

Preamble Decoded: Notes for UPSC Polity

The Constitution of India is one of the most detailed in the world. To help simplify the details of it we have decoded the preamble in this article.

The information taken from this article will be useful in the Indian Polity segment of the IAS Exam.

Sovereign Republic

The Preamble begins with the words, "We, the people of India...", thus clearly indicating the source of all authority under the Constitution. The Preamble establishes the ultimate sovereignty of the people of India on whose authority the Constitution rests. It points out that the Constitution of India has been ordained by the people of India through their representatives in the Constituent Assembly.

In the present times, the term 'sovereignty' may be losing rigid connotations of "supreme and absolute power acknowledging no superior" -no modern state can be considered sovereign in that sense. However, through the words of the Preamble, what is sought to be established is the oneness of the people of India (not the people of different states but of one nation), that the sovereignty vests in the collectivity, and that the people of India are not subordinate to any external authority. With the enactment of the Constitution India was no longer a 'dominion' it was a 'republic'.

India is a republic in that sense. From January 26, 1950, when the Constitution commenced, India ceased to owe allegiance to the British crown. India has a President as head of the Union, elected indirectly for a fixed term by the people's representatives. All citizens are equal in law, there is no privileged class, and every citizen has the right to try for any public office irrespective of caste, race, sex or religion.

Despite declaring itself a republic India remained a member of the Commonwealth of Nations. Indeed the group of nations accommodated India's status as a sovereign independent republic owing no allegiance to the British Crown: the 'British Commonwealth of Nations' became simply 'Commonwealth of Nations'. The king or Queen would be the 'symbolic' head of the Commonwealth as far as India was concerned, and the decisions at the conferences of the Commonwealth will not be binding on Indians. India's conduct would be based on 'free will'. The decision to remain in the Commonwealth was in keeping with the idea of promoting international cooperation and peace - a concept expressed in our Constitution.

Democracy

The term 'democracy' has assumed different connotations for different people. But common to all forms of democracies is the participation of the people directly or indirectly. India has adopted the representative parliamentary democracy. The Constitution makes no provision for direct control by the people through such devices as 'referendum' and 'initiative'. However, the people of India exercise their sovereignty through a Parliament at the Centre and a legislature in each State elected on the basis of universal adult franchise. The Executive is responsible to the popular house of the Legislature. Beyond political democracy, the Preamble also envisages social and economic democracy. Equality in the political sphere gives each adult citizen the power to vote freely. Equality must also pervade society and economic conditions, as far as possible. Dr Ambedkar considered social and economic democracy to be the real goals to strive for.

Jawaharlal Nehru too felt that political structure would weaken and disintegrate if socio-economic problems like abjure poverty and gross inequalities are not tackled and removed. A vote, after all, does not mean much to a starving person. It is in this context that the Preamble speaks of justice, equality, liberty and fraternity.

Justice

The Preamble speaks of social, economic and political justice. The concept of justice goes beyond its narrow legal connotation. Significantly the words 'social' and 'economic' occur before the word 'political'¹.

Social justice implies that discrimination on the basis of birth, caste, race, sex or religion should cease. To that end, all citizens should enjoy equal opportunities in the matter of public appointment. It is the good of all people that the Government must strive to achieve. The concept of a welfare state as envisaged in the Directive Principles is an embodiment of guidelines for ensuring the social justice expected in the Preamble.

Economic justice implies that the gap between the rich and the poor is bridged, and the exploitation ceases. Removal of poverty is to be achieved not by taking away assets from those who have but by ensuring a more equitable distribution of national wealth and¹ resources among those who contribute to its creation. This the Directive Principles call upon the state to try and secure ownership and control over resources to subserve the common good, reduce the concentration of wealth, ensure equal pay for equal work, and see that people, especially women and children, are not abused or forced by economic want into work unsuitable for their age or strength.

Political justice implies that all citizens should have an equal opportunity to participate in the political system. One person-one vote is ensured irrespective not only of caste, sex or religion but also of proprietary or educational qualifications. It is the basis of the political democracy envisaged in the Constitution.

Liberty

Democracy is closely connected with the idea of liberty; certain minimal rights must be enjoyed by every person in a community for a free and civilized existence. These basic rights are spelt out by the Preamble as freedom of thought, expression, belief, faith and worship. The chapter on Fundamental Rights guarantees this freedom explicitly, subject to certain regulations; after all, liberty is not to degenerate into licence if democracy is to survive.

Equality

Rights have no meaning if they cannot be enjoyed equally by all members of the community. To ensure that it is possible for all to enjoy these rights, social and economic equality is sought to be achieved. The Fundamental Rights enjoin the State not to discriminate between citizen and citizen simply on the basis of caste, race, sex or religion. Public places are open to all citizens, titles of honour stand abolished, untouchability is abolished, among

other things. The rule of law is to prevail: all citizens are equal before the law and enjoy equal protection of the laws of the land. Political equality is provided by the principle of universal adult franchise and by allowing, at least in principle, any citizen the opportunity to participate in the process of governance. Economically, the same ability and work entitle persons to the same salary. The exploitation of an individual or group is to be removed.

Fraternity

A democratic system would function in a healthy manner only if there is a spirit of brotherhood, of oneness, among the people of the land. India being a land of immense diversity is all the more in need of this spirit of unity - the sense of belonging to one nation. The principle of common citizenship is directed towards strengthening this sense of 'unity and integrity' of the nation. Fraternity is also sought to be promoted by ensuring equal rights to all. Fraternity, said DR. Ambedkar, "is the principle which gives unity and solidarity to social life". It is the feeling that will protect the unity of India against external attack or disintegration through internal unrest born of social, political and economic causes.

Fraternity, however, is not possible unless the dignity of each individual is preserved and respected. Maintaining this dignity requires the guarantee of certain minimal justiciable rights to each individual. To ensure that an individual is free from want and misery - without which freedom, ideas of self-respect and dignity are meaningless - the Directive Principles have been framed calling upon the State to form its policies to benefit all citizens equally in the matter of providing adequate means of livelihood. The State is also asked to provide just and humane conditions of work and create conditions in which a decent standard of life and full enjoyment of leisure and social and cultural opportunities become possible for all the people of this land. It is in keeping with the principle of individual dignity that the practice of untouchability has been abolished by the Constitution. In the context of fraternity, it may also be mentioned that India's

Constitution goes beyond national boundaries, and speaks of the ideal of universal brotherhood, an international fraternity with all nations and peoples coexisting in peace and amity.

Socialism

While the original Constitution did not mention any particular ideology, it did give expression to the resolve of securing the citizen's economic justice and equality of opportunity. This is the essence of socialism. The word 'socialist' was introduced in the Preamble by the 42nd Amendment. The term, however, is not defined in the Constitution. It may be pointed out that the socialism envisaged in India does not mean the abolition of private property or nationalization of all means of production. Thus a 'mixed economy' was envisaged, along with the provision of equal opportunity, the abolition of vested interests, and the elimination of inequality in income and status and standards of living. In the present context of economic liberalization, however, the socialist credentials of our State may well be questioned.

Secularism

The term 'secular' was inserted in the Preamble only in 1976, but the state envisaged by the Constitution was always a secular state - it could not have been otherwise in a country of such vast size and diversity of culture and religions. Indeed, the fraternity and unity of the country could be built only on a secular basis. It may be relevant to point out in this context that the western concept of secularism implying strict state neutrality in matters of religion cannot be practised in India with its pluralistic society. State intervention can become necessary to lawfully regulate or remove pernicious or exploitative practices in the name of religion. However, in the present socio-politics situation in the country, even those who could be expected to behave in a responsible manner are not above exploiting religious sentiments for selfish and short-term political interests.

The term 'secular', has not been defined in the Constitution but its operative meaning may be drawn from the different provisions of the Constitution. Discrimination on the basis of religion is forbidden to the State. Equality is assured to all irrespective of religion. Freedom of faith, belief and worship is allowed to all. The State is to be impartial towards all religions. Furthermore, the state does not uphold any particular religion as the state religion but protects all regions equally.