

Quick Revision Module (UPSC Prelims 2024) Polity

# PREAMBLE

## OF THE CONSTITUTION OF INDIA

Preamble



Source of Authority of Constitution

“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:”

Nature of Indian State



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;

Date of adoption of constitution

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

## Sovereign



Independent State (Free in internal/ external affairs)



No dominion of other nation



UN or Commonwealth membership has no effect on India's sovereignty

## Democratic



Indirect democracy - representative parliamentary democracy



Some manifestations - Universal adult franchise, periodic elections etc



Political + social + economic democracy

## Republic



Two categories of democratic polity - monarchy and republic



Monarchy – head of state queen (hereditary position) eg- Britain



Republic – elected (directly or indirectly) head

- Political sovereignty in people & not in single individual like a king
- Absence of any privileged class

## OBJECTIVES OF INDIAN CONSTITUTION

### Justice (3 forms) (taken from Russian revolution)



**Social** - equal treatment of all citizens without social distinction (caste, religion etc.)



**Economic** - eliminating inequalities in wealth, income and property





**Social + economic = distributive justice**




**Political** - all citizens have equal political rights, equal access to all political offices and equal voice in the government.





# Liberty Equality and Fraternity

-  Taken from French revolution
-  Union of trinity – one cannot be divorced from the other two

## Liberty

-  Absence of restraints on the activities of individuals
-  Providing opportunities for the development of individual personalities
-  **Liberty of thought, expression, belief, faith and worship**
-  Not absolute but qualified liberty with limitations mentioned in the Constitution itself

## Equality

-  Absence of special privileges to any section
-  Provision of adequate opportunities for all individuals without any discrimination
-  **Equality of status and opportunity**
-  Not absolute but qualified liberty with limitations mentioned in the Constitution itself




### Three dimensions of equality

- ① **Civic** (Art 14 to 18 of Fundamental Rights)
- ② **Political** (Art 325 & 326)
- ③ **Economic** (Art 39 of DPSP)

**325** - no person is to be declared ineligible for inclusion in electoral rolls on grounds of religion, race, caste or sex

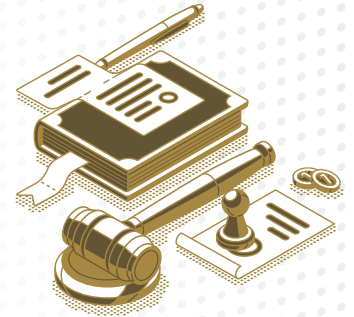
**326** - elections to the Lok Sabha and the state assemblies to be on the basis of adult suffrage

# Fraternity




-  Sense of brotherhood
-  Manifestations – single citizenship, fundamental duty to promote harmony & brotherhood
-  **Ensure dignity of individual & unity & integrity of nation**

## Is Preamble a part of Constitution?



YES (but it is not a source or limitation of power to legislature and it is non-justiciable)



## Related Cases


-  Berubari Union case, 1960 –not a part
-  Kesavananda Bharti case, 1973 –is a part
-  LIC of India case, 1995 –part of the constitution


## IS PREAMBLE AMENDABLE?

-  **Kesavananda Bharati case, 1973**  
Preamble can be amended under Article 368, subject to the condition that no amendment is done to the 'basic features'.
-  **Amended only once so far**  
42nd Constitutional Amendment, 1976

## 42ND AMENDMENT ADDITIONS

### Socialist


-  Democratic Socialism (public & private sector coexist – mixed economy)


 Not communistic socialism (abolition of private property and nationalization of all means of production & distribution)


 Blend of Marxism & Gandhism with heavy tilt towards Gandhian Socialism

 DPSP (also socialistic connotation)

## Secular


 Positive concept of secularism

 All religion has same status & support from state

 Article 25 to 28 (fundamental right for freedom to religion)



## Integrity


 Integrity was added to reflect broader interpretation of fraternity which promotes spirit integral structure of nation which consist of diverse Caste, Class, Region, Religion, Language, Sex, Ideologies etc.


# SIGNIFICANCE OF THE PREAMBLE


## PREAMBLE




 Preface/essence/soul of the constitution

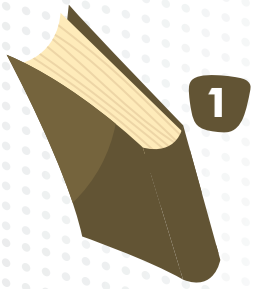
 Embodies the basic philosophy and fundamental values

 Contains the grand and noble vision of the Constituent Assembly

 Resemble the Declaration of United States of American independence

 Based on the 'Objectives Resolution, drafted and moved by Pandit Nehru in Dec 1946, and adopted by the Constituent Assembly in Jan 1947

# SOME RELATED FACTS



Till the passage of the Indian Independence Act, 1947, India was a dependency (colony) of the British Empire. From August 15, 1947 to January 26, 1950, India's political status was that of a dominion in the British Commonwealth of Nations. India ceased to be a British dominion on January 26, 1950, by declaring herself a sovereign republic. However, Pakistan continued to be a British Dominion until 1956.

## 2 Two Types of Democracy—Direct and Indirect.



### DIRECT DEMOCRACY

people exercise their supreme power directly (Switzerland). Four devices of direct democracy are

#### REFERENDUM



Whereby a proposed legislation is referred to the electorate for settlement by their direct votes

#### RECALL



Where voters can remove a representative or an officer before the expiry of his term, when he fails to discharge his duties properly

#### INITIATIVE



Where people can propose a bill to the legislature for enactment

#### PLEBISCITE



Obtaining the opinion of people on any issue of public importance.

### INDIRECT DEMOCRACY

Representatives elected by the people exercise the supreme power. Thus, also known as Representative Democracy. It is of two kinds— Parliamentary and Presidential

