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Constitutional Government and the Strength of Indian Democracy

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ABSTRACT

India's democracy is often understood through elections, political parties and the transfer of power. However, democracy also depends on the limits placed on government and the protection of citizens' rights. This article examines how the Constitution of India supports democratic government through fundamental rights, parliamentary accountability, federalism and judicial review. It also considers the distance that can emerge between constitutional ideals and people's everyday experiences. The central argument is that elections are necessary, but they are not sufficient: democracy is strongest when public power is exercised lawfully, institutions remain accountable, and citizens can participate as equals.

Keywords: Constitutionalism, democracy, fundamental rights, rule of law, accountability, India

Introduction

The Constitution of India came into force on 26 January 1950 and established the framework for a democratic republic. Its Preamble promises justice, liberty, equality and fraternity. These are not simply inspiring words; they provide standards against which government action and public life can be assessed. The Constitution also sets out how institutions are formed, what powers they possess and what limits apply to them (Government of India, Legislative Department, n.d.).

In my view, one of the most important questions in Indian democracy is not only whether citizens can choose their representatives, but whether those representatives remain answerable after elections. A government may enjoy an electoral majority, yet it must still act within constitutional boundaries. Constitutional government therefore connects popular rule with legality, rights and accountability.

Constitutional Government: Meaning and Importance

Constitutional government means that public authority is governed by established rules rather than the personal will of those in power. The Constitution is the supreme legal framework binding the legislature, executive and judiciary. The Supreme Court explains that it provides for parliamentary government, federalism, fundamental rights, equality before the law and judicial review (Supreme Court of India, n.d.). These features help prevent arbitrary decisions and give citizens legal grounds to question state action.

The separation of powers is not absolute in India, because the parliamentary system links the executive to the legislature. Even so, different institutions have different responsibilities. Parliament makes laws and scrutinises the government; the executive implements policy; and courts interpret the law and review whether state action is constitutional. Accountability becomes weaker when any institution avoids scrutiny or when checks and balances exist only on paper.

Fundamental Rights and Social Justice

Fundamental Rights, mainly contained in Part III of the Constitution, protect freedoms and equality. They include equality before the law, protections against specified forms of discrimination, freedoms such as speech and expression, and freedom of religion, subject to constitutional limitations. These rights matter because democracy is not only about what the majority wants. It must also protect individuals and groups whose views may be unpopular or who have less political influence.

The Directive Principles of State Policy, set out in Part IV, guide the state towards social and economic welfare. Although they are not enforceable in the same way as Fundamental Rights, they express the Constitution's concern with improving people's living conditions. Reading rights alongside these principles shows that Indian constitutionalism has both a political and a social dimension. Formal equality is important, but it may not produce equal opportunities when people face barriers related to caste, gender, disability, poverty or access to education and justice.

Elections, Participation and Accountability

Elections give citizens a direct way to reward or reject political leadership. The Election Commission of India's Atlas for the 2024 Lok Sabha elections records voter turnout of 66.10 per cent and approximately 64.64 crore votes polled (Election Commission of India, 2025). These figures show the extraordinary scale of electoral participation. At the same time, turnout alone cannot tell us whether every voter has equal access to information, whether political debate is fair, or whether elected representatives respond to public concerns between elections.

Democratic participation also takes place outside polling booths. Citizens raise questions through public discussion, civil society organisations, journalism, peaceful protest, local government and legal remedies. These activities can help bring everyday concerns to public attention. For participation to be meaningful, people need reliable information and the confidence that disagreement can be expressed peacefully. Misinformation and hostile political communication can make it harder to debate policies on evidence and to recognise opponents as fellow citizens.

Judicial Review and Constitutional Limits

An independent judiciary is an important safeguard when disputes arise over the meaning of the Constitution or the legality of government action. In *Kesavananda Bharati v. State of Kerala* (1973), the Supreme Court developed the basic structure doctrine, holding that Parliament's power to amend the Constitution does not extend to destroying its basic structure. The Supreme Court's official account identifies this judgment as a landmark in protecting constitutional supremacy and limiting the amending power (Supreme Court of India, n.d.-b).

Judicial review does not mean that courts should replace elected representatives in making every policy choice. Rather, it provides a constitutional check when legal limits or fundamental principles are at stake. The broader lesson is that no institution should be treated as beyond scrutiny. Courts must give reasoned decisions, governments must comply with constitutional requirements, and legislatures must take their law-making and oversight roles seriously.

Challenges and the Way Forward

India's constitutional framework is substantial, but the lived experience of democracy remains uneven. Social and economic inequalities can affect whose voices receive attention. Delays in the justice system may make legal rights difficult to exercise in practice. Political polarisation and misleading information can reduce the space for thoughtful public discussion. These problems cannot be solved by constitutional text alone; they require institutional effort and public participation.

A stronger democracy requires transparent decision-making, effective legislative scrutiny, independent institutions, accessible justice and civic education. Schools and universities can help students understand not only constitutional provisions but also how to question public claims and debate disagreements respectfully. Citizens also have a role: voting thoughtfully, checking information before sharing it, and respecting the rights of people with different views. Such practices help connect constitutional principles to everyday democratic life.

Conclusion

The strength of Indian democracy should not be measured by elections alone. Elections provide political choice, while constitutional government ensures that power remains limited by law and that rights do not depend entirely on the preferences of the majority. Fundamental Rights, federalism, parliamentary accountability and judicial review each contribute to this balance. Yet their effectiveness depends on how institutions behave and whether citizens can use their rights in practice. The Constitution provides the framework; democratic responsibility is the continuing work of public institutions and society.

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