

usually focus upon the rights of the citizens, for instance, rights concerning language, speech, religion, assembly, the press, property and so on.

3. **Organizational frame work:** It provides organizational framework for the governments. It defines the functions legislature, executive and judiciary, their inter-relationship, restrictions on their authority etc.
4. **Levels of Government:** Constitution generally explains the levels of different organs of the Government. Whether it is federal, confederal or unitary will be described by the Constitution. They delineate the power levels of national and provincial governments.
5. **Amendment provision:** As it would not be possible to foretell all possibilities in future with great degree of accuracy, there must be sufficient provisions for amendment of the Constitution. It should contain a set of directions for its own modifications. The system might collapse if it lacks in scope for modification. Inherent capacity to change according to changing times and needs help any system to survive and improve.

Philosophical basis of constitution

1. The human being, according to the great **Greek Philosopher Aristotle**, is a political and social animal. Either human being or a family cannot survive in isolation. It became necessary for man to organize himself into communities and societies. With the growth of population, these societies grew and multiplied and some form of rules and regulation was needed. Out of this arose the need of the constitution.
2. In political theory, or political philosophy, **John Locke** refuted the theory of the divine right of kings and argued that **all persons are endowed with natural rights to life, liberty, and property and that rulers who fail to protect those rights may be removed by the people, by force if necessary** and establish the rule of law or rule of constitution.

The Indian constitution

The Indian constitution is considered a **revolutionary document** which was created not just to provide a book to rule / govern the nation but to change the life of millions of people and give them a life of dignity which was inherent from the idea of Swaraj during the Indian national movement. Thus it was based on various principles which can ensure the fulfilment of the aspirations of people of India as well as ensuring India's rightful position in the world.

Gautam Bhatia in his book – **"The transformative constitution"** held that Indian constitution was transformative in the sense that

1. It transformed the legal relationship between **the individual and the State**. It transformed the subjects of a **colonial regime into citizens of a republic**.
2. It replaced the colonial logic of governing and administering a population with the democratic logic of popular sovereignty, public participation, and limited government.
3. Apart from the guarantee of universal adult franchise and the structures of parliamentary democracy, this transformation was expressed through the fundamental rights that embodied citizenship and made democracy possible.

Thus the Indian constitution is the combination of the various principles inspired by India's rich tradition, India's struggle for independence as well as the vision of our founding fathers like Mahatma Gandhi, Ambedkar, Sardar Patel and Nehru which has been reflected in the provisions of the constitution.