

## BASIC FEATURES OF THE CONSTITUTION

### Short-Answer Questions

✓ **What is the difference between a written Constitution and an unwritten Constitution ?**

**Ans.** A Written constitution is based on laws enacted by a representative body of the people elected for this specific purpose. Both the Constitution of India and that of USA are written constitutions. An unwritten constitution basically comprises unwritten traditions, conventions and practices. The Constitution of England is the best example of an unwritten type of constitution.

✓ **Give two reasons to show why the Indian Constitution is a lengthy Constitution.**

**Ans.** The Constitution of India is lengthy because:

- (i) Our Constitution makers tried to incorporate the good points of all the constitutions of the world.
- (ii) Ours is a vast country with diverse languages, customs, traditions, races, religions etc. As such, justice was to be done to all of them and more and more deliberations and thinking was required.

✓ **How many Articles and Schedules are there in the Indian Constitution ?**

**Ans.** There are 395 Articles and 12 Schedules in the Indian Constitution.

✓ **State one difference between the federal and unitary Constitutions.**

**Ans.** A federal Constitution has a dual policy and distribution of powers between the centre and the state Governments and the Supreme Court. Our Constitution is unitary in spirit meaning the centre has an advantage over the states.

✓ **Explain how the Indian Constitution is federal in structure and unitary in spirit.**

**Ans.** Although the Indian Constitution is federal in form it is unitary in spirit. In other words, we can say that in India, the Centre has been given an advantage over the States :

- (i) The Union List has not only more subjects (97) but almost all the important powers like defence, foreign affairs, currency etc., are with the Centre.
- (ii) The Central Government has much greater finances under its control than the States. All this gives greater weightage to the Centre.

✓ **Mention any two federal features of the Indian Constitution.**

**Ans.** The main federal features of the Indian Constitution are as follows :

- (i) There is a division of powers between the Union (or Centre) on the one hand and the Units (or States) on the other.
- (ii) Secondly, the Indian Constitution is both written and rigid. The division of powers between the Centre and the States has been put in black and white.
- (iii) An independent judiciary or the Supreme Court has been set up in India to settle disputes between the Centre and the States or between two or more States.

✓ **Mention any two unitary features of the Indian Constitution.**

**Ans.** The Centre has been given an edge even on subjects (47 in number) mentioned in the Concurrent List. Residuary powers in India, unlike the U.S.A., have also been vested with the Centre to make it all the more powerful.

The Indian Constitution has a set of Emergency provisions by which the Centre can assume all the powers of the State by declaring Emergency in the country. In such a situation the country runs practically as a unitary state.

✓ **What are the essential features of the parliamentary form of Government ?**

**Ans.** Some of the chief features of a Parliamentary form of Government, as established in England, are :

- (i) In a Parliamentary form of Government the Executive is in constant touch with the Legislature. The members of the Cabinet or the Council of Ministers are also members of the Parliament.
- (ii) In a Parliamentary form of Government the real powers lie with the Prime Minister while the President (as in India) or the King or Queen (as in England) is only a nominal head of the state.
- (iii) Again, in a Parliamentary form of Government the Ministers are responsible to the Prime Minister as well as to the Legislature or the Parliament.



~~7.~~ Name a foreign country which has the parliamentary form of Government.

Ans. England has the parliamentary form of Government.

~~10.~~ Why were the Directive Principles of State Policy incorporated in the Constitution of India?

Ans. **Directive Principles of State Policy:** Another important characteristic of the Indian Constitution is that it contains special provisions (Articles 36 to 51) regarding the Directive Principles of State Policy which every Government keeps in mind while making any laws and implementing its policies. These principles are very important because they give direction to the State to achieve the following aims for the welfare of the people :

- (i) Their aim is to secure economic and social justice to all people.
- (ii) They try to secure economic and social equality for all people.
- (iii) They aim at promoting international peace and security.
- (iv) They aim to establish a welfare state in India.

**11.** What do you mean by Universal Adult Franchise ?

Ans. **Universal Adult Franchise and Joint Electorate:**

The Constitution of India provides for Universal Adult Franchise. Here, every citizen of 18 years of age has been given the right to take part in the elections without any restrictions based on caste, creed or colour, educational qualifications or property rights. There were very strong grounds or rationale behind adopting the Universal Adult Franchise. (i) Firstly, this system is based on political equality. Everybody should have a right to vote in a democracy. (ii) Secondly, if by democracy we mean a government of the people, by the people and for the people, then every adult should have the right to vote.

(iii) Thirdly, if a government affects all, it must be responsible to all.

**12.** Why has the Indian Constitution provided for joint electorate?

Ans. Our Constitution has provided for joint electorates where all citizens vote for the same candidates irrespective of their caste, creed or religion. This was considered most necessary for communal harmony and national integration.

### Structured Essay-Type Questions

~~1.~~ Why is the Indian Constitution so lengthy?

Ans. Like the Constitution of the United States of America the Indian Constitution is a written one and is available in a book form.

The Constitution of India is a quite lengthy document. It is perhaps the lengthiest and most voluminous Constitution ever framed by any country in the world. The reasons for this are :

- (i) Our Constitution makers tried to incorporate good points of all the Constitutions of the world.
- (ii) Ours is a vast country with diverse languages, customs, traditions, races, religions etc. As such, justice was to be done to all of them and more and more deliberations and thinking was required, and hence more space.
- (iii) Because of foreign imperialism various problems — social, economic, religious and political — cropped up which required immediate solution. As such every effort was made to tackle the problems of unemployment, illiteracy, untouchability, casteism, regionalism, national unity etc. These efforts added to the volume of our Constitution.

(iv) Various types of governments — Republican, Parliamentary and the Communist form of government were prevalent at that time in the world. Our Constitution-makers tried to make a synthesis of all these types. Naturally such an attempt added to the volume of the Constitution.

(v) The framers of this Constitution tried to put in black and white everything about the three organs of the Government, i.e., Executive, Legislature and Judiciary, about Citizenship, Fundamental Rights, Directive Principles of State Policy, Relations between the Centre and its units, the Public Services and about what not. Consequently, the Indian Constitution has become the most voluminous Constitution in the world.

(vi) The amendments made from time to time in our Constitution have also added to the volume of the Constitution. Our Constitution originally had 395 Articles in 22 parts and 8 Schedules but now it has 445 Articles and 12 Schedules. All such additions also added to its volume.

(vii) Last but not the least, as is pointed out by I. Jennings and Young, "The Constitution is long and complicated, because the Government of India Act, 1935, on which it was in large measure founded was long and complicated."

2. Explain the following features of the Constitution of India:

- ~~(a)~~ Sovereign Democratic Republic
- ~~(b)~~ A Secular State
- ~~(c)~~ Fundamental Rights of the Citizens
- (d)** A Single Citizenship.

Ans. (a) **A Sovereign Democratic Republic:** India is not responsible to any foreign power either for its internal policy or for its external affairs and so it is a sovereign independent State. Similarly, it is a democratic State because the real power emanates from the people. Likewise, the Executive Head of India, i.e., the President, is not a hereditary ruler like the Queen

or King of England but an elected one and so India has been described as a Republic. Thus, the Constitution of India established a Sovereign Democratic Republic in the country.

(b) **A Secular State:** The Indian Constitution has declared India to be a secular state where all the citizens enjoy equal rights irrespective of their caste, colour, creed, religion or sex. Anybody in India can practise any religion he or she chooses and no distinction would ever be made on this account. The state has no religion of its own and as such no one would either suffer or enjoy special rights on the basis of his or her religion. Everybody is equal before law and enjoys equal rights no matter to whichever faith, caste, colour and sex he or she belongs.

(c) **Fundamental Rights of the Citizens:** Like the Constitution of U.S.A. the Indian Constitution has guaranteed several fundamental rights to all its citizens. Among these rights the most important are those of Equality, Liberty, Freedom of Religion, Cultural and Educational Rights, Right against Exploitation and Right to Constitutional Remedies, etc. These rights are inviolable and are binding both on the Legislature and the Executive.

(d) **Single Citizenship:** Although India is a federation, its citizens have not been provided with double citizenship (one for the Federal Government and the other for the State Government) as in the case of U.S.A. All Indians, irrespective of their domicile, enjoy one citizenship. They are first Indians and then anyone else (i.e., the Punjabis, Bengalis or Tamilians, etc.). This has been done to ward off any separatist tendencies which have been the bane of the Indian history throughout the ages.