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Significance of The constitution and the preamble

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Introduction

The constitution is the supreme law of the land and all other activities have to conform to its pattern. We cannot have a complete picture of the constitution of India if we study only the document. The constitution was adopted by the Parliament in 1949 and enforced on 26th January 1950. The frames of Indian Constitution drew inspiration from many sources. The study of these sources and the preamble of Indian Constitution gives us a correct background and significance of the Constitution of our Country.

The main Sources of Indian Constitution

The main sources of Indian Constitution are the following:-

- 1) Debates of the Constituent Assembly. The debates are very important because through them we can understand the wishes and aspirations of our Constitution makers.
- 2) Opinion of the Constitutional Juristic:- Many of the foreign writers have written their observations regarding the constitution of India. Their commentaries and interpretations are very useful and serve as another source of the Indian Constitution.
- 3) Influence of the British Constitution:- The British Constitution served as the reference source for Indian Constitution. For example, The Indian President is supposed to be only a constitutional head of the type of Queen of England.
- 4) Foreign Decisions:- A number of foreign decisions serve as a guide to the development of the Indian Constitution.
- 5) Decisions of the Judiciary:- The decisions of the Supreme Court and in some cases of the High Court are an important source of the constitution. These court have no power to make laws but they interpret the provisions

of the constitution and explain their meaning.

- 6) Ordinance and Orders:- The ordinance and orders issued by the president and governors become an important source of Indian Constitution.
- 7) Past Enactment :- The Govt. of India Acts of 1919, 1935 and 1947 are very important sources for the constitution of India.

The Preamble of Indian Constitution

The preamble of Indian Constitution explains the aims and ideology behind the constitution. The preamble explains the whole content of our constitution. It unfolds the basic principles of our constitution. The preamble assures the unity of the nation by emphasizing the spirit of brotherhood amongst all the Indians irrespective of caste, creed, language and culture. The preamble embodies the spirit of the constitution and the ideal of the Indian people is to promote national unity and common welfare. (Agarwal 2002)

The sentiments expressed in the preamble were these described by Jawaharlal Nehru in the objective Resolution which he moved in the constituent Assembly in its first session and which the assembly adopted unanimously. Reading through the preamble one can see the purposes that it serves namely the source of the constitution, the objectives of the constitution and the date of its adoption. The opening words of the preamble emphasize the ultimate authority of the people from whose will the constitution emerges. The term we the people has been borrowed from the UN Charter. It implies that ultimate authority in India vests in the people. It also implies that betterment of the people and raising their social, cultural and economic Standards is the aim of the constitution. The term Republic in the preamble implies an elected head of the state. The term socialist has been added in the preamble by the 42nd amendment. The significance of the change is that now the government will be bound to bring about socio economic changes to ensure decent life to its citizens. (Mahajan 2002)

The term Secular also has been added in the preamble by the 42nd Amendment. Ever since the inauguration of the constitution and even before that the citizens of India have enjoyed complete religious freedom and the state abstained from giving preferential treatment to any religion. The basic concept for the socialist mentality may be the attitude of Indian people to all the religions. The concept 'AdhidhyDevobhava' is the basic norm for the socialist attitude in the preamble. The democratic nature of the preamble implies that all governmental authority is derived from the people. In its broad sense democracy embraces, in addition to political democracy social and

economic democracy as well. (Pylee 2003) The constitution makes India a Sovereign Republic which means that its power is absolute and uncontrolled within its own sphere. The preamble assures the people justice which implies universal brotherhood and an adult has the right to vote irrespective of caste, color, creed and sex. The constitution prohibits forced labor and untouchability has been abolished for ever. The term Liberty signifies creation of conditions which provide essential ingredients necessary for the complete development of human personality. (Tomar 2007)

Conclusion

Let us keep the spirit of our constitution and assure the unity of the nation by emphasizing the spirit of brotherhood amongst all the Indians irrespective of the differences of caste, creed, language and culture.

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