

Comparison of the Indian Constitution with Other Countries

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The Indian Constitution is a unique blend of global constitutional ideas adapted to suit India’s diverse society and governance needs. It borrows features from countries like the United Kingdom, United States, France, Russia and Canada while maintaining its own identity. Unlike many nations, it combines federalism with a strong central authority and ensures detailed provisions for governance. The detailed comparison of the Indian Constitution with Other Countries is discussed below in the article.

Borrowed Features of the Indian Constitution

The framers drew inspiration from multiple countries to incorporate best practices. The table below provides a structured overview:

Borrowed Features of the Indian Constitution	
Source	Features Borrowed

Government of India Act, 1935	Federal Scheme, Office of Governor, Judiciary, Public Service Commissions, Emergency Provisions, Administrative Details
United Kingdom	Parliamentary Government, Rule of Law, Legislative Procedure, Single Citizenship, Cabinet System, Parliamentary Privileges, Bicameralism
United States	Fundamental Rights, Judicial Review, Independence of Judiciary, Impeachment of President, Vice-President Post
Ireland	Directive Principles of State Policy (DPSP), Election of President, Nomination to Rajya Sabha
Canada	Strong Centre, Residuary Powers with Centre, Appointment of Governors
Australia	Concurrent List, Freedom of Trade and Commerce, Joint Sitting
Germany (Weimar)	Emergency Provisions, Suspension of Fundamental Rights
Russia (USSR)	Fundamental Duties, Social Justice ideals
France	Republic system, Liberty, Equality, Fraternity
South Africa	Constitutional Amendment Procedure, Rajya Sabha Election
Japan	Procedure Established by Law

Comparison of the Indian Constitution with United States

The Indian Constitution and that of the United States are both written and federal in nature, with provisions for fundamental rights and judicial review. The similarities and differences between the **Indian Constitution** and United States have been highlighted below.

Similarities between Indian Constitution and United States

- Both India and the United States have **written constitutions**, where India's is the most detailed and extensive, while the US Constitution is among the oldest and more concise in structure.

- Both countries follow a **federal system**, where powers are divided between the central authority and states, with India specifying this division through the Seventh Schedule and the US through constitutional provisions.
- Both provide **constitutional protection of citizens' rights**, with India guaranteeing Fundamental Rights (Articles 12-35) and the US ensuring freedoms through the Bill of Rights.
- In both systems, the judiciary has the power of **judicial review**, allowing courts to interpret the Constitution and invalidate laws that violate constitutional principles.
- Both nations have a **bicameral legislature**, where India has **Lok Sabha** and Rajya Sabha, while the US has the House of Representatives and the Senate to ensure balanced law-making.
- India and the US are **republics**, meaning the head of state is elected rather than hereditary, reflecting democratic governance.
- Both constitutions begin with a **Preamble**, expressing core ideals and values, with the phrase "We the People" highlighting the principle of popular sovereignty.

Differences between Indian Constitution and United States

- The Indian Constitution is **extensive and highly detailed**, containing numerous articles, parts, and schedules, whereas the US Constitution is **brief and compact**, with only a few articles and amendments.
- The United States established its constitutional system in **1789**, while India adopted its Constitution in **1950**, defining itself as a sovereign, socialist, secular, and democratic republic.
- The US follows a **strict federal model**, whereas India has a **quasi-federal structure** where the Centre can exercise overriding powers in certain situations.
- The American federation was formed through an **agreement among independent states**, while India's federation was **created by the Constitution itself**, not by state consent.
- India provides for **single citizenship**, ensuring uniform national identity, while the US allows **dual citizenship** at both state and federal levels, and even internationally.
- In India, representation in Parliament is **largely population-based**, whereas in the US, each state has **equal representation in the Senate regardless of size**.
- The Indian Constitution divides legislative powers into **Union, State, and Concurrent Lists**, while in the US, powers are **clearly separated between federal and state governments**.
- Indian states **do not have the right to secede**, whereas the US system historically emerged from a union where states had greater autonomy in theory.
- **Residuary powers lie with the Centre in India**, whereas in the US, such powers are **reserved for the states**.
- India operates under a **single constitutional framework** for both the Union and the states, while in the US, **each state has its own constitution in addition to the federal Constitution**.
- India maintains **uniformity in major laws**, especially criminal laws, whereas in the US, laws **vary significantly from state to state**.
- The Indian Parliament has the authority to **alter state boundaries and names**, while in the US, the federal government **cannot unilaterally change state boundaries**.
- The Indian Constitution uses the term **"Union of States"**, while the US Constitution explicitly emphasizes the term **"federal"** structure.

- India follows a **parliamentary system**, where the Prime Minister is the real executive, whereas the US follows a **presidential system**, where the President holds executive authority.
- Judges in the US enjoy **lifetime tenure**, whereas in India, judges have **fixed retirement ages**, ensuring periodic judicial turnover.

Comparison of the Indian Constitution with United Kingdom

The Indian Constitution and that of the United Kingdom share features like a parliamentary system and rule of law, though their structural nature differs. The similarities and differences between the Indian Constitution and the United Kingdom have been highlighted below.

Similarities between Indian Constitution and United Kingdom

- Both countries follow a **cabinet form of government**, where the Council of Ministers functions on the principle of collective responsibility to the lower house.
- India and the United Kingdom adopt a **parliamentary system**, in which the executive is accountable to the legislature and remains in power only with majority support.
- The presence of a **nominal and real executive** exists in both systems, with the President/Monarch as the ceremonial head and the Prime Minister as the real authority.
- Both nations have a **bicameral legislature**, ensuring checks and balance in the law-making process through two houses.
- The **Prime Minister is typically the leader of the majority party** in the lower house in both countries, and plays a central role in governance.
- The Indian system has borrowed heavily from the British model in terms of the **role and powers of the Prime Minister and cabinet functioning**.
- The **civil services structure in India reflects the British system**, emphasizing merit-based recruitment and neutrality in administration.
- Judges in both countries enjoy **security of tenure**, with removal only through a formal parliamentary procedure.
- Elections to the lower house in both India and the UK follow the **first-past-the-post system**, ensuring direct representation.

Differences between Indian Constitution and United Kingdom

- India has a **written and codified constitution**, while the United Kingdom follows an **uncodified constitution based on conventions and statutes**.
- The Indian Constitution was **framed by a Constituent Assembly**, whereas the British Constitution has **evolved gradually over centuries**.
- India follows **constitutional supremacy**, while the UK is based on the principle of **parliamentary sovereignty**.
- The amendment process in India is **structured and partly rigid**, while in the UK, the Constitution is **highly flexible and can be changed through ordinary laws**.

- India is a **republic with an elected President**, whereas the UK is a **constitutional monarchy with a hereditary ruler**.
- In India, the Prime Minister can be a member of **either house**, whereas in the UK, the Prime Minister is generally from the **House of Commons**.
- India allows a **non-member to become a minister temporarily**, while in the UK, only elected members of Parliament can hold ministerial positions.
- The **scope of judicial review is extensive in India**, whereas in the UK it is **limited due to parliamentary supremacy**.
- The UK does not include **Directive Principles or Fundamental Duties**, whereas India incorporates both as guiding principles and citizen responsibilities.
- The UK has a formal **Shadow Cabinet system**, while India does not have such an institutional arrangement.
- The **Speaker in the UK maintains strict neutrality and resigns from party affiliation**, whereas in India such resignation is not compulsory.
- In the UK, ministers may have **legal obligations such as countersigning acts of the monarch**, while this is not required in India.
- The UK allows **dual citizenship**, whereas India follows a system of **single citizenship**.
- **Constitutional conventions play a dominant role in the UK**, while in India, governance is largely guided by written provisions.

Comparison of the Indian Constitution with France

The Indian Constitution and that of France are both written and based on democratic principles, with provisions for rights and governance. The similarities and differences between the Indian Constitution and France have been highlighted below.

Similarities between Indian Constitution and France

- Both India and France have **written constitutions**, providing a formal legal framework for governance, although France has witnessed multiple constitutional phases before establishing its present system in 1958.
- Both countries follow a **republican system**, where the head of state is not hereditary but holds office under constitutional provisions.
- India and France have a **bicameral legislative structure**, ensuring deliberation and balance in the law-making process.
- Both constitutional systems provide for a **structured amendment procedure**, allowing adaptation to changing political and social needs.
- The constitutions of both nations include **emergency provisions**, enabling the state to respond effectively to crises.
- Both systems recognize the presence of a **President and a Prime Minister**, reflecting a dual executive framework in governance.

Differences between Indian Constitution and France

- India follows a **parliamentary system**, whereas France operates under a **semi-presidential system**, where executive powers are shared between the President and the Prime Minister.
- The Indian President performs a **largely ceremonial role**, while the French President exercises **significant executive authority**, including policy and administrative powers.
- In India, the President is **indirectly elected** and can serve multiple terms, whereas in France, the President is **directly elected by the people** and is limited to two consecutive terms.
- India has a **federal structure** with division of powers between Centre and States, whereas France follows a **unitary system** with centralized authority.
- India practices **inclusive secularism**, allowing state interaction with all religions, while France follows **strict secularism**, maintaining a rigid separation between religion and the state.
- India has an **integrated judicial system**, whereas France follows a **dual judicial structure** with separate administrative and civil courts.
- France provides for **institutional involvement of civil society** through bodies like advisory councils, while India does not constitutionally mandate such structured participation.
- France permits **dual citizenship**, whereas India follows a system of **single citizenship**.

Comparison of the Indian Constitution with Canada

The Indian Constitution and that of Canada are both written and federal in structure, with a strong central authority and parliamentary system of governance. The similarities and differences between the Indian Constitution and Canada have been highlighted below.

Similarities between Indian Constitution and Canada

- Both countries follow a **federal system with a strong central government**, ensuring national unity while allowing regional governance
- Both have a **written constitution** that clearly defines the structure and powers of government institutions
- Both adopt a **parliamentary form of government**, where the executive is responsible to the legislature
- Both maintain a **bicameral legislature**, ensuring checks and balance in law-making
- Both provide for an **independent judiciary** to interpret the Constitution and safeguard rights
- Both systems include a **division of powers between the Centre and provinces/states**
- Both recognize the concept of **constitutional supremacy**, where laws must conform to the Constitution
- Both allow for **judicial interpretation and review** of laws to maintain constitutional order
- Both systems reflect a **centralized federation**, where the Centre has comparatively stronger powers
- Both provide mechanisms to **resolve Centre-State disputes through courts**

Differences between Indian Constitution and Canada

- India is a **republic with an elected President**, whereas Canada is a **constitutional monarchy** with the British monarch as the head of state
- In Canada, the monarch is represented by the **Governor General**, while in India, the President is the constitutional head

- India has a **single, detailed constitutional document**, whereas Canada's Constitution is a **combination of statutes, conventions, and legal documents**
- India has an **integrated judicial system**, while Canada follows a **federal judicial structure with separate provincial courts**
- India provides **single citizenship**, whereas Canada allows **dual citizenship**
- The Indian Parliament has the power to **alter state boundaries**, whereas such powers are limited in Canada
- India includes **Directive Principles of State Policy and Fundamental Duties**, which are not present in the same form in Canada
- Canada's provinces enjoy **greater practical autonomy**, whereas India's Centre is comparatively stronger
- In India, Governors are **appointed by the Centre**, while in Canada, provincial arrangements function differently under federal principles
- The Indian Constitution is **more detailed and comprehensive**, while Canada's framework is relatively less elaborate

Source: <https://vajiramandravi.com/current-affairs/comparison-of-the-indian-constitution-with-other-countries/>

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