

Indian Constitution

The Preamble to the Constitution of India is not its part itself but it has its own importance. It explains the aims and ideology behind the document. If there is any vagueness or controversy about any part of Constitution it can be explained with the help of Preamble and that gives real importance to it. The Preamble of our Constitution un-ambiguously unfolds its basic principles.

The Preamble of the Constitution reads as under:

WE, THE PEOPLE OF INDIA, having solemnly resolved to constitute India into a SOVEREIGN SOCIALIST SECULAR DEMOCRATIC REPUBLIC and to secure to all its citizens:

JUSTICE, social, economic and political:

LIBERTY, of thought, expression, belief, faith and worship:

EQUALITY, of status and of opportunity; and to promote among them all;

FRATERNITY, assuring the dignity of the individual and the unity and integrity of the Nation:

IN OUR CONSTITUENT ASSEMBLY the twenty-sixth day of November 1949, do hereby ADOPT, ENACT and GIVE TO OURSELVES THIS CONSTITUTION.

The idea of the Preamble has been borrowed from Constitution of the U.S.A.

From the Preamble it is evident that republicanism, socialism, secularism, national sovereignty, justice, liberty, equality and fraternity

are the main pillars on which the constitutional structure of India is built. These terms need some elaboration.

The People. The term has been borrowed from the Charter of U.N.O. It implies that ultimate authority in India vests in the people. They are the sovereigns. It also implies that betterment of masses and raising their social, cultural and economic standards is the aim of this constitution.

Republicanism. The term republic implies an elected head of the State. The Constitution provides for the President of India who is elected for a term of 5 years by an indirect method. The election of the elected Members of the Indian Parliament and State Legislative Assemblies. It has been so arranged that voting strength of Parliament Members is almost the same as that of the State Legislative combined together.

Socialist. The term socialist has been added in the Preamble by the Forty-Second Amendment. This concept is not completely new, because the Congress at its Avasdi Session adopted socialism as its policy and has been constantly working for the establishment of a socialistic pattern of society. The amendment act has now formally included the term 'socialist' in the Preamble of the Constitution. The significance of this change is that now the government will be constitutionally bound to bring about socio-economic changes to ensure decent life to the Indian citizens.

Secular. The term secular has also been added in the Preamble by the Forty-Second Amendment. Ever since the inauguration of the constitution, the citizens of India have enjoyed complete religious freedom and the state abstained from giving preferential treatment to any religion. In short it behaved as a secular state but it was not described so in the Preamble. This deficiency has been removed by the Forty-second amendment. Now secular character of the state is established beyond all doubts.

Democracy. Democracy implies that all governmental authority is derived from the people and is exercised by a government

consisting of their representatives elected on the basis of adult suffrage. In its broad sense, democracy embraces, in addition to political democracy, social and economic democracy as well. It is in this latter sense that the term "democratic" is used in the Preamble.

National Sovereignty. The Constitution makes India a Sovereign Republic, that is, it is not subject to any other authority either in her internal affairs or external relations and transactions. Its power is absolute and uncontrolled within its own sphere.

Justice. The Preamble assures the people of India, justice. Justice implies a "harmonious reconciliation of individual conduct with the general welfare of society". It thus embraces the social, economic and political activities of the individuals. Keeping this in view the government has declared "socialism" as its goal. In the field of Political Justice universal adulthood franchise has been guaranteed. Every adult has a right to vote irrespective of caste, colour, creed or sex. In the field of Economic Justice it is envisaged that equal wages will be paid for equal work. Conditions of service of the workers and their wages should be such that they can lead a good life. Thus, the standard of living of the worker should be raised. The Constitution also prohibits forced labour or begar. In the field of Social Justice it has been laid down that untouchability has been abolished for ever. No one will be treated as a low-caste or untouchable. Justice, in this context implies social, political and economic justice.

Liberty, Equality and Fraternity. The term "liberty" signifies creation of conditions which provide essential ingredients necessary for the complete development of human personality. Liberty and equality are complementary to each other. Equality does not mean that all human beings are equal in physical and mental faculties. It connotes equality of status, the status of free individuals, and equality of opportunity. Equality of opportunity means equal chances for every person to develop potential capacity without any consideration for sex, caste, creed and religion. The Preamble also gives importance to the objective of fraternity in order to guarantee both the dignity

of the individual and the unity of the nation. The ideal of fraternity is also upheld by the U.N. Charter. In its Declaration of Human Rights, the United National proclaims:

“All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood.”

Dignity of Individual. According to Preamble of the Constitution dignity of individual has been contemplated. In all walks of life the individual will be given foremost consideration. While taking into consideration individual, his sex, status and religion is not to be taken into consideration.

The Preamble of the Indian Constitution assures the unity of the nation by emphasizing “fraternity” or the spirit of brotherhood amongst all the Indians irrespective of the differences of caste, creed, language or culture. To curb fissiparous tendencies, the word ‘integration’ has also been added in the Preamble by the Forty-second Amendment.

According to some critics no harm would have been done had there been no Preamble to the Constitution. According to them there are many constitutions in the world which have no preamble. But the fact remains that the Preamble embodies the spirit of the constitution and the ideal of the Indian people to promote national unity and common welfare.

Commenting on the significance of the Preamble ex-Chief Justice M. Hidayatullah says: “It is the soul of our-Constitution which lays down the pattern of our political society which it states *le. Sovereign Democratic Republic. It contains a solemn resolve which nothing but a revolution can alter*”.