

# Sources of Indian Constitution

India's Constitution is one of the lengthiest and most detailed in the world. When it was drafted, the framers borrowed extensively from the constitutions of several countries to create a comprehensive legal document that suits the unique social, political, and cultural needs of India.

Here's a **detailed breakdown** of the countries that served as **sources of the Indian Constitution**, along with what was borrowed from each:

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## **GB United Kingdom (UK)**

### **Parliamentary democracy & legal principles**

- **Parliamentary form of government:** Nominal head of state (President in India, Monarch in UK) and real executive powers with the Council of Ministers headed by the Prime Minister.
  - **Bicameral legislature:** Lok Sabha (House of the People) and Rajya Sabha (Council of States), modeled on the British House of Commons and House of Lords.
  - **Rule of Law:** All individuals are equal before the law.
  - **Single Citizenship:** One citizenship for the entire country, similar to the UK.
  - **Writs and Habeas Corpus:** The idea of issuing writs for enforcement of fundamental rights is borrowed from British law.
  - **Procedure established by law:** Judicial procedures based on British legal system.
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## **us United States of America (USA)**

### **Federalism, fundamental rights & judiciary**

- **Fundamental Rights:** Inspired by the U.S. Bill of Rights.
  - **Judicial Review:** Power of the Supreme Court to declare laws unconstitutional.
  - **Independence of the Judiciary:** Strong and independent judiciary to safeguard the Constitution.
  - **Written Constitution:** Like the U.S., India has a detailed written Constitution.
  - **Preamble:** The concept and structure of the Preamble in the Indian Constitution are influenced by the U.S. Constitution.
  - **Impeachment of the President:** Modeled on the U.S. process.
  - **Vice President as ex-officio Chairman of the Upper House:** Similar to U.S. Vice President presiding over the Senate.
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## **CA Canada**

## Quasi-federal structure with a strong center

- **Federal system with a strong central government:** Though India is a federal country, more powers are given to the Union (Central Government), similar to Canada.
  - **Residuary powers:** In India, residuary powers (subjects not mentioned in state or concurrent list) rest with the Center, as in Canada.
  - **Appointment of Governors:** Like Canada's Lieutenant Governors, appointed by the Center.
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## IE Ireland

### Directive principles & nomination

- **Directive Principles of State Policy (DPSPs):** Inspired by Irish Constitution (1937), which in turn was influenced by the Spanish Constitution.
  - **Election of the President:** Indirect election model.
  - **Nomination of members to Rajya Sabha:** President's power to nominate 12 members from various fields is inspired by Irish practices.
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## AU Australia

### Federal principles & concurrent powers

- **Concurrent List:** Subjects on which both the Center and States can make laws.
  - **Freedom of trade and commerce between states:** Modeled on Australian Constitution.
  - **Joint Sitting of Parliament:** When there's a deadlock between the two houses, a joint session is held (borrowed from Australia).
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## DE Germany (Weimar Constitution)

### Emergency provisions

- **Emergency powers:** Suspension of fundamental rights and centralization of power during emergencies are inspired by the Weimar Constitution of Germany.
  - **President's powers during emergency:** Modelled on Article 48 of Weimar Constitution.
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## JP Japan

## Law-making procedure

- **Procedure established by law:** Borrowed from the Japanese Constitution, which allows Parliament to make laws and the judiciary to interpret them strictly based on what's written.
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## FR France

### Republican values

- **Ideals of Liberty, Equality, and Fraternity:** These are incorporated into the Preamble of the Indian Constitution and are directly inspired by the French Revolution.
  - **Republican system of governance:** Head of state is elected, not hereditary.
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## ZA South Africa

### Amendment process

- **Procedure for Constitutional Amendments:** Flexible and detailed amendment process modeled after South Africa's Constitution.
  - **Election of Rajya Sabha members:** Some procedural inspirations come from South Africa's indirect representation method.
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## RU USSR (Now Russia)

### Socio-economic principles

- **Fundamental Duties:** Included in the Constitution via 42nd Amendment (1976), inspired by the Soviet Constitution.
  - **Five-Year Plans and Planning Commission** (though not constitutional, were inspired by Soviet-style economic planning).
  - **Social and Economic Justice:** Reflected in the Preamble and Directive Principles.
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## Summary Table

| Country | Borrowed Elements                                                          |
|---------|----------------------------------------------------------------------------|
| UK      | Parliamentary system, Rule of Law, Single Citizenship, Writs, Legal System |
| USA     | Fundamental Rights, Judicial Review, Preamble, President's impeachment     |

| <b>Country</b>      | <b>Borrowed Elements</b>                             |
|---------------------|------------------------------------------------------|
| <b>Canada</b>       | Federal structure, Residuary powers, Governor's role |
| <b>Ireland</b>      | DPSPs, Presidential election, Rajya Sabha nomination |
| <b>Australia</b>    | Concurrent List, Trade Freedom, Joint Sitting        |
| <b>Germany</b>      | Emergency Provisions                                 |
| <b>Japan</b>        | Law-making procedure                                 |
| <b>France</b>       | Liberty, Equality, Fraternity                        |
| <b>South Africa</b> | Amendment process, Indirect elections                |
| <b>USSR</b>         | Fundamental Duties, Socio-economic rights            |