyranny. Plato also assigns a man to each of these regimes to illustrate what they stand for. The tyrannical man would represent Tyranny, for example. These five regimes progressively degenerate starting with Aristocracy at the top and Tyranny at the bottom.

Aristocracy

Aristocracy is the form of government (politeia) advocated in Plato's *Republic*. This regime is ruled by a philosopher king, and thus is grounded on wisdom and reason. The aristocratic state, and the man whose nature corresponds to it, are the objects of Plato's analyses throughout much of The Republic's books, as opposed to the other four types of states/men, that are studied primarily in Book VIII.

The aristocratic state that Plato idealizes is composed of three caste-like parts: the ruling class, made up of the aforementioned philosophers-kings (who are otherwise identified as having souls of gold); the auxiliaries of the ruling caste, made up of soldiers (whose souls are made up of silver), and whose job in the state is to force on the majority the order established by the philosophers; and the majority of the people (souls of either bronze or iron), who, in contrast to the first two classes, are allowed to own property and produce goods for themselves, but are also obliged to sustain with their own activities their rulers' — who are forbidden from owning property in order to preclude that the policies they undertake be tainted by personal interests.

The aristocratic man is better represented by Plato's brand of philosopher: a man whose character and ambitions have been forged into those ideal for a just ruler through a rigorous education system designed to train intellectuals that are selfless and upright, and whose souls

have been made calm and aware of the absolute Good by learning the Truth based on the Platonic Ideas. Plato envisages for this philosopher a disposition and ability that makes him the ideal governor of any state precisely because his soul knows the Idea of the Good, which is the metaphysical origin of all that is good, including happiness itself. Wealth, fame, and power are just shadows of the Good and provide only hollow and fleeting satisfaction. It is only the knowledge of the Good in itself that gives man enduring and real happiness. Thus, the philosopher who is exposed to metaphysical contemplation is not tempted to abuse his power in his pursuit of material goods, and his state policies are therefore dedicated to establishing only the Good in the state, not his personal interests.

In contrast to historical aristocracies, Plato's resembles a meritocracy or proto-technocracy of sorts. In it, a big government state keeps track of the innate character and natural skills of the citizens' children, directing them to the education that best suits those traits. In this manner, a child with a gold soul born to parents with silver, bronze or iron souls will not be held back by his inferior birth and will be educated to levels above his kin according to his golden qualities. Conversely, from parents with gold and silver souls, a child born with a bronze or an iron soul is educated to only the level earned by his natural aptitudes.

Timocracy-

Timocracy is treated in Book VIII of the Republic 545a-550c. Aristocracy degenerates into timocracy when, due to miscalculation on the part of its governing class, the next generation of guardians and auxiliaries includes persons of an inferior nature (the persons with souls made of iron or bronze, as opposed to the ideal guardians and auxiliaries, who have souls made of gold and silver). Since in the government there will be present people of an inferior nature, inclined not just to cultivating virtues but also producing wealth, a change in the constitution of the aristocratic city is eventually worked, and its educational system, which used to introduce the high classes into a purely rational, selfless political theory, is altered so that it becomes permissible for current state leaders to pursue their individual interests. The timocracy, however, does not completely break from all the characteristics of aristocracy, and for Plato this regime is a combination of good and bad features.

A timocracy, in choosing its leaders, is "inclining rather to the more high-spirited and simple-minded type, who are better suited for war".[1] The governors of timocracy value power, which they seek to attain primarily by means of military conquest and the acquisition of

honors, rather than intellectual means. Plato characterizes timocracy as a mixture of the elements of two different regime types — aristocracy and oligarchy. Just like the leaders of Platonic aristocracies, timocratic governors will apply great effort in gymnastics and the arts of war, as well as the virtue that pertains to them, that of courage. They will also be contemptuous towards manual activities and trade and will lead a life in public communion. Just like oligarchs, however, they will yearn for material wealth and will not trust thinkers to be placed in positions of power. Timocrats will have a tendency to accumulate wealth in pernicious ways, and hide their possessions from public view. They will also be spendthrift and hedonistic. Because their voluptuous nature will not be, like that of philosopher-kings, pacified in a philosophical education, law can only be imposed onto them by means of force.

For Plato, timocracies were clearly superior to most regimes that prevailed in Greece in his time, which were mostly oligarchies or democracies. Crete and Sparta are two examples of timocracies given in Plato's *Republic*. In the *Symposium*, Sparta's founder, Lycurgus, is given high praise for his wisdom. And both Crete and Sparta continued to be held in admiration by Plato in one of his latest works, the *Laws*, for having constitutions which, unlike that of most other Greek cities, go beyond mere enumeration of laws, and focus instead on the cultivation of virtues (or at least one of them, that of courage). Plato, however, does present a criticism against those cities — that their constitutions neglected two other virtues essential to a perfectly just city such as his aristocracy, namely wisdom and moderation.

Of the man who represents a timocratic state, Socrates says that his nature is primarily good: He may see in his father (who himself would correspond to an aristocratic state) a man who doesn't bother his soul with power displays and civil disputes, but instead busies himself only with cultivating his own virtues. However, that same young man may find in other persons in his house a resentment of the father's indifference to status. Thus, by observing his father and listening to his reasoning, he's tempted to the flourishing of his own intellect and virtues; but influenced by others in his house or city, he may become power craving. He thus assents to the portion of his soul that is intermediate between reason and desire (see Plato's tripartite theory of soul), the one that is aggressive and courageous (thus the timocracy's military character).

The young timocrat may himself be somewhat contemptuous towards money and money-making activity, but he becomes increasingly focused in saving his goods as he ages, since the virtues of his soul have not been purified by the salutary effects of reasoning activities and aesthetic experiences that Plato recommends to the high class. The timocrat is further described

as obedient towards authority, respectful to other free citizens, good at listening, and aggressive rather than contemptuous towards slaves.

Oligarchy

Plato defines oligarchy as a system of government which distinguishes between the rich and the poor, making out of the former its administrators.

An oligarchy is originated by extending tendencies already evident in a timocracy. In contrast to Platonic aristocrats, timocrats are allowed by their constitution to own property and thus to both accumulate and waste money. Because of the pleasures derived therefrom, money eventually is prized over virtue, and the leaders of the state seek to alter the law to give way and accommodate to the materialistic lust of its citizens. As a result of this new found appreciation for money, the governors rework the constitution yet again to restrict political power to the rich only. That is how a timocracy becomes an oligarchy.

Plato gives a detailed account of the problems usually faced by the oligarchies of his days, which he considered as significantly more troubled than the former system, that of timocracy. The following are examples of such problems:

1. The very distribution of political power, which prevents wise and virtuous, but poor, men from influencing public life, while giving such possibility to the rich but incompetent ones;
2. The instability caused by class divisions: By its very nature, an oligarchy is invariably divided between the rich and the poor. Plato saw it as the state's responsibility to preclude income disparities from widening, by implementing laws that forbid citizens from enriching through exploitative contracts, or from becoming poor by wasting their money and goods. But these laws are never imposed in oligarchies since it is in the nature of the oligarchic state to seek to make inequality starker in order to feed the material lust of its governors. The poor underclass grows and many of them become either beggars or thugs imbued with anger at their condition and a revolutionary spirit which threatens the stability of the state from within.
3. Poor performance in military campaigns: An oligarchy will usually do poorly in military campaigns because the rich, who are few, will make a small army, and they are afraid to give weapons to the majority (the poor) due to fears of a revolution.

If, by the way, a revolution does ensue, and the poor become victorious over the rich, the former expel the latter from the city, or kill them, and proceed to divide their properties and political power between one another. That is how, according to Plato, a democracy is established.

As to the man whose character reflects that of an oligarchy, Plato explains his psychology with a similar scheme to the one used for the timocratic man. Just like Plato explains the timocratic character as the result of social corruption of a parent aristocratic principle, the oligarch is explained as deriving from a timocratic familial background. Thus, at first, the oligarchic son emulates his timocratic father, being ambitious and craving honor and fame. When, however, he witnesses the problems his father faces due to those timocratic tendencies — say, he wastes public goods in a military campaign, and then is brought before the court, losing his properties after trial — the future oligarch becomes poor. He then turns against the ambitions he had in his soul, which he now sees as harmful, and puts in their place craving for money, instead of honor, and a parsimonious cautiousness. Such men, the oligarchs, live only to enrich themselves, and through their private means they seek to fulfill only their most urgent needs. However, when in charge of public goods, they become quite 'generous'.

Oligarchs do, however, value at least one virtue, that of temperance and moderation – not out of an ethical principle or spiritual concern, but because by dominating wasteful tendencies they succeed in accumulating money. Thus even though he has bad desires – which Plato compares to the anarchic tendencies of the poor people in oligarchies – by virtue of temperance the oligarch manages to establish a fragile order in his soul. Thus the oligarch may seem, at least in appearance, superior to the majority of men.

Democracy

Oligarchy then degenerates into a democracy where freedom is the supreme good but freedom is also slavery. In democracy, the lower class grows bigger and bigger. The poor become the winners. People are free to do what they want and live how they want. People can even break the law if they so choose. This appears to be very similar to anarchy.

Plato uses the "democratic man" to represent democracy. The democratic man is the son of the oligarchic man. Unlike his father, the democratic man is consumed with unnecessary desires. Plato describes necessary desires as desires that we have out of instinct or desires that we have to survive. Unnecessary desires are desires we can teach ourselves to resist such as the desire

for riches. The democratic man takes great interest in all the things he can buy with his money. Plato believes that the democratic man is more concerned with his money over how he can help the people. He does whatever he wants whenever he wants to do it. His life has no order or priority.

Tyranny:

Democracy then degenerates into tyranny where no one has discipline and society exists in chaos. Democracy is taken over by the longing for freedom. Power must be seized to maintain order. A champion will come along and experience power, which will cause him to become a tyrant. The people will start to hate him and eventually try to remove him but will realize they are not able.

The tyrannical man is the son of the democratic man. He is the worst form of man due to his being the most unjust and thus the furthest removed from any joy of the true kind. He is consumed by lawless desires which cause him to do many terrible things such as murdering and plundering. He comes closest to complete lawlessness. The idea of moderation does not exist to him. He is consumed by the basest pleasures in life, and being granted these pleasures at a whim destroys the type of pleasure only attainable through knowing pain. If he spends all of his money and becomes poor, the tyrant will steal and conquer to satiate his desires, but will eventually overreach and force unto himself a fear of those around him, effectively limiting his own freedom. The tyrant always runs the risk of being killed in revenge for all the unjust things he has done. He becomes afraid to leave his own home and becomes trapped inside. Therefore, his lawlessness leads to his own self-imprisonment.

Monarchy

Monarchy is a form of government in which a person, the monarch, is head of state for life or until abdication. The political legitimacy and authority of the monarch may vary from purely symbolic (crowned republic), to restricted (constitutional monarchy), to fully autocratic (absolute monarchy), and can expand across the domains of the executive, legislative and judicial. A monarchy can be a polity through unity, personal

union, vassalage or federation, and monarchs can carry various titles such as king, queen, emperor, khan, caliph, tsar, or sultan.

In most cases, the succession of monarchies is hereditary, often building dynastic periods, however elective and self-proclaimed monarchies are possible. Aristocrats, though not inherent to monarchies, often serve as the pool of persons to draw the monarch from and fill the constituting institutions (e.g. diet and court), giving many monarchies oligarchic elements.

Monarchies were the most common form of government until the 20th century. Today forty-five sovereign nations in the world have a monarch, including sixteen Commonwealth realms that have Elizabeth II as the head of state. Other than that there are a range of sub-national monarchic entities. Modern monarchies tend to be constitutional monarchies, retaining under a constitution unique legal and ceremonial roles for the monarch, exercising limited or no political power, similar to heads of state in a parliamentary republic.

Aristocracy

Aristocracy is a form of government that places strength in the hands of a small, privileged ruling class, the aristocrats.[1] The term derives from the Greek *aristokratia*, meaning 'rule of the best'. [2]

At the time of the word's origins in ancient Greece, the Greeks conceived it as rule by the best qualified citizens—and often contrasted it favourably with monarchy, rule by an individual. The term was first used by such ancient Greeks as Aristotle and Plato, who used it to describe a system where only the best of the citizens, chosen through a careful process of selection, would become rulers, and hereditary rule would actually have been forbidden, unless the rulers' children performed best and were better endowed with the attributes that make a person fit to rule compared with every other citizen in the polity.[3][4][5] Hereditary rule in this understanding is more related to Oligarchy, a corrupted form of Aristocracy where there is rule by a few, but not by the best. Plato, Socrates, Aristotle, Xenophon and the Spartans considered Aristocracy (the ideal form of rule by the few) to be inherently better than the ideal form of rule by the many (Democracy), but they also considered the corrupted form of Aristocracy (Oligarchy) to be worse than the corrupted form of Democracy (Mob Rule).[3][4][5][6][7] This belief was rooted in the assumption that the masses could only produce average policy, while the best of men could produce the best policy, if they were indeed the best of men.[5] Later Polybius in his analysis of the Roman Constitution used the concept of aristocracy to describe his conception of a republic as a mixed form of government, along with democracy and monarchy in their conception from then, as a system of checks and balances,

where each element checks the excesses of the other.[8] In practice, aristocracy often leads to hereditary government, after which the hereditary monarch appoints officers as they see fit. In modern times, aristocracy was usually seen as rule by a privileged group, the aristocratic class, and has since been contrasted with democracy.

Concept:

The concept evolved in Ancient Greece, whereby a council of leading citizens was commonly empowered and contrasted with representative democracy, in which a council of citizens was appointed as the "senate" of a city state or other political unit. The Greeks did not like the concept of monarchy, and as their democratic system fell, aristocracy was upheld.[1] In the 1651 book *Leviathan*, Thomas Hobbes describes an aristocracy as a commonwealth in which the representative of the citizens is an assembly by part only. It is a system in which only a small part of the population represents the government; "certain men distinguished from the rest".[9] Modern depictions of aristocracy tend to regard it not as the ancient Greek concept of rule by the best, but more as an oligarchy or plutocracy—rule by the few or the wealthy.^[citation needed]

The concept of aristocracy per Plato, has an ideal state ruled by the philosopher king. Plato describes these "philosopher kings" as "those who love the sight of truth" (Republic 475c) and supports the idea with the analogy of a captain and his ship or a doctor and his medicine. According to him, sailing and health are not things that everyone is qualified to practice by nature. A large part of the Republic then addresses how the educational system should be set up to produce these philosopher kings.

In contrast to its original conceptual drawing in classical antiquity aristocracy has been associated in the modern era with its more general and degenerated form the oligarchy, specifically aristocracy class based oligarchy, like entitled nobility as in monarchies or aristocratic merchant republics. Its original classical understanding has been taken up by the modern concept of meritocracy.

History

Aristocracies dominated political and economic power for most of the medieval and modern periods almost everywhere in Europe, using their wealth, control of the best land, and control of their tenants to form a powerful political force. In the 19th century the rising middle class

produced rich businessmen, many of whom use their money to buy into the aristocracy. However, after the 1830s, in country after country, the aristocracies tended to lose their historic dominance over wealth and political power. The French Revolution in the 1790s forced many aristocrats into exile, relieving them of their lands and power. After the defeat of Napoleon in 1814, however, the exiles returned but they never recovered all their lands and never wielded as much political power. Beginning with Britain, Belgium, and Germany, industrialization in the 19th century brought urbanization, with the wealth increasingly concentrated in the cities, which increasingly took political power. Before 1789, aristocracies were typically closely associated with the church, especially the Catholic Church, but in the 19th century wave after wave of attacks on the Catholics weakened that element of the aristocratic coalition. As late as 1900, aristocrats maintained political dominance in Britain, Germany, Austria and Russia, but it was more precarious. World War I had the effect of dramatically reducing the power of the aristocrats in all major countries. In Russia they were expelled by the Communists. After 1900, Liberal and socialist governments levied heavy taxes on landowners, spelling their loss of economic power.

Unitary Form Of Government

A unitary form of government is one in which all the powers are concentrated in the hands of the central government. The central government creates local units for administrative convenience and delegates to them such power as it deems necessary. These local units are called local governments.

England, France, Japan, SriLanka are examples of Unitary governments.

Definition

Some leading writers defined unitary government as follows:

GARNER: 'Where the whole power of government is conferred by the constitution upon a single central organ'

A.V.DICEY: 'Habitual exercise of supreme legislative authority is by one central power'

C.F.STRONG mentions two important qualities of the Unitary Government. They are:-

1. The supremacy of the central government;

2. The absence of the subsidiary sovereign bodies.

The distinction between subsidiary law-making bodies and subsidiary sovereign bodies is the distinction between the local authorities in a unitary state and state authorities in a federal state.

MERITS

1. There is unity, uniformity of law, policy and administration.
2. There is no conflict of authority and responsibility.
3. A unitary government will make prompt decisions and take speedy action.
4. A unitary government is less expensive.
5. Amendments to the constitution are easy.
6. Suitable for small countries.

DE-MERITS

1. The concentration of powers may pave way for the despotism of the central government.
2. The central government will have to tackle so many complex problems that they have no adequate time to devote to local affairs.
3. The central government will not be acquainted with local problems, local interest and initiative.
4. It is not suitable for big countries

Government is one of the essential elements of the State. It is the working agency of the State. The importance of the Government in modern times is highly felt. Attempts have been made from time to time to classify the various forms of Government.

FEDERAL

The term 'Federation' is derived from the Latin word 'foedus' meaning treaty or agreement - that is agreement between central government (federal government) and the state governments.

Prof. Dicey defines federalism as a political contrivance intended to reconcile national unity with the maintenance of state rights.

Federalism is the theory or advocacy of federal political order, where final authority is divided between sub-units and a centre. Unlike a unitary state, sovereignty is constitutionally split between at least two territorial levels so that units at each level have formal authority and can act independently of the others in some area. Citizens thus have political obligations to two authorities. The allocation of authority between the sub-units and centre may vary, typically the centre has powers regarding defence and foreign policy, but sub-units may also have international roles. The sub-units may also participate in central decision-making bodies. Much recent philosophical attention is spurred by renewed political interest in federalism, coupled with empirical findings concerning the requisite and legitimate basis for stability and trust among citizens in federations.

FEATURES OF THE FEDERAL GOVERNMENT

1. The supremacy of the constitution.
2. The division of powers between the central government and state governments.
3. The rigidity of the constitution.
4. The independent judiciary.

1. The supremacy of the constitution:- There must be a written constitution. A written constitution is one in which provisions are written down in a document for both the federal government and state governments. The constitution is the supreme authority.

2. The division of powers:- In a federal form of government the powers of the government are divided between a government for whole country and government for parts of the country in such a way that each government is legally independent within its own sphere.

3. The rigidity of the constitution:- According to Prof. Dicey, a rigid constitution is one under which certain laws generally known as constitutional or fundamental laws cannot be changed in the same manner as the ordinary laws are changed.

Constitutional laws refer to those provisions of the constitution. Ordinary laws are those laws enacted by the parliament. The constitutional law is placed above the ordinary law.

4. The independent judiciary:- In a federal government, conflicts may arise between the federal government and a state government or between state governments. The power to settle the conflicts or to interpret the constitution is given to the judiciary. The judgement given by the court must be obeyed by the centre as well as states.

PARLIAMENTARY

A parliamentary form of government is that in which the executive is responsible to the legislature. It is also called the cabinet government or responsible government.

Government :

1. Legislature
2. Executive

3. Judiciary

Example : India, United Kingdom (U.K)

Essential features:-

1. The executive has two types of functions. One is the nominal and the other is the real. The nominal head represents the state. The real head represents the government. In Britain, head of the state is the king or queen. The head of government is the prime minister.

Legally all the powers are vested with the nominal head - Example President of India.

In practice, all the powers are exercised by the real head Example, cabinet under the leadership of the prime minister of India.

2. The ruling party should have a clear and stable majority in the legislature. In the event of a 'hung parliament' a coalition government can also be formed. For example in India during the prime ministership of Mr. Deva Gowda (1996) Mr. I.K. Gujral (1998) we had hung parliament.

3. Head of a cabinet is the leader of the majority party in the legislature. He is the prime minister.

4. The prime minister and the cabinet ministers are selected from among members of parliament.

5. Each minister is responsible to the legislature for the acts of omission and commission of his own department. Likewise, all ministers are collectively responsible to the legislature for the collective policy of the ministry in power.

MERITS

1. The most important merit in a parliamentary form of government is the harmony and co-operation between the legislature and the executive.

2. It is flexible and elastic. Whenever there is a crisis, smooth change of government is possible without revolution.

3. Opposition political party offers a constructive criticism of governmental policies.

It is responsive to public opinion.

DEMERITS

1. It is against the theory of separation of powers. When the executive and legislature functions are combined together, there is every likelihood of prime minister becoming more powerful.

2. In the absence of majority, coalition is the only alternative. Coalition government is a weak form of government and may result in political instability.

3. If ruling party resigns from the government or defeated in the elections, the opposition party assumes office of governance. It will reverse all the decisions of the previous government. It means that there is no continuity in policy matters.

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PRESIDENTIAL

The presidential form of government is that in which the executive is not responsible to the legislature.

Example: United States of America (U.S.A)

Essential features

1. The president is the real executive. There is no nominal or ceremonial executive. All the powers are vested in the hands of the president.
2. The powers of the three organs namely, legislature, executive and judiciary are separated and vested in different persons.
3. Though the three organs of the government are kept apart, they are also connected by the system of checks and balances. Each organ of government exercises checks on the other two organs so that a sort of balance is established.
4. The tenure of the president is fixed. The tenure of office cannot be lessened or increased under any circumstances. President can be removed by the legislature only by a process of impeachment.

MERITS

1. Stable government is possible.
2. Under a presidential form of government, experts are appointed as heads of the departments without consideration of their party affiliations. The president may appoint persons who belong to the opposition parties.
3. There is continuous and consistent policy.
4. Highly suitable during the period of national crisis.
5. There is no chance for concentration of powers.

DEMERITS

1. The executive is not responsible to the legislature and can do whatever it pleases.
2. There is always the possibility of deadlocks between the legislature and the executive.
3. It is not flexible form of government.

4. The Presidential executive finds it difficult to follow a vigorous foreign policy, as there is no harmonious relationship between the executive and the legislature. The executive may follow a policy which may not be acceptable to the legislature.

MODERN DICTATORSHIP

The term dictator has been borrowed from ancient Rome.

Dictatorship is a form of government. Dictatorship is against democracy. While democracy upholds liberty, dictatorship suppresses liberty.

F.NEUMANN says 'By dictatorship, we understand the rule of a person, a group of persons who arrogate to themselves and monopolize power in the state, exercising it without restraint.'

Modern dictatorship rose as a reaction against democracy.

Modern dictatorship arose owing to the following causes:-

1. Victorious powers of World War I (1914-1918) like Britain and France were arrogant and treated defeated powers like Germany with disrespect.
2. During the inter-war period (1919-39) failure of democracy led to the spread of dictatorship.

The League of Nations could do nothing to save democracy, when Hitler 's Germany went on committing a series of aggressive acts, when Mussolini's Italy annexed Ethiopia, when Soviet Russia attacked East European countries and when Japan seized Manchuria from China.

Features of modern dictatorship

1. Modern dictatorship is one man rule and authoritarian.
2. One party rule - Example: Communist Party - China
3. No individual freedom for people.
4. Wide gulf between dictator and people based on fear and force.

MERITS

1. Dictators show a singleness of purpose resulting in efficiency and quick decisions.
2. Cost of administration is low.
3. Dictatorship implies one party, one leader and one programme. National unity and solidarity is the contribution of dictatorship.

DE-MERITS

1. Dictatorship is based on force and fear.
2. People have no rights.

N 3. Dictators use their energy to realize their selfish aims. The interest of the people will not be taken into consideration.

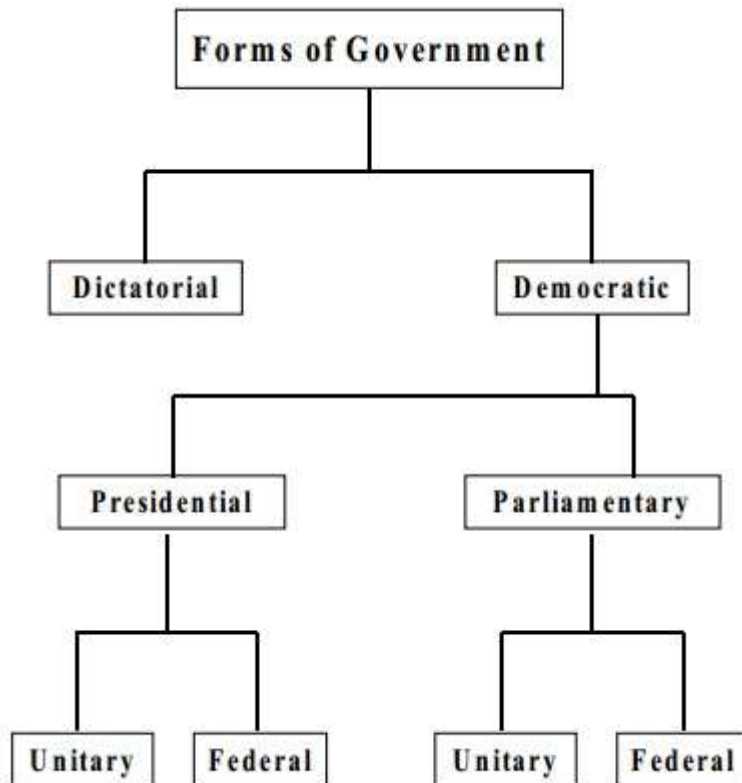
Dictators are for bringing about revolutionary changes.

Cuba under Castro, Italy under Mussolini, Germany under Hitler, China under Mao Tse-tung were examples of dictatorship.

In the dictatorship style of functioning the individual's personality was suppressed and all aspects of life were regimented. Strict supervision and control over human thought and action was the order. Public and private life of individuals were submitted to dictators.

Government is one of the essential elements of the State. It is the working agency of the State. The importance of the Government in modern times is highly felt. Attempts have been made from time to time to classify the various forms of Government.

The classification of Governments as explained by C.F.Strong may be represented through the following list:-



I. Jurisdiction of governmental powers : Democracy Dictatorship

II. (a) Nature of the State : A. Unitary State B. Federal State

(b) Nature of the Constitution : A. Flexible B. Rigid

(c) Nature of Constituency : A. (i) State having universal franchise system (ii) States having single-member constituencies B. (i) States having limited voting system (ii) States having multi-members constituencies

III. (a) Nature of Legislature : A. States having Bicameralism B. States having Unicameralism.

(b) Structure of the Legislature : States having Elected Members in Upper Chambers
B. States having no elected Members in Upper Chambers

IV. Nature of Executive : A.Parliamentary and Responsible form of Government
B.Presidential form of Government

V. Nature of Judiciary : A.States having Rule B.States having of Law. Administrative Law.

The above classification of C.F.Strong on forms of government is wholly concerned with the formal structure of the state.

THE DEMOCRACY

MEANING AND DEFINITION :

In the dictionary definition, democracy 'is government by the people in which the supreme power is vested in the people and exercised directly by them or by their elected agents under a free electoral system.

In the words of Abraham Lincoln, democracy is a government 'of the people, by the people, and for the people.' There is no clear - cut, universal definition of democracy. Most definitions of democracy focus on qualities, procedures, and institutions.

There are many types of democracy and their varied practices produce similarly varied effects. Following are the varied definition of democracy.

'Democracy comes from the Greek words **demos** meaning 'People' and **kratos** meaning 'authority' or 'power.'" - government which is conducted with the freely given consent of people. - 'a system of government in which supreme authority lies with the people.'

'Rule by the people in a country directly or by representation.' 'The form of government in which political control exercised by all the people, either directly or through their elected representative.' The word 'democracy' itself means 'rule by the people. 'A democracy is a system where people can change their rulers in a peaceful manner and the government is given the right to rule because the people say it may.

HISTORY OF DEMOCRACY :

The history of democracy is not a slow steady advance, in the view of political scientist **Samuel P. Huntington**, but a succession of waves that have advanced, receded, then rolled in and crested again. Huntington identifies three historical or 'long waves' of democracy.

The first began in the early 19th century with the extension of the right to vote to a large proportion of the male population in the United States, and continued until the 1920s. During this period, some 29 democracies came into being.

The flow, or reversal, of the first wave began in 1922 with the accession of Mussolini to power in Italy and lasted until 1942, when the number of the world's democracies had been reduced to 12.

A second wave began with the triumph of the Allies in World War II, I 1945 when the number of democracies had risen to 36. The flow of the second wave between 1962 and the mid - 1970s brought it back down to 30.

Since 1974, however, democracy's third wave has approximately led to the emergence of democracies to double.

Huntington writes, 'Economic development makes democracy possible; political leadership makes it real.'

Huntington is of the view that the ebbing of democracy's third wave is always possible, he concludes, possibly followed by a fourth wave sometime in the 21st century.

Democracies fall into two categories.

DIRECT DEMOCRACY :

In a direct democracy, all citizens, without the intermediary of elected or appointed officials, can participate in making public decisions. Such a system is clearly only practical with relatively small numbers of people in a community organization to tribal council, for example, or the local unit of a labor union, where members can meet in a single room to discuss issues and arrive at decisions by consensus or majority vote.

Ancient Athens, the world's first democracy, managed to practice direct democracy with an assembly of as many as 5,000 to 6,000 persons. In Switzerland direct democracy is followed even at the national level.

INDIRECT DEMOCRACY :

Everyone has the right to take part in the government of his country, directly or through freely chosen representatives.

The will of the people shall be the basis of the authority of government; this shall be expressed in periodic and genuine election that shall be held by universal and equal suffrage and shall be held by secret vote or the equivalent free voting procedures.

India is the best example of a representative democracy. Voting is one of the mechanisms that guides a democratic state and keeps its leaders on track, and it serves to let the leadership know how they have performed.

During elections, citizens vote for the candidate for their choice. Elected leader represent 'the people' and govern for a set period of office. Representatives are chosen through elections based on the constituency or proportional representation system, or on a combination of the two.

1. Direct democracy's

2. Indirect democracy

MEANINGD OF LOCAL SELF – GOVERNMENT

Local self - Government, in its organization, functions and objectives, differ from the government. It refers to an agency or organization whose concern is the administration of the affairs, the introduction and implementation of schemes intended to promote the welfare of the people living both in the urban and rural areas. This kind of set - up is complementary to what a national or a state government does for the benefit of the people.

In this connection it may be understood that government is an organization with such bodies as the executive, legislature, and judiciary. Its jurisdiction is concerned with its boundaries which includes the national resources and the whole population. Its activities are numerous and varied. They are in nature social, economic, cultural and political. Strictly speaking almost every aspect of the governance, the exploitation of wealth, and carrying out of programmes for the welfare of the people come under its responsibility. From this it will be clear that the term government refers to a body whose jurisdiction and responsibility extend to the entire are of a state and includes the whole population. But local self - government is an agency which is concerned with the well being of a population living in any part of the state. It deals with aspects and problems pertaining to the area which comes directly under its jurisdiction.

Local self -government also implies that the administration of an area is the responsibility of the people living in any one particular area or place. The local administration, in theory, is said to be voluntary. The local self government is created in accordance with reference to the terms and conditions which have been stipulated in those laws of the state. Thus it should be clear that government and local self - government are not one and the same in their composition and functions and in their characteristic features. Government has a superior status while the local self - government is a subordinate agency.

Functions Of Local Self - Government - General :

The functions of local self - government may be divided into two broad groups. They obligatory and discretionary. The obligatory functions are the lighting of streets and public places, water supply, fire - control, registration of births and deaths, primary education, hospitals and dispensaries. In short the obligatory functions include such amenities as parks and public gardens, libraries an amusements, swimming pools, transport, the control of food - stuffs and such oterh measures which promote public safety, health and convenience.

Function Of Local Self - Government In The Changed Context :

The objects of the local self - government in the context of changing conditions may be given as given below :

- a. To work as local units of self government
- b. To provide local services and public conveniences for making an individual good citizen.
- c. To ensure planned and regulated development of the urban and rural areas.
- d. To mobilize local resources and utilize for public welfare.
- e. To promote social, economic and cultural development in an integrated way.

In short, it may be observed that the local bodies particularly in India are not only field agencies for the development and maintenance of civil services and for execution in their respective areas of national programmes but they are also the primary units of democratic government. They are the most appropriate organizations for undertaking local tasks of development and social welfare. Apart from providing civic amenities for the safety and convenience of its citizens, it is their duty to mobilize local support and public co -operation for implementation of programmes of health, maternity, child welfare and family planning education, housing, slum clearance and improvement and other schemes of social welfare.

Module No-7 Political Parties And Pressure Groups

Origin And Evolution of Political Parties :

From the dawn of the civilized life, human beings have always organized themselves into groups and large formations, for a variety of collective purposes - social, cultural, economic and political. A party is an organization for collective life. Indeed organized society alone is a party. Political party system is a modern phenomenon. It is less than 200 years old.

The founding fathers of United States did not believe in the party system. They thought its influence was bad. Parties and party systems emerged in Europe, North America and Japan around the third decade of nineteenth century. Much later, it came into full force in other countries.

Political parties are indispensable for a democracy. Democracies in the contemporary world are representative in character. In representative form of government political parties educate the public and inculcate interest to take part in active politics.

Definition Of Political Party :

A political party has been defined as an organized body of people who stand for certain principles and policies in political life of the country, by whose co - operation they seek to promote the interest of the country as a whole. According to,

(I) Edmund Burke :

'A political party is a body of men united for promoting by their joint endeavours the national interest, upon some particular principle in which they all are agreed.'

(II) Stephen Leacock :

' By a political party we mean more or less an organized group of citizens who act together as political unit'

(III) Gilchrist :

'A Political party is an organized group of citizens who professes to share the same political views'

Need For Political Party:

Representative government and representative institution require the existence of political parties. Parties provide link between the citizens and government, and between electorate and the representative institutions.

In a political system, parties act as the transmitter of ideas, opinions and approaches to social needs and national goals. They subscribe to certain ideals and ideology and promote certain political values. They are expected to provide political education to citizens, widen their awareness of social problems and mobilize them for political participation and election and for socio economic development.

Parties also serve the purpose of creating leadership by recruiting and training activists and providing personnel to run representative from local government to legislature, to parliament and government development.

Political parties are vehicles of political powers. They work for eradication of social evils like illiteracy, untouchability etc. They work from the alleviation of sufferings of the people during days of famine, drought etc. They perform the job of political mobilization and recruitment. They also perform social welfare functions for the benefit of the people.

Role of Political Parties In A Democracy

For the effective functioning of a democracy, the existence of political parties that represent conflicting interests is mandatory. While they advocate various interests and policies, largely political parties adopt Rightist ideology (conservative, traditional and capitalistic) or Leftist (pro-equality, liberal and labour interests). While it is true that political parties are essential for attaining the democratic ideal, the rise of individual parties with non-democratic agenda and authoritarian leadership is a critical challenge to Democracy. This is very relevant in the case of a multicultural, multilingual, multi religious and economically diverse country like India, only political parties can truly represent the multidimensional interests of people from every corner of the country. It is vital in a democracy like India that political parties exercise maturity and maintain a secular position, the precious and precarious unity and stability of India cannot be maintained. It is in the interests of the nation, that responsibly and principled parties show a level of maturity and responsibility in exercising their duties and functions for the sustainability of democratic institutions.

Role of Opposition in a Democracy

The relationship between party system and democracy will be incomplete without the discussion of the role of opposition parties in democracy. Democracy has no meaning without an effective opposition party or parties in the country. The nature of democracy is not only determined by the strength of ruling party alliance but also in the role and functioning of the opposition party alliance. In fact, the leader of the Opposition party enjoys the status and privileges of the rank of cabinet minister. A weak opposition leads to either a government without accountability or the tyranny of the majority.

Pressure or Interest groups also play an important role in special issues and events. These are organized groups, having common political and social interests, which influence decisions from outside. Pressure groups have voluntary membership and lobby for specific interests. Unlike political parties, pressure groups do not contest elections. The Pressure Groups are able to influence the government through various techniques with various public policy issues and are therefore called pressure groups. Professional pressure groups may include business interests, trade unions, Farmers, Teachers and Students, Doctors, culture groups, and institutional groups. Pressure Groups play an important role in the Indian political system by acting as a link and source of communication between the masses and the political parties. They sensitize the public towards vital socio-economic issues and through their lobbying, influence both the government and the administrative policies.

Psephology

Psephology deals with the study and statistical analysis of elections and polls. Public opinion polls play an important role in psephology. They analyze both Opinion Polls and Exit Polls as well as election results. Opinion Polls and Exit Polls are both important indicators of voter's choice during the elections.

The main difference between the two is that opinion poll is conducted before the voter actually votes and the exit poll is conducted after a voter comes out after casting his or her vote. Results of exit polls are generally considered to be more trustworthy than that of opinion polls.

The result of opinion polls may or may not actually collaborate the actual results. Yet they are important in generating opinions among the unsure and undecided as well as help to sustain a balance in voting practices for all parties concerned.

KINDS OF PARTIES:

Political parties can be classified into four groups according to their aims, policies and the method adopted by them to achieve their goals. They are,

1. Conservatives
2. Liberals
3. Reactionaries
4. Radicals

Apart from this, there are also leftists and rightists. Parties which opt for radical changes and for the introduction of radical legislations are called leftists, and those which are desirous of slow, steady and smooth changes regarded as rightists, sometimes even within the same parties there are two wings rightists and leftists.

For example, in Communist Party of India, there are two groups namely the Communist Party of India (Leftists) and Communist Party of India (Rightists).

1. the number of parties dominating the political scene one party, two party or multiparty.
2. the main structure and characteristics of the party-charismatic leader-oriented party, ideology-oriented party and interest oriented party.
3. the geographical area of influence and penetration. (especially in a feudal polity)- that is national party, trans-regional party, regional party and local party.
4. four fold types of party structure suggested by **Maurice Duverger**- the caucus, the branch, the cell and the militia.

Mass party:

The mass party is 'the branch type' of party with open membership and hierarchical party structure, dominated by the central leadership. It is a permanent party, active continuously throughout the year.

Its branches, covering the entire country and different segments of populations are the main source of its strength. Delegates are elected through the branches to the party congress, which remains the highest policy making body.

Examples of mass party:

1. The British Labour party
2. German Social Democratic party
3. The Congress party of India
4. Bharathiya Janatha party

TYPES OF POLITICAL PARTY SYSTEM:

SINGLE PARTY SYSTEM:

A single party system is a system in which there will be only one political party in a country. The law of the land will not allow rivals. The Russian Revolution in the beginning of 20th century was the main cause for the emergence of single party system. Best example for this system is communist China.

Merits:

1. The government can be run efficiently without wasting time in discussion and controversies.
2. There is high national discipline.
3. There is no political rivalry.
4. Tremendous all around progress is possible

Demerits :

1. There will no difference between the party and the government.
2. Under this system, legislature may be law-making body with no change of frank discussion and deliberation.
3. The state with a single party rule will lead to authoritarianism and totalitarianism.
4. People are ruthlessly suppressed.
5. There will be no place for dignity of human personality.
6. No change for enjoying rights by the people.

TWO PARTY SYSTEM:

The two party system is the one in which there will be two political parties one is the ruling party and the other is the opposition party, example of two party systems are,

1. **England** - There are two parties in England the conservative party and Labour party.
2. **U.S.A** - The Democratic Party and the Republican Party.

Merits :

1. In a parliamentary government, the two party systems provides fro stable government.
2. A real representative government is possible only in a two party system.
3. Since parties are well organized, they held to mould public opinion.
4. Voters are well aware of polices and programmes of the parties of which they

5. The opposition party is playing constructive role. It points out the commissions and omissions in the policies and acts of the government.

Demerits of two party:

1. It gives rise to dictatorship of the cabinet and lower the prestige of legislature.
2. There will be possibility of despotism of ruling party.
3. Representation of various interests and minorities is denied.
4. It gives rise to blind devotion and allegiance to the party and the leaders.

MULTI PARTY SYSTEM:

Cleavages in social structures and differences in nationalities and regions in a state cause the emergence of multiparty system. A multiparty system is the one in which there will be more than parties in a state. For example,

Merits

1. The possibility of cabinet dictatorship is rule out.
2. There is greater individual freedom, and all shades of opinion can be expressed through various political parties.
3. Adequate representation to various interests in a state is accorded in multiparty system.
4. The voter has wider choice in the two party system.

Demerits.

There will be no stable government.

Multiplicity of political divisions and parties may create chaos.

Parties divide people into hostile groups

No ministry will be able to do any good work for the people. Coalition ministries will exist precariously for a short time.

Fraud in the buying of votes will undermine political morality.

TYPES OF POLITICAL PARTIES –Indian scenario

NATIONAL PARTY:

In terms of geographical spread there are four types of parties. They are national parties, regional parties, trans-regional parties and local parties. Since the second general elections to LOKSABHA in 1957, Election Commission of India has recognised several parties as national parties, on the formula that they should have secured not less than 4% of total valid votes in the previous general election, atleast in four states.

Examples of national parties are,

Congress Party,

Bharatiya Janatha Party,

REGIONAL PARTY:

The emergence of regional parties in India has a geo-political rationale. Under conditions of democratic culture there are socio economic and ethnic diversities, which are specific to different regions in India.

Examples are Assam, Nagaland, Mizorm, Punjab, Orissa, Andhrapradesh and Tamilnadu. Each of these regions with a regional outfit seeks and aspires for political autonomy. These outfits press for he development of their region in a federation like India.

The first type:

There have been three types of regional parties in India. Among them the first type is that of groups formed by congress dissidents. They were all short lived and often served a temporary purpose or cause. This gave the group strength for bargaining.

Eg. Bangla Congress, Kerala Congress, the Utkal congress and Telangana Praja Committee.

The second type:

Are tribal parties as focal points of building a tribal political identity and as a platform for obtaining more concessions from the center. They had often talked even of concessions from the center. They had often talked even of session from India, and demanded complete independence.

Examples of this trend are militant movements like the Naga National Council, Misoram National Front, Garo National council, Manipur National People Party etc..

The third type:

Are larger political formations in ethnically, culturally and linguistically defined regions like Tamil Nadu, Andhra Pradesh, Punjab, Jammu & Kashmir and Assam.

These parties are bigger in their composition, well knit in their organization and more stable in their role as important components of the multi-party system in India. Because of their electoral majority they have capacity to send their members to Lokshabha and Rajya sabha and play critical role as a balancing factor between ruling party and major opposition parties in parliament. Examples of their types are :

DMK, AIADMK, ASSAM GANA PARISHAD.

CASTE PARTY:

Generally people are divided into groups on the basis of area, profession, caste, community, religion and race. Sometimes they are divided on the basis of colour of the skin.

In India people belong to various groups. Caste is one such group. This kind of division of the people is found mostly in India only. There are several caste groups through out India. The main reason for this is to be found in the varnarshra dharma of the Hindu religion.

Generally major political parties do not support caste groups. However in indicate plays a dominant role in politics and also in elections to representative bodies. Case is an uniting factor.

People belonging to every group support the party leaders and candidates belonging to their caste. The need for caste party is to secure certain benefits and advantages from the government to people of their caste.

In Tamilnadu also there are many caste parties, which exert influence on major political parties for getting the things they wanted. This is the sum total of a caste party.

COMMUNAL PARTY:

A party political or otherwise formed on the basis of communal feelings and beliefs is known as a communal party. Like the caste party, communal party has its origins in the division of people or the society on grounds of caste distinctions.

The motive behind the formation of a communal party is to secure some benefits from the major communities and also from the government of the country. Communal parties are always selfish and partisan. They generally act against the interest of other groups and therefore not supported by parties, which do not have faith in race, religion and colour of the people. Communal parties should not be encouraged as they are against national spirit.

Pressure Groups

The term 'pressure group' originated in the USA. A pressure group is a group of people who are organised actively for promoting and defending their common interest. It is so called as it attempts to bring a change in the public policy by exerting pressure on the government.

The pressure groups are also called 'interest groups' or vested groups. They are different from the political parties in that they neither contest elections nor try to capture political power.

1. Pressure Groups in India

A large number of pressure groups exist in India. But, they are not developed to the same extent as in the USA or the Western countries like Britain, France, Germany and so on.

The pressure groups in India can be broadly classified into the following categories:

1. Business groups
2. Trade unions
3. Agrarian groups
4. Professional associations
5. Student organisations
6. Religious organisations
7. Tribal organisations
8. Linguistic groups
9. Ideology-based groups
10. Environmental protection groups

1.1 Functions of Pressure Groups in India

Pressure groups are the interest groups that work to secure certain interest by influencing the public policy. They are non -aligned with any political party and work as an indirect yet

powerful group to influence the policy decisions. Pressure groups carry out a range of functions including representation, political participation, education, policy formulation and policy implementation.

Political Participation

Pressure groups can be called the informal face of politics. They exert influence precisely by mobilising popular support through activities such as petitions, marches, demonstrations and other forms of political protest. Such forms of political participation have been particularly attractive to young people.

1.2 Education

Many pressure groups devote significant resources by carrying out research, maintaining websites, commenting on government policy and using high-profile academics, scientists and even celebrities to get their views across, with an emphasis to cultivate expert authority.

1.3 Policy Formulation

Though the pressure groups themselves are not policy-makers, yet it does not prevent many of them from participating in the policy-making process. Many pressure groups are vital sources of information and render advice to the government and therefore they are regularly consulted in the process of policy formulation.

Election Process-Understanding the Basic Concepts

MACHINERY FOR CONDUCTING ELECTION:

The founding - fathers of Indian constitution were unanimous in underlying the importance and significance of an autonomous electoral machinery to ensure free and fair election as a bed rock of a genuine democratic system.

Accordingly an election commission has been set up to perform three functions of 'superintendence, direction and control' of election. It is responsible for preparation, revision and updating of the electoral rolls from time to time. It conducts election to parliament and state legislature as well as to the office of the President and the Vice President of India (Article 324).

Election Commission:

It consists of the Chief Election Commissioner and a few other election commissioners whose membership is determined and fixed from time to time by the President of India.

They are appointed by the President for a fixed term of five years. Their tenure and service conditions are laid down by the parliament and cannot be changed during the term of office.

The Chief Election Commissioner cannot be removed from office, except on the ground and in the manner on which the Supreme Court judge can be removed. This is to protect him from undue interference of executive and legislature.

A branch of Election Commission exists in each state headed by a Chief Election Officer appointed by the Chief Election Commissioner in - consultation with the state government. They constitute a permanent setup of machinery for conducting elections in the state.

The number of members of Election Commission is limited but at the time of elections necessary officers and staff are drawn from other departments of the government. Eg: government departments and educational institutions.

Powers and functions of Election Commission:

The Election Commission of India has been given wide powers and functions. They are,

1. To prepare, revise and update the list of voters for elections.
2. To conduct and supervise the elections and bi-elections.
3. To delimit constituencies for election to the parliament and state legislature and to allot seats to each of them.
4. To fix the election programme including dates for the nomination and scrutiny of candidates and date of election, making arrangement and declaration of result etc.
5. To advise the President or the Government of the concerned state as the case may be regarding all electoral matters including queries relating to disqualification of members.
6. To prepare guidelines for a code of conduct for political parties, candidates and voters during the period of elections.
7. To fix limit of election expenses and to examine the accounts of electoral expenditure submitted by the candidates.
8. To determine criteria for recognizing political parties and then recognize them and decide their election symbols and allocate time to them for the use of radio and TV in order to help them to reach the people on the election issue.
9. To prepare a list of 'free symbols' for allotment to independent candidates, and
10. To settle election disputes and petition, referred to it by the President or the Governor of a state.

Types of Representation/ Reservation of Constituencies

GEOGRAPHICAL REPRESENTATION:

This method is followed in most of the countries, as it is the simplest form of representation. According to this principle, the whole country is divided into electoral districts or areas known as constituency. The electoral districts are drawn so as to contain approximately equal population, and a single member is elected from each district, by majority vote.

To make this system work effectively, the boundaries of constituency have to be redrawn and altered to keep pace with the growth and variations of the populations.

Merits of the system:

The most important merit of this system is that it is the most simple and convenient form. In this system, the voter is required to simply cast a vote for the one representative in a constituency, Secondly the limited area of a constituency enables the voter to know his area of a representative well. The representative will also strive to develop the constituency.

Thirdly, since the area is clearly defined and restricted it is economical for the representatives.

Fourthly this system is being practiced in most of the countries and has proved to be effective in securing a stable majority in the legislature and must ensures a strong and stable government.

Demerits of the System:

The system of geographical representation has a tendency to make the representative a custodian of only local interest, and in his eagerness to develop his constituency, he tends to ignore the national interest.

The elected representative will act as an agent for securing every advantage for his constituency at the cost of national interest.

Secondly, this promotes the sons of the soil policy. That is, voters will prefer to vote for a candidate who is a resident of the constituency.

This may end in electing an inferior candidate because he happens to be a 'local man.' An able candidate may be defeated just because he belongs not to this constituency but belongs to a different place.

Thirdly, especially at times of by-election the government can easily concentrate on the constituency and influence the voters to return their candidate in the election.

Fourthly, the boundaries are to be redrawn frequently to maintain a balance of population. This provides an opportunity to the ruling party to make alteration in the constitution its

favour. This manipulation of boundaries of a constituency is called 'gerrymandering.'

To avoid this unfair manipulation, redrawing of constituency should be given to a responsible independent body.

Fifthly, under this system a relative majority is required to win a seat. That is a candidate who secures the maximum number of votes polled is declared elected. This is called 'the first to post the poll' principle.

The one who crosses the post is declared elected. The Great defect of this system is sometimes, a candidate who has secured 40 percent of the vote will get elected. Considered this Example . In a constituency 4 parties are contesting namely Party A, Party B, Party C, and Party D.

In a constituency where there are say 1000 Party A gets 400 votes, Party b gets 200 votes, Party C gets 180 votes and Party D gets 220 votes. In this example, the candidate Contesting for Party A gets elected even though he has got only 40% of the votes, which is not a majority. Is only a relative majority. Even though it cannot be accepted as really democratic, this system is followed in most of the countries, because the alternatives to this system are much more complicated, and cumbersome.

Sixthly in this single member constituency exact representative of the electorate is not ensured. Certain small minorities may go altogether unrepresentative, and the legislature may not reflect the minorities in the constituency.

For example, in India, in a constituency, Hindus may be in majority and Muslims and Christians may be in minority. Normally, the Hindu candidate will win in the election.

Though Muslims, Christians and other minorities are living there, they may not get a representative. This applies to linguistic minorities also.

In India, especially which is caste oriented, schedule caste and schedule tribes may not get any representation as they are in minority.

This problem is overcome in India by reserving some constituencies exclusively for schedule caste and schedule tribes. In this, reserved constituency, only people belonging to schedule caste or schedule tribes can contest.

PROPORTIONAL REPRESENTATION:

The fundamental principle of proportional representation is, every section of the society will get representation in the parliament, in proportion to their population.

Different minorities, who otherwise will go without representation, will get representation according to their strength in numbers.

The main purpose of proportional representation is to secure a representative assembly reflecting with more or less mathematical exactness of the various divisions in the electorate.

First we have to decide what should be the basis for the proportional representation. It can be religion, language, nationality or caste. For example, if in a country, 70 percent of the population belong to religion X, another 20 percent belong to Y and yet another 10 percent belong to religion Z. the total number of seats in the legislature may be proportionally divided in to 7:2:1.

That is, 70 percent of the seats in the legislature will be filled by the candidates belonging to religion X, 20 percent of the seats will be filled by the candidates belonging to religion Y and 10 percent to the total number of seats in the legislature will be filled by the candidates belonging to religion Z.

ARGUMENTS IN FAVOUR OF PROPORTIONAL REPRESENTATION

Eminent political thinkers like **J.S.Mill** has supported proportional representation. They argue that, a legislature should represent, all the sections of the electorate and no minority should go without any representation in the legislature.

Legislature are compared to maps. One cannot draw a map of a country ignoring any part of the country. All the parts of the country should be included in the map. Similarly, all the sections of the electorate should be represented in the legislature.

The advocates of proportional representation point out that the majority principle is based on the assumption of a biparty system, where there are only two major political parties which compete in the elections. In this biparty system the majority rules and the minority remains in the opposition and criticize the government. But, really speaking in this society there are various section with their own peculiar problems and opinions.

To make the legislature a true mirror of the nation, it is essential that all the sections are directly, and more so proportionately reflected in the legislature. Mill has observed that, 'In any real equal democracy every or any section would be represented, not disproportionately but proportionately. A majority of the electorate would always have a majority of representative but a minority of the electorate would always have a minority of the representatives.'

The supporters of proportional representation further argue that under this system there will not be any necessity to readjust or redraw the boundaries of the constituency to equate the number of electors of electors in the constituency on the basis of increasing population.

DEMERITS OF PROPORTIONAL REPRESENTATION:

Proportional representation is preferable to the majority principle, because, it secures representation for minorities. However, proportional representation also has some demerits. For example, it keeps the division in the society intact and never allows one section freely move with other sections. The majority will never mix with the minority and the minority will never mix with the majority.

Secondly, each minority will tend to organize itself into a political party. These social divisions will be carried over to the political arena. Tension caused in the social divisions will directly have a bearing on the political parties.

The political parties, which should address the social division, would themselves stand strongly divided. Proportional representation will not promote integration but will only promote disintegration of society.

Thirdly, Democracy is based on the conception of national welfare and a common interest. The idea is that various sectional interests will work out an ultimate compromise. Proportional representation, by widening the area of conflict rather than, bringing a common area of agreement, spells danger for democracy.

Fourthly, it is generally believed that political parties promote national interest rather than sectional interest. Proportional representation substitutes narrow sectional interests for the national welfare.

Fifthly, proportional representation promotes, too many political parties. For example, the Indian society is divided on caste basis. If every caste starts a political outfit, it will only create more problems. Moreover, no political party will get a clear majority in the legislature. Thus, proportional representation leads to political instability.

Sixthly, the vast size of the electoral districts under the system of proportional representation involves a number of difficulties. The intimate connection of the candidate with the constituency is not possible. In India, the systems of proportional representation are followed for the election to the Rajya Sabha, the second chamber of the Indian parliament. The members of the Rajya Sabha are elected by the members of the state Legislative Assembly through proportional representation.

For example, the state of Tamil Nadu has 18 representatives in the Rajya Sabha. They are elected by the members of the Tamilnadu State Legislature.

As per figures available in December 2003, the AIADMK, which holds majority in the Assembly, has 9; the DMK has 7 and the Indian National Congress has two members in the Rajya Sabha in proportional to their strength in the Assembly. A party, which has more membership in the legislature, will have proportionately more number of seats in the Rajya Sabha.

MINORITY REPRESENTATION :

The word minority is used in more than one sense. In the legislature, the majority becomes the ruling party and the minority party becomes opposition. Apart from this political minority, there are several other minorities like, linguistic, racial and communal.

Thus, in India, Hindus are in majority and Christians, Anglo - Indians and Muslims are in minority. This is religious or communal minority. In Tamilnadu, Tamils are in majority and Telugu people are in minority. This is linguistic minority.

The political minority should be represented in the national legislature. They along with the majority should participate in the law making process.

One way of securing representation for minorities is adopting proportional representation.

Another method is communal representation. Under this system special arrangements are made for minority representation. There may be separate electorates for separate communities. Such a provision was made during the British rule in India.

It provided for representation for each community. The Hindu voted for Hindu and the Muslim voted for Muslim candidates. This was popularly known as communal representation. Another method of communal representation is to provide for reservation of seats. Even though, this communal reservation was not followed in the independent India, the Indian constitution does provide for reservation of seats for scheduled castes and scheduled tribes in the legislatures and in the Lok Sabha. Tamil Nadu Panchayat Act, also provide for reservation of seats for s.cs' and s.ts' in the local bodies.

It is true, in a democracy, wider participation should be allowed. No section of the society should go without representation. However, as provided and in dealing with proportional representation, reservation of any kind will only promote division among the society. Any system of minority representation only divides people into hostile camps.

It also develops hatred among minority and majority against each other. Consequently, democracy, which implies the existence of common will suffer most under a system of minority representation.

Minority representation does not provide the answer to the basic problem of democracy. The problem is how can every group be given an opportunity to participate or influence the process of legislation. The answer lies in creating avenues for the minority to express themselves.

Meaning and nature of Franchise and Representation

What is Franchise and Election?

The right to vote in public elections. The word “Franchise” is of Anglo-French derivation-from Franc, meaning FREE.

An election is the process of voting to choose someone to be their political leader or representative in government.

And what is Representation?

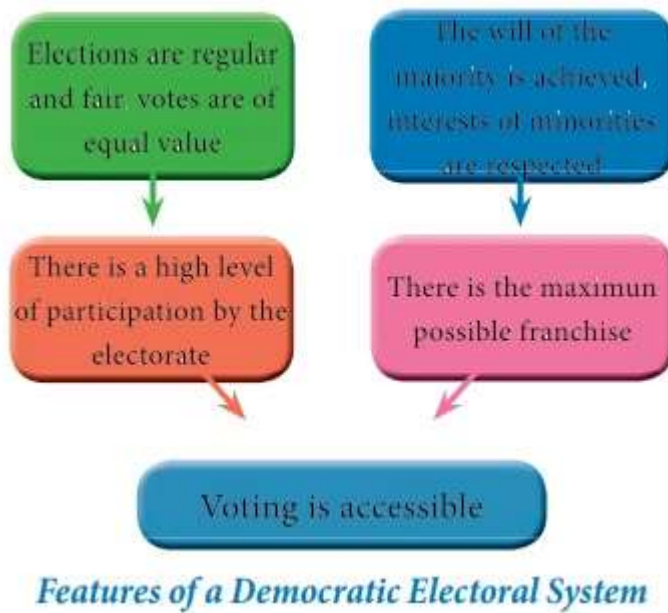
It is nothing but the action of speaking or acting on behalf of someone or the state of being so represented.

Part XV of the Indian Constitution titled “Elections” is of great importance. The constitution – makers had been anxious to safeguard this political right as an integral part of the constitution itself. It is for this important reason that the subject of elections has been accorded a constitutional recognition in our country.

Although elections were used in Ancient Athens, Rome and in the selection of Popes and Holy Roman Emperors, the origins of elections in the contemporary world was in the gradual emergence of representative government in Europe and North America which began in the 17th century. In a representative democracy elections are extremely important. Voting, in elections is the best way to make your voice heard. One fact that makes elections more important is when political parties try to suppress voting with the use of laws to disallow people to vote. Election and representation is the core for the formation of government.

Democratic Electoral System

Let us study the most essential features of a democratic electoral system. A democratic electoral system can be said to be one where...



Why do we need Elections ?

Let us try to imagine a democracy without elections. A rule of the people is possible without any elections if all the people can sit together every day and take all the decisions. This is not possible in any large community nor it is possible for everyone to have the time and knowledge to take decisions in all matters. Let us presume that the people can resolve these difficulties and such a place do not require elections. In such case can we call this place a democracy?

How do we find out if the people like their representatives or not? How do we ensure that these representatives rule as per the wishes of the people? How to make sure that those whom the people don't like do not remain their representatives? This requires a mechanism by which people can choose their representatives at regular intervals and change them if they wish to do so. This mechanism is called Election. Therefore, elections are considered essential in our times for any representative government. Hence in most democracies, people rule through their representatives.

In an election the voters make many choices:

- They can choose who will make laws for them
- They can choose who will form the government and take major decisions
- They can choose the party whose policies will guide the government and law making.

What makes an Election Democratic?

- Everyone should be able to choose. This means that everyone should have one vote and every vote should have equal value.
- There should be something to choose from parties and candidate should be free to contest elections and should offer some real choice to the voters.
- The choice should be offered at regular intervals. Elections should be held regularly after every few years.
- The candidate preferred by the people should get elected.
- Elections should be conducted in a free and fair manner where people can choose as they really wish.

An election is a formal decision making process by which a population chooses an individual to hold public office. Elections fill offices in the legislatures, sometimes in the executive and judiciary and for regional and local government.

Election Systems-Plurality/Majority Systems

What are Plurality / Majority Systems? The principle of plurality/ majority system is simple. After votes have been cast and totalled, those candidates or parties with the most votes are declared the winners. However, the way this is achieved in practice varies widely. Five types of plurality/majority systems can be identified.

- A. First Past The Post (FPTP)
- B. Block Vote(BV)
- C. Party Block Vote(PBV)
- D. Alternative Vote(AV)
- E. Two-Round Systems(TRS)

A. First Past The Post (FPTP)

The First Past The Post system is the simplest form of plurality/majority system, using single member districts and candidate-centered voting. FPTP systems are found primarily in the UK and those countries historically influenced by Britain. Along with the UK, the other countries are Canada, India and the USA. FPTP is also used by a number of Caribbean countries, Bangladesh, Burma, India, Malaysia, Nepal and small island countries of the South Pacific.

B. Block Vote (BV)

The Block –Vote is common in countries with weak or non-existent political parties. The Cayman Islands, The Falkland Islands, Guernsey, Kuwait, Laos, Lebanon, the Maldives, Palestine, the Syrian Arab Republic etc use Block Vote electoral systems.

The Block Vote is often applauded for retaining the voter’s ability to vote for individual candidates and allowing for reasonably-organized geographical districts while at the same time, increasing the role of political parties compared with FPTP and strengthening those parties which demonstrate most coherence and organizational structure.

C. Party Block Vote (PBV)

PBV is simple to use, encourages strong parties and allows for parties to put up mixed slates of candidates in order to facilitate minority representation. It can be used to help to ensure balanced ethnic representation. Djibouti, Singapore, Senegal, Tunisia use the PBV method.

D. The Alternative Vote (AV)

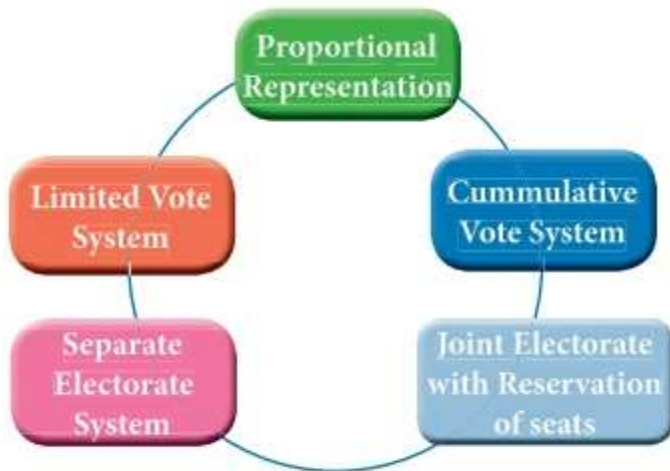
This system enables voters to express their preferences between candidates rather than simply their first choice. Hence it is known as ‘Preferential Voting’. AV is used in Australia, Fiji and Papua Guinea. By transferring ballots, it enables the votes of several candidates to accumulate, so that diverse but related interests can be combined to win representation.

E. The Two- Round System (TRS)

The central feature of the Two-Round System is as the name suggests: it is not one election but takes place in two rounds, often a week or a fortnight apart. This system is used to elect national legislatures and are most common methods used worldwide for the direct election of

Presidents. TRS is used by the Central African Republic, Congo, Gabon, Mali, Mauritania, Haiti, Iran, Vietnam, Tajikistan, Uzbekistan etc.

Various Methods Of Minority Representation



Is it good to have political competition?

Elections are all about political competition. This competition takes various forms. The most obvious form is the competition among political parties. At the constituency level, it takes the form of competition among several candidates. If there is no competition, elections will become pointless. Though an electoral competition leads to a sense of disunity and factionalism in every locality, regular electoral competition provides incentives to political parties and leaders. They know that if they raise issues that people want to raise, their popularity and chances of victory will increase in the next elections. But if they fail to satisfy the voters with their work they will not be able to win again.

What is our system of Elections?

Can we say that Indian elections are democratic? To answer this question, let us take a look at how elections are held regularly after every five years. After five years the term of all the elected representatives comes to an end. The Lok Sabha or Vidhan Sabha stands dissolved. Elections are held in all the constituencies at the same time, either on the same day or within a few days. This is called a general election. Sometimes election is held only for one

constituency to fill the vacancy caused by death or resignation of a member. This is called ***By-Election***.

Electoral Constituencies

You would have heard about the people of Tamilnadu electing 39 lok sabha MPs. You may have wondered how they did that. Did every person in Tamilnadu vote for all the 39 MPs? You perhaps know that this is not the case. In our country we follow an area based system of representation. The country is divided into different areas for the purpose of elections. These areas are called Electoral Constituencies. The voters who live in an area elect one representative.

For Lok sabha elections, the country is divided into 543 constituencies. The representative elected from each constituency is called a member of Parliament or an MP. One of the features of a democratic election is that every vote should have equal value. That is why our constitution requires that each constituency should have a roughly equal population within it. Similarly each state is divided into a specific number of assembly constituencies. In this case the elected representative is called the Member of Legislative Assembly or a MLA. Each Parliamentary constituency has within itself several assembly constituencies. The same principle applies for Panchayat and Municipal elections. Each village or town is divided into wards that are like constituencies. Each ward elects one member of the village or the urban local body. Sometimes these constituencies are counted as Seats, for each constituency represents one seat in the assembly.

Reserved Constituencies

Our Constitution entitles every citizen to elect its representative and to be elected as a representative. In an open electoral competition, certain weaker sections may not stand a good chance to get elected to the Lok Sabha and the State Legislative Assemblies. They may not have the required resources, education and contacts to contest and win elections against others. If that happens our Parliament and Assemblies would be deprived of a significant section of our population. That would make our democracy less representative and less democratic.

So, the makers of our Constitution thought of special system of reserved constituencies for the weaker sections. Some constituencies are reserved for the people who belong to the Scheduled

Castes (SC) and Scheduled Tribes (ST). This system of reservation was extended later on to other weaker sections at the district and local levels.

Delimitation

The division of each state into as many constituencies as in the Lok Sabha from that state and State Legislative Assemblies is done primarily on the basis of population census. As far as practicable, geographical area of constituencies were to be delimited taking into account physical features, existing boundaries of administrative units, facilities of communication and public convenience.

Delimitation Acts

First Delimitation Commission Act, 1952 Second Delimitation Commission Act, 1963 Third Delimitation Act, 1973 Fourth Delimitation Act, 2002.

Voters' List

Once the constituencies are decided, the next step is to decide who can and who cannot vote. This decision cannot be left to anyone till the last day. In a democratic election, the list of those who are eligible to vote is prepared much before the election and given to everyone. This list is officially called the Electoral Roll or the Voters' List.

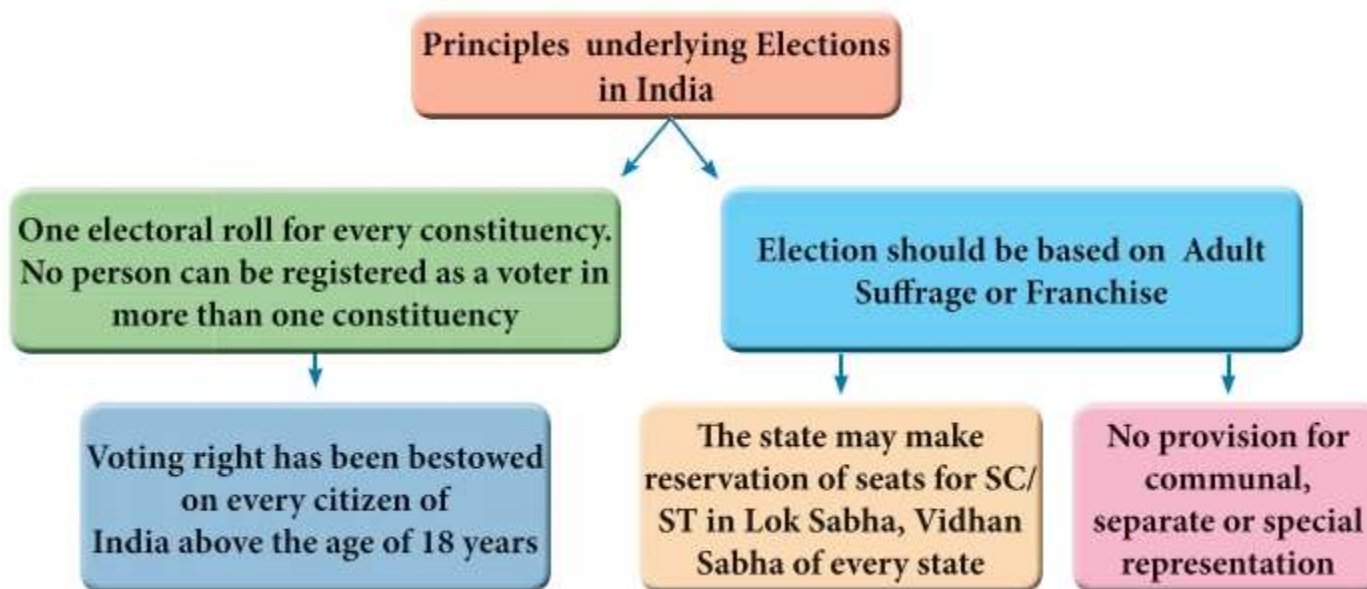
This is an important step for, it is linked to the first condition of democratic election that everyone should get an equal opportunity to choose representatives irrespective of differences. In our country, all the citizens aged 18 years and above can vote in an election. Every citizen has the right to vote, regardless of his or her caste, religion or gender.

It is the responsibility of the government to get the names of all eligible voters put on the voters' list. Names of those who move out of the place or those who are dead are deleted. A complete revision of list takes place every five years. In the last few years, a new system of Electoral Photo Identity Card (EPIC) has been introduced. The voters are required to carry this card when they go out to vote. Not compulsory, for voting, the voters can show many other proofs like the Aadhar Card, Ration card or Driving License.

Electoral Process In India

- ⌘ Delimitation of Constituencies
- ⌘ Notification of the Election
- ⌘ Notification by the Election Commission regarding Nomination and withdrawal
- ⌘ Filing of nomination papers by the intending candidates
- ⌘ Verification and the acceptance or rejection of the nomination papers
- ⌘ Election campaign
- ⌘ Polling process
- ⌘ Counting of votes and announcement of Election Results

Provisions Regarding Elections in India



Nomination of Candidates

In a democratic election the people should have a real choice. This happens only when there are no restrictions on anyone to contest an election. This is what our system provides. Anyone who can be a voter can also become a candidate in the elections. The only difference is that in

order to be a candidate, the minimum age is 25 years, while it is only 18 years for being a voter. Political parties nominate their candidates who get the party symbol and support. Party's nomination is often called as party 'ticket'.

Every person who wishes to fill a 'nomination form' has to give some money as security deposit. According to the direction of the Supreme Court, every candidate has to make a legal declaration, giving full details of:

- Serious criminal cases pending against the candidate
- Details of the assets and liabilities of the candidate and his or her family
- Educational qualifications of the candidate

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

Election Campaign

The main purpose of election is to give people a chance to choose the representatives, the government and the policies they prefer. Therefore it is necessary to have a free and open discussion about who is a better representative, which party will make a better government or what is a good policy. This is what happens during election campaigns.

In our country such campaigns take place for a two week period between the announcement of the final list of candidates and the date of polling. During this period the candidates approach their voters, political leaders address election meetings and political parties mobilise their supporters. This is also the period when newspapers, social media, televisions are full of election related stories and debates. Election campaign is not limited to these two weeks only. Political parties start preparing for elections months before they actually take place.

In election campaigns, political parties try to focus public attention on some big issues. They want to attract the public to that issue and get them vote for their party on that basis. In a democracy it is best to leave political parties and candidates free to conduct their election campaigns the way they want to. But it is sometimes necessary to regulate campaigns to ensure that every political party and candidate gets a fair and equal chance to compete.

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

- Bribe or threaten voters
- Appeal to them in the name of caste or religion
- Use government resources for election campaign

If they do so, their election can be rejected by the court even after they have been declared elected. In addition to the laws, all the political parties in our country have agreed to a model Code of Conduct for election campaigns. According to this no party or candidate can:

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

Glossary for Election Commission

Election : A formal and organised choice by vote of a person for a political office or other position.

Representation : The action of speaking or acting on behalf of someone.

Franchise : The right to vote in public elections.

Voting : Go to the polls, mark one`s ballot paper

Electoral system : The way in which votes can be translated into elected representatives

Psephology : The statistical study of elections and trends in voting.

Plurality : Number of votes cast for a candidate who receives more than any other but does not receive an absolute majority

Panchayat : A village council in India

Minority representation : The number of elected candidates supporting the minority positions.

Factionalism : Arguments or disputes between two or more small groups from within a larger group.

Democracy : A system of government by the whole population, typically through elected representatives

Delimitation : The act or process of fixing limits or boundaries of territorial constituencies in a country or a province having a legislative body.

Electoral Roll/ voters`list : Grouping of candidates for election

Nomination : The act of officially suggesting someone or something for a position.

Election campaign : A time when a politician or party try to persuade people to vote for them

Electoral reform : A change in electoral systems to improve how public desires are expressed in election results

Anti-defection law : Law passed in 1985 which disqualifies elected members on the grounds of defection to another party.

Constituency : A group of voters in a specified area who elect a representative to a legislative body.

Secret ballot : A voting method where voter`s choices are confidential

Voters` turnout : Percentage of eligible voters who cast a ballot in an election

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