



Uniqueness of Indian Constitution

India, the land of diversities, the place on Earth where culture gradients converge to proclaim, "Unity in Diversity". India is blessed with varying landscapes and climate. Above all, its real treasure are the people who reside within it.

Its culture and rich heritage had always impressed foreign countries. Realising the fact that India could make them richer, they colonised us for over six centuries. But after tremendous struggle, India saw the dawn bathed in liberty in the year 1947. The cultural and political leaders had analysed the root causes of the monotonous invasions. The conclusion that they drew was that we had deviated from the sole principle of our motherland, "Unity in diversity". It was due to divided territories and monarchy that prevailed in our country, invasions had their ways to India.



In 1948, decisions were taken under a panel which included major leaders like Jawaharlal Nehru, BR Ambedkar and Sardar Vallabhai Patel. The committee addressed the nation during the later part of 1948 and declared that India would be governed under a system called "Democracy".

Democracy is the form of government in which people, the citizens of a country can elect their leaders through a process called election. As per established democratic principles, this form of democracy required a legally binding mechanism. Most of the democratic countries then, had adopted a method - "Framing a Constitution".

What is Constitution? Constitution is a written or unwritten document which lays down fundamental principles and legal provisions of a country. A Constitution Framework Committee was formed in 1948. The committee was chaired by Dr. Bhim Rao Baba Saheb



Ambedkar. The Indian constitution was officially declared as the Executive and Judiciary mechanism of India on 26th January 1950.

Even though India was a newcomer in the democratic governance, its constitution was then regarded as one of the most finest constitutions in the world and continues to be. Its salient features are known among all of us. But what makes it stand out among other world nations is its uniqueness in certain parameters.

One of the salient features of the Indian constitution is that it is a written constitution. A written constitution is a constitution in which frequent or unjust amendments can be made. In developed countries like Canada and underdeveloped countries like Kenya has constitutions in which amendments can be easily made. But Indian constitution restricts this tendency in a unique way. India. The three tier democratic system



in which Legislature, Executive and Judiciary levels are placed at the same. Any proposal has to undergo trials through each of them to come out as an amendment under the usual of Judiciary system.

A unique factor that can be claimed by the Indian constitution is that it is neither flexible nor rigid. When we assess written constitutions of United States of America (USA) and The Great Kingdom of Britain (UK) we find that it is highly rigid. Amendments can't be made in case of UK but can be rarely made in USA. Also when we consider the ones of South Africa and Bangladesh, they are highly flexible: i.e. any of the governing body without consent from a higher authority can amend the constitution. This is where our constitution becomes different. It is flexible to an extent but it is highly rigid as it considers a referendum procedure.

Now if we assess thematic uniqueness, we find that



we live in a great dimension of liberty. The Indian Constitution is characterised by its Preamble. Our constitution has over 370 articles, to be not so specific, but the entire constitutional aspects are covered in a single title called the Preamble. The preamble goes like "We, the people of India" and ends by proclaiming that the constitution has been adopted and enacted. It discusses Liberty, Equality, Justice & Sovereignty. It is often described as the "Brain of Constitution", "Constitution in a nutshell" etc. It is common for all countries to have a preamble. But what makes it unique is the briefing of all rights given to its citizens.

Another special feature is the Fundamental Rights. It mentions all the important rights that are inevitable for the sustenance of a citizen. We always expect for a higher level in everything. The Fundamental Rights is taken to a whole new level by the 6th Fundamental rights - Right to constitution. The constitution ensures



its principles are availed to each and every citizen . . . without any discrimination. Right to Property as a fundamental right was removed, as it left a lot of labourers and working class with no land to reside in and work at. This itself shows sheer justice maintenance by the constitution.

When we talk about present and future aspects of the constitution, it is a necessity to evaluate about its past, just as we interestingly peek in to the 'Behind the Scenes' of a movie. The Constitution has been curated with great care, trying ^{to} give the most minute specifications. It was made by giving great importance to communal issues. For any communal law - religious leaders across the country was allowed to give their opinion. Be it any worker's policy - trade union heads were taken into consideration. This is the sole reason why Indian Constitution remains to be an undisputed ultimatum in our country.

In most of the democratic contemporaries in the world,



democratic principles are followed, but constitution is a mere legal mechanism under the control of judiciary. But in Indian Democracy, the formal tiers of Law making and Welfare systems are placed at the same level. Thus constitution of India shows its uniqueness in respecting all tiers and forms of government and serves as the base for legislature, Executive and Judiciary.

When we talk about the features that makes the Indian Constitution unique, it's worthless if we don't discuss the values and methodologies of our constitution. Our constitution gives immense importance to equality upon anything. Any other aspect of the constitution ultimately end up getting connected to Equality. Equality laws are of the essence that every citizen irrespective of his gender, religion, caste and creed is equal before the law. This law is well practised and has led to current changes in treatment of women and lower caste. This also ensures legal viability to all citizens.



Our constitution also guarantees Secularity, Sovereignty, Justice, Cultural and educational rights, Religious rights and reservation rights. One might think that these are guaranteed other nations also, even in monarchy. But what makes its omnipotent among other constitutions is the way in which it ensures enactment of democratic principles. In most of the countries, separate bodies under human labour ensures the sound maintenance and welfare of ~~our~~ the country. But Indian constitution has provisions under which strict enactment is convincing. Any citizen acting against the principles of the constitution is "constitutionally" liable to punishments.

A short briefing of the constitution is more than enough for a person, especially an Indian citizen to realise that his country works under such a magnificent framework. However, some people - or a rare fraction are still criticising the essence of Indian constitution. As a result, amendment proposals are constantly being



received by Law Governing Bodies. For example, when the Triple Talaq bill was released, it was really justifying religious principle and also emphasised the importance of women. But, for a second's surprise, it was revealed by medias that there are fractions of people, who still opposes the order, and actually ~~suing~~ against constitution.

It is clear that constitution is ^{the} ~~an~~ ultimate decision making means in our country - India. ^{However} ~~How~~ these instances proves that there is something missing out in the way it is upheld in the Indian Society. Through this statement, one would always expect a finger to be pointed at the younger generation. But the truth is that this statement is a call for every citizen, be it a school student, a teenager, an adult or let it be anyone it is you, me and us who have to uphold the constitution - its fundamentals and its principles.

A remarkable response was seen when Article 370 was



was recentered and was given a whole new dimension. Even though there might have been an immoral side to the aspect discussed in the corresponding article, the citizens of our country analysed it with a rational mind.

That is the change we want to see in the minds of citizens. Thinking rationally about every minute aspects regarding of the principles of our Constitution. Trying to ~~the~~ learn the true side of it and object, any if found unacceptable with respect to our nation. This would act to mediate between citizens as they discover the uniqueness and real essence of it. By upholding it the right way, we uphold our democracy, we uphold our "Nation - India". Lets pave the way for our country's all rounded development. Lets pledge to reinvent the unique features of Indian Constitution. Lets prove that democracy is "Of the people, by the people, and for the people". Lets say to the world that its heart lies in the constitutions of all countries.

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