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Q5(c)

Mention the founding principles that define India's Constitution.

UPSC Civil Services Mains 2021 · PSIR GS 1 · 10 marks · Salient Features of the Indian Constitution

Salient Features of the Indian Constitution: The Preamble, Fundamental Rights and Duties, Directive Principles; Parliamentary System and Amendment Procedures; Judicial Review and Basic Structure doctrine.

Core demand of the question

- **Answer the following in about 150 words:** Mention the founding principles that define India's Constitution. (10 marks)

Revision summary

Founding principles are popular sovereignty, democracy, rule of law, secular equality, federal union, and social revolution.

Austin grouped them as unity, democracy, and social revolution.

The Preamble states justice, liberty, equality, and fraternity.

Ambedkar tied political democracy to social democracy.

Kesavananda treats a core of these principles as basic structure.

Introduction

Founding principles are the public terms of 1950 that still define the republic. Granville Austin grouped them as national unity, democracy, and social revolution. The Preamble and Kesavananda Bharati (1973) give the working list.

Body**Named principles**

- **Popular sovereignty:** "We, the People" authorise a limited Union, not a colonial Crown.
- **Constitutional democracy:** adult franchise, regular elections, and responsible government at the Centre and in the states.
- Rule of law and judicial review, later read as basic structure in Kesavananda and tested in Golaknath (1967) and Minerva Mills (1980).
- Liberty, equality, and fraternity, with Article 17 as equality against society, not only against the state.
- Secularism as equal public standing of religions, later named in the Preamble by the 42nd Amendment but present in the 1950 scheme of rights.
- Federalism with a strong Centre, single Constitution, and All-India Services, which Kothari's party system then inhabited.
- **Social revolution:** Directive Principles, reservations after the First Amendment, and Ambedkar's warning that political democracy needs social democracy.

How they define

- Principles are not ornaments. They are tests when Parliament amends, as in the First Amendment debate itself.
- **Rawls** would call them public terms of social cooperation. **Austin** called them a seamless web because one principle cannot be pulled out without tearing the others.

Flow diagram

Founding principles -> Unity
Founding principles -> Democracy
Founding principles -> Social revolution
Austin -> Founding principles
Kesavananda -> Founding principles

Conclusion

India's Constitution is defined by popular sovereignty, democratic government, rule of law, secular civic equality, federal union, and social revolution. **Austin's** three strands and the **Preamble** are the short list. Kesavananda made that list judicially enforceable as identity.

Facts & figures

Preamble

Enacting formula and ends: justice, liberty, equality, fraternity, later socialist, secular, integrity.

Austin

Three strands: national unity, democracy, social revolution.

Kesavananda, 1973

Parliament cannot amend away basic structure, a judicial list of founding identity.

Article 17

Abolition of untouchability as a founding equality principle against social custom.