

# **Political Science**

## **Online Material**

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# APPLO STUDY CENTRE

## STATE

### Meaning and Definition of State

The State is the most universal and most powerful of all social institutions. The State is a natural institution. Aristotle said 'Man (Human) is a social animal and by nature s/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. The state 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.

### Essential Elements of State

The state is a set of institutions which has an unquestionable authority over people. Hence all modern States have their own Constitution that moderates the freedom and privileges of the citizens of the State with the coercive and unquestionable power of the State. Hence Constitution is considered as a limiting agent on the overwhelming authority of the State.

The Montevideo Convention on Rights and Duties of States held in 1933 gave the fundamental understanding of State. A State must have a permanent population, a defined territory and a government that can control the territory and its people and conducts international relations with other States. Consequently, the recognition of a State by other States becomes crucial for the legitimacy of the State from an external point of view.

### Definition of State

- ❖ 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 honorable life".

## Population

It is the people who make the State. The population is essential for the State. 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 - sufficient and small enough to be well governed. Rousseau determined 10,000 to be an ideal number for a State.

According to Plato, the ideal number of State is 5040. The reason is the number 5040 is divisible by numbers from 1 to 12. In the case of 11 the remainder is 2. During the time of emergency the population can be divided in various columns and instructions could be given.

## Territory

People need territory to live and to 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. The territory is necessary for citizenship.

## Government

Government is the working agency of the State. It is the political organization of the State. According to C.F. Strong, in order to make and enforce laws, the State must have a supreme authority. Government is a fixed structure.

## Sovereignty

The fourth essential element of the State is sovereignty. The word 'sovereignty' means supreme and final legal authority above. No legal power can exist beyond sovereignty. 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". In a traditional understanding, the characteristics of sovereignty are absoluteness, permanence, universality, indivisibility, exclusiveness, and inalienability.

The father of the modern theory of sovereignty was Jean Bodin (1530 - 1597) French political thinker.

## Society, state and Government

### Society, State and Government - How are they interrelated?

Historically when humans evolved from hunters and gatherers to a settled community, they started to produce goods. Group of families constituted a community and a group of communities constituted what we call as a society. Individuals for their emotional need that is often reciprocal lived in the family.

Families came together under the umbrella of the community for a greater objective of security. The communities so formed made a higher level of organization called society.

State came into existence out of an imminent need that in the absence of a centralized and a coercive authority human cannot be saved from each other. This control in modern States is done legally through a set of rules and regulations. In a democracy, these rules and regulations are framed by the legislature, enforced by the executive and the judiciary adjudicates the made laws and the implemented laws on the basis of their legality and judiciousness. The function of law making, implementing and interpreting is the function of government.

STATE	SOCIETY
State came into existence after the origin of the society.	Society is prior to the State.
The scope of the State is limited.	The scope of society is much wider
The state has fixed territory.	Society has no fixed territory.
The state is a political organization.	Society is a social organization.
The State has the power to enforce laws.	Society has no power to enforce laws.

STATE	GOVERNMENT
The state consists of population, territory, government and sovereignty.	Government is part of the State.
The state possesses original powers.	Powers of the government are derived from the State.
The state is permanent and continues forever.	Government is temporary. Governments can be replaced with peoples will
State is abstract and invisible	Government is concrete and is visible.

## State and Government

Government is often used with the 'State' as a synonym. But both the government and the State are two different entities. There are differences between the State and the government. They are explained in the table given below.

### Modern State

Before examining the functions of Modern State, you must understand what is Modernity? What is called as a Modern State?

Modernity in historical term means the period of questioning the tradition or rejecting the age-old set of beliefs, practices and socio-cultural norms. Modernity laid the foundations of the prioritization of individualism, freedom, equality, fostering of scientific temper in every walk of life and thus modernity led humans from agrarianism towards industrialization, urbanization, and secularization. This intellectual shift drastically influenced the understanding of the society, State and government. For instance, the efforts of Raja Ram Mohan Roy to reform the Indian society are directly linked with the influence of western modernity on Indian thinkers. In Political science, modernity impacted on the concepts of State, liberty, equality, justice and so on. The rational foundation of modern State is often argued to be the treaty of Westphalia signed in the year 1648.

### Functions of Modern State

The modern State is a developed State. The State should strive to keep its people secure and safe. The State should ensure that its borders are sealed and protected. 'Citizen first' should be the motto of all the activities of the State. The sole principle of governance of modern State is whether the action of the State leads to the promotion of the welfare of its people. Accordingly, the State engages itself as a provider of essential services.

It is largely accepted that the modern State focuses on three main functions.

### Security and Defense

The States of today's world consider the meaning of security from multiple standpoints. Inspired by the philosopher Immanuel Kant's idea of perpetual peace, the States of the world came together as 'league of nations' and later as the

'United Nations Organisation and have been debating the terms security and defence in terms of promoting peace.

### **Economic functions**

The modern state is supposed to intervene in the economic functions of the political system. The State needs to support the people, make them realize their potential for their betterment. Protecting consumers, weaker sections, investing in areas where there is no profit are those included in the economic functions of the modern state.

### **Provision of Essential Services**

From 'cradle to grave' modern state is supposed to care for its citizens. The fundamental needs such as food, clean drinking water, providing education, healthcare, and social security for the population are the responsibilities of the modern state. You can find the number of schemes and projects of Government of India and the various state governments to be in this direction. The noon meal scheme and the nutrition's meal schemes in all Government schools initiated by the Government of Tamil Nadu and adopted in different parts of the country is one such example.

The modern State strived for the welfare of its people and hence another concept came into existence called 'Welfare State'.

### **Concept of Welfare State**

It is a reality that the abundance of resources with a minimal population has been the main reason for the successful functioning of welfare State model. The Scandinavian countries are excellent examples of welfare State. Though the Constitution of India strives for a welfare State the non-abundance of resources and a huge population has been the impediment in realizing the goals of the Welfare State.

The concept of welfare State has its origin in Western Europe after the Second World War. The main idea of welfare State is that the government of welfare State plays a vital role in human development. The role of the welfare State extends to the protection and promotion of the well-being of its citizens. The economic and social well-being of the citizens is based on (1) The principle of equality of opportunity (2) Equitable distribution of wealth (3) Public

responsibility for those who cannot afford themselves the minimal provisions for leading a good life.

India before independence was a Colonial State under British rule. Indians were subjects of the English crown. Once India attained Independence, we had our Constitution that has been deeply inspired by the western model of welfare State.

### **Concept of Soft State**

Nobel Laureate Karl Gunnar Myrdal identified what he called as societal indiscipline in the Asian States when compared to the western countries. He identified this societal indiscipline as the characteristics of soft State. Social indiscipline, corruption, and weak law enforcement are the main characteristics of a soft State.

The post-colonial developing States are generally categorized as soft States where their institutions of governance are not fully developed. Our inability to adhere to standards and to enforce law and maintain discipline makes our country as a soft State. A soft State cannot advance further in refining its democratic values.

### **Concept of Over Developed State**

Almost all the States of South Asia are modern democracies. Yet, what makes them lag behind the western countries in development? When the institutions of governance such as the Parliament, the bureaucracy, and the planning machinery are imported and customized during colonial times, why is it that development is a slow process in these countries? Hamza Alawi, explains the case of the governability crisis of Pakistan and Bangladesh using the concept of Over Developed State.

Overdeveloped State is an explanation offered to the ineffectiveness of the functioning of post-colonial States that operate with the similar structure of bureaucratic governance before and after their independence. Despite political liberation, the transformative approach did not percolate down the administrative structure of the States after they emerged free from the colonial yoke. The colonial powers of western Europe maintained double standards in designing the polity of the colonized States. When their respective States recognized political life, liberty and economic freedom of its citizens and in total the State was like a pet for its people, on the contrast the States were over centralized with unquestionable

power in the colonized States. Such an arrangement was congenial to the colonizers to have unfretted siphoning of wealth from their colonies. This massive exploitation was effectively engineered by the bureaucracy that continued the colonial legacy even after independence with no or little change in the attitude of the political class that replaced the colonial masters.

When the State gets increasingly modernized when the society and its economy are lagging behind without modernization the State and the society grossly mismatched each other. This creates a divide between the people and the State's apparatus. What is good for people are not decided by them in a representative democracy but by an influential few. In the case of Pakistan and Bangladesh, Hamza Alawai coins the word 'military bureaucracy oligarchy' that is similar to the license raj of India and over-centralization as a continuation of colonial legacy that has been constantly addressed by the government of India.

### **Concept of post-colonial State**

Post-colonial State is the name of new nation States that have emerged out of the process of decolonization after the Second World War. Post-colonial State is used synonymously with developmental State. The post-colonial State has the features of colonial State as far as the political institutions are concerned but there is only a shift in the objective of these institutions.

In general, post-colonial States exhibit a high degree of poverty, political instability and the crisis of governance. The mismatch between the society with its traditional power structure overlapping with modern States has largely resulted in such a situation.

It is obvious that the Colonial powers that ventured into newer worlds destroyed the main parts of native traditions and cultures and further constantly replaced them with their own ones. This cultural import led to conflicts as and when they became independent as they suddenly faced the challenge of developing a new national identity and self-confidence. This is one of the aspects why the sharp divide of the ruler and ruled remained in post-colonial States whereby the State actors tend to behave with an upper hand.

# Basic Concepts of Political Science Part I

## Let us discuss about Sovereignty

Sovereignty, the term has been derived from the Latin word 'superanus' which means 'supreme' or 'paramount'. In political science the use of the term 'sovereignty' dates back to the publication of Bodin's 'The Republic' in 1576.

The stability of a nation depends on the supremacy of the sovereignty the nation enjoys. Sovereignty as a concept represents the legal supremacy of the state. Constitution lays down rules and laws of the state and the constitution of the state is just the representation of the sovereignty. The word sovereign in the preamble of the constitution of India means that the state has the power to legislate on any subjects in conformity with constitutional limitations.

### Characteristics of Sovereignty.

#### 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'.

#### 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.

#### 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.

#### Inalienability

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

## Unity and Everlasting

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

## Indivisibility

Indivisibility is the life line of sovereignty.

## Absoluteness

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

## Originality

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

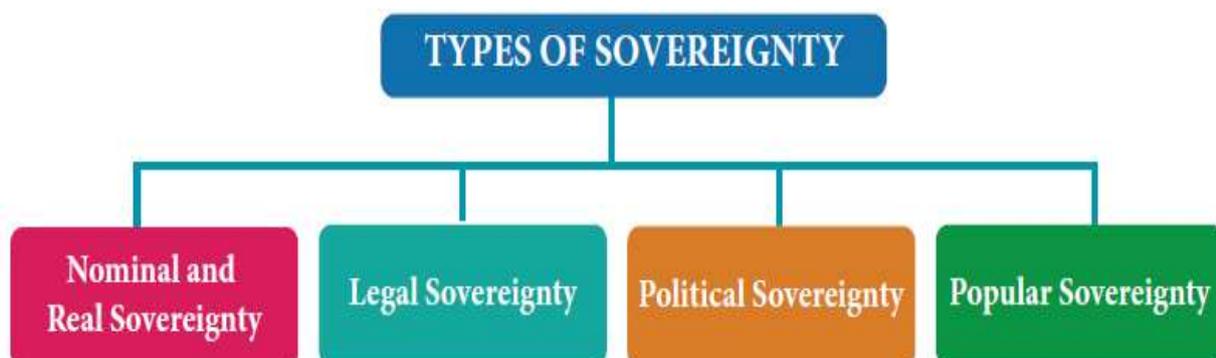
## Two aspects of Sovereignty

**Internal sovereignty:** This sovereignty exercises its absolute authority over all individuals or associations of the individuals in the state.

## External sovereignty:

In simple terms external sovereignty means National Freedom. Every state enjoys absolute liberty to determine its foreign policy and join any power block it likes. External sovereignty implies that every state is independent of other states.

## Types of Sovereignty



Nominal and Real Sovereignty	Legal Sovereignty	Political Sovereignty	Popular Sovereignty
Ancient times many states had monarchs. Kings exercised real sovereignty and were considered Real Sovereigns	The authority of the state has the legal power to issue final commands	Political Sovereign in the representative democracy is understood as the whole mass of the people, i.e. electorate or the public opinion.	Popular sovereignty designates public as supreme
The French revolution transformed the situation.	The power which has the legal authority to issue and enforce these law is legal sovereignty	Political sovereignty rests in that class of people under whose influence the mass of the people are with.	During ancient period popular sovereignty was used as a weapon to challenge the absolutism of the monarchs.
The Council of Ministers were considered the Real Sovereign while the King enjoyed only nominal power.	The legal sovereign is always definite and determinate and the authority of sovereign is absolute and supreme.		

### De-facto sovereignty De-jure sovereignty

De-facto sovereign is one who has no legal claim to sovereignty but possesses it in fact and exercises necessary force to make and enforce its laws.

### Sovereignty

“Sovereignty is the absolute and perpetual power of the state that is, the greatest power to command.” - Jean Bodin

### De-jure sovereignty

De-jure sovereign is one who has a legal claim to sovereignty but does not possess it in fact.

Sovereignty can no more be alienated than a tree can alienate its right to sprout or a man can transfer his life or personality to another without self-destruction - Lieber

## What is Pluralism?

Pluralism is a powerful protest against the monistic theory of sovereignty, which endows the state with supreme and unlimited power.

## The dawn of pluralist theory

With the advent of the welfare state there came a rapid increase in the functions of the state and there remained no sphere of life with which the state did not interfere, the sovereign and the supreme state also faced revolt and reaction. This reaction against the sovereign and supreme state resulted into the dawn of pluralism.

## What are the criticisms for Pluralism?

- ❖ It is the Sovereign state that brings about unity and regulates all the associations existing in society.
- ❖ Laws are framed by the state unlike the belief of pluralist.
- ❖ State is needed for protecting people from the excess of associations.

## Is Pluralism important?

- ❖ Pluralism upholds the importance of associations and claim more autonomy for it.
- ❖ For democracy to flourish the sovereign state must not be subject to any legal authority.
- ❖ Division of sovereignty leads to the destruction of sovereignty and in the absence of sovereignty, anarchy will prevail in society.

## EQUALITY

### Understanding Equality

The idea that human beings are equal is enigmatic. A nation that seeks equality creates laws to bring change in its society. A law for equality is inadequate and opposed where pluralistic pattern of society has become the order of the day whether it's a developed or under developed nation. Liberty and rights

lead to a third principle in political theory, which is of equality. Equality determines how rights are to be distributed amongst the individuals as citizens and groups, both whether equally or unequally.

### **Meaning of Equality**

Equality, which means state of being equal, is derived from aequus/aequalis, meaning fair. It signifies 'having the same rights, privileges, treatments, status, and opportunities'.

### **Importance of Equality**

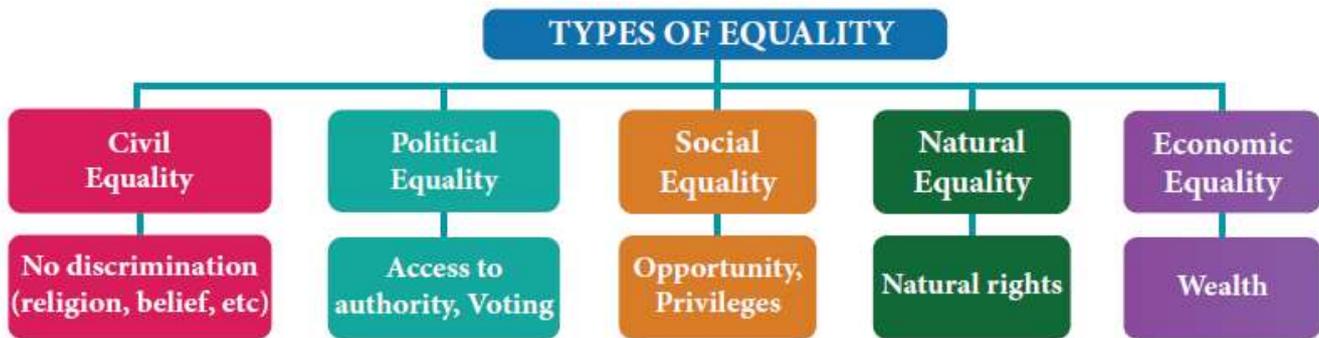
The concept of equality as a political ideal invokes the idea that all human beings have an equal worth regardless of their color, gender, race, or nationality. The belief in this notion of humanity led us to the declaration of universal human rights.

In the eighteenth century, the French revolutionaries used the slogan 'Liberty, Equality and Fraternity' to revolt against the landed feudal aristocracy and the monarchy. The demand for equality was also raised during anti-colonial struggle in Asia and Africa during the twentieth century. It continues to be raised by struggling group such as women or dalits who feel marginalized in our society.

India through its constitution attempts to fill the gap between equal and unequal with the principle of equality as enshrined in the constitution.

### **Natural inequality and social inequality**

Natural inequalities are those that emerge between people as a result of their different capabilities and talents. These kinds of inequalities are different from socially produced inequalities which emerge as a consequence of inequalities of opportunity or the exploitation of some groups in a society by others. Natural inequalities are considered to be the result of the different characteristics and abilities with which people are born with. Social inequalities on the other hand are those created by society. Unequal treatment in society based on race, color, gender and caste are of social inequalities. Women were denied equal rights for centuries similarly, Blacks were treated as slaves until the institution of slavery was questioned. Even people born with disability with modern technological innovations are able to contribute like any other normal person.



## Social Equality

Social equality means no one should be discriminated in the distribution of rights, privileges and opportunities based on birth, caste, religion, race, colour, gender or social status. Each one should be given equal opportunity to develop his personality

French declaration of Rights of Man and citizens declared that 'men are born and always continue free and equal in their rights. The United Nations organization on 10th December, 1948, declared the charter of human rights which laid stress on social equality.

## Civil Equality

The word 'civil' is derived from the Latin word civilis or civis, which means citizen. Civil equality means equality in which each citizen is provided with equal civil rights and liberties. Civil equality consists of similar civil liberties and civil rights by all the citizens. Civil laws should treat all the individuals equally.

There should not be any discrimination of superior and inferior, the rich and the poor, caste and creed, colour and race, clans and tribes, groups and classes.

## Political Equality

Political Equality means equal right of all citizens, without any distinction, allowed to participate in the affairs of the state. Political right of all citizen is ensured through universal adult franchise.

The other factors that ensure the political rights of citizens are:

- ❖ Right to vote
- ❖ Right to contest in election
- ❖ Right to hold public office
- ❖ Right to petition the government and criticize public policy

## **Economic Equality**

Economic equality is justifiable only when all people have reasonable opportunities to develop themselves fully. Economic equality is meaningful only when there is an adequate scope for employment, reasonable wages, adequate leisure and equal share in the management of economic concern.

Economic equality here means the provision of equal opportunities to all so that they may be able to make their economy progress. Ideologically this is possible in Socialism and not in Capitalism.

## **Equality of opportunity and education**

Equality of opportunity and education means, all the citizens should be given equal and similar opportunities by the state. All the citizens should have similar chances to receive education and equal opportunities be given to develop their personality.

## **Equality in Indian Constitution**

### **The concept of Equality in Indian constitution**

The Indian constitution under article 14 provides for equality before law or the equal protection of laws to all persons. This is a statement of formal equality and gives meaning to what preamble seeks to ensure in terms of 'equality of status and of opportunity'. This also means that laws of the land will apply to all equally and there should not be discrimination on grounds of birth, caste, color, gender, language, race, religion, etc. in fact article 15 of the constitution substantiates article 14 further by prohibiting any such discrimination.

Equality before law and equal protection of law have been further strengthened in the Indian constitution under article 21. It ensures that 'No Person shall be deprived of his life or personal liberty except according to procedure established by law. This means that a reasonable fair and just procedure should be followed for depriving a person of his personal liberty and life. It admits no arbitrariness, discriminatory procedure or unequal treatment for different individuals'.

Differences may have to be taken into account for this need. Similarly some of the policies are needed to overcome the hindrances of equality by the government. For example, India follows the principle of reservation and other countries follow affirmative action.

## **LIBERTY**

### **Introduction to Liberty**

Liberty remained an essential element for both man and state for progress. History records very well the cruelty of absolute monarchy that ignored the claims of liberty in ancient and medieval ages of England. People could no longer tolerate and rose in revolt against the absolute monarchy.

This resulted in the famous “Glorious revolution” in England in the year 1688, containing the absolute monarchy for some period and later led to the outbreak of French revolution in 1789.

### **Meaning of Liberty**

The term ‘liberty’ has been derived from the Latin word ‘Liber’ which means free from all shackles. The Latin word ‘Liber’ denotes the absence of all restraints. It means one can do whatever one likes, regardless of all conditions.

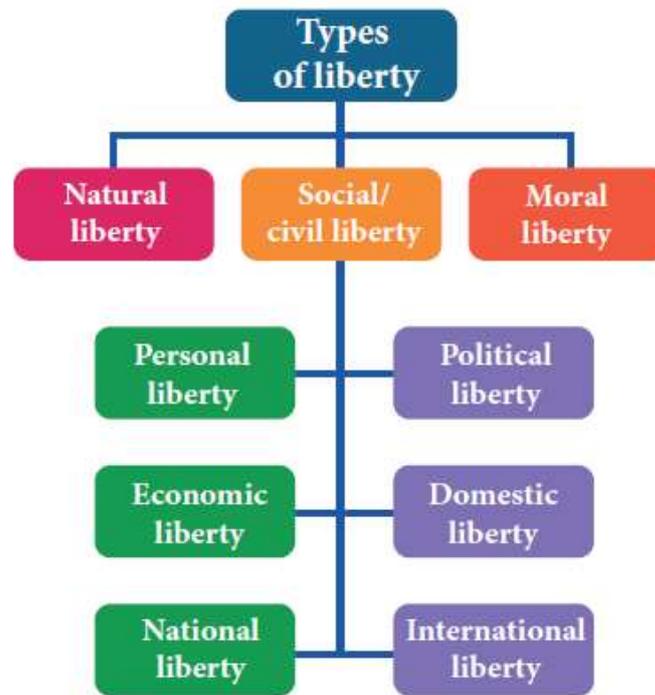
### **Two Phases Of Liberty**

#### **Positive liberty:**

Positive liberty mean freedom to do something that the individual should have rights and opportunities to develop his personality.

#### **Negative Liberty:**

For J.S. Mill liberty means Negative liberty He submitted that there should not be any restraint imposed upon man and his actions. He also asserted that there should not be any hindrance in the path of man.



## Natural Liberty

Natural liberty means absence of all restraint –an unrestrained freedom to do whatever one likes.

## Civil Liberty

The concept of civil liberty reflects “Rule of law”. It denotes the enjoyment of our rights within the limits of law. The protection of civil liberty is guaranteed by the laws of the state.

## Political Liberty

The concept of political liberty means liberty of citizen to participate in the political life and the affairs of the state. These rights are the right to vote, the right to contest elections, the right to hold public views and criticize the government and right to petitions.

## Personal Liberty

The individual can act as he pleases without being under any type of arbitrary and illegitimate restraint. It also means that every individual has the right not to permit any other individual to interfere in the affairs of his personal life. Every individual should have the liberty to dress, food, standard of living,

marriage and education of children etc. The state should not interfere in the personal matters.

### **Economic Liberty**

The concept of economic liberty means the liberty to earn one's daily bread. Beyond the distinction of caste, colour, creed and gender every individual should have liberty to earn his daily bread by fair means.

### **Fiscal Liberty**

According to this principle; there should be no taxation without representation. It was the slogan given by middle classes who claimed that they should be allowed to decide as to how and on whom their money was to be spent.

### **Domestic Liberty**

It covers equal right for women and children. They need to be protected against maltreatment, cruelty and exploitation. They were also have the right to education.

### **National Liberty:**

It means the liberty of the country. National liberties exist where the nation is independence and sovereign.

### **International Liberty**

This concept implies peace and international cooperation and the formation of world federation of states.

### **Symbolic Meaning**

The statue of liberty has a universal reminder of freedom', it embodies 'hope' for American citizens.

### **How are liberty, sovereignty and law are related to each other?**

Liberty exist only in a state in order. The state makes law and the sovereign state operates through these laws. There exist a close relationship between liberty, sovereignty and law.

## How does law protect liberty?

- I. Law punish criminal and defends the rights of the individuals.
- II. Law guarantee the enjoyment of individual rights and duties and protect them. The state punishes the individual who causes harm to others and hinders path of others.
- III. Constitution is custodian of liberty and it confines the authority of the state and protects the fundamental right of the people.

## How liberty is safeguarded?

### Democracy

Liberty is safer in democracy than in any other form of government. Democratic government is the government of the people. Opposite parties are given due respects in democracy.

### Constitution

Authority of the state dwells in the constitution of the respective nation. The Preamble of Constitution reads like a poem on democracy. It contains the philosophy on which the entire Constitution has been built. It provides a standard to examine and evaluate any law and action of government, to find out whether it is good or bad. It is the soul of the Indian Constitution.

### Fundamental Rights

Fundamental rights confines the authority of the state. Fundamental rights assure us that the state cannot interfere in the matters of personal life.

### The Fundamental Rights

- ❖ Right to Equality (Article 14-18)
- ❖ Right to Freedom (Article 19-22)
- ❖ Right against exploitation (Article 23-24)
- ❖ Right to freedom of Religion (Article 25-28)
- ❖ Cultural and Educational Rights (Article 29-30)
- ❖ Rights to Constitutional Remedies (Article 32-35)

## **Decentralization of powers**

Decentralization of power is required for the safeguard of liberty. Power should be divided into central, provincial and local government and such decentralization leads to efficient administration.

## **Independent Judiciary**

Safeguard of Liberty depends upon the independence of judiciary. It should be free from the control of the executive. In the communist countries or in the countries which have dictatorship, fundamental rights are given to the people but judiciary is not free from the influence of the executive. In such countries, the safeguard and security of fundamental rights, liberty and constitution is not possible.

## **INDEPENDENT JUDICIARY**

The constitution of India makes provisions for the independence of judiciary because only independent judiciary can safeguard the rights and liberties of the people, can protect the supremacy of the constitution

- ❖ An impartial method has been adopted for the appointment of the judges.
- ❖ High qualifications have been fixed for the judges.
- ❖ The judges of the Supreme Court stay in office till 65 years of age and of High courts till 62 years of age.

## **Economic Security**

Economic security is a condition to liberty. "Where there are rich and poor, educated and uneducated, we always find a relation of master and servant". - Laski

## **Rule of Law**

Rule of law is established in England, USA and India Rule of law mean that there should not be any distinction of caste and creed colour and race. In the eyes of law all are equal and all are liable to be punished if they commit crime.

## Political education and eternal vigilance

Permanent safeguard of liberty is possible. Educated are acutely aware of their rights and duties. Eternal vigilance is the price of liberty and in its absence one can act according to his will whenever the government crosses the barrier of its authority and interference in the personal life of the people, may rise in revolt against the government.



# Forms of Government

## Introduction

The Government is the main agency of the state. It comprises several members belonging to political and administrative wings. It serves as the instrument for delegation and execution of the state policies for the welfare of the people. It formulates expresses and realises the will of the state. It exercises certain legislative, executive and judicial powers based on the constitution and the laws. There are three organs in government, namely - Legislature, Executive and Judiciary. These organs carry out the activities of the state. Governments are classified under Unitary, Federal, Parliamentary and Presidential forms.

## Meaning, Definition and Nature of Government

Government refers to the executive functions of the state. It denotes a body having authority to make and enforce laws applicable to the civil, corporate, religious, academic or other groups. The term Government is derived from an old French word "governor", derived from Latin word "gubernare" which means to direct, rule, guide, govern.

### Criteria One:

Number of People having Power - One, Few, Many; Thus he distinguished between Monarchy, Aristocracy and Polity

### Criteria Two:

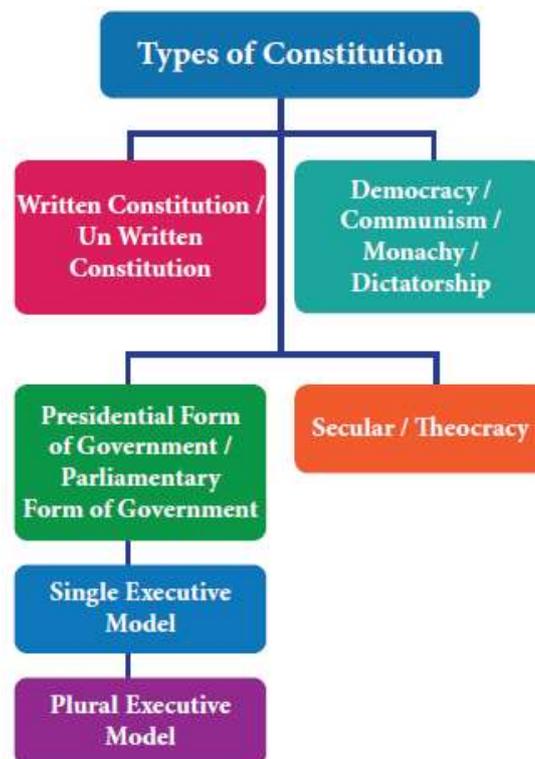
To whose interest the Government works for - Working in General Interest, Working in Personal Interest. The respective perverted forms of the three types are Tyranny, Oligarchy and Democracy.

No of People having Power	Working in General Interest	Working in Personal Interest
One	Monarchy	Tyranny
Few	Aristocracy	Oligarchy
Many	Polity	Democracy or Mobocracy

## Unitary Form of Government

A unitary system of government, is a sovereign state governed as a single entity. The central government is supreme, and the administrative divisions exercise only powers that the central government has delegated to them. In a Unitary form of government all authority and power vested in a single centre examples of Unitary Form of governments are England, France, Japan, Sri Lanka.

- ❖ A.V.DICEY: “Habitual exercise of supreme legislative authority is by one central power”
- ❖ GARNER: “Where the whole power of government is conferred by the constitution upon a single central organ”
- ❖ C.F.STRONG: “Two important qualities of the Unitary Government”.



## Merits Of Unitary Form Of Government

- a. Suitable for small countries.
- b. There is no conflict of authority and responsibility.
- c. A unitary government will make prompt decisions and take speedy action.
- d. A unitary government is less expensive.
- e. Amendments to the constitution are easy.
- f. There is unity, uniformity of law, policy and administration.

## **De-Merits of Unitary Form Government**

- a. It is not suitable for big countries.
- b. The central government will have to tackle so many complex problems that lead to administrative delay.
- c. The central government will not concentrate on local problems, local interest and initiative.
- d. The concentration of powers may pave way for the despotism of the central government.

## **Unitary Features of Indian Constitution**

### **Strong Centre**

The division of powers is in favour of the Centre and highly inequitable from the federal angle. Firstly, the Union List contains more subjects than the State List. Secondly, the more important subjects have been included in the Union List. Thirdly, the Centre has overriding authority over the Concurrent List.

### **Central Government's control over state territory**

The Parliament of India can by unilateral action change the area, boundaries or name of any state.

### **Single Constitution**

The Constitution of India embodies not only the Constitution of the Centre but also those of the states. Both the Centre and the states must operate within this single-frame.

### **Flexibility of the Constitution**

The bulk of the Constitution can be amended by the unilateral action of the Parliament, either by simple majority or by special majority.

### **Unequal representation of states**

In a federation states are given with equal representation with regard to upper house, but in India states are not given with equal representation with regard to Rajya Sabha.

## **Emergency Provisions**

During an emergency, the Central government becomes all powerful and the states go into the total control of the Centre. It converts the federal structure into a unitary one without a formal amendment of the Constitution. This kind of transformation is not found in any other federation.

## **Single Citizenship**

India adopted the system of single citizenship. There is only Indian Citizenship and no separate state citizenship. All citizens irrespective of the state in which they are born or reside enjoy the same rights all over the country. The other federal states like US, Switzerland and Australia have dual citizenship, that is, national citizenship as well as state citizenship.

## **Single Integrated Judiciary**

It means that all the courts of India are in a hierarchical order from the lower courts to the Supreme Court of India. Courts in India have Original and Appellate Jurisdiction.

## **All India Services**

It has the features of All India Services or Central Services, and the State Civil Services. The Central and All India services promote uniform administrative system and process throughout India.

## **Appointment of Governor**

The governor of a state is not elected but appointed by the president and holds office at the pleasure of the president. He is the head of the executive in the state. He has powers like Legislature, Executive Judicial and emergency powers.

## **Federal Form of Government**

The classification of governments into unitary and federal is based on the nature of relations between the national government and the regional governments. A federal government is one in which powers are divided between the national government and the regional governments by the Constitution itself and both operate in their respective jurisdictions independently. US, Switzerland, Australia, Canada, Russia, Brazil, Argentina have the federal form of government.

In a federal model, the national government is known as the Federal government or the Central government or the Union government and the regional government is known as the state government or the provincial government.

## **Federal Features of Indian Constitution**

### **Dual Government**

The Indian Constitution establishes a dual polity consisting the Union at the Centre and the states at the periphery. Each is endowed with sovereign powers to be exercised in the field assigned to them respectively by the Constitution.

### **Written Constitution**

The articles of the Constitution are written and cannot be easily changed without due parliamentary approval.

### **Division of Powers**

The Constitution divided the powers between the Centre and the states in terms of the Union List, State List and Concurrent List in the Seventh Schedule.

### **Supremacy of the Constitution**

The Constitution is the supreme law of the land. The laws are enacted by the Centre and the states must conform to its provisions.

### **Rigid Constitution**

Amendment of the Constitution is by a procedure of 2/3rd majority in each of the house and laws cannot be easily changed by any ruling party.

### **Independent Judiciary**

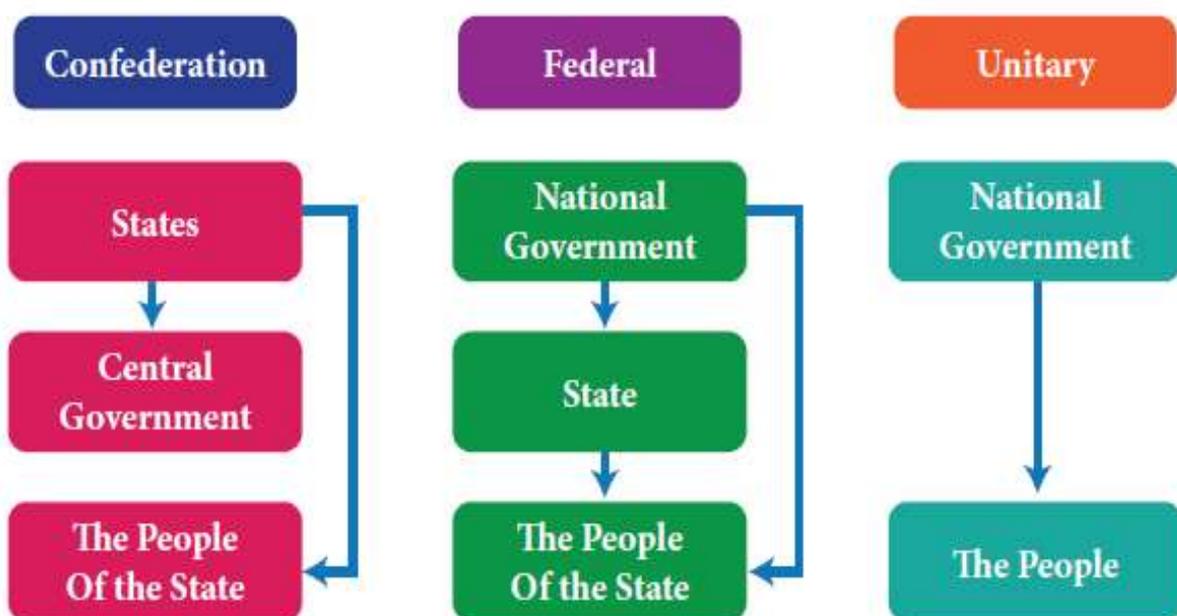
The Judiciary is separated from the Executive and Legislature. The Judiciary given its national and state level jurisdictions, exercises Original, Appellate and Judicial Review functions. It functions independently of the Executive and Legislature.

## Bicameralism

It provides for a two-house legislature that has an Upper chamber and Lower chamber. With the Lower house having powers of enacting financial legislation.

## Merits Of Federal Form Government

- ❖ Reconciliation of local autonomy with national unity.
- ❖ Division power between centre and states leads to administrative efficiency.
- ❖ It gives rise to big states.
- ❖ Distribution powers checks the despotism of central government.
- ❖ More suitable for bigger countries.
- ❖ It is good for economic and cultural progress.
- ❖ De-Merits Of Federal Form Government.
- ❖ Federal government is weaker when compared to the unitary government.
- ❖ Federal government is more expensive.
- ❖ Provincial tendencies are very common.
- ❖ lack of uniformity in Administration.
- ❖ Threat to national unity.
- ❖ Distribution powers between centre and states lead to conflict.
- ❖ Double Citizenship.
- ❖ Rigid constitution cannot be amended easily for the changing needs.
- ❖ The state governments sometimes place hindrances in the foreign policy.



## Difference between Unitary form and Federal form of Government

S. No	Unitary Form of Government	Federal Form of Government
1.	Only one Level of Government or Subunits	Two Levels of Government
2.	Mostly Single Citizenship	Dual Citizenship
3.	Sub Units cannot operate Independently	Federal Units are answerable to Central Government
4.	No Division of Power	Division of Power
5.	Centralisation of Power	Decentralisation of Power

S.No	Country	Name of Parliament
1.	Israel	Knesset
2.	Germany	Bundestag
3.	Japan	Diet
4.	Norway	Storting
5.	Nepal	Rashtriya Panchayat
6.	Pakistan	National Assembly
7.	Russia	Duma
8.	U.S.A	Congress
9.	South Africa	Parliament
10.	Switzerland	Federal Assembly

### Parliamentary form of government

Modern democratic governments are classified into parliamentary and presidential on the basis of nature of relations between the executive and the legislative organs of the government.

The parliamentary system of government is the one in which the executive is responsible to the legislature for its policies and acts. The presidential system of government, on the other hand, is one in which the executive is not responsible to the legislature for its policies and acts, and is constitutionally independent of the legislature in respect of its term of office.

The parliamentary government is also known as cabinet government irresponsible government or Westminster model of government and is prevalent in Britain, Japan, Canada, India among others.

Ivor Jennings called the parliamentary system as 'cabinet system' because the cabinet is the nucleus of power in a parliamentary system. The parliamentary government is also known as 'responsible government' as the cabinet (the real executive) is accountable to the Parliament and stays in office so long as it enjoys the latter's confidence.

It is described as 'Westminster model of government' after the location of the British Parliament, where the parliamentary system originated. In the past, the British constitutional and political experts described the Prime Minister as 'primus inter pares' (first among equals) in relation to the cabinet. In the recent period, the Prime Minister's power, influence and position have increased significantly vis-a-vis the cabinet. He has come to play a 'dominant' role in the British politico-administrative system.

### **Features of parliamentary form of government**

#### **Nominal and Real Executives:**

The President is the nominal executive (de jure executive or titular executive) while the Prime Minister is the real executive (de facto executive). Thus, the President is head of the State, while the Prime Minister is head of the government.

#### **Majority Party Rule:**

The political party which secures majority seats in the Lok Sabha forms the government. The leader of that party is appointed as the Prime Minister by the President; other ministers are appointed by the President on the advice of the prime minister. However, when no single party gets the majority, a coalition of parties may be invited by the President to form the government.

#### **Collective Responsibility:**

This is the bedrock principle of parliamentary government. The ministers are collectively responsible to the Parliament.

#### **Double Membership:**

The ministers are members of both the legislature and the executive.

## **Leadership of the Prime Minister:**

The Prime Minister plays the leadership role in this system of government. He is the leader of council of ministers, leader of the Parliament and leader of the party in power. In these capacities, he plays a significant and highly crucial role in the functioning of the government.

## **Merits of the parliamentary form of government**

### **Harmony between Legislature and Executive:**

The greatest advantage of the parliamentary system is that it ensures harmonious relationship and cooperation between the legislative and executive organs of the government. The executive is a part of the legislature and both are inter dependent at work. As a result, there is less scope for disputes and conflicts between the two organs.

### **Responsible Government:**

In the parliamentary system establishes a responsible government. The ministers are responsible to the Parliament for all their acts of omission and commission. The Parliament exercises control over the ministers through various devices like question hour, discussions, adjournment motion, no confidence motion, etc.

### **Prevents Despotism:**

Under this system, the executive authority is vested in a group of individuals (council of ministers) and not in a single person. This dispersal of authority checks the dictatorial tendencies of the executive. Moreover, the executive is responsible to the Parliament and can be removed by a no-confidence motion.

### **Wide Representation:**

In a parliamentary system, it is possible to provide representation to all sections and regions in the government. The prime minister while selecting his minister scan take this factor into consideration.

## **Demerits of the parliamentary form of government**

### **Unstable Government:**

The parliamentary system does not provide a stable government. There is no guarantee that a government can survive its tenure. The ministers depend on the majority legislators for their continuity and survival in office. A no-confidence motion or political defection or evils of multiparty coalition can make the government unstable.

### **No Continuity of Policies:**

The parliamentary system is not conducive for the formulation and implementation of long-term policies. This is due to the uncertainty of the tenure of the government. A change in the ruling party is usually followed by changes in the policies of the government.

### **Dictatorship of the Cabinet:**

When the ruling party enjoys absolute majority in the Parliament, the cabinet becomes autocratic and exercises nearly unlimited powers.

Harold J Laski says that the parliamentary system gives the executive an opportunity for tyranny.

Ramsay Muir, the former British Prime Minister, also complained of the 'dictatorship of the cabinet'.

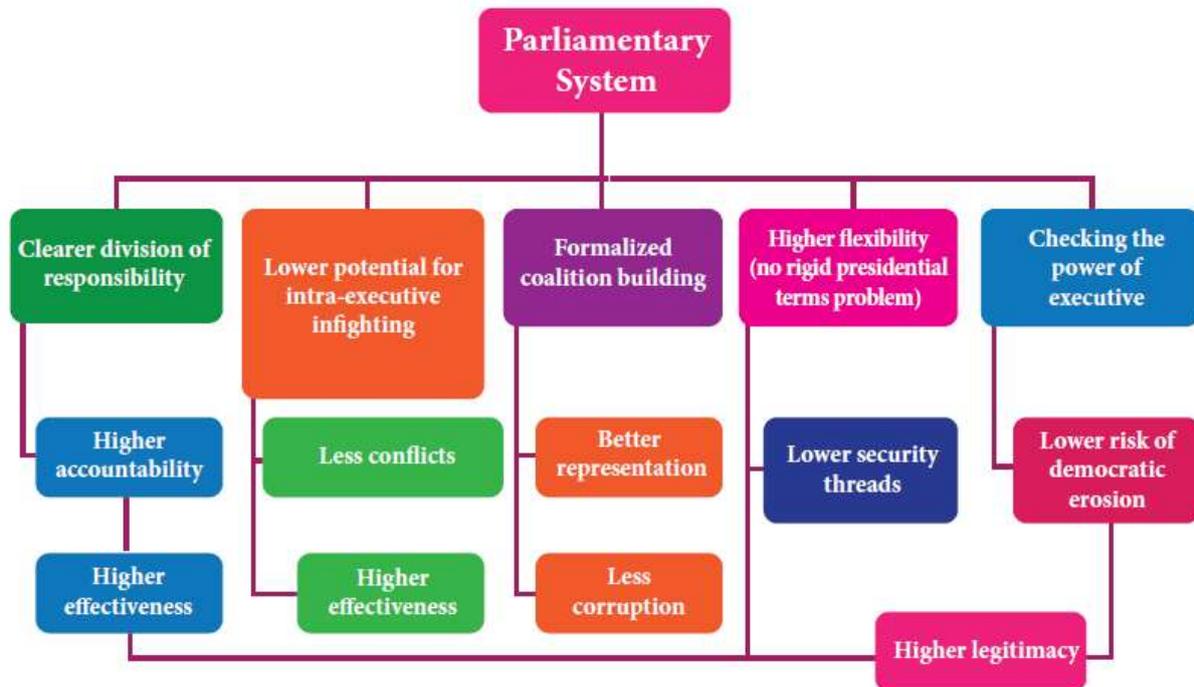
### **Against Separation of Powers:**

In the parliamentary system, the legislature and the executive are together and inseparable. The cabinet acts as the leader of legislature as well as the executive. Hence, the whole system of government goes against the letter and spirit of the theory of separation of powers.

## **Why the framers of the Indian Constitution adopted for the Parliamentary Form of Government?**

- ❖ Familiarity with the System
- ❖ Preference to More Responsibility
- ❖ Need to Avoid Legislative – Executive Conflicts

- ❖ **4**Nature of Indian Society, India is one of the most heterogeneous States and most complex plural societies in the world. Hence, the Constitution-makers adopted the parliamentary system as it offers greater scope for giving representation to various section, interests and regions in the government. This promotes a national spirit among the people and builds audited India.



## Presidential Form of Government

The Presidential Form of Government is also known as non-responsible or non-parliamentary or fixed executive system of government basically built on the principle of separation of power, and is prevalent in USA, Brazil, Russia, Sri Lanka among others.

## Features of Presidential Form of Government

The American President is both the head of the State and the head of government. As the head of State, he occupies a ceremonial position. As the head of government, he leads the executive organ of government. The President is elected by an electoral college for a fixed tenure of four years. He cannot be removed by the Congress except by impeachment for a grave unconstitutional act. The President governs with the help of a cabinet or a smaller body called 'Kitchen Cabinet'. It is only an advisory body and consists of non-elected departmental secretaries. They are selected and appointed by him, are responsible only to him, and can be removed by him any time.

The President and his secretaries are not responsible to the Congress for their acts. They neither possess membership in the Congress nor attend its sessions. The President cannot dissolve the House of Representatives – the lower house of the Congress. The doctrine of separation of powers is the basis of the American presidential system. The legislative, executive and judicial powers of the government are separated and vested in the three independent organs of the government.

### **Difference between Parliamentary Form of Government and Presidential Form of Government**

<b>S. No</b>	<b>Presidential Form of Government</b>	<b>Parliamentary Form of Government</b>
1.	President is directly elected by the People	Prime Minister is the leader of majority Party
2.	President is Supreme	Central Legislature is supreme
3.	Separation of Powers	Absence of Separation Powers Centralization
4.	Independent branches	Independent branches with Overlapping functions
5.	President - head of the State	President - head of the State
6.	President - head of the Government	Prime Minister - head of the Government
7.	Separation of Powers	Centralization
8.	Independent branches	Independent branches with Overlapping functions
9.	Individual Leadership	Collective leadership
10.	President is not accountable to Congress	Collective and Individual Responsibility

### **“World Bank - World Development Report 1997 : The State In A Changing World”.**

The report is devoted to the role and effectiveness of the state: what it should do, how it should do it, and how it can improve in a rapidly changing world. Governments with both centrally-planned and mixed economies are shrinking their market role because of failed state interventions.

This report takes an opposite stance: that state's role in the institutional environment underlying the economy, that is, its ability to enforce a rule of law to underpin transactions, is vital to making government contribute more effectively to development. It argues against reducing government to a minimalist state, explaining that development requires an effective state that plays a facilitator role in encouraging and complementing the activities of private businesses and individuals.

The report presents a state reform framework strategy: First, focus the state's activities to match its capabilities; and second, look for ways to improve the state's capability by re-invigorating public institutions. According to this report, five fundamental tasks are core of every government's mission, without which sustainable, shared and poverty reducing development is impossible.

#### **They are...**

- ❖ Establishing a foundation of law
- ❖ Maintaining macroeconomic stability
- ❖ Investing in basic social services and infrastructure
- ❖ Protecting the vulnerable
- ❖ Protecting the environment