

Separation of powers, parties, civil service

Montesquieu · Parties · Civil service · Public opinion

Explanatory Lecture Slides

Political Science — Organisation & Institutions · Minor-I-2 · Semester II

POLITICAL SCIENCE — ORGANISATION & INSTITUTIONS

Topics covered in this unit

01

State Montesquieu's separation of powers

02

Define political parties — types, merits, defects

03

Define civil service and its features

04

Define public opinion

05

Place the Indian party system

06

Note independent agencies (ECI, CAG, UPSC)

How this unit is organised

01

Separation of
powers

02

Checks & balances

03

Political parties

04

Indian parties

05

Civil service

06

Public opinion

Montesquieu's separation of powers

Liberty needs the three powers of making, executing and judging the law to be in different hands (Spirit of the Laws, 1748).

- PYQ: Montesquieu's theory (2022, 2025).
- US: a hard separation. UK/India: fusion of legislature and executive, independent judiciary.
- India: functional overlapping with a basic-structure judiciary (Kesavananda, NJAC).
- Criticism: pure separation would paralyse; checks and balances is the working form.

Montesquieu's separation of powers

THREE POWERS

- Legislative.
- Executive.
- Judicial.

INDIA

- Fusion + independent courts + independent agencies.

Political parties

Organised groups that seek to capture legal power through office, not only to pressure it (that is a pressure group).

- PYQ: meaning, functions, merits, demerits; types (2022, 2024, 2025).
- Functions: aggregate interests, select leaders, educate, form governments, oppose.
- Types: cadre/mass; left/right; national/regional; single-party, two-party, multi-party.
- Defects: faction, money, whip-as-slavery, communal appeal.
- India: multi-party + regional; Tenth Schedule; Representation of the People Act; ECI symbols.

Political parties

MERITS

- Democracy without parties is a lecture, not a government.

DEFECTS

- Oligarchy inside the party (Michels).
- Money.
- Whip.

Civil service

The permanent, professional executive. Features: hierarchy, merit, anonymity, neutrality, tenure, rules.

- PYQ: what is civil service, features (2021); functions (2021).
- Weber's bureaucracy: the modern State's operating system.
- India: UPSC (Art. 315–323), All-India Services (Art. 312), neutrality under strain.
- Defects: red tape, unresponsiveness, colonial hangover, political pressure.
- A lawyer meets them in every writ of mandamus.

Civil service

WEBER

- Rules.
- Files.
- Hierarchy.
- Merit.

INDIAN DEFECTS

- File-noting culture.
- Transfer as punishment.
- Opacity — RTI as a reply.

Public opinion

The loosely organised judgment of a public on a public question. Not a Twitter trend by itself.

- PYQ: public opinion — nature and principles (2022).
- Agencies: press, parties, education, panchayats, now electronic media.
- Conditions of a healthy opinion: literacy, free press, time, honesty of leaders.
- Law: Art. 19(1)(a); reasonable restrictions 19(2); contempt; sub judice.
- Audio-visual media merits/demerits appeared in a PYQ — speed v sensationalism.

Public opinion

HEALTHY

- Free press.
- Opposition.
- Data.

PATHOLOGICAL

- Rumour.
- Paid news.
- Lynch opinion.

Independent constitutional bodies — a short map

ECI (324), CAG (148), UPSC (315), Finance Commission (280), NHRC (statute), CBI (not constitutional).

- They are how a parliamentary system still separates some powers.
- Do not call the CBI a constitutional body.
- Useful 6-mark: ECI and democracy (Indira Nehru Gandhi; PUCL on NOTA).

Independent constitutional bodies — a short map

CONSTITUTIONAL

- ECI.
- CAG.
- UPSC.
- FC.

STATUTORY

- NHRC.
- CBI.
- CIC.

Pressure groups v parties

Pressure groups seek to influence, not usually to occupy the cabinet as a party.

- Business federations, unions, bar associations, caste associations, NGOs.
- Healthy in a pluralist reading; capture in a Marxist reading.
- Lobbying without transparency is a legal problem (no full Indian statute yet).

Pressure groups v parties

PARTY

- Office.
- Programme.
- Responsibility.

PRESSURE GROUP

- Influence.
- Narrow interest.
- No manifesto duty.

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Cases a KSLU answer should name

CASE

Supreme Court Advocates-on-Record Assn v Union of India (NJAC)

(2016) 5 SCC 1

Judicial independence as a basic feature — separation of powers in flesh.

CASE

Kihoto Hollohan v Zachillhu

1992 Supp (2) SCC 651

Tenth Schedule — party, whip, and the legislator.

CASE

T.N. Seshan years / PUCL v Union of India

(2003) 4 SCC 399

ECI and the voter's right to know.

Provisions & materials to quote

Art. 50

Separation of judiciary from executive — a DPSP with case-law teeth.

Art. 324

ECI.

Arts. 315–323

Public service commissions.

Tenth Schedule

Defection.

RTI Act 2005

A statutory tool against bureaucratic opacity.

10 / 16-mark frames from this unit

Q1

Discuss Montesquieu's theory of separation of powers. How does India apply it?

Q2

Define political parties. Explain their functions, merits and demerits.

Q3

What is civil service? Examine its features.

Q4

What is public opinion? Explain its nature and the role of audio-visual media.

Unit recap

- 1 India: fused executive-legislature + independent judiciary.
- 2 Parties are necessary and dangerous — Michels + Tenth Schedule.
- 3 Civil service = Weber + Arts. 315–323.
- 4 Public opinion needs a free press, not only a loud one.
- 5 Do not call the CBI constitutional.