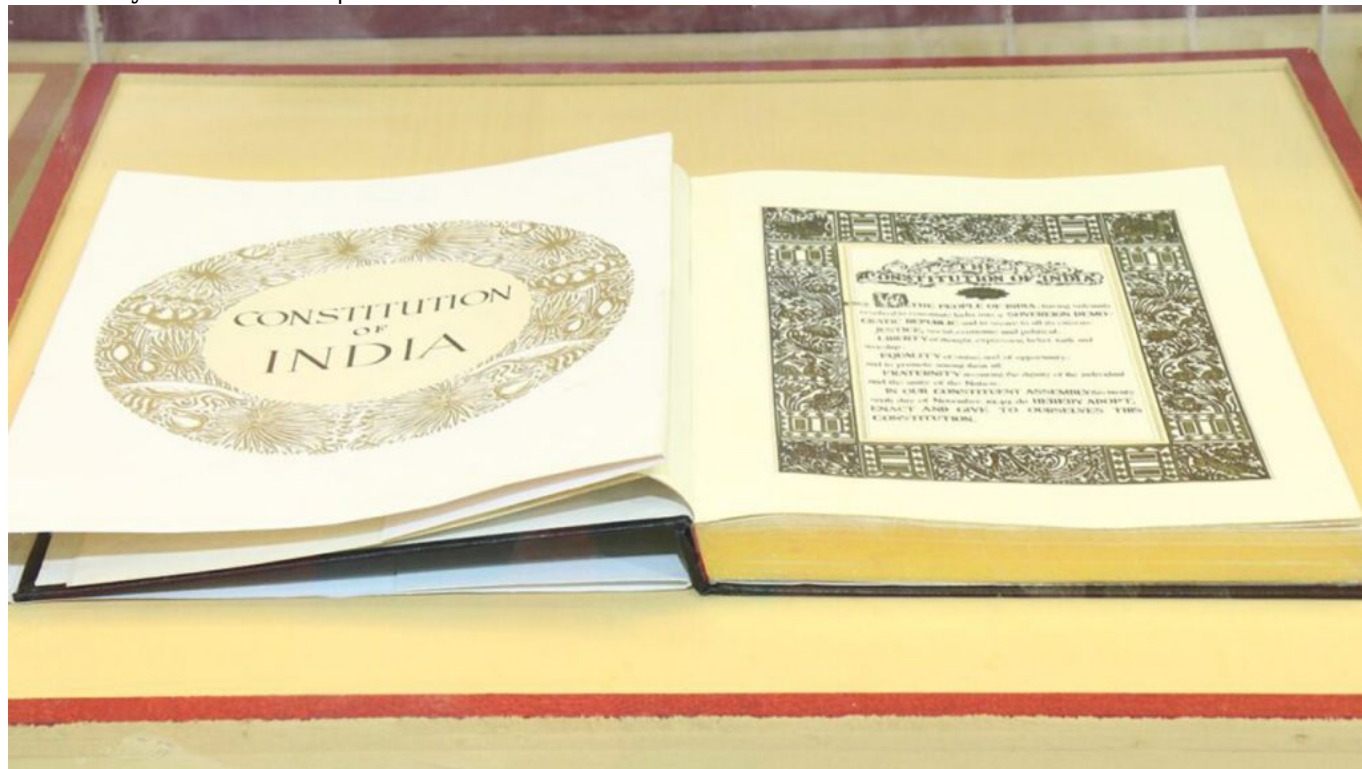


# Indian Constitutional Morality and Democratic Resilience

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**Context** - This Republic Day, as India marks the completion of 74 years of its constitutional functioning, the moral and ethical spirit of the Constitution that has phenomenally shaped the trajectory of constitutional democracy, needs to be delved into.

To adequately comprehend the promise and practice of the Indian Constitution, it is crucial to unpack its underlying moral or ethical tenets that have shaped or have been shaping the discourse of constitutionalism in India.

## **Ethical Background of Indian Constitution**

- **Constitution for Governance** - Constitutions are primarily seen as the legal edifice that prescribes the fundamental principles and rules crucial for governing a nation.
- **Legal Guiding Document** - The Indian Constitution, as the revered guiding document, for governing the post-colonial independent nation, consists of the prescription, pronouncements, and provisions that gave shape to India's legal-political system of governance.
- **Contains ethical values** - Beyond the legal directives and provisions, the document reflects a set of normative ethical values which the Indian Constitution makers perceived as integral for laying the foundation of the Indian Republic.
- **Basic premise of Constitutional morality** - Such constitutional predilection towards a set of 'substantive moral entailments' that goes beyond the legal-doctrinal reading of the Constitution entails the basic premise of constitutional morality.

## What is Constitutional Morality?

Constitutional morality refers to the set of moral principles and values that are reflected in the Indian Constitution and considered important for the proper functioning of Indian society. This includes not only legal rules but also broader ethical guidelines for how the country should be governed.

- **Constitutional Morality to Understand Democracy in India** - The premise of constitutional morality needs to be extrapolated to better understand the larger ethical dynamics that have consolidated the form and substance of democracy in India.
- **Two dimensions of representative democracy** - The practice of representative democracy is constituted by two dimensions: procedural democracy as well as substantive democracy. The former encapsulates the practice of electoral democracy while the latter also includes the larger substantive or qualitative impact of electoral democracy on the lives of the people.
- **Resilience of constitutional democracy in India** - Despite the apprehensions raised at the time of independence as India was dubbed as an 'improbable democracy', constitutional democracy in India undoubtedly remains stable and durable, manifesting its unflinching resilience in the last seven decades.
- **Ethical drivers of India's vibrant democratic continuity** - The success of India's vibrant democratic continuity, in spite of the humongous challenges of multi-dimensional diversity, geographical, and demographic expanse and other socio-economic hindrances can be attributed to the moral and ethical drivers of the Indian Constitution that needed to be deciphered further.

## Ethical Motivation and Democracy

- **Democratic Ethic of the Indian Republic** - The book, Politics and Ethics of Indian Constitution, notes that the Constitution at its very inception identified itself to belong to the 'people' underlining the democratic ethic of the Indian Republic. The Constitution's genuinely egalitarian project manifested in the granting of the universal adult franchise to all sections of people in India.
- **Right to Vote** - India, by virtue of its constitutional inclination towards inclusivity, commenced universal political enfranchisement immediately after the independence while the right to vote has been granted to women in stable western democracies much later after their independence.
- **Autonomous Election Commission and free and fair elections** - The constitutionally designated Election Commission in India functions as an autonomous body and has remained successful in conducting largely free and fair elections. Voter turnout has remarkably increased since then, especially women to be mentioned. Also, the instances of major electoral violence have also declined with time.
- **Political participation and equal opportunity** - In tandem with the principle of inclusiveness based on the idea of equal political opportunity that the Indian constitution espoused, India witnessed a gradual increase in the political participation and representation of the hitherto marginalized and weaker sections of people.
- **Strengthening democratic credentials through fundamental rights** - The fundamental rights rolled out by the Constitution have acted as an extremely helpful instrument for

strengthening India's democratic credentials by making the 'modern citizen' aware of their political, legal and civic rights based on the inalienable principle of individual liberty.

- **Welfare state by Directive Principles of State Policy** - The Indian Constitution includes important but non-enforceable provisions for welfare in the Directive Principles of State Policy (DPSP). These provisions have helped to expand welfare and development programs in electoral politics, and have given many people access to basic necessities for a decent life, in line with the democratic ideal of a better life for all.

## Conclusion

The values of freedom, fraternity, equality and social justice in the Indian Constitution have enabled inclusive participation and given citizens the power to demand welfare and development. Thus, the inextricably embedded values of India's constitutional morality have played a pivotal role in strengthening the ethical vision of democracy, despite challenges, further enhancing India's democratic resilience.