Polity & Governance · GS - II

Compare and contrast the British and Indian approaches to Parliamentary sovereignty.

EXAM YEAR	PAPER	SUBJECT
2023	GS - II	Polity & Governance

MARKS	WORD LIMIT
10	~150 words

Answer Hint

British parliamentary sovereignty places Parliament at the apex of law-making authority, whereas Indian constitutionalism subjects Parliament to a written Constitution, judicial review, fundamental rights and federal limitations.

Model Answer

Introduction

Parliamentary sovereignty refers to the supreme law-making authority of Parliament. Britain and India both follow parliamentary government, but their constitutional approaches to legislative supremacy are fundamentally different.

Body

Aspect	Britain	India
Constitutional basis	Uncodified constitutional framework	Written Constitution
Parliamentary power	Parliament is legally supreme	Parliament is constitutionally limited
Judicial review	Traditionally limited	Strong judicial review
Fundamental rights	No single entrenched written charter in the Indian sense	Fundamental Rights impose constitutional limits

Aspect	Britain	India
Constitutional amendment	Parliament has very wide authority	Amendment power is subject to constitutional limitations
Federal restrictions	Unitary constitutional tradition	Federal division of powers limits Parliament
Basic structure	No equivalent doctrine	Basic Structure doctrine restricts amendment power

Indian Position

Article 368 empowers Parliament to amend the Constitution, but **Kesavananda Bharati** established that Parliament cannot destroy its basic structure. Judicial review, federalism, constitutional supremacy and fundamental rights therefore limit parliamentary power.

Commonality

Both systems recognise Parliament as the central democratic law-making institution and operate through parliamentary government based on political accountability.

Conclusion

Thus, **Britain embodies parliamentary sovereignty, whereas India follows constitutional sovereignty with parliamentary government**. The Indian model seeks to balance democratic legislative authority with constitutional supremacy and individual rights.

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