

The every time a
government changes.
tinkering



**ASSIGN
BUSTER**

The Party's decisions have absolute binding force for all the State officials, and, therefore, for the judiciary also." In 1967 a clamour was heard in India for a committed judiciary; the type obtainable in the erstwhile USSR and other countries having the same political system. The advocates of committed judiciary wanted from the Judges conformity with the political philosophy of the party in power, if not with their policies and programmes. This meant to appoint persons as Judges who would interpret law in the light of the ideology of the ruling party, and it was only a short step from asking the Judges to decide cases according to the wishes of that political party. The object of the Constitution framers of India was to keep the politicians off the Bench and to ensure the independence of the judiciary and to enable the Judges to discharge their duties impartially necessary safeguards were provided into the document.

But the concept of committed judiciary wanted politicians to reach the Bench. It is difficult to imagine a more dangerous trend in a democratic set-up. It is fraught with the gravest danger to individual liberty and society, if the Judges cloud their judgment with the ideology of the political party in office. A Judge must dispense justice unaffected by the political changes in the moods of the people.

The pattern and conception of justice cannot change every time a government changes. Tinkering with judiciary by appointing committed Judges, on political basis, would mean the end of the Rule of Law and the democratic way of life.