Inaction and intervention: On the handling of social issues

Legislative inaction on social issues will **legitimise** judicial intervention

The Supreme Court's **decision** to refer to a **Constitution Bench** the issue of **granting** legal **recognition** to same-sex marriages **can** be seen as an important step towards ensuring **gender equality**, despite **apprehension** that it is **encroaching** on the legislative **domain**. **Petitioners** before the Court view the idea of giving of legal status for marriages between people belonging to the same sex as a natural consequence of the 2018 judgment **decriminalising homosexuality**. The government, however, **contends** that there is no need to **depart** from the **heteronormative** understanding of marriage. And even if there **ought to** be such a change, it must come from the **legislature**. The question before the Court is whether it should **interpret provisions** of marriage laws in India, especially the Special Marriage Act, 1954, as **permitting marital unions** between same-sex couples. The Act allows the **solemnisation** of a marriage between any two persons and is used by those who are unable to register their marriages under their respective personal laws. The Union government has **argued** that the **decriminalisation** of **consensual** relations between adults of the same sex **has** removed the **stigma** attached to homosexuality, but **has** not **conferred** the right of marriage. And that the **state** is **entitled** to **limit** its recognition to marriages involving **heterosexual** couples. There is no **discrimination**, it **claims**, in **keeping** same-sex couples **out** of the definition of marriage.

In terms of the equality **norm**, the central question is not very **complicated**. It can be recognised that **no civil right** available to married heterosexual couples **ought to** be **denied** to those who belong to the same gender. The **incidental consequences** on issues of property and succession **may** not **pose insurmountable** difficulties. The Centre's other **argument**, **invoking** religious norms and cultural values, against recognising same-sex marriages **is** weak and inadequate. It is **futile** to argue that it will **undermine** faith or **rock societal** values. The **mere fact** that many people consider marriage to be a **sacrament** or a **holy** union **is** not enough to deny equal status to the union of people of the same sex or to undermine its **essential** character as a social and economic contract. Whether the **remedy** ought to take the form of recognition of same-sex marriages, and, if so, whether it should be through judicial intervention or legislative action, is the question. That the legislature should be involved in bringing about **far-reaching** changes that may impact the personal laws of all religions is **indeed** an acceptable **proposition**. A responsive **government** that wants to treat this as a matter of policy and not **cede space to** the courts **would** act on its own to consider the right of any two people, **regardless of** gender, to marry or found a family. Legislative **inaction** on burning social issues **will** legitimise and invite judicial intervention. **[Practice Exercise]**

- Red/blue coloring of words in the sentence indicates subject verb relationship; where 'red' denotes 'subject' and 'blue' denotes 'verb'

Vocabulary

1. **Inaction** (noun) – inactivity, passivity, apathy, negligence निष्क्रियता

2. **Intervention** (noun) – involvement, intercession, interceding, interposing हस्तक्षेप

3. **Handling** (noun) – control, leadership, management संभालना, संचालन

4. **Legislative** (adjective) – relating to a legislature; parliamentary, policy-making विधायी

5. **Legitimise** (verb) – justify, legalize, authorize, validate वैध करना

6. **Constitution Bench** (noun) – Constitution bench is the name given to the benches of the Supreme Court of India which consist of at least five judges of the court which sit to decide any case "involving a substantial question of law as to the interpretation" of the Constitution of India

7. **Grant** (verb) – bestow on, confer on, give; allow, accord, permit देना

8. **Recognition** (noun) – acknowledgement, acceptance, admission, conceding मान्यता

9. **Gender equality** (noun) – Gender equality is when people of all genders have equal rights, responsibilities and opportunities लैंगिक समानता

10. **Apprehension** (noun) – doubt, misgiving, disquiet , fear, anxiety, worry, uneasiness, misgiving आशंका

11. **Encroach** (on) (verb) – to intrude upon, impinge, infringe, invade, trespass अतिक्रमण करना

12. **Domain** (noun) – field, area, arena, sphere कार्यक्षेत्र

13. **Petitioner** (noun) – requester, suppliant, supplicant, applicant, claimant याचिकाकर्ता

14. **Decriminalise** (verb) – make legal, decriminalize, legitimatize अपराध की श्रेणी से बाहर करना

15. **Homosexuality** (noun) – the quality or characteristic of being sexually or romantically attracted exclusively to people of one's own sex or gender. समलैंगिकता

16. **Contend** (verb) – claim, assert, argue, maintain, allege तर्क देना

17. **Depart** (verb) – leave, go away, move, exit हटना/ दूर जाना

18. **Heteronormative** (adjective) – traditional, conventional, normative, mainstreamपरंपरागत

19. **Ought** (to) (modal verb) – should, must करना चाहिए

20. **Legislature** (noun) –The legislative body of a country or state. विधान मंडल

21. **Interpret** (verb) – understand, construe, take to mean, read व्याख्या करना

22. **Provision** (noun) –term, clause, requirement, specification, stipulation प्रावधान

23. **Permit** (verb) – allow, license, authorize, enable, sanction अनुमति देना

24. **Marital** (adjective) – relating to marriage or the relations between a married couple वैवाहिक

25. **Union** (noun) – Partnership, marriage

26. **Solemnisation** (noun) – the public performance of a ceremony

27. **Argue** (verb) – Contend, say, maintain, reason, claim तर्क करना

28. **Decriminalisation** (noun) – process of ceasing to treat something as illegal गैर-अपराधीकरण

29. **Consensual** (adjective) – by the mutual consent सहमति से

30. **Stigma** (noun) – shame, disgrace, dishonor कलंक

31. **Confer** (verb) – grant (a right); award to, endow with प्रदान करना

32. **State** (noun) – administration, government राज्य सरकार

33. **Entitle** (to) (verb) – authorize, empower, permit, enable अधिकार देना

34. **Limit** (verb) – restrict, curb, check, place a limit on, cap सीमित करना

35. **Heterosexual** (adjective) – opposite-sex, heterosexual, different-sex विषमलैंगिक

36. **Discrimination** (noun) – Unfair treatment of a person or group on the basis of prejudice भेदभाव

37. **Claim** (verb) – assert, demand, request, declare, state दावा करना

38. **Keep something/someone out** (phrasal verb) –not become involved with something. से बाहर रखना

39. **In terms of** (phrase) – with regard to, as regards, regarding के संबंध में

40. **Norm** (noun) – standard, rule, criterion मानदंड

41. **Complicated** (adjective) – confuse, perplex, muddle, obscure जटिल बनाना

42. **Deny** (verb) – Declare untrue; refute, reject, contradict नकारना, वंचित करना

43. **Incidental** (adjective) – occurring by chance ; unplanned, unexpected, inadvertent, आकस्मिक

44. **Pose** (verb) – Present, put, create, cause खड़ा करना (संकट)

45. **Insurmountable** (adjective) – insuperable, impassable, invincible, unconquerable, overwhelming दुर्गम, अति कठिन

46. **Invoke** (verb) – to use a law in order to achieve something नियम, क़ानून आदि प्रयोग करना

47. **Futile** (adjective) – useless, pointless, vain, fruitless, unavailing व्यर्थ

48. **Undermine** (verb) – weaken, impair, damage, sabotage, subvert कमजोर/कम करना

49. **Rock** (verb) – shock, shake, stun, disturb, upset हिला देना/ झकझोर कर देना

50. **Societal** (adjective) – social, society, communal, community, public सामाजिक

51. **Mere** (adjective) – no more than, just, only केवल

52. **Sacrament** (noun) – a religious rite or ceremony that is considered sacred or holy within a particular faith tradition. संस्कार, धर्मविधि

53. **Holy** (adjective) – divine, sacred, blessed, religious, saintly पवित्र

54. **Essential** (adjective) – Vital, indispensable, important, crucial, critical, necessary आवश्यक

55. **Remedy** (noun) – solution, answer, cure, antidote, corrective उपाय/समाधान

56. **Far-reaching** (adjective) – extensive, comprehensive, sweeping, broad, wide-ranging दूरगामी

57. **Indeed** (adverb) – as expected, to be sure, in fact, in point of fact वास्तव में

58. **Proposition** (noun) – proposal, suggestion, thesis, premise प्रस्ताव

59. **Cede** (verb) – concede, relinquish, yield, give up. सौंपना, त्याग करना, हवाले करना

60. **Space** (noun) – freedom to think and do what you want स्वतंत्रता (इच्छानुसार सोचने और काम करने के लिए)

61. **Act on** (phrasal verb) – comply with, follow, obey, conform to का अनुपालन करना

62. **Regardless of** (phrase) – in spite of, despite, notwithstanding, without regard to, irrespective of निम्न पर ध्यान दिए बगैर

Practice Exercise

1. **What is the main question before the Supreme Court regarding same-sex marriages in India**?
   A. Should the government be allowed to limit recognition of marriages to only heterosexual couples?
   B. Should the Special Marriage Act, 1954 be amended to permit marriages between same-sex couples?
   C. Should the Supreme Court intervene in legislative matters and grant legal recognition to same-sex marriages?
   D. Should the legislature be responsible for bringing about changes to allow marriages between same-sex couples?

2. **What is the government's stance on legal recognition of same-sex marriages**?
   A. It fully supports the recognition of same-sex marriages under all personal laws.
   B. It contends that same-sex marriages should only be recognized under the Special Marriage Act, 1954.
   C. It opposes legal recognition of same-sex marriages and believes the state should limit its recognition to heterosexual couples.
   D. It is neutral on the issue of legal recognition of same-sex marriages.

3. **What is the Supreme Court's decision regarding same-sex marriages**?
   A. It has granted legal recognition to same-sex marriages.
   B. It has referred the issue to a Constitution Bench for consideration.
   C. It has decided to maintain the heteronormative understanding of marriage.
   D. It has left the decision to the legislature.

4. **What is the author's opinion regarding the government's argument against recognising same-sex marriages**?
   A. The argument is strong and convincing.
   B. The argument is weak and inadequate.
   C. The argument has religious and cultural merit.
   D. The argument is not relevant to the issue.

5. **What is the tone of the author towards the Supreme Court's decision to refer the issue of legal recognition of same-sex marriages to a Constitution Bench**?
   A. Critical
   B. Supportive
   C. Indifferent
   D. Neutral

6. **What is the main theme of the passage?**
   A. The legal recognition of same-sex marriages in India
   B. The intersection of religious norms and civil rights in Indian society
   C. The need for legislative action on social issues in India
   D. The role of the Indian judiciary in promoting gender equality

The death of Kashmiri Pandit and bank guard Sanjay Sharma at the hands of terrorist gunmen in Pulwama is yet another murder in a series of attacks on the minority community in the Valley. Sharma is the second Pandit to fall to terrorism in the Pulwama area after Janki Nath's death in 1990 at the peak of militancy. While the murder could be a deliberate _____**7**_____ by terrorists to strike fear into the minority community in the area, it also signals the failure of security agencies to adequately protect the poor residents. The modus operandi of the _____**8**_____ elements who are targeting civilians has always been clear — the attacks are meant to invite state retaliation and repression, in turn fomenting discontent and disaffection to garner more recruits to the cause. On Tuesday, after follow-up operations that resulted in the death of an Army jawan and two militants, security forces have asserted that Sharma's attacker has now been _____**9**_____. But this does little to mitigate the fear that has gripped Pandits in the Valley and Pulwama in _____**10**_____. Last year, militant attacks resulted in the deaths of 29 civilians including three local Pandits, three other Hindus and eight non-local labourers and also caused the _____**11**_____ of 5,500 Pandit employees from the Valley.

Fill in the blanks with the most appropriate combinations of words

7. While the murder could be a deliberate _____ by terrorists to strike fear into the minority community in the area, it also signals the failure of security agencies to adequately protect the poor residents.
   i. Imperative
   ii. Ploy
   iii. Normalcy
   iv. Breakdown
   A. Only (i)   B. Only (ii)   C. Only (iii)   D. Both (ii) and (iv)   E. None of the above

8. The modus operandi of the _____ elements who are targeting civilians has always been clear — the attacks are meant to invite state retaliation and repression, in turn fomenting discontent and disaffection to garner more recruits to the cause.
   i. Perceived
   ii. Uneven
   iii. Radical
   iv. Pragmatic
   A. Only (i)   B. Only (ii)   C. Only (iii)   D. Both (ii) and (iv)   E. None of the above

9. On Tuesday, after follow-up operations that resulted in the death of an Army jawan and two militants, security forces have asserted that Sharma's attacker has now been _____.
   i. Ease
   ii. Slain
   iii. Foment
   iv. Curb
   A. Only (i)   B. Only (ii)   C. Only (iii)   D. Both (ii) and (iv)   E. None of the above

10. But this does little to mitigate the fear that has gripped Pandits in the Valley and Pulwama in _____.

i.   Obstacle
ii. Imagination
iii. Hurdle
iv. Particular

  A. Only (i)   B. Only (ii)   C. Only (iii)   D. Both (ii) and (iv)   E. None of the above

11. Last year, militant attacks resulted in the deaths of 29 civilians including three local Pandits, three other Hindus and eight non-local labourers and also caused the _____ of 5,500 Pandit employees from the Valley.

i.   Remit
ii. Hub
iii. Migration
iv. Counterpart

  A. Only (i)   B. Only (ii)   C. Only (iii)   D. Both (ii) and (iv)   E. None of the above

Direction: Spot the grammatical error, if any –

12. Every scientific invention (A)/ has proved (B)/ much harmful to society than beneficial. (C)/ No Error (D)

13. She is preparing (A)/ for this examination (B)/ since 2004 (C)/ No Error (D)

14. I can depend upon (A)/ your help, (B)/ Can' I? (C)/ No Error(D)

15. If her grandfather (A)/ would have lived three more days (B)/ he would have been 100 years old. (C)/ No Error(D)

16. **Arrange the following sentences to form a coherent paragraph:**

P. The transactions marked the start of a cross-border link for real-time person-to-person money transfers between South Asia's largest economy and its littoral neighbour across the Malacca Strait, which is home to a sizeable Indian diaspora as well as tens of thousands of migrant workers employed in Singapore's humming construction, marine shipyard and services sectors.

Q. The link now enables individuals wishing to remit either Singapore dollar (SGD) or Indian rupee funds for the 'maintenance of a relative' or as a 'gift' to transfer the money seamlessly using the UPI at the Indian end and the PayNow app at the Singapore end.

R. To start with, six banks in India including three state-run, two private and the Indian unit of Singapore's DBS Bank will be facilitating inbound remittances to their account holders, while one private lender and the three public sector banks would enable their Indian customers to send money using the link

S. On February 21, the Reserve Bank of India Governor, Shaktikanta Das, and the Monetary Authority of Singapore's Managing Director, Ravi Menon, made token instantaneous cross-border remittances to each other using the Unified Payments Interface (UPI) and PayNow mobile applications on their phones in India and Singapore, respectively.

T. Transferring money to a relative studying or living in Singapore or receiving remittances from a family member working in the Southeast Asian city-state just got a whole lot simpler.

  A. PQRST   B. TSPQR   C.SPQRT   D.TRSQP   E.PTSRQ

Answers

1. D   2. C   3. B   4. B   5. B   6. A   7. B   8.C   9. B   10. E   11. C   12. C

13. A   14. C   15. B   16. B   **[Practice Exercise]**

Explanations

1. D) Should the legislature be responsible for bringing about changes to allow marriages between same-sex couples?

   Explanation: The passage explains that the main question before the Supreme Court is whether provisions of marriage laws in India, especially the Special Marriage Act, 1954, should be interpreted as permitting marital unions between same-sex couples. The government contends that any change in this regard should come from the legislature, not through judicial intervention. Therefore, the correct answer is option D, which states that the legislature should be responsible for bringing about changes to allow marriages between same-sex couples.

2. C. It opposes legal recognition of same-sex marriages and believes the state should limit its recognition to heterosexual couples.

   Explanation: The passage explains that the government contends that there is no need to depart from the heteronormative understanding of marriage, and that the state is entitled to limit its recognition to marriages involving heterosexual couples.

3. b) It has referred the issue to a Constitution Bench for consideration.

   Explanation: The passage states that the Supreme Court has referred the issue of granting legal recognition to same-sex marriages to a Constitution Bench for consideration.

4. b) The argument is weak and inadequate.

   Explanation: The passage states that the Centre's argument against recognising same-sex marriages, invoking religious norms and cultural values, is weak and inadequate. The author also argues that it is futile to argue that recognising same-sex marriages will undermine faith or rock societal values.
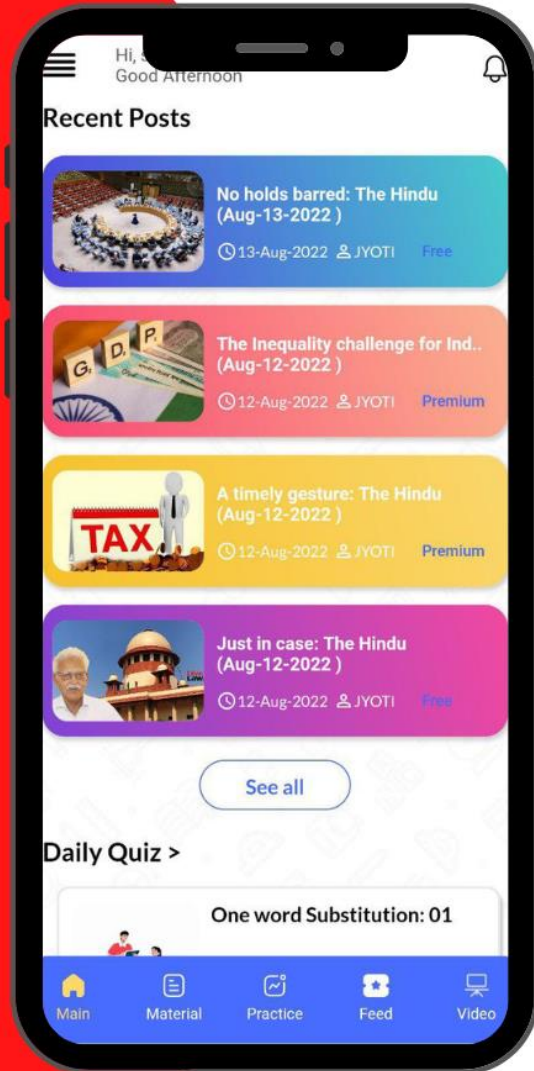
5. B) Supportive

   Explanation: The author expresses support for the Supreme Court's decision, stating that it is an important step towards ensuring gender equality. The author also argues that the government's opposition to same-sex marriage is weak and inadequate, and that denying equal status to same-sex unions would be discriminatory.

6. A) The legal recognition of same-sex marriages in India

   Explanation: The passage primarily discusses the issue of legal recognition of same-sex marriages in India, including arguments for and against such recognition. The author argues that denying equal status to same-sex unions would be discriminatory, and that the government's opposition to same-sex marriage is weak and inadequate. The passage also briefly touches on the possibility of legislative action on social issues and the role of the judiciary in promoting gender equality, but these are secondary themes.

7. **Ploy** (noun) – tactic, move, device, stratagem, scheme, trick चाल
   - **Imperative** (noun) – An essential or urgent thing. अनिवार्यता
   - **Normalcy** (noun) – the state of being normal सामान्य होने की स्थिति
   - **Breakdown** (noun) – end of something; failure, break (relations) टूटना

8. **Radical** (adjective) – revolutionary, extremist, extreme, fanatic, progressive कट्टरपंथी
   - **Perceived** (adjective) – apparent, professed, supposed, seeming कथित
   - **Uneven** (adjective) – irregular, unequal, rough, jagged, lopsided असमान
   - **Pragmatic** (adjective) – practical, matter-of-fact, realistic, sensible व्यावहारिक

9. **Past participle: slain, Slay** (verb) – to kill violently; to murder मार डालना; हत्या कर देना
   - **Ease** (verb) – alleviate, relieve, comfort, mitigate, soothe; reduce, lessen कम करना
   - **Foment** (verb) – incite, provoke, instigate, stir up, whip up भड़काना
   - **Curb** (verb) – Restrain, control, limit, hold back, rein in रोकना/ अंकुश लगाना

10. **In particular** (phrase) – Especially, specially, particularly, above all, specifically विशेषकर

11. **Migration** (noun) – movement from one part of something to another. स्थानान्तरण
    - **Remit** (noun) – Responsibility, concern, job, sphere of activity कार्य, जिम्मेदारी
    - **Hub** (noun) – the effective centre of an activity केंद्र
    - **Counterpart** (noun) – equivalent, opposite number, peer, समकक्ष

12. (C) 'much' के बदले 'more' का प्रयोग होगा क्योंकि तुलना दो Adjectives 'harmful' तथा 'beneficial' के बीच है और 'beneficial' के पहले 'than' का प्रयोग है जिससे पता चलता है कि दो Adjectives की तुलना Comparative Degree में है, और यदि दो Adjectives की तुलना 'Comparative Degree' में करनी हो तो उनके लिए 'more…………..than' का प्रयोग किया जाता है; जैसे-
    - i. She is more good than wise.
    - 'more' will be used instead of 'much' because the comparison is between two adjectives 'harmful' and 'beneficial' and 'than' is used before 'beneficial' which shows that the two adjectives The comparison is in comparative degree, and if two adjectives are to be compared in 'comparative degree' then 'more………..than' is used for them; As-
      - i. She is more good than wise.

13. (A) 'is' के बदले 'has been' का प्रयोग होगा क्योंकि Part (C) में 'since 2004' का प्रयोग है जिससे पता चलता है कि काम '2004' से शुरू होकर अबतक जारी है, और कोई कार्य यदि past में शुरू होकर अबतक जारी हो तो उसके लिए Present Perfect Continuous का प्रयोग होता है; जैसे-
    - i. She has been working here since 2004.

- 'has been' will be used instead of 'is' because 'since 2004' is used in Part (C) which shows that the work is continuing from '2004' till now, and if any work Starting in the past and continuing till now, then Present Perfect Continuous is used for that; As-
    i. She has been working here since 2004.

14. (C) 'can I?' के बदले 'can't I' का प्रयोग होगा क्योंकि यदि वाक्य 'Affirmative' हो तो Question Tag 'Negative' होता है, और यदि वाक्य 'Negative' हो तो Question Tag 'Affirmative' होता है; जैसे-

    ii. He can do it, can't he?
    iii. She can't do it, can she?

- 'can't I' will be used instead of 'can I?' because if the sentence is 'Affirmative' then the Question Tag is 'Negative', and if the sentence is 'Negative' then the Question Tag is 'Affirmative'; As-
    i. He can do it, can't he?
    ii. She can't do it, can she?

15. (B) 'would have lived' के बदले 'had lived' का प्रयोग होगा क्योंकि past के unreal situation को व्यक्त करने के लिए 'If Clause' (Conditional Clause) में 'If + Subject had + V3' का प्रयोग होता है तथा Main Clause में 'Subject + would / could/might/ should + have + V3' का; जैसे-

    i. If you had worked hard, you would have succeeded

- 'Had lived' will be used instead of 'would have lived' because 'If + Subject had + V3' is used in 'If Clause' (Conditional Clause) to express unreal situation of past and Main in the clause of 'Subject + would / could/might/ should + have + V3'; As-If you had worked hard, you would have succeeded.

16. **The correct arrangement is TSPQR**.

    T talks about how transferring money to and from Singapore has become easier for individuals.

    S explains how the RBI Governor and the Managing Director of the Monetary Authority of Singapore made token cross-border remittances to each other, using UPI and PayNow apps.

    P explains that these transactions marked the start of a cross-border link for real-time person-to-person money transfers between India and Singapore.

    Q explains how the link now enables individuals to remit SGD or INR funds for the maintenance of a relative or as a gift.

    R provides details of the banks that will be facilitating inbound remittances to their account holders and enable their Indian customers to send money using the link.

    Hence, the correct sequence is TSPQR.