



Measuring the Success of the Indian Constitution: A Reflection on Its Principles, Implementation, and Challenges

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ARTICLE DETAILS	ABSTRACT
Research Paper	
Keywords :	
Indian Constitution, Constitutional Success, Governance, Judiciary, Public Participation, Fundamental Rights, Federalism, Constitutional Challenges	<i>The Indian Constitution, adopted in 1950, was envisioned as a living document to establish justice, liberty, equality, and fraternity in India's diverse and democratic framework. Over seven decades, the Constitution has guided India through political, economic, and social transformations. However, the debate continues: Has the Indian Constitution succeeded in achieving its objectives, or has its failure resulted from inadequate implementation by governance institutions, judiciary, and society? This paper evaluates the Constitution's success by analyzing its foundational principles, democratic institutions, judicial interpretations, governance structures, public participation, and emerging challenges. By examining constitutional amendments, landmark judgments, and socio-political trends, this research aims to determine whether India's constitutional framework has delivered on its promises or if failures lie in governance and execution.</i>

1. Introduction

The Constitution of India is one of the most comprehensive and detailed legal documents in the world, laying the foundation for a democratic, secular, and socialist state. It was drafted by the Constituent Assembly, led by Dr. B.R. Ambedkar, and adopted on 26th November 1949. While the Constitution has ensured political stability, social reforms, and economic progress, India continues to face challenges such as corruption, misuse of power, judicial delays, and socio-economic disparities. The word "Constitution" originates from the Latin term *constitutio*, which means "establishment, arrangement, ordinance, or decree." It was used in ancient Rome to refer to imperial decrees and legal frameworks.



Etymological Breakdown

- **Latin:** Constituere (verb) → "to set up, establish, or arrange"
Com- (together) + statuere (to set, place)
- **Old French:** Constitucion (13th century) → "law, regulation, ordinance"
- **Middle English:** Constitucioun (14th century) → "act of establishing laws, governance structure"

Evolution of Meaning

- In medieval times, *constitutio* was used for papal and imperial edicts.
- By the 17th and 18th centuries, it evolved to denote a system of fundamental laws governing a state.
- The modern political meaning ("a nation's fundamental law") became widespread after the American and French Revolutions (18th century).

Thus, the word "Constitution" embodies the idea of setting up a structured, legal framework for governance, ensuring order and rights.

Meaning of Constitution

A constitution is a fundamental set of principles, rules, and laws that establishes the structure, powers, and functions of a government. It defines the rights and duties of citizens and provides the framework for governance. The constitution serves as the supreme law of a country, ensuring stability, justice, and democratic governance.

Definitions of Constitution

1. **Aristotle:** "A constitution is the arrangement of offices in a state, especially the highest of all."
2. **A.V. Dicey:** "A constitution is a set of laws, rules, and practices that create the basic institutions of the state and its component and related parts and stipulate the powers of these institutions and the relationship between different institutions and between those institutions and the individual."
3. **C.F. Strong:** "A constitution is the fundamental principles according to which a country is governed and by which the rights of its citizens are determined."
4. **Dr. B.R. Ambedkar (on the Indian Constitution):** "The Constitution is not a mere lawyer's document; it is a vehicle of life, and its spirit is always the spirit of age"



5. **Ivor Jennings:** “The Constitution is a document having a special legal sanctity which sets out the framework and principal functions of the organs of government within the state and declares the principles governing the operation of those organs.”
6. **Oxford Dictionary:** “A body of fundamental principles or established precedents according to which a state or organization is governed.”

Key Features of a Constitution

- Establishes the structure of government (legislative, executive, judiciary).
- Defines the rights and duties of citizens.
- Sets limits on government power.
- Ensures rule of law and justice.
- Provides a mechanism for amendments and evolution.

This paper seeks to answer critical questions:

1. What are the criteria for measuring the success of the Constitution?
2. To what extent has the Indian Constitution succeeded in achieving its goals?
3. Are constitutional failures due to the document itself, or have the institutions and individuals responsible for upholding it failed?
4. What steps can be taken to improve constitutional governance in India?

2. Criteria for Evaluating the Success of the Constitution

A constitution is considered successful when it:

- Ensures stability and adaptability in governance.
- Safeguards fundamental rights and freedoms of citizens.
- Facilitates effective governance through democratic institutions.
- Promotes socio-economic justice and reduces inequality.
- Encourages active citizen participation in the democratic process.

Based on these criteria, this paper evaluates the Indian Constitution's effectiveness.

2.1 Stability and Longevity

One of the greatest strengths of the Indian Constitution is its endurance.

- It has survived multiple political crises, including the Emergency (1975-77), secessionist movements, and economic reforms.
- Unlike Pakistan, where military rule has interrupted constitutional governance, India has remained a democratic republic.
- The Constitution has been amended over 100 times, showing its adaptability. However, frequent amendments (e.g., the 42nd Amendment, 1976) have sometimes been criticized as threats to constitutional integrity.

2.2 Protection of Fundamental Rights

Fundamental Rights are the essential rights granted by a country's constitution to protect individuals' freedom, dignity, and equality. These rights act as limitations on the power of the state and ensure that citizens can live with liberty and justice. In India, Fundamental Rights are enshrined in Part III (Articles 12-35) of the Constitution and are enforceable by the judiciary.

Dr. B.R. Ambedkar described Fundamental Rights as limitations on the power of the state, intended to protect individual liberty. A.V. Dicey defined them as legally enforceable rights that safeguard individuals from governmental abuse. D.D. Basu viewed them as rights fundamental to life and liberty, which the state cannot infringe upon except through a legal procedure. Justice Bhagwati, in *Maneka Gandhi v. Union of India* (1978), emphasized that Fundamental Rights embody the basic values cherished by Indian society since ancient times and uphold human dignity. Black's Law Dictionary defines Fundamental Rights as those derived from the fundamental law of the land, essential to individual liberty and dignity.

In India, Fundamental Rights include the Right to Equality, Right to Freedom, Right against Exploitation, Right to Freedom of Religion, Cultural and Educational Rights, and Right to Constitutional Remedies. These rights form the backbone of democracy, ensuring that every citizen is treated fairly and has access to justice.

- The Supreme Court has played a vital role in protecting fundamental rights through landmark cases like *Kesavananda Bharati v. State of Kerala* (1973), which established the Basic Structure Doctrine.
- However, certain periods, such as the Emergency (1975-77), saw the suspension of fundamental rights, raising concerns about executive overreach.



- Recent judgments, such as decriminalizing Section 377 IPC (Navtej Singh Johar v. Union of India, 2018) and recognizing privacy as a fundamental right (K.S. Puttaswamy v. Union of India, 2017), have reaffirmed the Constitution's progressive nature.

2.3 Functioning of Democratic Institutions

Democratic institutions are the foundational structures and mechanisms through which a democracy functions, ensuring governance based on the principles of representation, accountability, and the rule of law. These institutions include the legislature, executive, judiciary, election commissions, independent regulatory bodies, and local self-governments, which work collectively to uphold democratic values. They provide a framework for decision-making, protect citizens' rights, and facilitate public participation in governance.

The United Nations defines democratic institutions as systems that support free and fair elections, protect fundamental freedoms, and promote transparency and accountability. Robert Dahl describes them as structures that enable political competition, public participation, and effective governance. Seymour Martin Lipset emphasizes that democratic institutions are essential for political stability and economic development by ensuring checks and balances. Justice Bhagwati in Indian jurisprudence highlighted that democratic institutions must function in harmony with constitutional principles to safeguard democracy.

In India, democratic institutions operate within the framework of the Constitution of India, with key institutions such as Parliament, the Supreme Court, the Election Commission, and Panchayati Raj institutions playing a vital role in governance. Their effectiveness determines the strength and success of democracy in ensuring justice, equality, and participation for all citizens.

- The Indian Constitution envisions a parliamentary democracy where checks and balances prevent abuse of power.
- **Successes:** India has conducted free and fair elections since 1951 under the Election Commission's supervision. The Right to Information Act (2005) has enhanced transparency.
- **Failures:** Rising criminalization of politics, increasing use of ordinances, and parliamentary disruptions indicate institutional weaknesses.
- **Electoral Bonds Case (2024 judgment):** exposed lack of transparency in political funding, questioning the credibility of the electoral process.

2.4 Social and Economic Justice

Social and economic justice refers to the fair and equitable distribution of resources, opportunities, and rights within a society, ensuring that all individuals, regardless of their background, have access to basic necessities and an equal chance to succeed. It aims to eliminate discrimination, bridge socio-economic inequalities, and create a society based on fairness, dignity, and inclusivity. Social justice focuses on eliminating discrimination based on caste, gender, religion, or socio-economic status, while economic justice ensures fair wages, equal opportunities, and the reduction of wealth disparities.

Dr. B.R. Ambedkar defined social and economic justice as essential for achieving true democracy, ensuring that economic power is not concentrated in a few hands and that the weaker sections of society receive adequate protection. John Rawls described it as a system where social and economic inequalities are arranged to benefit the least advantaged. Amartya Sen emphasized that justice should be about enhancing people's capabilities and ensuring access to opportunities that allow them to lead a dignified life. The Preamble of the Indian Constitution explicitly mentions social and economic justice as key objectives, ensuring policies and laws work towards the upliftment of marginalized communities. Through instruments such as reservations, labor laws, and welfare schemes, India strives to achieve a balance between individual rights and collective welfare.

- The Directive Principles of State Policy (DPSP) aim to promote socio-economic justice.
- Welfare schemes like MGNREGA (2005) and the National Food Security Act (2013) align with constitutional goals.
- However, persistent issues such as caste discrimination, gender inequality, unemployment, and farmer distress indicate that constitutional ideals are yet to be fully realized.

2.5 Public Participation and Awareness

Public participation in governance refers to the active involvement of citizens in decision-making processes, policy formulation, and implementation of laws to ensure transparency, accountability, and inclusivity in governance. It strengthens democracy by allowing people to voice their opinions, influence policies, and hold authorities accountable for their actions. This participation can take various forms, such as voting in elections, engaging in public consultations, joining civil society organizations, and using digital platforms to interact with the government.

The United Nations defines public participation as a process that enables citizens to contribute to governance, ensuring that decisions reflect the needs and aspirations of the people. John Stuart Mill emphasized that active citizen involvement in governance fosters political awareness and strengthens



democratic institutions. Amartya Sen highlighted that public participation is essential for social justice, as it helps shape policies that address the needs of marginalized communities. In India, the Constitution guarantees public participation through mechanisms such as elections, the Right to Information (RTI) Act, Gram Sabhas, and Public Interest Litigation (PIL), ensuring that governance remains people-centric and responsive to societal needs.

- Democracy thrives on an informed and active citizenry. However, issues such as low voter turnout, fake news, and political apathy raise concerns about democratic engagement.
- Constitutional literacy programs are necessary to educate citizens about their rights and duties.

3. Constitutional Vision vs. Ground Reality

Constitutional vision refers to the fundamental ideals, principles, and long-term objectives embedded in a nation's constitution that guide its governance, legal framework, and societal development. It reflects the aspirations of the people, ensuring justice, liberty, equality, and fraternity while upholding democratic values and human rights. A constitution's vision serves as a blueprint for political, social, and economic progress, shaping the functioning of institutions and the protection of individual freedoms.

Dr. B.R. Ambedkar described constitutional vision as the foundation of a just and inclusive society, ensuring that governance operates within the framework of democracy and social justice. Granville Austin emphasized that the Indian Constitution is based on the vision of "social revolution," aiming to transform society through legal and institutional mechanisms. John Rawls viewed constitutional vision as the pursuit of fairness and equality, where laws must align with the principles of justice. In India, the Preamble of the Constitution embodies its vision by committing to sovereignty, socialism, secularism, democracy, and republicanism, ensuring that governance is directed toward the welfare and dignity of all citizens.

Despite the Constitution's robust framework, gaps remain in its implementation:

3.1 Democracy and Political Governance

- The Parliamentary system has faced challenges such as horse-trading in legislatures, misuse of Article 356, and executive overreach.
- The anti-defection law (Tenth Schedule, 1985) has failed to curb political instability.
- Electoral malpractices and influence of money power question the legitimacy of democratic processes.



3.2 Judiciary as the Guardian of the Constitution

- The judiciary has been a protector of constitutional values, but concerns about judicial delays, pending cases (over 4 crore cases in courts), and lack of transparency in appointments (Collegium system debate) remain.
- Judicial activism (*Vishaka v. State of Rajasthan*, 1997) has played a positive role, but judicial overreach in cases like the National Judicial Appointments Commission (NJAC) case (2015) raises concerns.

3.3 Federalism and Centre-State Relations

- The GST Council disputes, abrogation of Article 370, and frequent use of Governors for political gains indicate growing tensions between the Centre and States.

3.4 Secularism and Religious Harmony

- While Article 25-28 guarantees religious freedom, rising communal tensions, mob lynchings, and politicization of religion challenge the secular fabric of India.

4. Case Studies: Landmark Events in Constitutional Success and Failure

4.1 Success Stories

- **Right to Information Act, 2005** – Enhanced transparency.
- **Triple Talaq Ban, 2019** – Empowered Muslim women.
- **Supreme Court Verdict on Electoral Bonds (2024)** – Strengthened political transparency.

4.2 Failures and Challenges

- **The Emergency (1975-77)** – Highlighted constitutional vulnerabilities.
- **Farmers' Protests (2020-21)** – Showed gaps in policy-making and federalism.
- **NEET Examination Controversy** – Raised concerns about educational equity.

5. Conclusion: Has the Constitution Failed, or Have We?

The Constitution remains a visionary and resilient document. However, its success depends on governance, judiciary, and citizen participation. While India has made progress, political corruption, judicial inefficiencies, and democratic backsliding indicate implementation failures rather than constitutional failures.

6. Recommendations for Strengthening Constitutional Success

1. **Judicial Reforms** – Reduce backlog of cases, increase transparency in appointments.
2. **Electoral Reforms** – Address criminalization of politics, ensure transparency in funding.
3. **Public Awareness** – Strengthen constitutional literacy through education.
4. **Strengthening Institutions** – Improve parliamentary efficiency and accountability.
5. **Preserving Federalism** – Ensure equitable Centre-State relations.

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