Unit 1

### Features of the Indian Constitution borrowed from the USA:

1. \*\*Fundamental Rights\*\* – The Indian Constitution adopted its concept of fundamental rights from the Bill of Rights in the U.S. Constitution.

2. \*\*Federal structure with a strong center\*\* – India adopted a federal structure similar to the U.S., with powers divided between the central and state governments.

3. \*\*Judicial Review\*\* – The concept of judicial review in India comes from the U.S. Constitution, allowing the judiciary to review the constitutionality of laws.

4. \*\*President as the head of the state and Supreme Commander of the Armed Forces\*\* – The position and role of the Indian President are based on the U.S. model of an elected President.

5. \*\*Separation of Powers\*\* – India borrowed the principle of separation of powers among the three branches of government: Legislature, Executive, and Judiciary.

6. \*\*Bicameralism\*\* – The structure of Parliament with two houses (Lok Sabha and Rajya Sabha) is similar to the U.S. Congress (House of Representatives and Senate).

### Features of the Indian Constitution borrowed from Germany:

1. \*\*Suspension of Fundamental Rights during Emergency\*\* – The provision that fundamental rights can be suspended during an emergency in India is borrowed from the Constitution of Germany, particularly during times of national crisis.

### Features of the Indian Constitution:

1. \*\*Lengthiest written constitution\*\* – The Indian Constitution is the longest written constitution in the world.

2. \*\*Partly rigid, partly flexible\*\* – Some provisions of the Indian Constitution can be amended easily, while others require a more complex process.

3. \*\*Federal system with a unitary bias\*\* – India has a federal system of governance but with more powers concentrated in the central government.

4. \*\*Fundamental Rights and Duties\*\* – Citizens are guaranteed fundamental rights, and the constitution also outlines their duties.

5. \*\*Directive Principles of State Policy\*\* – These are guidelines for the framing of laws by the government and are aimed at promoting social and economic democracy.

6. \*\*Parliamentary system\*\* – India follows a parliamentary system of government at both the central and state levels.

7. \*\*Single citizenship\*\* – Unlike some federal states, India grants single citizenship to all citizens.

8. \*\*Independent Judiciary\*\* – The judiciary in India is independent of the executive and legislative branches, with the power of judicial review.

9. \*\*Secular State\*\* – The Indian Constitution declares India to be a secular state, without any official religion.

### Criticisms of the Indian Constitution:

1. \*\*Too lengthy\*\* – The Indian Constitution has been criticized for being overly detailed and lengthy, making it difficult to interpret and understand fully.

2. \*\*Too rigid and too flexible\*\* – Some argue that the Constitution is simultaneously too rigid for certain amendments and too flexible for others, which can lead to inconsistencies.

3. \*\*Centralization of power\*\* – Critics argue that the Indian Constitution gives too much power to the central government, diminishing the role of the states in the federal structure.

4. \*\*Amendment process\*\* – The process of amending the Constitution is seen by some as being too easy for certain provisions, leading to frequent amendments.

5. \*\*Vague and ambiguous provisions\*\* – Some provisions, particularly those regarding fundamental rights and directive principles, are considered vague and open to varying interpretations.

6. \*\*Complex legal language\*\* – The language of the Constitution is considered too legalistic and not accessible to the common citizen.

7. \*\*Lack of clarity on certain fundamental rights\*\* – Certain fundamental rights, such as the right to property (which was originally a fundamental right but later became a legal right), have been subject to numerous amendments, creating confusion.