

PREAMBLE

OBJECTIVES

After reading this unit, you will be able to:

Explain the meaning and significance of Preamble;

Get a glimpse into the goals and philosophy of Constitution of India;

Analyse the meaning of Objectives Resolution and its evolution into the

Preamble;

Discuss relationship between the Preamble and the Constitution; and

Analyse the factors for entry of Secularism and Socialism

into the Preamble.

INTRODUCTION

Preamble to a constitution is the window to what is there inside the constitution.

The Constitution of India has also got a preamble. It is mentioned in the beginning

of the Constitution, before the main part, i.e., the part I. If you read the Preamble,

it gives you a glimpse about the philosophy and goals of Indian Constitution. It

is a resolution which people of India have passed themselves for their overall

development. It is not given to them by any other source than the people

themselves. It was written on behalf of the people of India by the members of the

Constituent Assembly. As you have read in unit 1, the Constitution of India was

written by the Constituent Assembly, which consisted of the people's

representatives.

You will find it interesting to note that Preamble to Indian Constitution was

written towards the end of the session of Constituent Assembly debate – i.e. in

October 1949. The first meeting of the Constituent Assembly took place on

6 December 1946 and ended on 26 November 1949 with the adoption of the

Constitution of India which commenced on 26 January 1950.

BACKGROUND

Objectives Resolution

The text of aims and objectives which were to be discussed in the Constituent

Assembly first were prepared by Jawaharlal Nehru in the form of Objectives

Resolution. In the Constituent Assembly, it was presented by Jawaharlal Nehru

and seconded by Purushottam Das Tandon. After the

discussion in the Constituent

Assembly, most of provisions of Objectives Resolution were accepted as

Preamble. You will find it interesting to know the Objectives Resolution was

accepted in the beginning of Constituent Assembly debates, but it was adapted

into Preamble towards the end of the debates. The purpose of the Objectives

Resolution was to give some indications to the Constituent Assembly as to what

its members were supposed to do, what they sought to achieve, and where they

were going.

Objectives Resolution meant to lay certain ground on which structure of the

Constitution could be built after the debates and deliberations in the Constituent

Assembly. Objective Resolutions were “in the nature of pledge” which the people

of India through Constituent Assembly took for their fulfilment in future. The

Resolution laid down certain “Fundamentals” for future constitution of India.

And the most important was that Indians would have “Sovereign Indian Republic”.

Indeed, it was the first time that as a “Fundamental” for Indian political structure

the concept “republic” was used in the Constituent Assembly in Objectives

Resolution. When Objectives Resolution was laid in the Constituent Assembly,

the representatives of the States were not present, and those of the Muslim League

had boycotted it. But Nehru emphasized that despite their absence, the “republic”

shall include all of India.

Significance of Objectives Resolution

In Jawaharlal Nehru's words the purpose of the Resolution

was to “send out a

message to show what we have resolved to attempt to do”.

Following the

discussion in the Constituent Assembly, a constitution could be formed “in

whatever words we please we shall see later” (Constituent Assembly

Debates, Vol.I, December 13, 1946). And after deliberations for around three

years the Constituent Assembly succeeded in forming a Constitution, as you

have read in unit 1, which commenced on January 26, 1950. After having designed

the Constitution, the Constituent Assembly drafted Preamble. This preamble as

you will notice had similarities with Objectives Resolution. Just on the fifth day

of inaugural session the Constituent Assembly on 9 December 1946 the Objectives

Resolution was laid in the Assembly on 13 December 1946.

The Objectives Resolution identified “Fundamentals” which were to guide lines

for the structure of Constitutions which the Constituent Assembly has gathered

to meet. These “Fundamentals” laid foundations about nature of political system,

its territorial boundaries, division of power between union and its constituent

units, supremacy of the people as source of all power and authority, social justice

to all, and safeguarding interests of minorities. These “Foundations” as given in

the Objectives Resolution(Vol. I, Constituent Assembly debates) are given below:

“1) This Constituent Assembly declares its firm and solemn resolve to proclaim Preamble

India as an Independent Sovereign Republic and to draw up for her future

governance a Constitution;

2) WHEREIN the territories that now comprise British India, the territories

that now form the Indian States, and such other parts of India as are outside

British India and the States as well as such other territories as are willing to

be constituted into the Independent Sovereign India, shall be a Union of

them all; and

3) WHEREIN the said territories, whether with their present boundaries or

with such others as may be determined by the Constituent Assembly and

thereafter according to the Law of the Constitution, shall possess and retain

the status of autonomous Units, together with residuary powers, and exercise

all powers and functions of government and administration, save and except

such powers and functions as are vested in or assigned to the Union, or as

are inherent or implied in the Union or resulting therefrom; and

4) WHEREIN all power and authority of the Sovereign Independent India, its

constituent parts and organs of government, are derived from the people;

and

5) 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 action, subject to law and public morality; and

6) WHEREIN adequate safeguards shall be provided for minorities, backward

and tribal areas, and depressed and other backward classes; and

7) WHEREBY shall be maintained the integrity of the territory of the Republic

and its sovereign rights on land, sea, and air according to Justice and the

law of civilised nations, and

8) This ancient land attains its rightful and honoured place in the world and

make its full and willing contribution to the promotion of world peace and

the welfare of mankind.”

Objectives Resolution did not mention the word “democratic”. About this,

Jawaharlal Nehru opined that the word “republic” mentioned in Objectives

Resolution implies democracy. He also clarified that the Objectives Resolution

had not only “content of democracy” but also “content of economic democracy”.

Nehru also felt that there may be objection that the Resolution did not mention

attainment of “a Socialist State” among the objectives of the Resolution. To this,

he responded that India would move towards “Socialist State”, and what form of

Socialism would develop would depend on the nature of deliberations.

The Objectives Resolution was going to be the part of the Constitution that the

Assembly was expected to make. This was not binding on the members of the

Constituent Assembly. They had “perfect freedom” to draw up the Constitution.

The Resolution only laid down “certain fundamentals”.