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**BROKEN CORONETS: AN ANATOMY OF DEMOCRATIC  
DYSFUNCTION WITHIN THE FRAMEWORK OF INDIA'S ELECTORAL  
JURISPRUDENCE AND CONSTITUTIONAL MANDATES**

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**Abstract:**

India, also known as Bharat, is established as a Sovereign, Socialist, Secular, Democratic Republic. According to the Constitution of India, the people of India are the principal stakeholders, governing themselves through democratic values. This self-governance is exercised via representation, where citizens elect individuals to act on their behalf. The Preamble of the Constitution of India opens with the statement, "*We, the people of India*" and concludes with "*give to ourselves this Constitution.*" This encapsulates the essential democratic notion that authority and sovereignty originate from the citizens, not from any external monarch or force. The phrase "*give to ourselves*" emphasizes that the citizens, through their elected representatives, have willingly embraced the Constitution as their supreme law, symbolizing their right to self-govern. The structure of the Preamble, which begins and ends with "*people*," illustrates that the Constitution is crafted for the people, fostering inclusivity, accountability, and empowerment. This cyclical framework underscores that the government is intended to serve its citizens, reinforcing the belief that power is derived from the populace and exercised in their interests. Article 326 of the Constitution guarantees Universal Adult Franchise, allowing every adult citizen the right to vote. This, combined with the Preamble's declaration of "*We, the people of India*," reinforces the concept of popular sovereignty, ensuring governance is rooted in active citizen participation. However, the Representation of People Act, 1951, outlines eligibility criteria for candidates contesting elections but falls short of providing measures to evaluate their

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competency. This gap raises significant concerns regarding the ability of these representatives to effectively serve the electorate's interests. This research paper aims to illuminate the shortcomings of the Representation of People Act, particularly its failure to assess the qualifications and effectiveness of elected representatives in the Indian democratic framework.

**Keywords:** Democracy, Representation, People, Constitution, Sovereignty, Governance, Competency.

### **Introduction:**

India, as a nation-state, is built on the foundation of democratic values. The Constitution declares India as a Sovereign, Socialist, Secular, Democratic Republic. The word "*Democracy*" comes from the Greek terms *Demos*, meaning "*the people*," and *Kratos*, meaning "*rule*" or "*authority*," signifying governance by the people and for the people. Democracy empowers citizens by ensuring that the authority to govern lies with the people, either directly or through their chosen representatives. It functions on the principle of majority rule while also protecting the rights of individuals and minority groups. In a democracy, citizens are actively involved in shaping government decisions, whether by voting, sharing their views, or standing for public office. Regular, transparent elections allow people to select leaders who embody their ideals, ensuring that governance remains responsive to the public's needs and interests. Additionally, democratic systems have built-in mechanisms for accountability, such as checks and balances, judicial oversight, and an independent media, which help prevent abuses of power. By enabling citizens to participate in the political process, democracy promotes a sense of civic duty and belonging, underscoring that the government ultimately reflects the collective will of the people. Democracy and populism, though sometimes conflated, are fundamentally different in important ways. In a genuine democracy, while representatives are elected by the majority, they have a responsibility to represent and serve all citizens, including those from minority groups. The core values of democracy—equality, justice, and the protection of individual rights—ensure that everyone's interests are safeguarded, not just those of the majority. Even if elected by a majority, representatives must remain accountable to minority populations as well. Democratic institutions, such as an independent judiciary and a free press, act as checks to ensure governance is inclusive and not solely driven by majority sentiment.

In contrast, Populism often relies on divisive rhetoric, positioning the "ordinary people" against perceived elites or marginalized groups. Populist leaders frequently oversimplify complex issues and offer emotionally appealing solutions that cater to the majority's desires, often sidelining the concerns of minorities. Unlike democracy, which requires accountability to the entire population, populism tends to focus on fulfilling the immediate preferences of the majority, sometimes undermining democratic values and institutional integrity. While democracy promotes inclusive governance, populism can result in the exclusion of minority voices and erode democratic principles by pushing a narrow, majority-focused agenda.

The Constitution of India begins with its preface, known as the Preamble. This Preamble starts with the words *"We, the people of India,"* and ends with the phrase *"give to ourselves this Constitution."* These statements emphasize the core principles and objectives of the Constitution, as well as India as a democratic nation. The phrase *"We, the people of India"* underscores that the Constitution is a product of the people's will, created for their governance, establishing that ultimate sovereignty resides with the citizens. This reinforces the essential democratic notion that governing authority arises from the collective will of the people, rather than from any monarch, autocrat, or individual prone to despotism. The expression *"give to ourselves this Constitution"* further clarifies that the people themselves hold the power to determine their governance, reaffirming their supreme authority in India's democratic framework. This reflects the essence of self-rule, where the people empower their elected representatives, who are bound to act within the limits set by the Constitution. These representatives are entrusted with the responsibility of legislating and implementing laws, but only as agents acting on behalf of the electorate. Thus, it is the people of India who, indirectly, govern the nation through the individuals they choose to represent them. Furthermore, the Preamble articulates the key ideals and aspirations that drive the nation forward, such as justice, liberty, equality, and fraternity. These principles mirror the hopes and dreams of the people and serve as the foundational pillars for governance. The Preamble also enshrines the spirit of democracy and social justice, ensuring that the rights and dignity of each citizen are safeguarded. It acts as a constant reminder that the Constitution is a dynamic, living document, crafted by the people and for their benefit, aiming to build a fair and just society.

In other words, the Preamble to the Constitution of India symbolizes the democratic foundation in which the people are the source of all power. It underscores the collective authority of the



citizens and ensures that governance remains answerable to those who elect their representatives. It embodies the essence of India's constitutional democracy, where citizens, through their representatives, shape the nation's laws and policies.

In a democratic system, not all citizens can directly shape a nation's laws and policies. Instead, they elect representatives who act on their behalf to create laws, set policies, and govern the system. This is the core principle of democracy. However, a significant drawback arises when the elected representative lacks the necessary competence. In such cases, the effectiveness of democracy can falter, as the representative's abilities are crucial in every aspect of governance. Therefore, the success and stability of democracy largely depend on the competence of those chosen to represent the people and shape the nation's future. The Constitution, or the supreme law of the land, establishes the criteria for the competency of representatives. Furthermore, laws regulating the electoral process are key in setting the qualifications for those representatives. If these competency standards are not clearly defined, it can lead to uncertainty and undermine the core democratic principles of a nation or its governance. Well-defined guidelines regarding the qualifications and capabilities of representatives are vital to preserving the strength and functionality of democracy. In their absence, the system risks disorder and may struggle to represent the genuine will of the populace.

### **Constitutional Insights on Democratic Rights and Electoral Eligibility:**

The Constitution of India, through its Preamble, serves as the foundation of the nation's democratic values. The word "*Democratic*" signifies the central role of the people in shaping and guiding the government, ensuring that governance is by the people, for the people, and of the people. The Preamble outlines the principles of justice, liberty, equality, and fraternity, which are fundamental to the structure of a democratic society. These ideals guarantee citizens' freedom and equal opportunities in every sphere of life, ensuring that no individual is deprived of their basic rights. Through this carefully constructed framework, the Constitution emphasizes that power and authority rest with the people, safeguarding individual liberty while promoting social and economic justice. By rooting the democratic spirit within the Preamble, the Constitution highlights the importance of inclusive participation in governance and reflects the aspirations of a free and equal society, where every citizen plays a pivotal role.

The Supreme Court in the *Kesavananda Bharati case*<sup>2</sup> held that the Preamble is an integral part of the Constitution, playing a crucial role in constitutional interpretation. The Preamble serves as the guiding light, reflecting the core values and aspirations of the Constitution. It encapsulates the vision for justice, liberty, equality, and fraternity. By setting the foundational principles, the Preamble ensures that constitutional provisions are interpreted in alignment with these ideals, affirming its pivotal role in upholding the democratic framework of the country. In *Union of India v. Madan Gopal Kabra (1954)*<sup>3</sup>, the court held that the citizens of India are the ultimate foundation of the Constitution, as articulated in the Preamble. It embodies the essence of a common society and the democratic ethos inherent within the Constitution of India. It is established that the citizens are the primary subscribers of the Constitution, reflecting their active participation in governance and underscoring the importance of individual rights and collective responsibilities in a democratic framework.

Fundamental Rights (FRs) enshrined in the Indian Constitution guarantee individual liberties, equality, and justice, acting as crucial protections against governmental oppression. In contrast, the Directive Principles of State Policy (DPSP) delineate the state's obligations to advance social and economic well-being, shaping policies aimed at achieving justice for all citizens. Core democratic principles, including accountability, participation, and equality, are vital to the state's operation, cultivating an atmosphere where individuals can exercise their rights freely. Collectively, FRs and DPSPs form a cohesive framework that strengthens democracy by safeguarding personal freedoms while fostering the common good, thereby ensuring the fulfillment of justice, liberty, and fraternity.

The Constitution of India creates a system that integrates Fundamental Rights and Directive Principles of State Policy, fostering a harmonious democratic framework. Fundamental Rights protect individual freedoms and guard against governmental abuse, while Directive Principles outline the state's duties in promoting social and economic justice. This interconnection highlights the commitment to both individual rights and the common good, ensuring a

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<sup>2</sup>Kesavananda Bharati v. State of Kerala, (1973) 4 SCC 225

<sup>3</sup>Union of India v. Madan Gopal Kabra, AIR 1954 SC 158

democracy that is inclusive and participatory. The successful application of these principles is vital for achieving the constitutional ideals of justice, liberty, and equality.<sup>4</sup>

The Constitution of India embodies the principles of Political Democracy, Social and Equitable Justice, and Common Society laying the foundation for a fair and inclusive society. It establishes a bicameral legislature consisting of two Houses: the Lok Sabha, or House of the People, and the Rajya Sabha, or Council of States. These Houses serve as representatives of the citizens and the states, respectively, reflecting the diverse interests of the Indian populace. In line with Article 326, the Constitution guarantees the right to vote to every citizen, irrespective of caste, creed, religion, or gender, marking a significant aspect of Indian democracy. This article underscores the concept of Universal Adult Suffrage, which is crucial for ensuring free and fair elections. To maintain the integrity of the democratic process, the Constitution establishes the Election Commission of India as a constitutional body tasked with overseeing elections. Additionally, Articles 84 and 173 empower eligible citizens to contest elections, thereby promoting equal opportunities for political participation. The Constitution ensures a balanced distribution of power among the Legislature, Executive, and Judiciary, incorporating checks and balances to prevent any misuse of authority. Adhering to the principles of constitutionalism, it limits governmental powers and emphasizes accountability. Judicial review plays a pivotal role in this framework, allowing courts to ensure that laws and government actions align with constitutional mandates, thus safeguarding democratic values. Article 368 delineates the procedure for amending the Constitution, reflecting its flexibility to adapt to evolving democratic needs while preserving certain core values as immutable. Through these provisions, the Constitution enshrines individual rights and freedoms, promotes social equality, and establishes a framework for participatory governance, ensuring the protection of democratic processes. Ultimately, it embodies the essence of both political and social democracy in India.

### **Statutory Framework Governing Representative Qualifications and Electorate Rights:**

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<sup>4</sup>H.M. Seervai, Constitutional Law of India: A Critical Commentary (N. M. Tripathi Pvt. Ltd., 3rd ed. 2005)

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The Representation of the People Act, 1951, is the fundamental legislation that regulates the qualifications of candidates competing in elections in India. It thoroughly discusses electoral rights, specifying the essential criteria for eligibility and the electoral procedures. This Act plays a crucial role in maintaining a democratic structure by setting forth standards for participation in elections, thus fostering transparency and accountability within the electoral framework. By delineating the qualifications necessary for candidates, the Act seeks to preserve the integrity of the electoral process, ensuring that those elected possess the necessary qualities to function effectively in a democratic society. This legislation was passed by the Parliament in accordance with Article 327 of the Constitution of India.

This particular legislation has XI Parts and 171 Sections, whereas Part II deals with Qualifications and Disqualifications of the Members or Representatives. Under Part II, Chapters I and II discuss the qualifications of Members of Parliament (MPs) and Members of State Legislature (MLAs).

The qualifications for membership of the Council of States, as outlined in Section 3 of the Representation of the People Act (RPA), 1951, require that an individual must be an elector for any parliamentary constituency in India to be eligible to represent a State or Union Territory. It is not necessary for a candidate to be an elector in the specific state or territory they are contesting from, allowing them to contest elections as long as they are registered as an elector anywhere in the country. Originally, Section 3 mandated that the person must be an elector in the same state or territory, but this requirement was removed by the Representation of the People (Amendment) Act of 2003, substituting the phrase "*elector in that state or territory*" with "*elector in India*." This change was later upheld by the Supreme Court in 2006 in the **Kuldip Nayar case**.<sup>5</sup>

Similarly, Section 4 of the RPA, 1951, deals with the qualifications for membership of the House of the People. To contest a seat reserved for Scheduled Castes (SC) or Scheduled Tribes (ST), an individual must be a member of any SC/ST, whether from the same state or from another, and must be an elector for any parliamentary constituency. However, candidates from SC/ST communities are also permitted to contest non-reserved seats. For seats reserved for Scheduled Tribes in the autonomous districts of Assam, the candidate must belong to a Scheduled Tribe from those districts and must be an elector for a parliamentary constituency within that area.

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<sup>5</sup>Kuldip Nayar v. Union of India, (2006) 7 SCC 1

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Similar protective measures are in place for the autonomous regions of Lakshadweep and Sikkim. For general seats, a candidate only needs to be an elector for any parliamentary constituency in India.

Section 5 outlines the qualifications for membership in a State Legislature. To contest a seat reserved for SC/ST in a state or union territory, the candidate must be a member of one of those castes or tribes and must be an elector for an Assembly constituency in that state or territory. For reserved seats in autonomous districts of Assam, the candidate must be from a Scheduled Tribe and must be an elector in a corresponding constituency. Additionally, there are specific qualifications for candidates representing Tuensang district in the Legislative Assembly of Nagaland, where they must be members of the regional council as referred to in Article 371A of the Constitution. Section 5A includes special provisions for the qualifications of members of the Legislative Assembly of Sikkim.

The qualifications for membership of a Legislative Council are outlined under a separate section. To contest a seat in a Legislative Council filled by election, a candidate must be an elector in any Assembly constituency in the state. For nomination to a seat by the Governor, the candidate must be an ordinary resident of the state or union territory in question.

While these sections outline basic electoral qualifications, they lack specific provisions for evaluating a candidate's competency, especially regarding educational qualifications or other criteria that might ensure informed and capable representation. The absence of any such educational or competency-based requirements raises concerns about the potential for unqualified individuals to occupy important legislative roles. This may lead to adverse consequences, such as ineffective governance or decision-making, given that elected representatives may lack the necessary knowledge or skills to address complex issues facing their constituents or the country. Thus, while these qualifications ensure broad electoral participation, they might undermine the overall efficacy of governance by not demanding a higher standard of competency from candidates.

One of the critical drawbacks of democracy is that it allows individuals to assume leadership roles without possessing the necessary qualifications or knowledge for effective governance. When discussing matters concerning the state, such as geopolitics, medical infrastructure, military affairs, science, technology, history, geography, and diplomacy, it is essential to have

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informed and competent leaders. A person who lacks a proper understanding of these subjects can destabilize or undermine the entire system. This leadership gap often results in poor decision-making, mismanagement, and failure to address complex national and global challenges, weakening the core of democratic governance. It is not about discrimination, selective preference, or arbitrary and whimsical use of representation. It is about the qualifications of competing individuals. In the case of an IAS officer, specific qualifications must be met. Similarly, to become a doctor, certain qualifications are required. The same applies to engineers and lawyers. However, when considering legislators who are responsible for representing the people and creating laws, if they are not equipped with the necessary knowledge and understanding, they are unlikely to perform their duties effectively or fulfill their responsibilities adequately.

### **Indian Democracy Affected by Unqualified Representatives:**

Indian democracy, deeply rooted in the principle of collective representation since its inception, has been significantly undermined by the presence of unqualified representatives. In numerous instances, their actions, words, and gestures have compromised the moral fabric of India's democratic ethos, leading to a distortion of its foundational values. The influence of such representatives has had a profound impact on the integrity of democratic institutions and the principles they are meant to uphold.

In 2014, Mulayam Singh Yadav, leader of the Samajwadi Party, made headlines for his controversial remarks suggesting that "boys will be boys" when discussing the issue of rape. His comments were made during a public address in the context of rising incidents of sexual violence in India. The backlash was swift, with widespread condemnation from women's rights activists, political opponents, and civil society, highlighting a troubling attitude toward sexual violence and women's safety in India.<sup>6</sup>

In 2014, during a campaign rally, Sadhvi Niranjan Jyoti, a BJP leader, made inflammatory remarks suggesting that those who did not support the BJP were "illegitimate children." Her comments were widely condemned as hate speech and led to an official reprimand from the

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<sup>6</sup>R. Sharma, "Mulayam Singh Yadav's remarks on rape spark outrage," The Times of India, 2014

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Election Commission. The incident raised significant concerns regarding the nature of political rhetoric in election campaigns and its impact on communal harmony.<sup>7</sup>

In 2014, Giriraj Singh, a prominent BJP leader, stated that those opposing Narendra Modi should "go to Pakistan." This statement was made in the context of a heated election campaign and was criticized for promoting intolerance and nationalism. The backlash included protests from various political parties and civil rights groups, underscoring the dangers of using inflammatory language in political discourse.<sup>8</sup>

In 2017, Swami Prasad Maurya, a BJP leader, made derogatory comments about the Muslim community during a public speech, suggesting that they were against national interests. His remarks led to widespread protests and condemnation from various political factions, highlighting the pervasive issue of communalism in Indian politics and the impact of divisive rhetoric on social harmony.<sup>9</sup>

The use of political hatred, unethical statements, and immoral approaches is clearly in violation of constitutional morality and the principles upheld by the Supreme Court's verdicts. When unqualified representatives hold office, they can significantly undermine the democratic values of the nation. Such individuals, lacking the necessary qualifications and moral grounding, pose a threat to the integrity of the political system. Numerous examples could be cited to illustrate how this lack of competence in leadership harms the democratic ethos, creating a disconnect between the people and their representatives.

In the 2019 Lok Sabha elections, it was found that only 48% of the candidates held graduate degrees or higher, suggesting that approximately 25% of the elected MPs lacked a graduation degree. This data, derived from affidavits submitted to the Election Commission of India, highlights a significant proportion of representatives without higher education. The report by India Today, based on an analysis from the Association for Democratic Reforms (ADR), further demonstrates the varying educational qualifications among candidates, indicating a broader trend of individuals entering politics without advanced degrees.<sup>10</sup>

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<sup>7</sup>Kumar R., "Sadhvi Niranjana Jyoti's communal remarks spark controversy," The Hindu, 2014

<sup>8</sup>Choudhury A., "Giriraj Singh's Pakistan comment stirs controversy," NDTV, 2014

<sup>9</sup>Bansal P., "Swami Prasad Maurya's comments incite communal tensions," India Today, 2017

<sup>10</sup>Nikhil Rampal, "Here are India's most educated political parties," India Today, May 13, 2019.

As of the most recent analyses, 22% of Members of Parliament (MPs) in the 18th Lok Sabha do not possess a graduation degree, indicating ongoing concerns about the educational qualifications of elected representatives in India. Additionally, 27% of Members of Legislative Assemblies (MLAs) across various states are reported to be either illiterate or lacking a graduation degree, underscoring the need for more stringent criteria for political candidates in order to uphold democratic standards.<sup>11</sup>

### **Epistocracy and its Ripple Effect upon Primitive Democratic Rules:**

**John Stuart Mill** emphasized that a democratic system must provide representation for every segment of society, including both the literate and illiterate, as well as the informed and less informed. He contended that a truly representative government should reflect the diversity of the population, ensuring that individuals from all backgrounds have a voice in governance, regardless of their educational or social status. Mill further suggested that while everyone should have representation, those with greater knowledge or expertise could offer more valuable contributions to the decision-making process for the collective benefit of society.<sup>12</sup>

Another philosopher who contributed to the discussion on democratic representation is **Jean-Jacques Rousseau**. Rousseau argued that true democracy requires the participation of all citizens, regardless of their social status or education. He emphasized that sovereignty lies with the people, and every individual has an equal right to contribute to the general will. He believed that democracy should not exclude anyone from decision-making processes, as the collective wisdom of the people ensures just and fair governance. Rousseau asserted that a society can only be free when all voices, from every segment, are equally represented in shaping the laws that govern them.<sup>13</sup>

John Stuart Mill and Jean-Jacques Rousseau both emphasized the importance of democratic values and the necessity for equal representation of all societal segments. They argued that every individual, regardless of their social or educational background, should have a voice in the decision-making process. However, such broad representation may lead to challenges, as uninformed individuals without the necessary knowledge or educational qualifications could

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<sup>11</sup>Association for Democratic Reforms, "Profile of the Newly Elected 18th Lok Sabha," (September 30, 2024), <https://www.adrindia.org>

<sup>12</sup>John Stuart Mill, *Considerations on Representative Government* (Parker, Son, and Bourn, 1861)

<sup>13</sup>Jean-Jacques Rousseau, *The Social Contract* (J.M. Dent & Sons, London, 1913)



influence critical societal issues. This concern reflects a fundamental tension in democratic representation, while inclusivity is essential for a truly representative government, there is also a risk that decisions may be swayed by those lacking expertise or understanding, potentially obscuring informed governance.

To tackle the issues arising from broad democratic representation, the concept of *Epistocracy* presents a viable alternative. *Epistocracy* supports a governance system in which those in power and responsible for decision-making possess sufficient knowledge and expertise pertinent to their roles. This model guarantees that representatives are chosen not only for their popularity but also for their qualifications and comprehension of intricate matters. By emphasizing informed decision-making, epistocracy seeks to improve governance quality, ensuring that policies are formulated by individuals who fully understand the consequences of their actions. Consequently, the likelihood of uninformed influence would be reduced.

The idea of Epistocracy is prominently presented by **Jason Brennan** in his book *Against Democracy* (2016). In this work, Brennan posits that a governance system founded on the rule of knowledgeable individuals would result in improved decision-making and governance in comparison to conventional democratic frameworks. He examines the potential inefficiencies and limitations inherent in democracy, advocating for a political model where authority is vested in those who possess the necessary knowledge and expertise.<sup>14</sup>

The foundational democratic values of India are vague due to a lack of qualitative analysis regarding representation, particularly concerning educational qualifications and other significant parameters. This ambiguity can hinder the effectiveness of the political system, as it does not ensure that representatives possess the necessary knowledge or expertise. Embracing the essence of epistocracy, if statutory reforms were introduced to mandate educational qualifications for representatives, it could lead to a transformative shift in leadership. By prioritizing knowledge and expertise as essential criteria for political office, India might foster leaders who are well-informed about contemporary issues, thereby enhancing the quality of governance and ensuring that elected officials make decisions that align with the needs and aspirations of the populace.

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<sup>14</sup>Jason Brennan, *Against Democracy* (Princeton University Press, 2016)

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In Singapore candidates for election must possess a degree from a recognized university or an equivalent qualification.<sup>15</sup>In Malaysia Members of the Parliament must hold at least a Higher Education qualification, as defined by the Election Commission.<sup>16</sup>In Mexico Mexican constitution requires that candidates for the Chamber of Deputies possess at least a higher education degree.<sup>17</sup>In South Korea candidates for the National Assembly must hold at least a bachelor's degree.<sup>18</sup>In Italy Members of Parliament are required to hold a high school Diploma or equivalent education level, while Senators must possess a university degree.<sup>19</sup>

### Conclusion:

India, as a democratic nation-state rooted in pluralism, draws from the ancient concept of democracy, aiming for representation from all societal segments, regardless of educational background or subject matter knowledge. However, this approach has led to significant obscurities in the Indian polity. The government comprises three branches—legislature, judiciary, and executive—where the latter two enforce qualitative standards. For instance, individuals in the judiciary or those executing executive functions must meet certain educational qualifications. In contrast, the legislative domain lacks such criteria, allowing individuals without adequate knowledge to create laws. The Representation of the People Act, 1951, outlines qualifications for representatives but fails to incorporate educational or competency assessments, resulting in unfiltered representation. This gap permits those lacking the requisite understanding of geopolitical, technological, and historical issues to shape legislation. To mitigate this legislative deficiency, incorporating principles of Epistocracy and establishing qualitative measures is essential. Without these reforms, obscurity will persist, undermining India's constitutional morality.

### Proposed Parameters for Competence in Legislative and Representative Roles

1. Minimum Educational Standards: All candidates should have completed at least a bachelor's degree in any field to establish a basic level of education.

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<sup>15</sup>Parliamentary Elections Act, 2019, <https://sso.agc.gov.sg/>, 30 September 2024.

<sup>16</sup>Election Commission of Malaysia. *Pekeliling Suruhanjaya Pilihan Raya Malaysia*, 2021, <https://www.spr.gov.my/>, 30 September 2024

<sup>17</sup>Constitution of the United Mexican States, 2019, <https://www.gob.mx/>, 30 September 2024

<sup>18</sup>National Assembly Act, 2021. <https://korea.assembly.go.kr/>, 30 September 2024

<sup>19</sup>Italian Constitution, 1948. <https://www.senato.it/>, 30 September 2024

2. Understanding of Ministry Functions: Individuals appointed to ministerial positions must exhibit a thorough grasp of their respective ministries, encompassing policies, operational frameworks, and contemporary issues.

3. Integrated Knowledge Base: Candidates are required to have both practical experience and academic knowledge pertinent to their legislative duties.

4. Assessment of International Degrees: Academic qualifications earned from foreign universities must be evaluated for equivalency by an authorized body, ensuring compliance with Indian educational standards.

5. Legal Accountability for False Claims: Individuals who submit fraudulent or misleading information regarding their educational qualifications or credentials should incur legal consequences, which may include fines and imprisonment.