



# Exploring the Role of Political Parties within Constitutional Law: A Comprehensive Review

Ashi Tyagi

Department of Computer Science & Engineering, Dr. A. P. J. Abdul Kalam Technical University, Lucknow, Uttar Pradesh, India.

Email: [2000ashityagi01@gmail.com](mailto:2000ashityagi01@gmail.com)

**ABSTRACT:** *Constitutional law is the form of law that defines the structure and function of government establishes the rights of citizens and ensures the separation of powers. It regulates how laws are made interpreted and enforced, safeguarding fundamental rights and maintaining the rule of law in a democratic society. It is also referring to the set of laws that establish and govern the structure of government define the roles of different branches and protect citizens' rights. It ensures that all laws and government actions comply with the Constitution's protection of democracy, human rights and the rule of law. This study aims to explain the role of political parties within constitutional law is essential for the functioning of a democracy because the political parties serve as key actors in the political system organizing elections representing various ideologies and helping to form governments. In the future, political parties may increasingly influence constitutional reforms, especially in areas such as digital rights, environmental laws, and social justice with the rise of technology and social media, political parties will have to adapt to new forms of communication and voter engagement ensuring that they remain relevant and accessible to the public.*

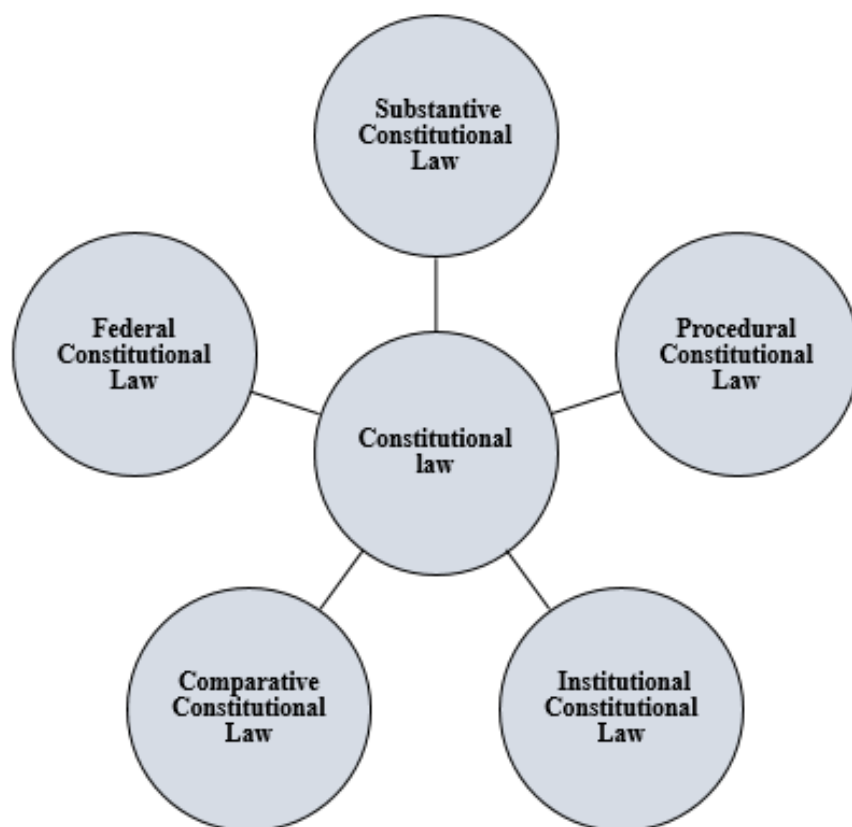
**KEYWORDS:** *Constitutional Law, Civil Law, Democracy, Government, Political Parties.*

## INTRODUCTION

Constitutional law is the set of rules that clarifies how government parts are organized what they can do and what rights people have it sets up the rules for how a country's government works and clarifies how different parts (like the executive, legislative, and judicial branches) connect with the people [1], [2]. Constitutional law deals with how power is shared between different levels of government (like national and state governments), protects people's rights and freedoms, and explains how to change or understand the Constitution. In many countries, the constitution is the most important law and all other laws have to follow its rules. This area of law is important for making sure everyone follows the rules keeping democracy safe and stopping people from misusing their power.

Legitimate law is a specific area of law that focuses on understanding and applying a country's constitution. It sets up the rules for how the government works and makes sure people's rights are protected. Constitutional law is mainly about how a government is set up how power is shared and limited and what the main parts of the government do this includes roles for the president, lawmakers and judges [3], [4]. It also controls how different levels of government

like the national and state governments interact in a federal system. Constitutional law focuses on making sure that laws and government actions follow the Constitution which is the highest legal document. This means keeping basic rights safe like the right to speak freely the right to a fair trial and other personal freedoms that are usually included in a list of rights. Also, constitutional law looks at how the Constitution can be changed or understood in new ways as society evolves. Courts, especially high courts are very important because they help clarify the rules in the Constitution, solve disagreements between different parts of the government and make sure laws follow the Constitution. Constitutional law helps keep the law fair makes sure different parts of government work together properly and protects people's rights and freedoms in the country.



**Figure 1: Shows the different types of constitutional law.**

Political parties play a crucial role within constitutional law by acting as key players in the democratic process and helping to shape government policies and decisions. Whereas constitutional law primarily focuses on the structure of government and the protection of individual rights, political parties contribute by organizing the political landscape mobilizing voters and providing candidates for election to public offices. In many democratic systems, political parties are essential for the functioning of representative democracy as they allow citizens to express their preferences, debate ideas and participate in elections [5], [6]. Constitutionally, political parties are often recognized as legitimate organizations that facilitate the political process and their activities are typically protected under the right to freedom of association. They also contribute to the system of checks and balances by ensuring diverse viewpoints are represented in the legislature and executive branches. In some countries, constitutional provisions may address the role of political parties in governance, such as their

role in forming a government after elections or the regulations governing their formation and activities. Political parties can influence constitutional reform and interpretation, as they advocate for changes to the constitution based on the political ideologies they represent. Overall, political parties are integral to the functioning of constitutional democracies by facilitating participation, accountability and the peaceful transfer of power. Figure 1 shows the different types of constitutional law.

The law is the part of the law that gathers about the basic rules a country follows to run its government. It looks at how government institutions are organized and how they work, as well as how to protect people's rights. It comes from a country's main legal document called the Constitution. This document is the highest law in the land and explains how the government is organized, how power is shared, and what different parts of the government are responsible for. Constitutional law explains what the legislative, executive, and judicial branches of government can do. It makes sure that each branch has limits so that no branch becomes too strong. It also talks about how different levels of government work together, especially in countries where power is shared between the national and state governments. Constitutional law involves protecting people's basic rights, like the freedom to speak being treated equally by the law and having a fair trial. In many places, the Constitution protects these rights and makes sure that the laws made by the legislature or actions taken by the executive follow the rules of the Constitution. They help understand the rules in the constitution check if laws follow those rules and make sure the government doesn't violate people's rights given by the constitution. Constitutional law includes the ways to change the constitution so it can keep up with changes in society while still holding on to the basic ideas in the area helps keep people's freedoms safe and makes sure the government works well is accepted by the people and follows rules by supporting fair laws and democracy. Table 1 shows the role of political parties within constitutional law across different countries with the year their constitutions were adopted or established.

**Table 1: Shows the role of political parties within constitutional law across different countries with the year their constitutions were adopted or established.**

Country	Year of Constitution	Role Of Political Party
UNITED STATE	1787	Political parties organize elections form governments and hold the legislature accountable.
INDIA	1950	Political parties are essential in forming governments, participating in elections and influencing policies.
GERMANY	1949	Political parties form coalitions, govern through the Bundestag and influence constitutional interpretations.
FRANCE	1958	Political parties influence the balance of power between the president and parliament and help pass constitutional amendments.
SOUTH	1996	Political parties shape democratic processes form governments, and influence constitutional changes.

JAPAN	1947	Political parties form the government and influence constitutional interpretation especially regarding executive powers.
CANADA	1867 (Constitution Act)	Political parties influence elections form the government, and contribute to constitutional interpretation.

These rights are included in the Constitution which is the highest legal document. It outlines how the government should work and how it should relate to its people. The Constitution helps stop the government from abusing its power. It makes sure that the laws made by lawmakers and the actions of the government are just and follow the basic rules of justice and equality initiated in the Constitution. The job of courts specifically top courts like supreme courts, is very important. They explain what the Constitution means, check if laws follow the Constitution, and protect people's rights [7], [8]. These courts are the final decision-makers on whether government actions break the rules set by the Constitution. They make sure that the government does not misuse its power or take away people's rudimentary rights. Also, constitutional law sets the rules for changing the constitution. This allows it to adapt to the needs of society while keeping the basic ideas of democracy and fairness. This process makes sure the government follows the law and acts fairly keeping the rule of law and associating democratic values [9], [10] Constitutional law helps keep a fair balance between government power and people's rights, promoting a fair, stable and democratic society.

### LITERATURE REVIEW

Ristawati *et al.* [11] discussed the Indonesian constitutional court's function in preventing social conflicts within a diverse community. In Indonesia's varied society, the Constitutional Court is important for keeping peace and stopping conflicts even though this impact is mostly indirect, the Court has a big effect done these judgments. This study describes how the Constitutional Court has helped reduce social conflicts and promote harmony among the country's different groups through its decisions to understand this main problem use a method based on the country's laws and the decisions made by the Constitutional Court especially about court reviews and election issues, will be looked at to show how the Court helps reduce social conflict. These reasons include political problems, differences in wealth, cultural clashes, tensions between religious or ethnic groups, arguments about borders in villages or larger areas, issues over natural resources and unequal sharing of these resources in society.

Botha *et al.* [12] explored whether the differentiation between work law and business law is an actual reality, or is simply a matter of belief. South African company laws changed a lot with the new Companies Act 71 of 2008. A key part of company law is encouraging good management of businesses. Companies need to answer not only to their investors but also to the community and society as a whole. Leaders should guide their company's plans and actions to reach three goals: making money, helping people, and protecting the environment. They need to run the business in a way that is good for the planet and society.

Ieva *et al.* [13] investigated the constitutional law, literature and matters communicated about with students in classes, meetings and discussions, and the connection with students with also wrote about his detailed studies and a series of works that were the highlight of his academic

career called "The State and Its Constitutional Law. Also, the diaries show how Lithuanian constitutional law started and how its rules and teachings have grown over time.

Sergey N. Baburin [14] described the success of Russian constitutional principles and laws. The article looks at a new three-part school course about Constitutional Law the examination of Russia's current Constitutional Law, alongside global trends in constitutional law shows new ways to understand the roles of constitutional and legal institutions in a positive light. The authors discuss their opinions on how Constitutional Law affects cooperation between states. They look at different cultural and historical approaches to constitutionalism and have strong debates about it. It is clear that the academic course is an important event in our country's study of Constitutional Law and can help make teaching better.

Laurynas Didžiulis [15] examined civil law as a part of the constitution, shaping constitutional law to be more relatable to everyday life, and moving towards a system of private constitutional law. In recent years, the Lithuanian Constitutional Court has shown that constitutional law is the main basis of the legal system. It is seen as more important than civil law, which is considered just a regular part of law that depends on the constitution. It was recognized that the Constitution is an important part of civil law but it was also stated that civil law rules cannot be used to create constitutional law or have any opposite effects. This idea is widely accepted in Lithuania and is seen as a result of the constitutional changes in civil law. The way the different areas of law are connected is more complicated than it might seem if just look at them as separate categories like constitutional law and regular law. Interestingly, the idea from constitutionalists that constitutional law is more important than civil law leads a legal expert to look deeper and find signs of private constitutional law forming.

Mikko Värttö [16] explored how the parliament employs emergency measures and policy. The study consultations about how parliamentary oversight of emergency actions and policies can help strengthen democracy and aid recovery from the COVID-19 pandemic. The study of the Finnish Parliament looks at what the Constitutional Law Committee says. This committee checks government proposals to make sure they follow the Constitution. The main focus of the analysis is on how the Committee checks if the emergency measures are allowed by the Constitution and how laws are written. The study shows that the committee thought the rules and exceptions about basic rights were fair and needed to keep the healthcare system from being overwhelmed in most situations. The reasons for the emergency actions were often unclear, and parliament's ability to get information was limited. These problems weakened the Parliament's ability to keep track of emergency actions and policies. The review of the constitution by parliament during the pandemic can still play an important role in safeguarding basic rights and democratic principles.

Suntana *et al.* [17] stated the four challenges to learning about constitutional law in Indonesia. The quality of teaching constitutional law in Indonesia includes how subjects are taught, the content of the curriculum, the resources used for learning, and the unclear topics in legal studies. This is the reason why many law graduates have low skills and struggle to find jobs in the legal field. Law teachers in Indonesia do not change how they teach or what they use for lessons. They focus more on teaching rather than on helping students learn. There aren't any organizations that look at how legal education is learned, set standards for it, or manage it, which makes it hard to measure how well students are learning to enhance the subpar quality of constitutional law education in Indonesia it is essential to tackle these four issues.



Ibarra Padilla *et al.* [18] explained the progress in achieving gender equality through reforms in Colombian constitutional law to celebrate 30 years of the Colombian Political Constitution, this article looks at how the ideas of gender and gender identity have changed in Colombian law and how they affect criminal law. It uses a strict legal approach to study the rulings of the Constitutional Court and related writings. The study explained that broadening the idea of gender and adding gender identity has helped improve women's political and reproductive rights. It has also led to new protections against different types of violence based on gender, including recognizing femicide (the killing of women) and trans femicide (the killing of transgender women) as crimes.

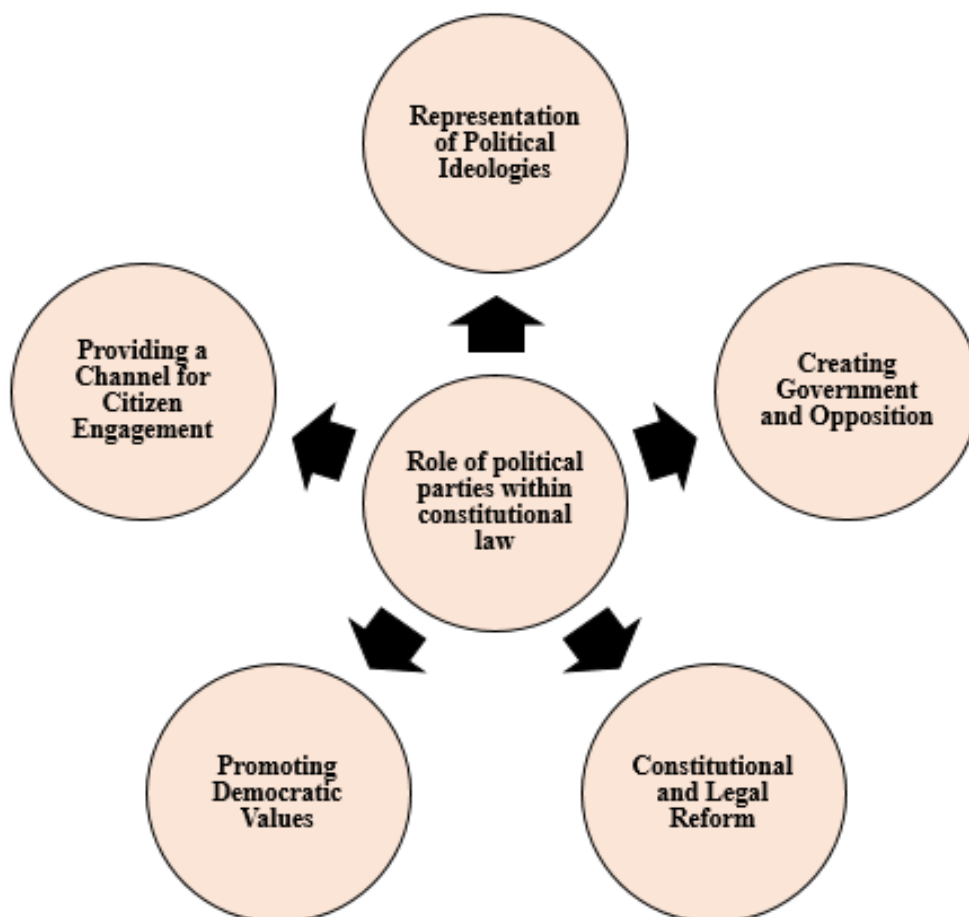
Martin H. Redish [19] discussed constitutional remedies as constitutional law's simple version of solutions provided by the constitution as part of the law. Almost all experts on the Constitution then the superlative high court rely on a system of government that relies heavily on judicial review. This means that the courts have the final authority to interpret what the Constitution says, especially when it comes to protecting the rights of minorities against the will of the majority. The key protections against tyranny that the Founding Fathers built into our government would mostly become useless or, at worst, a deceit to voters. It is confusing, but many of the same experts and judges believe that the political groups the Constitution aims to limit will have complete power over the solutions that are given. So, all the political groups have to do to avoid being checked by the Constitution is to stop the courts from having any power to carry out their rulings. This confusing contradiction takes away the main purpose of the judicial review process, which is very important for democracy in America. Neither experts on the Constitution nor the Supreme Court have acknowledged the major logical problem or the serious real-world risks that come from giving the government branches that the Constitution is meant to limit the ultimate authority to decide how to enforce constitutional rules.

Zainuddin Yustiloviani *et al.* [20] argued the progress of a dilemma in constitutional law for students enrolled in the Islamic law faculty in Indonesia's higher education system. This article looks at the issue of studying Constitutional Law at the Faculty of Sharia in Islamic universities in Indonesia. At the Faculty of Sharia, there is confusion about what Constitutional Law means, especially since it's an important subject there. The main topic of constitutional law is the study of basic laws also known as the Constitution. This study looked at various documents from the Siyasa department, such as its goals and mission statements, course outlines, textbook materials, teaching resources research articles and websites from Islamic colleges in Indonesia.

## DISCUSSION

Political parties are very important in how democracy works and in protecting people's rights. Political parties are important tools for organizing power in politics, representing different beliefs, and helping people to get involved in politics. They make sure the political system listens to what people want by giving voters clear options during elections. Political parties are important for making and keeping the government. They team up with others, choose people to run for office, and help make laws. In countries with a constitution, people usually have the right to start and join political parties [21], [22]. This right is important because it helps to different opinions and fair representation in democracy. Political parties help keep the government in check as part of the laws in our constitution. They make sure the leaders are responsible for their actions and encourage honest behaviour in how the government works. Figure 2 shows the Role of political parties within constitutional law.

Through elections, political parties ensure that citizens have a voice in choosing their leaders thereby reinforcing the principle of popular sovereignty. They also monitor the behavior of government officials, advocating for transparency, ethical conduct and adherence to the rule of law by functioning within the framework of constitutional law, political parties act as a check on the ruling party, scrutinizing government actions and proposing alternative policies. They are integral to the democratic process as they enable citizens to express their preferences and select leaders through elections, reinforcing the principle of popular sovereignty.



**Figure 2: Shows the role of political parties within constitutional law.**

In addition to representing the electorate, political parties monitor the behavior of government officials, advocating for ethical conduct, transparency and adherence to the rule of law. Political parties are watchdogs, monitoring the conduct of government officials to ensure transparency ethical behaviour and strict adherence to the rule of law. Their role extends beyond mere participation in elections, they help foster an environment where leaders are compelled to act in the best interest of the public, knowing they are being observed and evaluated by political opponents, the media and the electorate. This system of checks and balances strengthens the overall integrity of the government and helps prevent the abuse of power by encouraging transparency, promoting responsible governance and ensuring that public officials are answerable for their actions, political parties are essential in maintaining the health of democratic institutions and upholding constitutional principles. It also keeps citizens' rights by preventing any one branch from dominating the government or infringing on civil liberties. In addition, political parties are integral to this system as they provide an organized platform for public debate, represent diverse viewpoints and hold elected officials

accountable through elections and legislative actions. They help ensure that the government remains responsive to the people's needs while also upholding the core principles of democracy and the constitution.

#### *Providing a Channel for Citizen Engagement*

Political parties are the cornerstone of the democratic process in any constitutional democracy, serving as the primary means through which political ideologies are formulated and communicated to the electorate. By organizing around a common set of beliefs, parties give structure to political discourse making it easier for voters to align themselves with a platform that best represents their interests [20], [23]. Political ideologies whether progressive, conservative, liberal, or libertarian, influence not only party policies but also the direction of national debates on issues such as economics, social welfare, foreign policy and governance. In many constitutional frameworks, political parties are recognized as essential to the democratic process, as they help shape the policies of the government and provide voters with clear choices. This role ensures that different segments of society have their voices heard and that the government remains responsive to a broad spectrum of political thought as such, parties serve as the institutional mechanism for channeling diverse public opinion into practical governance.

#### *Promoting Democratic Values*

Political parties are fundamental in promoting and maintaining democratic values, such as equality, freedom of speech and respect for rights by providing a platform for discussion, debate and the exchange of ideas parties help to ensure that democracy is not only preserved but strengthened. Constitutional law often guarantees certain basic freedoms that allow political parties to function, such as freedom of association and the right to participate in elections. Political parties themselves become institutions where ideas are debated, public policies are formulated, and citizens are educated about the political process. Through their campaigns, party leaders articulate their visions for the future, proposing policies that align with their values and engage with public concerns. This dialogue between political parties and the electorate encourages citizen participation and fosters a sense of collective responsibility for the political and social outcomes of governance. Political parties, through their advocacy for democratic principles, ensure that the constitutional system remains dynamic, responsive and inclusive, protecting the democratic process from authoritarian tendencies or the erosion of rights.

#### *Constitutional and Legal Reform*

Political parties play a central role in pushing for constitutional and legal reform. As political ideologies evolve, parties often advocate for amendments to the Constitution to reflect these changes. For example, when parties push for expanded civil rights protections or new forms of electoral representation, they may seek constitutional amendments to solidify these changes. Political parties, especially those in power, use their influence in the legislature to propose and pass amendments that could alter the balance of power within government, enhance the protection of individual rights, or address emerging issues in society. Other, political parties may tournament explanations of constitutional law through the courts seeking judicial review of laws they believe to be unconstitutional. The ability of political parties to initiate reforms is essential for ensuring that the constitution remains relevant and reflective of societal shifts.



Constitutional law, therefore, provides the official process through which political parties can advocate for change, ensuring that democratic principles evolve beside the needs of society.

### *Creating Government and Opposition*

The process of creating a government and opposition is a key function of political parties within constitutional law. In many parliamentary systems, the political party or coalition with the most seats in the legislature forms the government, while those with fewer seats form the opposition. The government is responsible for introducing and implementing policies, while the opposition's role is to scrutinize and challenge those policies. This ensures a system of checks and balances, as the opposition acts as a counterbalance to the governing party, preventing the abuse of power. The constitution often outlines how parties interact with each other in the formation of government whether it be through coalition-building or single-party rule. For example, in cases of a coalition government, political parties negotiate power-sharing agreements to ensure that their respective interests are reflected in governance. This system encourages political dialogue, compromise and accountability. Opposition parties provide an alternative vision for governance which is essential for maintaining democratic competition and for offering the electorate a real choice at the next election.

### *Representation of Political Ideologies*

Political parties are the primary means through which citizens organize around shared beliefs and values, and in constitutional democracies, this is an essential function by forming political parties, individuals align themselves with specific policy platforms that reflect their economic, social, and cultural preferences. This helps provide clarity and direction in elections, as voters are often not just choosing individual candidates but also the underlying values and policies those candidates represent. Constitutional law typically protects the right to form and join political parties, acknowledging their role in enabling a diverse, pluralistic political system. By giving individuals, the freedom to organize and advocate for their interests, political parties help prevent the monopolization of power by any single group and ensure that a variety of voices are heard in the political arena [24], [25]. This alignment with ideologies also helps political parties shape the direction of the country, particularly when it comes to policy areas such as education, healthcare, security, and social welfare.

## **CONCLUSION**

Political parties play a critical and irreplaceable role within constitutional law acting as the backbone of democratic systems. They help structure the political landscape by organizing elections, offering voters choices, and enabling the formation of governments. Political parties ensure that the democratic process remains responsive to the people's needs, providing a mechanism through which citizens can actively participate in governance by representing a range of political ideologies, parties contribute to the diversity of ideas, fostering debate and discussions on important national issues. Constitutional law protects the right of individuals to form and join political parties, reinforcing the importance of political pluralism and freedom of expression. Beyond elections, political parties also influence the interpretation of the Constitution, advocating for reforms and shaping how constitutional principles are applied to modern-day challenges. They hold governments accountable, ensuring that the laws passed by the legislature and actions taken by the executive align with constitutional values. In times of societal change, political parties are crucial in pushing for constitutional amendments that address new issues while safeguarding the core democratic ideals. Political parties are essential

for the maintenance of democratic systems, ensuring that governments remain accountable transparent and aligned with the principles of justice and equality.

## REFERENCES

- [1] N. A. R. Al Ali, E. O. Tchinaryan, R. M. Dzhavakhyan, and N. V. Lutovinova, "Execution of judgments of the European Court of Human Rights," *Int. J. Innov. Technol. Explor. Eng.*, 2019, doi: 10.5937/zrpfns53-20671.
- [2] A. M. Maués, "30 years of constitution, 30 years of constitutional change," *Rev. Direito GV*, 2019, doi: 10.1590/2317-6172201934.
- [3] M. Künnecke, "German Constitutional Law in the UK Supreme Court," *Liverp. Law Rev.*, 2019, doi: 10.1007/s10991-019-09221-3.
- [4] M. Tushnet, "The globalisation of constitutional law as a weakly neo-liberal project," 2019. doi: 10.1017/S204538171800028X.
- [5] E. Bottini, "Constitutional Customary Law and Constitutional Sanction: an Antinomy?" *Noesis*, 2020, doi: 10.4000/noesis.5169.
- [6] P. Dann, M. Riegner, and M. Bönnemann, *The Global South and Comparative Constitutional Law*. 2020. doi: 10.1093/oso/9780198850403.001.0001.
- [7] Dewi Andriani, "Term of Office of Constitutional Judges and Its Implications for the Independence of Judicial Power," *JUSTICES J. Law*, 2024, doi: 10.58355/justices.v3i1.40.
- [8] K. Sehgal and S. Das, "Significance of Compensatory Jurisprudence Under The Employees Compensation Act, 1923," *Int. J. Law Soc. Sci.*, 2024, doi: 10.60143/ijls.v9.i1.2023.83.
- [9] A. Arlis, "The Concept of Legal Intensity: Harmonizing God's Rule within Constitutional Law," *Walisongo Law Rev.*, 2023, doi: 10.21580/walrev.2023.5.2.14123.
- [10] O. Kozynets and N. Kostyuchenko, "Court precedent as a source of constitutional law of foreign countries," *Uzhhorod Natl. Univ. Herald. Ser. Law*, 2023, doi: 10.24144/2307-3322.2022.75.1.16.
- [11] R. Ristawati and R. Salman, "The Role of The Indonesian Constitutional Court in Preventing Social Conflict in A Diverse Society," *Const. Rev.*, 2023, doi: 10.31078/consrev925.
- [12] M. Botha, "The different worlds of labour and company law: truth or myth?" *Potchefstroom Electron. Law Journal/Potchefstroomse Elektron. Regsbl.*, 2015, doi: 10.4314/pelj.v17i5.06.
- [13] I. Deviatnikovaitė, "Constitutional Law in the Diaries of M. Römer," *Logos (Lithuania)*, 2022, doi: 10.24101/logos.2022.24.
- [14] S. N. Baburin, "A new achievement of Russian constitutionalism and constitutional law," *Gos. i Pravo*, 2021, doi: 10.31857/S102694520014029-2.
- [15] L. Didžiulis, "Constitutionalisation of Civil Law, Civilisation of Constitutional Law and Way towards Private Constitutional Law," *Vilnius Univ. Open Ser.*, 2024, doi: 10.15388/kjl.2023.4.
- [16] M. Värttö, "Parliamentary oversight of emergency measures and policies: A safeguard of democracy during a crisis?," *Eur. Policy Anal.*, 2024, doi: 10.1002/epa2.1190.
- [17] I. Suntana and T. Priatna, "Four obstacles to the quality of constitutional law learning in Indonesia," 2023. doi: 10.1016/j.heliyon.2023.e12824.
- [18] A. M. Ibarra Padilla, G. C. Martínez Martínez, and R. Sánchez Tamayo, "Advances in equality from a gender perspective in Colombian constitutional law," *Anal. Polit.*, 2021, doi: 10.15446/anpol.v34n101.96556.
- [19] M. H. Redish, "Constitutional Remedies as Constitutional Law," *SSRN Electron. J.*, 2020, doi: 10.2139/ssrn.3669110.

- [20] Zainuddin, Yustiloviani, A. Raus, and Mauliddin, “An Ambiguity of Constitutional Law Major at the Faculty of Sharia of Islamic Higher Education Institutions in Indonesia,” *Maz. J. Pemikir. Huk. Islam*, 2019, doi: 10.21093/mj.v18i2.1595.
- [21] M. L. C. de Araújo and R. C. L. L. Roriz, “State Constitutional Law and Education: the contribution of federalism to the expansion of the fundamental right to free higher education,” *Law Justice J.*, 2023, doi: 10.5335/rjd.v37i1.14847.
- [22] G. Cicchiello, “The Right to Food: Trends and Comparative Analysis of Legal Frameworks in Italy, Brazil and the United States,” *Eur. J. Comp. Law Gov.*, 2023, doi: 10.1163/22134514-BJA10053.
- [23] J. I. Colón-Ríos, “The State of Comparative Constitutional Law: What are Constitutions For?,” *Dikaion*, 2022, doi: 10.5294/dika.2022.31.2.13.
- [24] D. P. Fincato and B. L. Mendes, “The right to social security in cybersociety: a discussion in the light of constitutional law,” *A e C - Rev. Direito Adm. e Const.*, 2024, doi: 10.21056/aec.v23i93.1678.
- [25] J. R. Kanovitz, J. L. Ingram, and C. J. Devine, *Constitutional Law For Criminal Justice*, 16th Edition. 2024. doi: 10.4324/9781003247173.



This is an open access article distributed under the terms of the Creative Commons NC-SA 4.0 License Attribution—unrestricted use, sharing, adaptation, distribution and reproduction in any medium or format, for any purpose non-commercially. This allows others to remix, tweak, and build upon the work non-commercially, as long as the author is credited and the new creations are licensed under the identical terms. For any query contact: [research@ciir.in](mailto:research@ciir.in)