

Question: Explain the Preamble of the Indian Constitution.

Answer:

The Preamble of the Indian Constitution is the introductory section that outlines its principles, values, and objectives. It is considered the “soul” and “philosophy” of the Constitution as it reflects the ideals upon which the Constitution is based and the goals it seeks to achieve. Below is a detailed explanation of the Preamble:

1. What is the Preamble?

The Preamble summarizes the objectives and ideals of the Constitution. It serves as an introduction to the Constitution and highlights:

For whom the Constitution is made.

The values upon which Indian democracy is based.

How the ideals and objectives of Indian society will be fulfilled.

It begins with the words “We, the People of India”, emphasizing that the Constitution derives its authority from the people.

2. Historical Background:

The Preamble was adopted by the Constituent Assembly on November 26, 1949.

It is based on the Objectives Resolution, presented by Pandit Jawaharlal Nehru on December 13, 1946.

During the 42nd Constitutional Amendment (1976), three new words were added to the Preamble: Socialist, Secular, and Integrity.

3. Text of the Preamble:

The Preamble reads:

THE CONSTITUTION OF INDIA

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.**

1. Subs. by the Constitution (Forty-second Amendment) Act, 1976, Sec.2, for "Sovereign Democratic Republic" (w.e.f.3.1.1977)
2. Subs. by the Constitution (Forty-second Amendment) Act, 1976, Sec.2, for "Unity of the Nation" (w.e.f.3.1.1977)

4. Key Features of the Preamble:

The Preamble contains the following important elements:

(i) Sovereign:

India is a fully independent nation and is not subject to any external authority.

It can freely decide its internal and external policies.

(ii) Socialist:

This word was added during the 42nd Amendment (1976).

It emphasizes social and economic equality.

Its goal is the equal distribution of wealth and resources and the establishment of a society free from exploitation.

(iii) Secular:

This word was also added during the 42nd Amendment (1976).

It signifies that the state does not have an official religion.

Every citizen has the freedom to practice, profess, and propagate their religion, and the state treats all religions equally.

(iv) Democratic:

The government is elected by the people, for the people, and of the people.

Every citizen has equal voting rights, ensuring equal participation in governance.

(v) Republic:

The head of the state (President) is elected by the people and is not a hereditary monarch.

This ensures equality among all citizens.

5. Objectives of the Preamble:

The Preamble reflects the following four key objectives:

(i) Justice:

Justice is of three types:

1. Social Justice: Equal treatment of all sections of society.
2. Economic Justice: Fair distribution of wealth and resources.
3. Political Justice: Equal political rights for all citizens.

(ii) Liberty:

The Preamble guarantees liberty of thought, expression, belief, faith, and worship.

This ensures individuals' freedom to express themselves and follow their beliefs.

(iii) Equality:

All citizens are equal before the law.

It eliminates discrimination and promotes equal opportunities for all.

(iv) Fraternity:

It promotes a sense of brotherhood and mutual respect among citizens.

It ensures the dignity of individuals and the unity and integrity of the nation.

6. Words Added Through the 42nd Amendment (1976):

Three new words were added to the Preamble through the 42nd Constitutional Amendment (1976):

1. Socialist: To promote social and economic equality.
2. Secular: To ensure equal treatment of all religions.
3. Integrity: To emphasize national unity and integrity.

These additions made the Preamble more progressive and inclusive.

7. Significance of the Preamble:

The Preamble serves as a summary of the Constitution and explains its goals and ideals.

It defines the principles of democracy, secularism, and equality, which are the cornerstones of Indian society.

The Supreme Court has recognized the Preamble as an integral part of the Constitution and its basic structure.

8. Judicial Interpretations:

Berubari Union Case (1960): The Supreme Court stated that the Preamble is not enforceable but serves as a guiding principle to interpret the Constitution.

Kesavananda Bharati Case (1973): The Court ruled that the Preamble is part of the Constitution and represents its basic structure, which cannot be amended to alter its fundamental values.

Conclusion:

The Preamble of the Indian Constitution is the foundation of Indian democracy. It outlines the Constitution's objectives and principles in a concise and clear manner. It reflects the social, political, and economic philosophy of India. By emphasizing unity in diversity, equality, and justice, the Preamble acts as a guiding light for the nation's development and protects the rights of its citizens.



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