Polity & Governance · GS - II

Critically examine the constitutional significance of judicial independence in a democracy. How should courts balance institutional autonomy with the democratic right to peaceful protest and freedom of expression?

EXAM YEAR	PAPER	SUBJECT
DAILY PRACTICE 23/11/2026	GS - II	Polity & Governance

MARKS	WORD LIMIT
15	~250 words

Answer Hint

Judicial independence, separation of powers, Article 19(1)(a), Article 19(1)(b), contempt of court, judicial accountability, constitutional morality, rule of law

Model Answer

Introduction

Judicial independence is a basic feature of the Indian constitutional framework. It ensures impartial adjudication and protects the rule of law from political or external pressure.

Constitutional Significance

1. **Protection of fundamental rights:** Independent courts safeguard citizens against arbitrary state action through constitutional remedies.

2. **Separation of powers:** Judicial autonomy enables courts to review executive and legislative actions within constitutional limits.
3. **Rule of law:** Equal application of law strengthens public confidence in democratic institutions.
4. **Constitutional supremacy:** Judicial review ensures that government actions conform to constitutional provisions.

Balancing Judicial Autonomy and Democratic Rights

1. **Freedom of expression:** Article 19(1)(a) protects the right to express criticism of judicial decisions and institutions, subject to constitutional restrictions.
2. **Right to peaceful assembly:** Article 19(1)(b) protects peaceful and unarmed assembly, subject to reasonable restrictions.
3. **Contempt jurisdiction:** The Contempt of Courts Act, 1971 protects the administration of justice against conduct that substantially interferes with judicial proceedings.
4. **Institutional accountability:** Courts must maintain transparency, fairness and reasoned decision-making while protecting their independence.

Way Forward

A clear distinction must be maintained between legitimate criticism and attempts to obstruct judicial proceedings. Constitutional dialogue, judicial restraint and respect for peaceful democratic participation are essential.

Conclusion

Judicial independence and democratic freedoms are complementary constitutional values. Their balanced protection sustains institutional credibility and constitutional democracy.

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