




Be Mains Ready

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Examine how the Indian constitution is unique in its own way, despite being an amalgamation of other constitutions around the world. (250 words)

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Approach

Approach:

- Give a brief introduction about the spirit of the constitution.
- Mention the unique provisions of the constitution.
- Conclude by mentioning how it is an inspiration for other democracies.

Introduction

Indian constitution is unique in its content and spirit. The makers of Indian Constitution faced the challenges of the diversity of many languages in many scripts, many faiths and customs, many races of all kinds and groups, many tribes and castes including the much-discriminated against communities.

Though borrowed from almost every constitution of the world, the constitution of India has several salient features that addressed these challenges and distinguished it from the constitutions of other countries.

Body

The salient features of the Indian constitution are:

- **Longest written constitution:** It is a comprehensive, elaborate and detailed document explicitly mentioning the rights, duties and other provisions contained in 448 articles in 25 parts and 12 schedules.

- **Blend of rigidity and flexibility:** Some constitutional amendments require special majority as per Article 368, while some provisions can be amended by a simple majority of the two houses of the parliament.
- **Federal system with unitary bias:** Constitution establishes a federal system of government along with a number of unitary features like single citizenship, All India Services, etc.
 - Indian model is based on cooperative federalism. The basic idea behind federalism is that it is a political contrivance to achieve good governance where units desire unity without uniformity.
 - Articles 371 to 371-J in Part XXI contain special provisions for eleven states to meet the aspirations of the people of these states.
- **Emergency provisions:** Indian constitution contains detailed provisions for three types of emergencies: National Emergency (Article 352), State Emergency (Article 356 and Article 365), and Financial Emergency (Article 360).

It converts federal structure into a unitary one without any formal amendment.
- **Parliamentary system:** Constitution provides for a parliamentary form of government where the Parliament is not the sovereign body unlike the British Parliament.

In India there is neither Parliamentary sovereignty nor judicial supremacy, rather constitutional supremacy prevails. There is a system of checks and balances between the Judiciary and the legislative organs of the government.
- **Directive Principles of State Policy:** Part-IV of the constitution contains principles classified into – Socialistic, Gandhian and liberal-intellectual.
 - Indian constitution not only provides for political democracy but also aims to establish socio-economic justice.
 - No other democracy in the world has **adopted ‘welfare state’ as its constitutional goal.**
- **Secularism:** Indian constitution embodies a positive concept of secularism i.e. giving equal respect to all religions or protecting all religions equally.

This is in contrast to the western model of secularism which connotes a complete separation between religion and state.

Conclusion

Thus, Indian constitution is a dynamic, living document designed to meet the aspirations of the people and is an inspiration for the rest of the emerging democracies of the third world.