



Mains Practice Question

Q. Explain the significance of the right to protest in a democracy. (250 words)

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Approach

- Introduce by enumerating constitutional provisions for right to protest.
- Highlight role of right to protest in enhancing democracy.
- Highlight the importance of reasonable restrictions for right to protest in a democracy, along with need for punitive measures for transgressing right to protest.

Introduction

Under Article 19 Indian Constitution guarantees Freedom of Speech and Expression and of Assembly. Right to Protest is implicit under these fundamental rights. Similar rights have been listed out in other democracies too.

Body

Significance of Right to Protest in a Democracy

- It helps in empowering individuals and groups to express their point of view, that is not in consonance with the ruling regime and tends to hurt legitimate interest of concerned, for example farmer protesting for land rights, raising income in face of rapid industrialisation.
- Right to Protest helps set or alter agenda in a debate that transgresses social, political and economic life, for example, following protest over Nirbhaya rape women's security and role in public life came into question resulting in changes at legal and administrative levels like Nirbhaya Fund.
- Right to Protest is an essential voice for the marginalised section in the democracy, as it allows for their view to be reflected equally and not submerged under majoritarian view.
- Right to Protest helps bring about change in mindset of citizens, fight discrimination which in turn makes the government more responsive, accountable, responsible to its people, all while making democracy deeper and wider by increasing individual's and social group's stake in the nation-building.

But there is no absolute form of such right and have to be qualified in form of reasonable restrictions:

- Under Article 19, a speech and expression cannot hurt sovereignty, integrity, security, foreign-friendly relations of India, like the case of Naxalism in India.
- Such rights should not threaten public order, decency/morality, contempt of court, defame or incite offence like communal speech.

Conclusion

An elected government may stray from the constitutional course, go against the interests of the people, become unresponsive and refuse to listen. Here pressure against the government must be built by still

stronger public methods. Right to protest allows the people to become watchdogs in a democracy, and while constantly monitoring the acts of the government it empowers the people to initiate debate on the concerned issues opening up the possibilities of rectification at the government's end.

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