

THE PHILOSOPHY OF THE CONSTITUTION: THE PREAMBLE AND ITS FEATURES

INTRODUCTION

The Preamble serves as the introductory statement to a constitution, outlining the guiding principles, objectives, and values that the document seeks to uphold. It is a concise and often inspirational statement

that encapsulates the fundamental philosophy of a nation's governance. In the context of constitutions, including that of India, the Preamble sets the tone for the constitutional framework and reflects the aspirations of the people.

A federal system of government is a political structure in which power is divided and shared between a central or national government and regional or state governments. Each level of government possesses its own set of powers and responsibilities, and they operate independently within their designated spheres.

The division of powers is typically outlined in the constitution, specifying the areas over which each level of government has authority. The concept of federalism is grounded in the principle of decentralization, aiming to strike a balance between a strong central authority and the autonomy of subnational entities.

Federal systems are characterized by a distribution of powers that can encompass areas such as taxation, law enforcement, education, and healthcare.

PREAMBLE :

Every constitution is based on certain definite principles of social, political and economic relevance which constitute its philosophy that may also be termed as its ideology. For this, we must, first of all, look into the contents of the Objectives Resolution moved by Pandit Nehru on 13

December, 1946 and adopted by the constituent Assembly on 22nd January, 1947. it said :

This Constituent Assembly declared its final and firm resolve to proclaim India as

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.

(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 there from,

and

(4) Wherein all powers 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 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) Wherein 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 civilized nations, and

(8) This ancient land attain 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.