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## preface to the second edition

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Dr. D.D. Basu is not known in legal realms by his name alone but it is because of his maturity of understanding, excellence of elucidation and simplicity of expression which ranks him at the top amongst Indian Authors known, read and acclaimed throughout India and abroad. Amongst many of his outstanding works "Comparative Constitutional Law and Comparative Federalism" have always been recognized as unparalleled and incomparable works with any other book on the subject, much because of the in-depth study of special features and incidents of a Federal Constitution, from the standpoint of comparative law in addition to the exhaustive and analytical study of the theme and thought of Comparative Federalism.

The eloquences of the earlier edition was superb much because of excerpts from Constitutions of almost all the developed and developing countries with cross references of decisions on the intricacies of Comparative Constitutional Law and Comparative Federalism as interpreted by numerous Courts at national and international levels.

After discussing the broad features of a written Constitution in the first volume of this series on Comparative Constitutional Law, we now take up the special features and incidents of a Federal Constitution, from the standpoint of comparative law.

Obviously, the broad issues involved in the federal system have already been outlined in the Author's book on Comparative Constitutional Law by way of introduction to a written Constitution which is federal in nature. In the present one the author has dealt with the general features of federalism.

Political Science classified Constitutions as unitary and federal, from the organisational standpoint, *i.e.*, from the standpoint of distribution of governmental powers, vertically, in a system of 'dual government'. The object of this book, as a part of a Series on Comparative Constitutional Law, is to deal with that distribution of powers from the *legal* standpoint, that is, the justiciable issues which may be settled by the Courts through legal disputes. The norms of an *ideal* federal distribution, again, appertain to Political Science and Philosophy but are outside the province of this work. It is primarily concerned with the judicial interpretation of the provisions of a federal Constitution, on a comparative level.

Of course, so far as the treatment of Indian Constitutional law is concerned, there are several other works of this Author on the subject. But the special feature of the present one is that it gets at the root of decisions, irrespective of their authority, and gives the reader an opportunity of assessing the weight of those decisions in the light of the juristic

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**preface**  
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opinion of the world on the issue involved.

In view of the encyclopaedic nature of this book it would not be possible to reproduce the relevant texts of the Constitutions dealt with herein. So far as foreign Constitutions are concerned, it would be advisable for the reader to keep on his table a copy of the Author's "Select Constitutions of the World" so that the reader's information might be precise and correct.

The average lawyer in India, of course, is hardly interested in anything above digests such as the Author's Shorter Constitution of India, which integrates all decisions up-to-date but the top-ranking lawyer knows that he can meet unforeseen problems only with the indubitable principles which stand over unfurrowed fields. To discover such principles and those of them as are relevant for his purposes for the time being, the present work of research would be indispensable.

With all available resources at our end, expertise acquired and experience earned in the field, we have tried our level best to match more than the expectations of our distinguished readers and research scholars who are always in the quest of the latest.

We are really grateful and truly indebted to our esteemed readers whose urge to delve deeper and deeper in the mines of knowledge, led us to do our level best in the revision of this work. The utility of this work and the purpose of this edition would only be achieved in case this publication is found to be of any help to our esteemed readers and erudite scholars.

16th November, 2007

Editors

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