

Political Science

Question Paper 2015

Maximum Marks: 80

Time allowed: Three hours

- Candidates are allowed additional 15 minutes for only reading the paper. They must NOT start writing during this time.
 - Answer Question 1 (Compulsory) from Part I and five questions from Part II, choosing two questions from Section A, two questions from Section B and one question from either Section A or Section B.
 - The intended marks for questions or parts of questions are given in brackets [].
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Part—I (Compulsory)

Question 1.

Answer briefly each of the questions (i) to (xv): [15 x 2]

- (i) State Aristotle's Theory of Cyclic Change.
- (ii) Give an example of a Federal State and a Quasi Federal State.
- (iii) Mention any two merits of a Parliamentary System of Government.
- (iv) State any two conventions of the written constitution of the United States of America.
- (v) Define cumulative vote system.
- (vi) Explain the meaning of Psychological Basis for the organization of political parties f*
- (vii) How has the judicial review undermined the legislature ?
- (viii) What is the tenure of the President of USA ? How many terms can the US President serve?
- (ix) Name the two conventions that are followed while appointing the British Prime Minister.
- (x) Explain the statement 'American President can pigeon hole any bill'.
- (xi) Why is the judiciary in USA called the two tier system ?
- (xii) State what is meant by open trial system.
- (xiii) Explain the meaning of Jury System.
- (xiv) What is casteism ?
- (xv) State the importance of reforms in the education system to check communalism under strengthening Indian Democracy.

Answer:

- (ii) Federal state is one that brings together a number of different political communities

with a common government for common purposes, and separate “state” or “provincial” or “cantonal” governments for the specific needs of each community. USA is an example of Federal State. Quasi federal state on the other hand refers to a union of states under a central government; rather ‘ than the individual governments of the separate states. India is by constitution a federal republic, but in reality functions as a quasi-federal state.

(iii) The two merits of a parliamentary system of government are as follows :

- It is faster and easier to pass legislation.
- Power is more divided and more evenly spread out in the power structure of parliamentarianism.

(iv) Senatorial courtesy and Judicial review are the two written conventions of constitution of USA.

(v) This method of minority representation facilitates creation of multi-member constituencies and each voter is given as many votes as is the number of representatives which are to be elected, and each voter has the freedom either to give all his votes to any one candidate or to distribute his votes among as many candidates as he wishes. For example, if from a constituency four representatives are to be elected, each voter gets four votes. Each voter can give all his four votes either to one candidate or to two or three or four candidates of his choice. Now the voters belonging to a minority community can get their candidates elected by accumulating all their votes behind their candidate/candidates. In this way, it is regarded as a method of minority representation.

(vii) The constitution becomes a tool in the hands of the judiciary. Judiciary gets the chance to give meaning to laws passed by the representatives of the people.

Judicial Review has unduly enhanced the prestige of the judiciary vis-a-vis the legislature. It behaves like a third chamber of legislature with only a negative power of rejecting the laws.

Judicial Review creates complications because of the fact that on several occasions a law is declared ultra vires by the court several years after its enactment by the legislature and enforcement by the executive.

(viii) The President of USA is elected for a term of 4 years. No President may serve more than two four year terms. He or she can serve additionally for a maximum of two years in case he or she took over as President under some other President’s term.

(x) This means the President of America has the right to not assign or hear debate on the bill. If he feels that a bill is not appropriate for discussion he may decide not to hear the same as in case he feels that the bill is not as per the letter and spirit of the constitution.

(xi) While there are similar premises of justice for all citizens, there is reasonable immunity for high level government officials who commit felonies like obstruction of justice, . eavesdropping etc. This is referred as the two-tier system.

(xiii) It is a legal system for determining the facts at issue in a law suit. The system consists of twelve people who sit in criminal and civil events to make decisions on matters of facts. In England there is an approximate 800 year history of the jury system.

(xiv) Casteism is the belief in, and adherence to the caste system. It involves separation on the basis of caste. For example, in India the Caste System constituted four major categories namely Brahmins, Khastriyas, Vaishyas and Sudras. While Brahmins were engaged in spiritual work, Khastriyas were into warfare and Vaishyas did business. Sudras were required to menial work.

(xv) Education system reforms can inculcate learning on diversity of culture. This would allow appreciation of the differences among different groups of people and higher levels of tolerance, thus, strengthening Indian Democracy.

Part—II
Section—A

Answer two questions

Question 2.

(a) C.F. Strong has suggested a modern classification of States, Explain the same, with the help of examples. [8]

(b) Discuss any six merits under Indian Constitution of liberal democracy. [6]

Answer:

(b) The six merits under Indian Constitution of liberal democracy are as follows :
It offers the right to vote to all the adult citizens : In a democratic country all the citizens above 18 years can elect their representatives through electoral process. They can also participate in decision-making process on various issues related to politics, economy and society. Even the President of the country who is responsible for taking the major decisions is also indirectly elected by the people.

It offers the opportunity to bring change : The elected officials can't stay in power for a long time. In case, the performance of the officials is not satisfactory, people can bring about a change by not supporting them.

It offers opportunity for the representation to people : The elected leaders are people's representative. People have the right to elect the candidate whom they consider as capable.

It promotes participation of the people : A democratic government allows people to participate in the decision-making process. Thus, it helps in inculcating a sense of belongingness to the people. As the citizens have freedom to vote, they can consider themselves as a significant part of the society. Moreover, it also enables the citizens to make a difference in the society they are living through the electoral process.

It helps in promoting equality : All the citizens are considered equal in front of law and every citizen above 18 years has a right to vote regardless of gender, caste or creed.

It enables people to give voice to their issues : People have freedom to carry rallies to hold assemblies to raise their issues. In case the citizens are not happy with the working of the government or against some policy of the government can express their views openly against it.

Question 3.

(a) Distinguish between the unitary form of government and the federal form of government. [8]

(b) Discuss any six merits of a Presidential form of Government. [6]

Answer:

(a) A unitary form of government is one wherein all the powers are concentrated in the hands of the central government. The central government delegates authority to local units which are created by it. These local units are referred as local governments. Countries like England, France, and Japan have Unitary Governments. Unitary Governments are suitable for smaller countries.

K. C. Wheare describes the federal principle as the method of divided power so that the general and regional governments are each within a sphere co-ordinate and independent.

Federalism is the theory of federal political order, wherein final authority is divided between sub-units and a center. Unlike a unitary state, sovereignty is constitutionally split at two tiers. Unlike Unitary form, in the Federal system the Constitution has absolute supremacy. There is also devolution of powers between the central government and state governments. Further an independent judiciary is a key feature of Federalism. The Indian system is relatively federal in nature with states enjoying reasonable powers on a number of subjects like law and order. The Judiciary in India too is independent and often gives verdicts which go against the governments.

(b) Merits of Presidential Form of Government :

It guarantees stable government : In a Presidential form of government, the government becomes stable, because the President is elected for a fixed tenure and he cannot be removed from his office through a vote of no-confidence. He can only be removed from his office through the process of impeachment, in case he or she violates the constitution.

Such system is most suitable for emergencies : In a Presidential form of government, real powers of the government rest with the President. During a War or any other emergency, after consulting his or her administrators, the President can take a number of decisions independently. In the case of US, during war and emergency, the Congress also delegates its numerous powers to the President. Thus President in the US can be authoritative while dealing with emergencies as during the World Wars.

Efficiency in administration : As the President is empowered to appoint administrative heads on the basis of ability rather than political affiliation they are responsible to the President and not to the parliament. This ensures administrative efficiency.

Less influence of political parties : Compared to the Parliamentary government there is less influence of political parties in this system. This ensures less dependence on the Parliament for execution of functions.

Strong Executive : Executive is independent of day-to-day interference of legislature, hence forms a stronger organ of functioning.

Expert Ministers : A Presidential form of government is government by professionals and experts.

Question 4.

(a) The distinction between a written and unwritten constitution is a false one. Discuss this statement. [8]

(b) Explain any three merits and any three demerits of a rigid constitution. [6]

Answer:

(a) (i) The essential features of a written constitution and an unwritten constitution are as follows:

(1) Written Constitution:

- A written constitution means a constitution written in the form of a book or a series of documents combined in the form of a book.
- It provides for a definite design of Government institutions, their organisations, powers, functions and inter-relationships.

- It is consciously planned and enacted constitution which is formulated and adopted by a constituent assembly or a council or convention or a legislature.

(2) Unwritten Constitution:

- An unwritten constitution means a constitution is not in the written form of a book and it is not drafted or enacted by a constituent assembly.
- The Government is organised and it functions in accordance with the several well settled laws and several unwritten conventions.
- The people know their constitution and they accept and obey it, but they do not possess it in the written form.

(ii) Constitutions are classified as written and unwritten. Such a classification is, however, of little practical importance. As Wheare observes, “we cannot agree that there is any country, least of all, the United Kingdom, which has a system of government embodied solely in written rules or solely in unwritten rules.” The distinction between written and unwritten constitution is illusory. The bulk of the rules regulating the fundamental political institutions of a country may be written down in a document or documents. The written constitutions are framed by a representative body called, Constituent Assembly. For example, the USA and India have a written constitutional document. On the other hand, the constitution of a country is said to be unwritten, when most of the rules governing its fundamental political institutions are found in customs, usages and conventions, as is the case in U.K.

It follows therefore, that constitutions can hardly be classified into written and unwritten types in absolute term. The distinction is really a superfluous one.

(b) Merits of Rigid Constitution :

- The ruling class cannot misuse the constitution for its vested interest.
- Rigidity provides legitimacy to the constitution. It earns the respect of all as it cannot be easily abused for vested motives.
- A rigid constitution ensures protection of the fundamental rights of citizens.

Demerits of Rigid Constitution :

- As the amendment procedure of a rigid constitution is very difficult, it can cause problems for the country.
- A rigid constitution is likely to fail to cope with changing times and environment. Thus the country may fail to keep pace with social, political and economic changes.
- When people feel that a rigid constitution comes in the way of the national legislature towards managing disasters or ensuring equality etc. They are likely to

approach the judiciary to intervene. This naturally exposes the constitution to judicial intervention.

Section—B
Answer three questions

Question 5.

(a) Explain how the system of checks and balances makes the theory of separation of powers workable in the United States. [8]

(b) Why is Universal Adult Franchise the most accepted form of Representation in a modern state ? [6]

Answer 5.

(b) The popularity of the Adult Franchise is linked to certain clear benefits :
It is based on political equality : The system is truly in alignment with democratic values as it gives political equality to all the citizens irrespective of their caste, creed, sex, religion, wealth etc.

Promotes national unity : Adult franchise spreads the message that all the citizens are equal and no one is more privileged. This naturally promotes the cause of national unity.

Political awakening : The system arouses thoughts of political awakening among all the citizens. They are in a position to safeguard their rights and freedoms. This inculcates a sense of responsibility among them.

Question 6.

(a) What is meant by the sovereignty of the British Parliament ? What are its limitations ? [8]

(b) Make a comparative study of US House of Representatives and the British House of Commons. [6]

Question 7.

(a) Explain the reasons why the power of the Executive has grown in recent years. [8]

(b) State the main difference between the political executive and the permanent executive. [6]

Answer 7.

(a) Factors responsible for the increase in the power the executive :

The Rise of the Welfare State : In the 19th century, the state used to be a police state having the responsibility of performing only the protection functions for the people. It has little role to play towards the promotion of social economic and cultural interests of the people. However, in the 20th century, the state got transformed into a welfare state

responsible for performing social economic development functions along with the traditional protection functions. A big increase took place in the functions of the state and it came to be an administrative welfare state. Naturally, it led to a big increase in the functions of the executive. In the 21st century, the era of globalization has opened and this has given a new push to the functions of the executive.

System of Delegated Legislation : When the legislature delegates its law-making powers to the executive and the latter makes laws on the basis of the delegated powers, the system is called Delegated Legislation. Several factors increased pressure of work, lack of expert and technical knowledge, the technical nature of modern law-making, the paucity of time and the rise of welfare administration always compel a modern legislature to delegate its law-making powers to the executive. This has considerably strengthened the position of executive. At times, the legislature finds it essential even to delegate abnormal law-making powers to the executive. Ever-increasing scope of delegated legislation has been responsible for a big increase in the powers of the executive.

System of Administrative Justice : A modern executive has come to acquire and perform several quasi-judicial functions for meeting the new needs resulting from the rise of a complex industrial society. Cases involving grant of permits, licenses, quotas and tax-cases are today being adjudicated by the executive. It has increased the powers of the executive in a big way.

Important Functions of Executive : In contemporary times, the most important functions of the government have come to be conduct of international relations, war and peace functions, international trade, import and export regime, international finance, security of the state, treaty-making, fighting the menace of terrorism, fiscal management and the like. All these functions are the functions of the executive. Naturally therefore, the role and importance of the executive has registered a big growth in contemporary times.

Planning Functions : The executive has the responsibility to make social economic development plans, to get these carried through in the legislature and then to implement these in actual practice. The executive prepares and implements developmental programmes and leads the process of social economic development. This has been a source of big increase in the powers of the executive.

Decline in the Role of the Legislature : The legislature in every state has virtually suffered a decline. It has become a talking shop. Intense party politics which characterizes its functioning has adversely affected its working. Dependence upon the system of delegated legislature has further declined the role of legislature. The loss of legislature has been a gain of the executive.

The availability of the Services of Civil Servants : One part of the executive consists of the expert, trained and a professional class of civil servants. The civil servants are a

source of expertise and professionalism for the executive. The political executive always utilizes their services as the civil servants work under the political-leadership of the political executive makes the executive an efficient and strong organ of the state. The executive, as such, has come to be in a position to use its powers and perform its functions in a vigorous way. This has been a source of increase in its powers.

Executive's Control over Military and Police : The defense of the security of the state against foreign aggressions and threats has been a key function of the executive. Likewise, the executive has the responsibility to maintain law and order in the country. For this it has at its disposal the services of military, police and para-military forces. It has indeed been a source of strength for the executive.

The power to meet emergencies and the power to provide relief to the people : It is the prime responsibility of the executive to deal with emergencies and natural calamities. The executive provides relief to the victims of all natural and man-made calamities. This has been a factor in the increase in the role and importance of the executive. Due to all these factors the power of the executive has grown and is still growing. Increased power and role of the executive is a reality of our times. It appears to be a natural phenomenon, in fact a natural necessity of a complex industrial society.

It is also a necessary condition for the development of a developing country. Consequently, the power of executive has grown in all countries both developed and developing, Western as well as Eastern, Asian, African, European, Latin American and in fact in all parts of the world without any exception.

(b) **The differences between the political executive and the permanent executive :** Permanent executives are also known as "non-elected" executives whereas Political executives are "non-permanent" elected executives. While the former are not directly answerable to the people, the latter are accountable to the citizens who elected them.

Permanent executives usually have a very long term i.e., they do not leave office until and unless they retire, but political executives leave office as soon as their short term gets over.

Permanent executives are necessarily experts in their areas but political executives may or may not be experts in their areas.

Permanent executives get their designation and office through standard selection procedures whereas political executives get elected.

Question 8.

(a) Discuss the functions of the Judiciary. [8]

(b) Discuss the original and appellate jurisdiction of the Supreme Court of India. [6]

Answer:

(a) Some of the functions of the Judiciary are as follows:

Judicial Functions : When a dispute is brought before a court, it is the responsibility of the court to 'determine the facts' involved. The court studies the facts presented through evidence by the contesting parties. The Judiciary takes up the role of the interpreter of the laws.

Law-making Functions : The judiciary while interpreting the existing laws also performs the role of lawmaker. Infact 'judge- made' laws are common to all systems of jurisprudence. Such occasions may arise when the provisions of the existing laws may be ambiguous, or sometimes two or more laws appear to be in conflict. Herein the judiciary plays an important role in determining what the law is and when two laws apparently conflict, which one shall prevail.

Guardianship of the Constitution : In federal States like India and the USA the judiciary is the guardian of the Constitution. In federal States conflict in jurisdiction and authority is common, as there are multiple law making and executive authorities. Under circumstances, the judiciary plays the role of an umpire and regulates the legal actions of the States and Central governments.

Advisory Jurisdiction : Some national judiciaries possess advisory jurisdiction. For instance, the President of India may seek the advice of the Supreme Court of India on any proposed legislation.

(b) **Appellate Jurisdiction of Supreme Court :** The Supreme Court of India has Original, Appellate and Advisory Jurisdiction. Its exclusive original Jurisdiction extends to any dispute between the Government of India and one or more States of the Indian Union or between one or more States. Article 32 of the Constitution grants an extensive original jurisdiction to the Supreme Court in regard to enforcement of Fundamental Rights. It is empowered to issue directions, orders or writs including writs in the nature of habeas corpus to enforce them. The Supreme Court may direct transfer of any civil or criminal case from one State High Court to another State High Court or from a lower Court to a higher Court.

The appellate jurisdiction of the Supreme Court can be invoked in respect of any judgement, decree or final order of a High Court for both civil and criminal cases, involving substantial questions of law as to the interpretation of the Constitution. Appeals also lie to the Supreme Court in civil matters if the High Court concerned certifies: (a) that the case involves a substantial question of law of general importance, and (b) that, in the opinion of the High Court, the said question needs to be decided by the Supreme Court.

In criminal cases, an appeal lies to the Supreme Court if the High Court (a) has on appeal reversed an order of acquittal of an accused person and sentenced him to death

or life imprisonment or for a period of not less than 10 years, or (b) has withdrawn for trial before itself any case from any lower Court to its authority and has in such trial convicted the accused and sentenced him to death or to imprisonment for life or for a period of not less than 10 years, or (c) certified that the case is fit for appeal to the Supreme Court.

Parliament is also authorized to confer on the Supreme Court any further powers to entertain appeals from any judgement, final order or sentence in a criminal proceeding of a High Court.

Question 9.

(a) State any two consequences of regional imbalances. Suggest six steps for removing regional imbalances. [8]

(b) Give any six ways to combat Separatism. [6]

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