

# Philosophy of Indian Constitution: Preamble to the Indian Constitution

## Indian Polity Class 4

## TOPICS COVERED

### General

**Ways to understand the philosophy of the Indian Constitution**  
**Values of Freedom Struggle and National Ideals**  
**Literal meaning of Preamble**  
**Understanding Preamble**  
**Objective Resolution: Important Aspects**  
**Preparation of Draft of Preamble: Author**  
**Text of the Preamble**  
**Previous Year Questions (UPSC)**

### Analysis

**We The People: Analysis of the Term**  
**Sovereignty: Analysis of the Term**  
**Socialist : Analysis of the Term**  
**Secular: Analysis of the Term**  
**Democratic: Analysis of the Term**  
**Republic: Analysis of the Term**  
**Justice: Analysis of the Term**  
**Liberty: Analysis of the Term**  
**Equality: Analysis of the Term**  
**Fraternity, Dignity and Unity: Analysis of the Term**  
**What Kind of Social Order Preamble aims at?**

# SOURCES USED

- Class XI: Indian Constitution and Administration, Chapter 3: Indian Constitution-Preamble, Salient Features and Indian Federation (Old NCERT)
- Class IX and X: India: Constitution and Government, Chapter 4: The Constitution of India and its Salient Features (Old NCERT)
- Class VIII: Our Country Today: Problems and Challenges, Chapter 1: Achieving our National Goals (Old NCERT)
- Class VII: How We Govern Ourselves, Chapter 2: what our Ideals are: The Preamble (Old NCERT)
- Class IX: Democratic Politics-I, Chapter 2: Constitutional Design (New NCERT)
- Class XI: Indian Constitution at Work: Chapter 1: Constitution: Why and How?

2

## What Our Ideals Are *The Preamble.*

OUR PEOPLE struggled and sacrificed much during the freedom struggle. What did they struggle for? They had a dream of an ideal society. Poet Rabindra Nath Tagore expressed this dream of an ideal society as—

Where mind is without fear,  
And head is held high.

These ideals are reflected in the Preamble of our Constitution.

## SALIENT FEATURES

### Preamble : Objectives of Our Constitution

The Constitution of India has a Preamble. Just as a book begins with a preface, a Constitution begins with a Preamble. A preface generally tells us what is there in the book, what to expect of it, what the author has tried to say in it. The Preamble does exactly that for the Constitution. It shows what the Constitution aims at. Or, in other words, the Preamble contains the ideals and the basic underlying principles of a Constitution.

The Preamble is not a part of the legal section of the Constitution. No one can go to a court and say that the Preamble has not been enforced by the government. Still, it is very important, because it shows the way the government ought to run. Full text of the Preamble runs as follows.

## 2.4 GUIDING VALUES OF THE INDIAN CONSTITUTION

In this book we shall study the exact provisions of the Constitution on different subjects. At this stage let us begin by understanding the overall **philosophy** of what our Constitution is all about. We can do this in two ways. We can understand it by reading the views of some of our major leaders on our Constitution. But it is equally important to read what the Constitution says about its own philosophy. This is what the preamble to the Constitution does.

Let us turn to these, one by one.

### The Dream and the Promise

Some of you may have noticed a name missing from the sketches of the makers of the constitution: Mahatma Gandhi. He was not a member of the Constituent Assembly. Yet there were many members who followed his vision. Years ago, writing in his magazine *Young India* in 1931, he had spelt out what he wanted the Constitution to do:

## Chapter 3

INDIA  
PREAMBLE  
AND

### Preamble to the Indian Constitution

The term preamble literally means preface, preliminary statement or introduction. The Preamble to the Indian Constitution deals with the aims and objectives, the targets and ideals; and the basis and foundations of the Indian Constitution.

The Preamble is directly related to the Objective Resolution passed by the Constituent Assembly on January 22, 1947. Some of the important provisions of the Resolution were as follows : (i) This Constituent Assembly declares its firm and solemn resolve to proclaim India as an Independent Sovereign Republic and to draw up for the future governance a constitution; (ii) wherein all power and authority of the *Sovereign* Independent India, its constituent parts and organs of government are derived from the people; (iii) wherein shall be guaranteed and secured to all the people of India *justice* – social, economic and political; *equality* of status, of opportunity, and before the law; *freedom* of thought, expression, belief, faith, worship, vocation, association and actions, subject to law and public morality, and (iv) wherein adequate safeguards shall be provided

# Ways to understand the philosophy of the Indian Constitution

1. Two ways to understand the philosophy of the Indian Constitution.
  - a. By reflecting on the idea of leaders of national movement about constitution.
  - b. By reflecting on what constitution says itself about its own philosophy, that is the Preamble.

*I shall strive for a constitution which will release India from all thralldom and patronage ... I shall work for an India in which the poorest shall feel that it is their country in whose making they have an effective voice; an India in which there shall be no high class and low class of people; an India in which all communities shall live in perfect harmony. There can be no room in such an India for the curse of untouchability or the curse of the intoxicating drinks and drugs. Women will enjoy the same rights as men ... I shall be satisfied with nothing else.*



Long years ago we made a **tryst with destiny**, and now the time comes when we shall redeem our pledge, not wholly or in full measure, but very substantially. At the stroke of the midnight hour, when the world sleeps, India will awake to life and freedom. A moment comes, which comes but rarely in history, when we step out from the old to the new, when an age ends, and when the soul of a nation, long suppressed, finds utterance. It is fitting that at this solemn moment we take the pledge of dedication to the service of India and her people and to the still larger cause of humanity ...

Freedom and power bring responsibility. The responsibility rests upon this Assembly, a sovereign body representing the sovereign people of India. Before the birth of freedom we have endured all the pains of labour and our hearts are heavy with the memory of this sorrow. Some of those pains continue even now. Nevertheless, the past is over and it is the future that beckons to us now.

That future is not one of ease or resting but of incessant striving so that we may fulfil the pledges we have so often taken and the one we shall take today. The service of India means the service of the millions who suffer. It means the ending of poverty and ignorance and disease and inequality of opportunity. The ambition of the greatest man of our generation has been to wipe every tear from every eye. That may be beyond us, but as long as there are tears and suffering, so long our work will not be over.

# Values of Freedom Struggle and National Ideals

1. The ideals of Indian National Movement/freedom struggle, our national goals are reflected in the Preamble to the Indian constitution.
2. Democratic form of the government, secular state, economic equality, national integration are some of the national goals of India.

*On the 26<sup>th</sup> of January 1950 we are going to enter a life of contradictions. In politics we will have equality and in social and economic life we will have inequality. In politics we will be recognising the principle of one man one vote and one vote one value. In our social and economic life, we shall, by reason of our social and economic structure, continue to deny the principle of one man one value. How long shall we continue to live this life of contradictions? How long shall we continue to deny equality in our social and economic life? If we continue to deny it for long, we will do so only by putting our political democracy in peril.*

# Meaning of the Preamble

1. Literal Meaning: Preface, preliminary Statement, Introduction.
2. A preface generally tells us what is there in a book, what to expect of it, what the author has tried to say in it.
3. A short statement of constitution's basic values: Contains the philosophy on which the entire Constitution has been built.
4. Preamble is taken from American Model.
5. Preamble refers to the objectives of the Indian Constitution. The purpose of the constitution is mentioned in the Preamble.
6. The preamble contains the ideals and the basic underlying principles of our constitution.
7. It is not part of legal section of the constitution.

We, the people of South Africa,

Recognise the injustices of our past;

Honour those who suffered for justice and freedom in our land;

Respect those who have worked to build and develop our country; and

Believe that South Africa belongs to all who live in it, united in our diversity.

We therefore, through our freely elected representatives, adopt this Constitution as the supreme law of the Republic so as to —

Heal the divisions of the past and establish a society based on democratic values, social justice and fundamental human rights;

Lay the foundations for a democratic and open society in which government is based on the will of the people and every citizen is equally protected by law;

Improve the quality of life of all citizens and free the potential of each person; and

Build a united and democratic South Africa able to take its rightful place as a sovereign state in the family of nations.

May God protect our people.

Nkosi Sikelel' iAfrika. Morena boloka setjhaba sa heso.

God seen Suid-Afrika. God bless South Africa.

Mudzimu hatutshedza Afrika. Hosi katekisa Afrika.

## We the People of the United States,

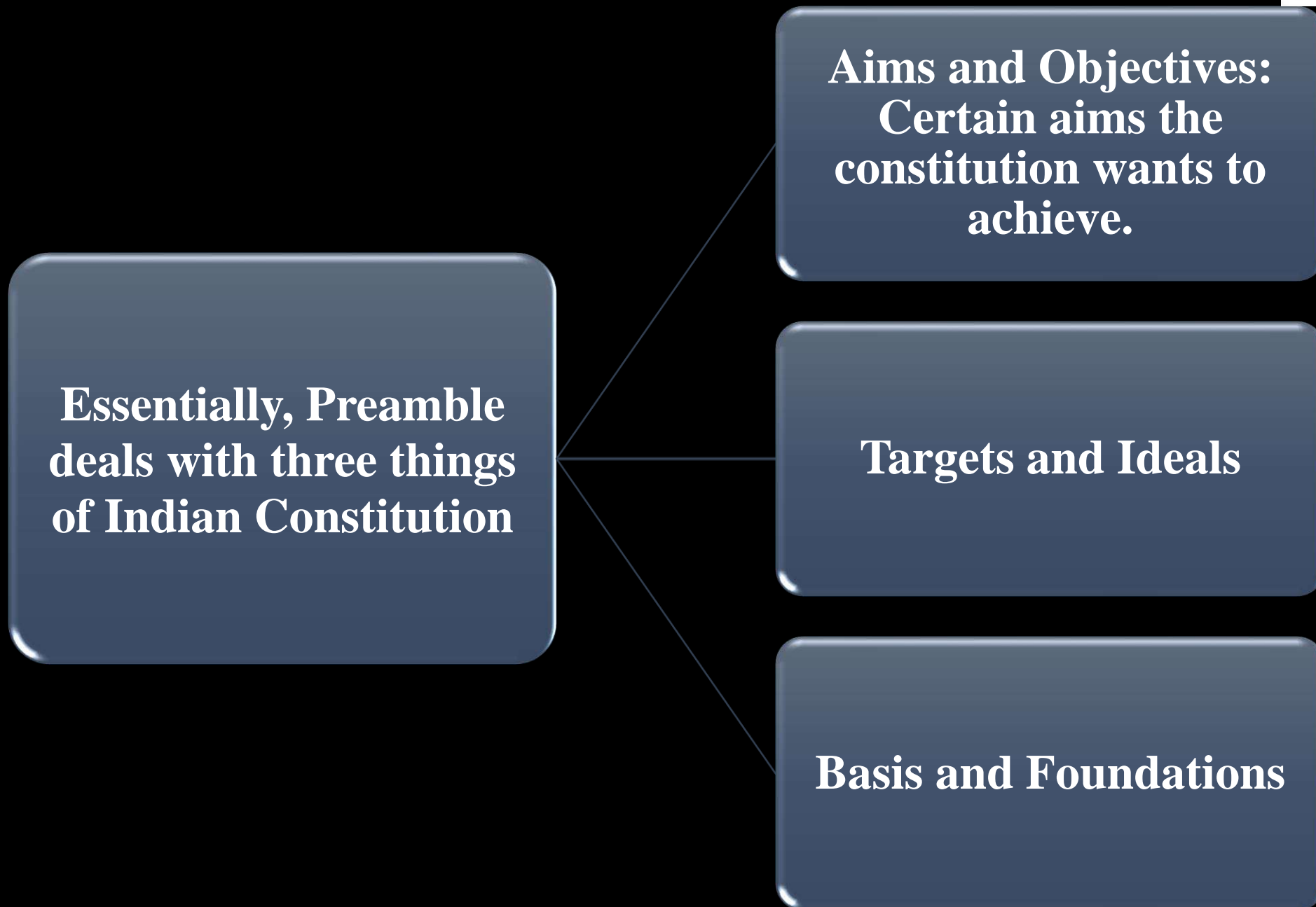
in order to form a more perfect union, establish justice, insure domestic tranquility, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this Constitution for the United States of America.



# Continued...

1. While it is not enforceable in a court of law, it shows the way the government ought to run.
2. Preamble sets out the objectives of our government and the political system constitution wishes to establish in India.
3. Provides a standard to examine and evaluate any law and action of government (whether it is good or bad).
4. Reads like a poem on democracy.
5. It is the soul of the Indian Constitution

The Preamble of the Constitution reads like a poem on democracy. It contains the philosophy on which the entire Constitution has been built. It provides a standard to examine and evaluate any law and action of government, to find out whether it is good or bad. It is the soul of the Indian Constitution.



# Objective Resolution and the Preamble

1. Directly Related to: Objective Resolution passed by Constituent Assembly on January 22, 1947.
2. Important Aspects of the Resolution
  - a. The constituent assembly of India declared its firm and solemn resolve to proclaim India as an independent Sovereign Republic and to draw up for future governance a constitution.
  - b. Wherein all power and authority of the Sovereign Independent India, its constituent parts and organs of government are derived from the people.
  - c. Wherein shall be guaranteed and secures to all the people of India justice: Social, economic and political; equality of status, of opportunity, and before the law; freedom of thought, expression, belief, faith, worship, vocation, association and actions, subject to law and public morality, and
  - d. Wherein adequate safeguards shall be provided for minorities, backward and tribal areas, and depressed and other classes.

## Main points of the Objectives Resolution

- ✓ India is an independent, sovereign, republic;
- ✓ India shall be a Union of erstwhile British Indian territories, Indian States, and other parts outside British India and Indian States as are willing to be a part of the Union;
- ✓ Territories forming the Union shall be autonomous units and exercise all powers and functions of the Government and administration, except those assigned to or vested in the Union;
- ✓ All powers and authority of sovereign and independent India and its constitution shall flow from the people;
- ✓ All people of India shall be guaranteed and secured social, economic and political justice; equality of status and opportunities and equality before law; and fundamental freedoms - of speech, expression, belief, faith, worship, vocation, association and action - subject to law and public morality;
- ✓ The minorities, backward and tribal areas, depressed and other backward classes shall be provided adequate safeguards;
- ✓ The territorial integrity of the Republic and its sovereign rights on land, sea and air shall be maintained according to justice and law of civilized nations;
- ✓ The land would make full and willing contribution to the promotion of world peace and welfare of mankind.

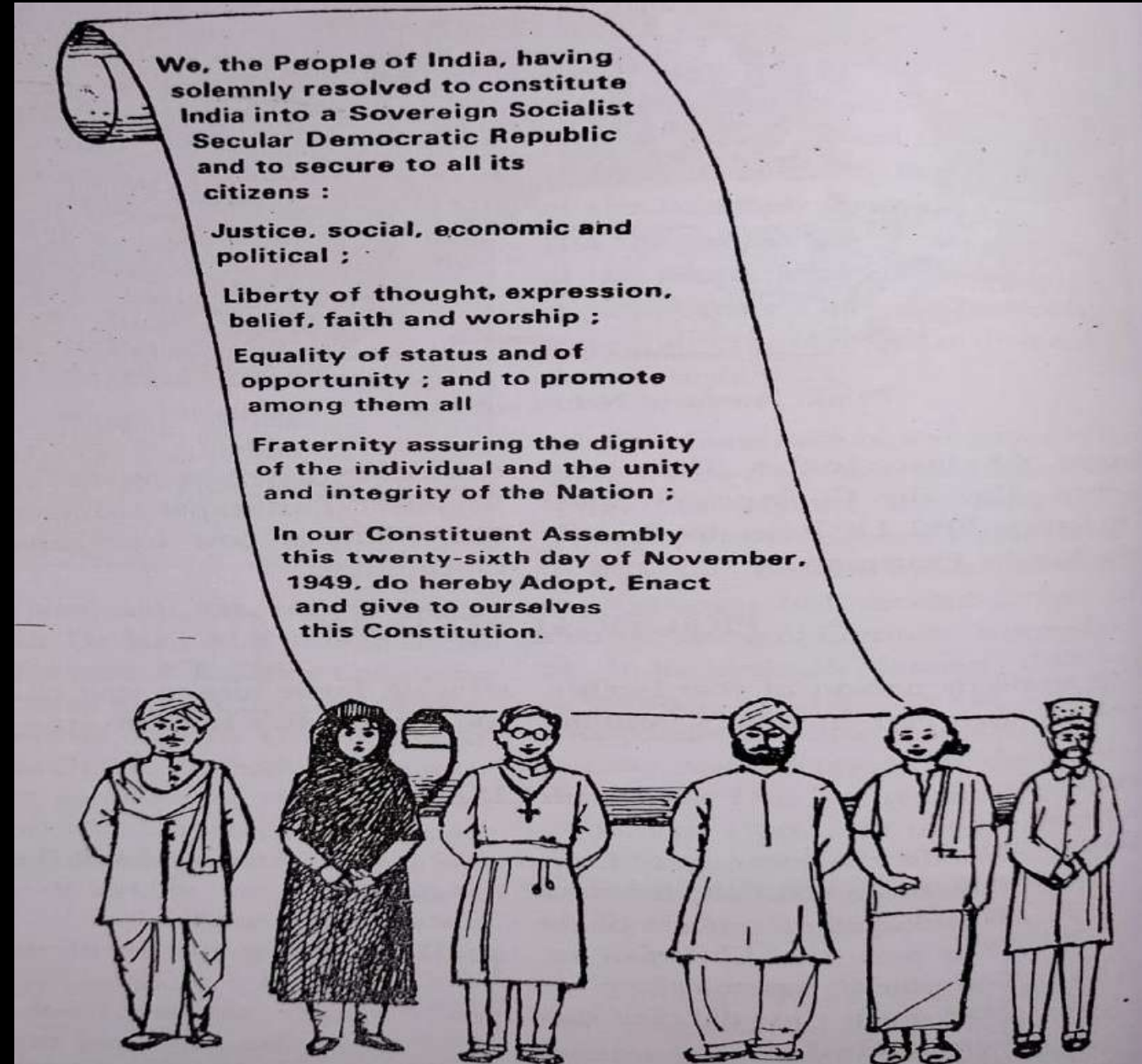
# Drafting

1. Who prepared the draft of Preamble:  
B N Rau (Constitutional Advisor to the Constituent Assembly) prepared a draft of Preamble as per the resolution.
2. The drafting committee made some changes to bring the Preamble in line with the provisions of the constitution and adopted it.



# Text of the Preamble

- **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** this twenty-sixth day of November, 1949, do **HEREBY ADOPT, ENACT AND GIVE TO OURSELVES THIS CONSTITUTION.**



ANALYSIS

# We the People

- The constitution has been declared in the name of people of India.
- It refers to the People of India who have adopted, enacted and given to themselves this constitution.
- The people's representative prepared the constitution (constituent assembly). It has been not handed down to them by a king or any outside powers.
- It declares people of India to be sovereign authority.
- The people are the ultimate source of power.
- It asserts the right of the Indian people to frame their own constitution.
- The leaders of national movement, also, always emphasized the sovereignty of the Indian people.

The opening words of the Preamble are 'We, the people of India'. This means that the Constitution has been declared in the name of the people of India. It is the people's representatives who prepared the Constitution. It also means

## **WE, THE PEOPLE OF INDIA**

The constitution has been drawn up and enacted by the people through their representatives, and not handed down to them by a king or any outside powers.

# Aims: It aims at making India a sovereign, socialist, secular, democratic republic

## **Sovereignty**

- A national goal.
- It declares India as a sovereign state.
- Absolute independence.
- It implies that India is absolutely free from any other internal or external authority; the government is not controlled by any other power.
- People have supreme right to make decisions on internal as well as external matters.

Socialist and Secular were added in the Preamble by the Constitution (42<sup>nd</sup> Amendment) Act, 1976. 5.

**Socialist:** It indicates the incorporation of the philosophy of socialism in the constitution. It means a society based on social and economic equality.

- A national goal. Economic disparity leads to frustration and tension, a circumstance under which the country can't progress.
- Similarly, social differences and inequalities based on them breed discontent.
- Wealth is generated socially and should be shared equally by society.
- Government should regulate the ownership of land and industry to reduce socio-economic inequalities.



- K T Shah had proposed in the constituent assembly to add socialist in the Preamble.
- Jawaharlal Nehru was against it.
- In his opinion the substance of economic democracy was already present in the Fundamental Rights and Directive Principles of State Policy.
- Hence, there was no need to include terms like socialism that would have led to different interpretations by the different people.
- However, the principles of social and economic equality are further clarified in part IV of the Indian constitution: The directive principles of state policy.
- **Secular:** addition of this term in the preamble in the constituent assembly as opposed as there was no fixed meaning of this term. However, the leadership in 1976 felt the need to add these terms.
  - A national goal. In a secular state, all religions are treated with equal respect.
  - There is no state religion of India.
  - It has been interpreted by courts in India to mean that India shall not discriminate between different religions.
  - All religions shall be treated equally.
  - Citizens are free to follow and practice the religion of their own choice.

This Constitution was drafted and adopted by a Constituent Assembly that was not elected directly by the people. In fact, the Legislative Assemblies of the Indian Provinces elected it indirectly. The Assemblies themselves were elected in 1946 according to the provisions of the Government of India Act, 1935. The Act had provided for a restricted franchise. Most of the representatives of the princely states in the Constituent Assembly did not enjoy even this much representative character. In spite of these limitations, the Constituent Assembly could be called real representative of the people because it had representation of almost all shades of opinions. It was possible because of the magnanimity of those who ruled over India then. They saw to it that all sections of people of India have a place in the Constituent Assembly.

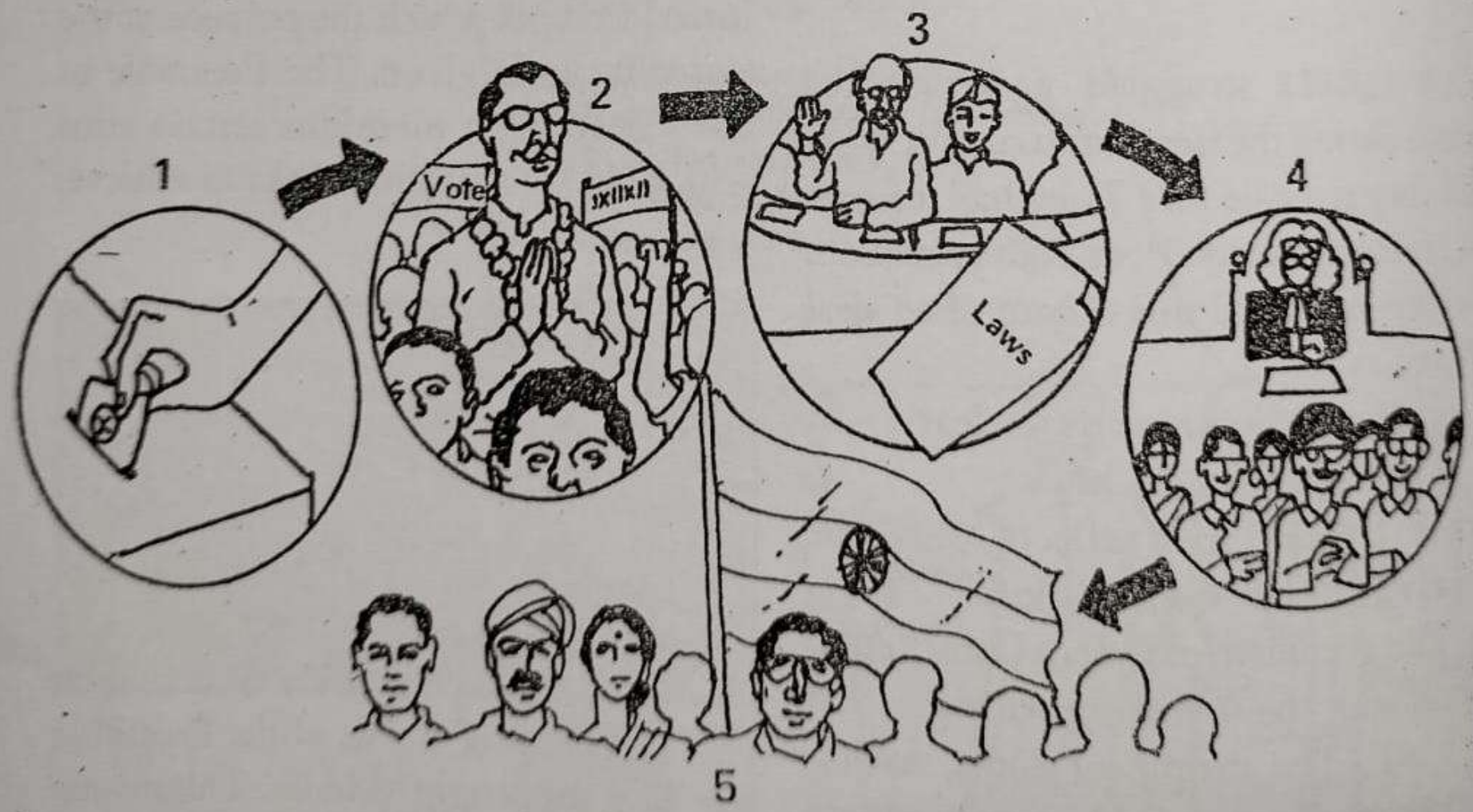
Constitution (Forty Second Amendment) Act, 1976. The term *socialist* indicates the incorporation of the philosophy of *socialism* in the Constitution. It is to be remembered that K.T. Shah, a member of the Constituent Assembly proposed in the Assembly, had the inclusion of this term in the Preamble. But Nehru had strongly opposed it because according to him, they had already provided for the substance of economic democracy in the Constitution in chapters on Fundamental Rights and Directive Principles of State Policy and there was no need for the inclusion of such terms that were likely to be interpreted differently by different people.

Similarly, there was also a proposal in the Constituent Assembly for inclusion of the term *secular* in the Preamble, but it was also opposed on the ground that there was no fixed meaning attached to this term. However leadership, in 1976, felt the need for inclusion of this term in the Preamble.

It is noteworthy that the term *secular*, as interpreted by the courts in India, means that 'the State' shall not discriminate between different religions and all shall be treated equally.

# Democratic Republic

- a. Democracy means a government in which people have a share.
- b. Monarchy: head of the state is the king or monarch; not elected by the people. He is appointed on the basis of the hereditary principle.
- c. Every citizen enjoys equal political rights.
- d. Governments are elected and accountable for their deeds to the people of India. Elected representatives govern the country.
- e. Elections are held at regular intervals.
- f. People are allowed to exercise their franchise freely and fairly.
- g. Rule of law prevails. No one can act arbitrarily.
- h. The government is run according to some basic rules.
- i. Republic: Head of the State gets the office by election and not by hereditary claims.



### How a Democratic Government Functions

- 1. People vote
- 2. Representatives elected
- 3. Representatives make laws
- 4. Laws govern the people
- 5. People obey the laws

# Justice

- The Preamble aims at securing to all citizens justice: social, economic and political.
- Essentially, idea of justice is equated with equity and fairness.
- **Social justice** means that all sections of society, irrespective of caste, creed, sex, place of birth, religion or language would be treated equally and no one would be discriminated on any of these grounds.
- **Economic Justice:** All natural resources of the country would be equally available to all the citizens and no one would suffer from any undeserved want.
- **Political Justice:** All the citizens are entitled with equal political rights such as right to vote, right to contest elections, right to hold public office etc.
- Government should work for the welfare of all, especially of the disadvantaged groups.

# Liberty and Equality

1. Liberty: Liberty of thought, expressions, belief, faith and worship.

a. Citizens would be free to follow a religion of their own choice.

b. They would be free to express their views freely and frankly.

c. State would not interfere in these matters.

d. There are no unreasonable restrictions on the citizens regarding above.

2. Equality of Status and opportunity

a. All are equal before the law. The traditional social inequalities have to be ended.

b. The government should ensure equal opportunity for all.

c. All citizens would be able to make full use of their talents without any interruption and develop their personality to the maximum extent possible.

# Fraternity, Dignity of Individual and Unity of Nation

1. Fraternity: Fraternity assuring the dignity of the Individual and the unity and integrity of the nation.
  - a. It means common brotherhood would be developed in India; a feeling of being a member of one family.
  - b. It would be based on the dignity of the Individual; not connected to or based upon social status of the individual in society.
  - c. No one should treat a fellow citizen as inferior.
  - d. This shall lead to unity and integrity of the nation.

# What Kind of Social Order Preamble aims at?

- Where people would be sovereign.
- The government would be elected by and accountable to the people.
- The powers of the government shall be restricted by the rights of the people.
- People would have ample opportunities to develop their talents.
- Preamble is not technically enforceable through courts of law.
- It is useful in interpreting the various provisions of the constitution.
- It acts as a beacon in conflicting situations.



# Previous Years Questions (UPSC)

**Q: The Preamble to the Constitution of India is (2020)**

- a) a part of the Constitution but has no legal effect
- b) not a part of the Constitution and has no legal effect either
- c) a part of the Constitution and has the same legal effect as any other part
- d) a part of the Constitution but has no legal effect independently of other parts

**Q: 'Economic Justice' as one of the objectives of the Indian Constitutional has been provided in (2013)**

- a) the Preamble and the Fundamental Rights
- b) b) the Preamble and the Directive Principles of State Policy
- c) c) the Fundamental Rights and the Directive Rights and the Directive Principles of State Policy
- d) d) None of the above

**Q: The mind of the framers of the Constitution of India is reflected in which of the following? (2017)**

- (A) Preamble
- (B) Fundamental Rights
- (C) Directive Principles of State Policy
- (D) Fundamental Duty

**Discuss each adjective attached to the word 'Republic' in the 'Preamble'. Are they defensible in the present circumstances? (2016)**

- Q: "To uphold and protect the Sovereignty, Unity and Integrity of India" is a provision made in the (2015)
- a) Preamble of the Constitution
- b) Directive Principles of State Policy
- c) Fundamental Rights
- d) Fundamental Duties

Q: Which one of the following objectives is not embodied in the Preamble to the Constitution of India? ( 2017)

- a) Liberty of thought
- b) b) Economic liberty
- c) c) Liberty of expression
- d) d) Liberty of belief

- Q: The Preamble to the Constitution of India, is (2020)
- a) part of the Constitution but has no legal effect
- b) not a part of the Constitution and has no legal effect either
- c) a part of the Constitution and has the same legal effect as any other part
- d) a part of the Constitution but has no legal effect independently of other parts