

Republic and Democracy

- **Definition of 'State'**

Article 12 defines 'State' as:

- 1. Legislative and Executive Organs of the Union Government:**
 1. Indian Government
 2. Indian Parliament – Lok Sabha, Rajya Sabha
- 2. Legislative and Executive organs of the State Government:**
 1. State Governments
 2. State Legislature – Legislative Assembly, Legislative Council of State
- 3. All local authorities**
 1. Municipalities – Municipal Corporations, Nagar Palika, Nagar Panchayats
 2. Panchayats – Zila Panchayats, Mandal Panchayats, Gram Panchayats
 3. District Boards
 4. Improvement Trusts, etc.
- 4. Statutory and Non-Statutory Authorities**
 1. Statutory Authorities Examples:
 1. National Human Rights Commission
 2. **National Commission for Women**
 3. **National Law Commission**
 4. National Green Tribunal
 5. National Consumer Disputes Redressal Commission
 6. Armed Forces Tribunal
 2. Non Statutory Authorities Examples
 1. **Central Bureau of Investigation**
 2. **Central Vigilance Commission**
 3. Lokpal and Lokayuktas

- **Five Component of State**

1. Name:-

2. POPULATION: - Here population means the man power or people without which the existence of state can't be imagined..

3. SOVEREIGNTY: - Sovereignty implies in both external and internal sense which says the people of a state must be free from internal disturbances (i.e., internal sovereignty) as well as from external aggression and invasion (i.e, external sovereignty) respectively..

4. TERRITORY:-Geographically, a state have a specific area of territory which is an important characteristics of state to be a full fledged state...

5. INTERNATIONAL RECOGNITION:- In order to become a state international recognition is also imperative to some extent.. It means the approval of world community to the existence of an independent state.

- **What is Republic?**

A 'Republic' is a State in which supreme power is held by the people and their elected representatives. It has an elected head of the state rather than a monarch. In a 'Republic', the people give power to leaders they elect to represent them and serve their interests. Though India became an independent nation putting an end to the British rule, on August 15, 1947, it declared itself as a Sovereign, Democratic and Republic state with the adoption of the Constitution of India only on January 26, 1950. Since then January 26 is being celebrated across India as 'Republic Day'. At the time of adoption, Indian Constitution was the largest written constitution in the world and it still continues to hold that title. The Constitution laid down the entire structure for the Republic. This magnum opus remains the back bone of the Indian Republic.

- **What is Democracy?**

Democracy is a system of government in which the citizens exercise power directly or elect representatives from among themselves to form a governing body, such as a parliament. It is also referred as “rule of the majority”. Here the power can’t be inherited. People elect their leaders. Representatives stand in an election and the citizens’ vote for their representative. The representative with the most number of votes gets the power.

- **What is Secularism?**

The term “Secular” means being "separate" from religion, or having no religious basis. A secular person is one who does not owe his moral

values to any religion. His values are the product of his rational and scientific thinking. Secularism means separation of religion from political, economic, social and cultural aspects of life, religion being treated as a purely personal matter. It emphasized dissociation of the state from religion and full freedom to all religions and tolerance of all religions. It also stands for equal opportunities for followers of all religions, and no discrimination and partiality on grounds of religion.

- **Definition of Constitution**

A Constitution is a document of people faith and aspirations possessing a special legal sanctity. It is the fundamental law of a country and all other laws and customs of the country in order to be legally valid shall conform to the constitution. It is the supreme law of the land. It sets out the framework and the principal functions of various organs of the government, viz , the Executive.

- **Types of Legislature**

Legislature refers to the law making body of a state. It is the first organ of the government. It has the power to make or change laws and oversee the administration of the government. The legislature can be of two types:

Unicameral
Bicameral.

Legislature

- **Introduction of legislature**

Unicameral Legislature:

Unicameral legislature refers to the practice of having only one parliamentary or legislative chamber to perform legislative activities or functions like passing a budget, enacting laws, oversee the administration, discussing matters of national or international importance. Most of the countries in the world have a unicameral legislature, e.g. Norway, Sweden, New Zealand, Iran, Hungary, China, Sri Lanka etc.

Out of 28 Indian States, there are 24 states which have a unicameral structure. The lists of these states are given below:

1. Arunachal Pradesh
2. Assam
3. Chhattisgarh
4. Delhi
5. Goa
6. Gujarat
7. Haryana
8. Himachal Pradesh
9. Jharkhand
10. Kerala
11. Madhya Pradesh
12. Manipur
13. Meghalaya
14. Mizoram
15. Nagaland
16. Odisha
17. Puducherry
18. Punjab
19. Rajasthan
20. Sikkim
21. Tamil Nadu
22. Tripura
23. Uttarakhand
24. West Bengal

Bicameral Legislature:

The bicameral legislature refers to the lawmaking body of a country that has two separate houses, assemblies or chambers to perform legislative functions like enacting laws, passing the budget, etc. Its main objective is to represent people from all the sectors or societies of the country. Some of the countries where the bicameral legislature is adopted include India, Canada, Japan, Spain, Italy, and the United Kingdom etc.

India is one such example where there are two houses both at union and also at 6 of its 28 states. In a bicameral legislature, the functions to administer and implement the laws are shared between the two houses.

At the central level, the Indian Parliament has two houses:

1. Lok Sabha (Lower House)
2. Rajya Sabha (Upper House)

At the state level, six of the 28 state legislatures have two houses:

1. Legislative Assembly (Vidhan Sabha)
2. Legislative Council (Vidhan Parishad)

The names of the six states having bicameral legislature are:

1. Andhra Pradesh
2. Bihar
3. Karnataka
4. Maharashtra
5. Telangana
6. Uttar Pradesh

• Unwritten and Written Constitution

Unwritten Constitution	Written Constitution
Unwritten constitution refers to the unstructured version of the constitution	Written Constitution refers to the codified, compiled and cohesive constitution, which can be stored for future reference

The terms of an Unwritten Constitution evolve over a long period with a new set of laws and guidelines added as time passes on.	Written constitutions like the Indian Constitution are framed by analysis and discussion on any possible issue and compiled in a step by step matter with subsequent changes made instantaneously or with time
These type of Constitutions can be rigid or flexible or both	Such constitutions are flexible that means the changes can be made in them with time
The Parliament is supreme power in a country with an unwritten constitution	The Constitution is supreme where there is written constitution
The judiciary is limited in its powers and the Parliament can only challenge things when there is an Unwritten Constitution	The Judiciary is more powerful and can have the power of judicial review so as to ensure constitutional supremacy
The Magna Carta can be considered the earliest form of the unwritten constitution.	The Constitution of the United States of America is considered as the oldest written constitution that is still in force.
Such Constitutions work better in a Monarchy or Autocracy	Such Constitutions work best in a Democracy

• **Salient Features of the Constitution**

1. Longthiest constitution in the world.
2. Sovereignty resides in the people
3. Parliamentary form of Government.
4. Unique blend of rigidity and flexibility.
5. Fundamental Rights.
6. Directive principles of the state policy.
7. Quasi – federal in nature.
8. Adult suffrage.
9. Independence of Judiciary
10. Judicial Review.
11. Fundamental duties
12. Sovereign.

13. Democracy.
14. Republic.
15. Secular.
16. Single citizenship.
17. Uniformity in Basic Administration.
18. Revolutionary.
19. Lawyer's paradise.
20. Judicial Review and parliament sovereignty.