



SIGNIFICANCE AND IDEALS OF THE PREAMBLE

Dr. Padamanna S. Pujari

M.A., Ph.D.SLET

Associate Professor, Dept. of Political Science, Government Womens First Grade College,
Jewargi Colony, Kalaburagi Karnataka.

ABSTRACT:

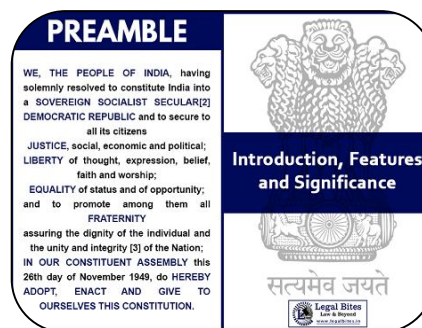
The preamble is of tremendous significance. It is one of the finest parts of our constitution. It determines the type of Government for India. The preamble ensures that the individual is free to think, speak and act in order to develop his personality fully. He can live in his own way without any danger to his culture. The preamble of the constitution is one of the best of its kind. It contains the ideals and aspirations of the people of India. It is proper yardstick with which one can measure the worth of the constitution. Without the knowledge of preamble, the meaning of the constitution can not be fully understood. The Judges of the Supreme Court and High Courts have to refer to it while they are called upon interpret the constitution. The members of the Legislatures, Ministers and others have to follow the spirit of the preamble.

KEY WORDS: Ground water, FAR, Social Upliftment, Satellite Imagery.

INTRODUCTION: -

The preamble contains many ideals. I tries to establish a society based on democratic values. It has been described as a key to understand the motives and the intentions of the matters. According to V.N. Shukla, the preamble expresses, the political moral and religions values which the constitution is intended to promote. The preamble has been highly appreciated.

Pandit Thakurdas Bhargava a member of the Constituent Assembly had summed up the significance of the preamble in 1949. He said: the preamble is the most precious part of the constitution. It is the soul of the constitution. It is a key to the constitution. It is a proper yardstick with which one can measure the worth of the constitution.



IDEALS OF THE PREAMBLE

1. We the people of India

It simply implies the people of India in their aggregate capacity. Its significance lies in the fact that the constitution eliminates the British King externally and the Indian princes internally if you read the first and the last parts of the preamble we find that we the people of India have adopted enacted and given to ourselves this constitution. The preamble insists that the sovereignty in India vests in the people. The constitution has its source in the people.

2. Sovereign State

Till 26th January 1950, India was not a full fledged. We were governed by the act of 1947. The preamble proclaims that India is a sovereign state-India is externally free and independent. Therefore it is not subservient to any foreign country. It has adopted its own economic and political system. India is free to take any decision and formulate any policy without interference from any country. Moreover it is internally supreme over all individuals and associations.

India's membership of the commonwealth of Nations does not affect her sovereign character. She considers the British Crown as the symbol of friendship. Thus India's membership of the Commonwealth of nations is based on an extra-constitutional contractual arrangement entered into at will and terminable at will. It is well known that it is open to any member nation to go out of the commonwealth if it so chooses.

3. Democratic

The constitution establishes representative democracy by ensuring universal adult franchise and free and fair periodical elections. It also provides for the rule of law and independence of judiciary.

The state has been forbidden to make any discrimination as the grounds of religion, race, colour, places of residence, sex etc. however there is no provision for the agencies of direct democracy like initiative, referendum, recall and plebiscite. The entire authority of conducting the Government has been placed in the hands of representatives chosen by the people in a democratic manner.

Thus we have indirect or representative form of Government largely on the linguistic model. The vast electorate of the country shares the political power. At the same time electorate can not directly exercise any political function. They can act only through their representatives. It is the representatives of the people who will exercise the legislative functions and administration will be carried on with the advice of ministers responsible to the legislative body.

4. Republic

The word republic has different meanings in the discipline of political science. For instance, Leacock says that it is simply opposition to Monarchy. According to Jellinek republic is a government by a collegial organization. Rousseau says that a republic is one that is based on the social contract.

In America Madison said that Republic is a government which derives its powers directly or indirectly from the great body of the people. In such governments, persons hold their offices during the pleasure of the people. Our founding fathers seem to have been guided by this statement. Accordingly India is Republic. Because the head of the state can not be a King. He can only be the President elected by the people indirectly. Therefore, republic means that the country has an elected President as head of the state. There is no monarch as head of the state.

5. Socialist

The preamble also declares that India is a socialist state. This implies that socialistic pattern of society should be established under this system, the ownership and management of all the means of

production will be in the hands of society. But this has not yet been materialized. The Congress under Nehru's leadership had first declared Socialist pattern of society and then socialism as the basis of country's economy. The founding fathers themselves wanted to create a society on the basis of economic justice where distinction between the rich and the poor would be diminished.

The limited Right to property and directive principles of state policy indicate socialist objective. The preamble itself had the phrase justice, social, economic and political. Thus the addition of the word socialist has only psychological importance. Mr. Vasant Sathe member of the Swaran Singh committee agreed that the addition of the word socialist was not going to make any material difference. Mr. Singh also said that the conclusion of the word socialist was only to give a positive direction to the Governments in the formulation of its policy.

6. Secular

Inclusion of the word Secular was also aimed at the creation of psychological impact. Even before 1976 there was ample emphasis in the constitution as Secularism. The preamble itself read assured liberty of factors, belief and worship. Besides secularism is clearly provided in the part III dealing with fundamental rights Equality before law, equal Opportunity to secure a job without discrimination as the ground of religion, freedom of religion and worship and right of the minorities to maintain their educational institutions are enough guarantees of secularism. The inclusion of the word Secular simply emphasizes that we do not have any state religion. This implies that state is neither religious nor anti-religious. It is neutral as far as religious matters are concerned. It is not guided by any religion in the discharge of its functions. Therefore

state is wholly detached by religions dogmas. It guarantees complete rights to all people to preach, propagate and practice any religion. No religion is to be given priority over the other. Hence India is a Secular state.

7. Justice

Justice implies the attainment of common good. Since India is a democratic state, it aims at promoting social, economic and political justice to all the people. Social justice can be ensured if no discrimination is made by the society on the basis of caste or colour. The constitution has provided for abolition of untouchability. It has also made provisions for certain privileges for S.C and S.T so that they can rise up to the level of the rest of the community.

Economic justice can be assured by equitable distribution of wealth, abolition of beggar and forced labour and avoidance of concentration of property. These guidelines have been provided in the directive principles of state policy. The introduction of adult franchise, abolition of separate communal electorate and provision for securing jobs without any discrimination aim at political justice. Thus the preamble has emphasized the goal of justice in all its dimensions.

8. Liberty

Liberty is an essential requirement of democratic and free society. Its aim is to ensure all round development of the individual and to ensure adequate rights to the people for this purpose. Liberty implies absence of arbitrary restrictions on the freedom of individual. It also implies the creation of conditions in which individual can freely develop his personality. The society is made up of individuals. Hence the social progress depends on the development of the personality of individual in a free atmosphere. The preamble has underlined the importance of liberty of thought and expression which is essential for the success of political democracy in the country. At the same time liberty of belief, faith and worship has been secured to provide religions freedom in our secular society.

9. Equality

Equality is an equally important concept. Liberty is a shame without equality. It does not mean that all men are physically materially or intellectually alike. Infact no two person can be alike. Equality actually implies equal opportunities and equal status. Equality of status is ensured by abolition of untouchability. Moreover in order to secure equality of status, no discrimination on the ground of religion race, sex, colour or places of residence will be made. The equality of opportunity is secured by

the principle of rule of law and non-discrimination in the matter the matters of public appointments. All are equal in the eyes of law and all receive equal protection.

10. Fraternity

Fraternity is another ideal mentioned in preamble of the constitution. The concept of Fraternity was first emphasized during the French Revolution. Preamble says that all human beings are born free and equal in dignity and rights. They should act towards on another in a spirit of brotherhood. Fraternity implies brotherhood. In a vast country like India where people have different faiths, customs and traditions speak different languages the ideal of fraternity is significant.

The preamble refers to fraternity assuring the dignity of the individual and unity of the nation. These two principles are of great importance no individual should feel that he is inferior to other. No one should be compelled to live to that dignity. Thus dignity of the individual must be respected so that natural fraternity can develop. At the same time unity and integrity of the nation must be ensured.

CONCLUSION:

A country with numerous diversities can flourish only if there is a feeling of oneness. Unity in diversity is the beauty of Indian culture. This must be preserved. Integrity of the nation is of vital importance. No individual can live with dignity if the integrity of the country itself is threatened. At times separatist tendencies in the country are very dangerous. They must be nipped in the bud and integrity of the nation must be preserved at all costs.

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