

# CONSTITUTIONAL VALUES AND POLITICAL SYSTEM IN INDIA

L.No	Title of Lesson	SKILLS	Activity
15	Constitutional Values and Political System in India	Self Awareness, Decision Making, Problem Solving	Understanding Political System in India

## Meaning

Constitution is a legal document which determines the structure of the government and direction to which society is to move on. A democratic constitution represents consensus among the people on certain rules, principles, procedures and ideals and guides the social and political institutions.

Constitution means a set of fundamental principles and basic rules which identify, define and regulate the various aspects of the state, its powers and functions. A Constitution provides rights and freedoms of the individual citizens and also determines the relationship between the citizens and the State.

## Importance of the Constitution

- A Constitution contains basic or fundamental laws of the land and establishes Rule of the Law.
- Constitution is considered supreme law. Any decision or legislation which is not in accordance with it, will be declared unconstitutional or unlawful or void.
- Constitution lays down limits on the powers of the government and checks abuse of power and authority.
- Constitution is capable of fulfilling the changing needs and aspirations of the people.

- Constitutional and political changes that took place during the British Rule.
- Thoughts and Ideas of the Mahatma Gandhi
- Democratic Constitutions of other Countries of the world i.e. USA, UK, Canada, Australia, Ireland etc.

## Principal Points

- **Sovereignty:** India is a Sovereign state which means that it has complete political freedom. It is free from any external interference and is a supreme authority internally also.
- **Socialism:** It implies that our Constitution and the Indian state aim at promoting social transformation to end all forms of inequalities and particularly social and economic inequalities.
- **Secularism:** India is a Secular Country. It is not guided by any one religion or religious consideration. The State does not promote any religion but treats all religions equally.

## Sources of the Indian Constitution

Indian Constitution was prepared by a representative body, known as the Constituent Assembly. The making of Indian Constitution was greatly influenced by the following factors:

- Aspirations generated during the Freedom Struggle.

- **Democracy:** Preamble of the Indian constitution starts with; “We the people of India....” It implies that India is Democracy and ultimate power lies with the people of India. People elect their representatives by a system of universal adult franchise.
  - **Republic:** India is a republic because the President of India i.e. the Head of the Indian State, is elected by the people from amongst the people.
  - **Justice:** Constitution ensures socio-economic and political justice to all the citizens to create a new social order based on socio-economic equality.
  - **Liberty:** Freedom of thought, expression, belief, faith and worship.
  - **Equality:** Equality of status and opportunities
  - **Fraternity:** Promotes common brotherhood among all people of India
  - **Dignity of Individual:** Ensures equal participation of every individual in all processes of democratic governance.
  - **Unity and Integrity of the Nation:** Value of fraternity helps in strengthening the unity and integrity of the nation.
  - **International Peace and Just International Order :** Constitution makers were aware of the fact that to ensure constitutional objectives, international peace and just international order is essential.
  - **Fundamental Duties :** Citizens are expected to observe Fundamental Duties, although these duties are not enforceable in the court but they do act as moral obligations.

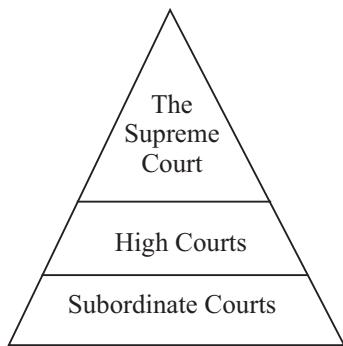
## **Salient Features of the Indian Constitution**

- **Written Constitution-** Constitution of India is the longest written constitution in the world.
  - **Rigidity and Flexibility-** Rigidity ensures continuity and firmness in the political system while flexibility helps in accommodating changing aspiration of the people.

- **Fundamental Rights and Duties**- Fundamental Rights protect individuals against the arbitrary and absolute exercise of power by the state. They are justiceable or enforceable by the court. Fundamental Duties reflect some values like patriotism, humanism, environmentalism, scientific temper, inquiry etc., which citizens are expected to observe and promote:

- **Directive Principles of State Policy** - These are the directions given to the Central as well as the state governments to ensure greater socio- economic justice. These principles aim at the establishment of a Welfare State.

#### **• Integrated Judicial System-**



- **Single Citizenship:** Unlike USA and other federal countries, our Constitution has provision for single citizenship. Every Indian is a citizen of India irrespective of residence or place of birth or the State in which he/she lives.
  - **Universal Adult Franchise:** Every Indian citizen of 18 years and above has Right to Vote without any discrimination.
  - **Federal system:** Two or more levels of the government; The Union Government, the State Governments and the Local Self Governments. The Constitution specifies division of powers between them.
  - **Parliamentary form of Government-** Executive is part of the legislature and it remains responsible to the legislature for its actions. The President of India as Head of the State is nominal executive whereas Prime Minister and Council of Ministers are the real executive responsible to the Parliament.

### Federal system in India

Constitution declares India a Union of States. It has all characteristics which are required to establish a federal system in India. Characteristics of the Indian federal system are as follows:

- Two levels or two tiers of the Government
- Division of Powers between the Centre and the States –
  - (i) **Union List** - 97 subjects- Defence, Railways, Banking, Currency etc. Only Central Government can make laws on these subjects.
  - (ii) **State List**- 66 subjects, Law and Order, Police, Local self Government etc. State Governments make laws and administer these subjects.
  - (iii) **Concurrent List**- 47 Subjects; Education, Forest, Electricity etc. Both Centre and State Governments can make laws

Residuary Powers are those subjects which have not been enumerated in any of these lists;

- Written Constitution
- Independent judiciary and provision of Supreme Court to settle federal disputes and interpret the Constitution.

### India: Federal System with a strong centre

- Division of powers in favour of Central or Union Government
- Unified and Integrated judiciary headed by the Supreme Court
- Emergency Provisions- make Union Government very powerful
- Governors of the States are appointed by the President of India
- States are financially dependent on the Central Government.
- Provision of All India Services.

### Evaluate Yourself

- Q. Explain the constitutional values mentioned in the Preamble which give us dignity of existence as a Nation in the International Community
- Q. What is meant by secularism as a constitutional value?
- Q. “India is federal in form but unitary in spirit” Do you agree with the statement? Justify your answer with suitable arguments.