

1. Introduction to Constitutions

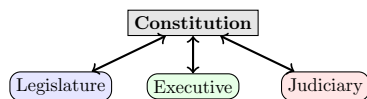
A **constitution** is a fundamental legal and political document that establishes the framework, structure, procedures, powers, and duties of government institutions and defines the fundamental rights of citizens.

* **Codified vs. Uncodified:** Written in a single comprehensive document (e.g., USA, India) vs. spread across multiple statutes, conventions, and judicial precedents (e.g., UK). * **Rigid vs. Flexible:** Requires special, difficult amendment procedures (e.g., US Article V) vs. amendable via ordinary legislative process. * **Federal vs. Unitary:** Division of power between central and regional governments vs. absolute centralization of authority.

2. Core Organs of Government

Based on the **Separation of Powers** (Montesquieu):

* **Legislature:** Makes laws (Parliament, Congress). * **Executive:** Enforces laws (President, Prime Minister, Cabinet). * **Judiciary:** Interprets laws and ensures constitutional validity (Supreme Courts, Constitutional Courts).



3. Fundamental Rights Liberties

Constitutions typically enshrine inalienable rights to protect individuals against state overreach:

* **Civil Political Rights:** Freedom of speech, assembly, religion, and equal protection under the law. * **Socio-Economic Rights:** Right to education, healthcare, and livelihood (often directive principles or policy goals). * **Due Process of Law:** Ensures fair treatment through the normal judicial system, especially a citizen's entitlement to notice of charges and a hearing.

4. Constitutionalism vs. Constitution

* **Constitution:** The baseline text and institutional setup. * **Constitutionalism:** The *philosophy* and practice of limited government, rule of law, and adherence to constitutional values. Power must be legally limited.

5. Landmark Judicial Review

* **Judicial Review:** The power of courts to review legislative and executive actions to ensure they conform to the constitution. * *Marbury v. Madison* (1803): Established the principle of judicial review in the United States, cementing the judiciary as a co-equal branch.