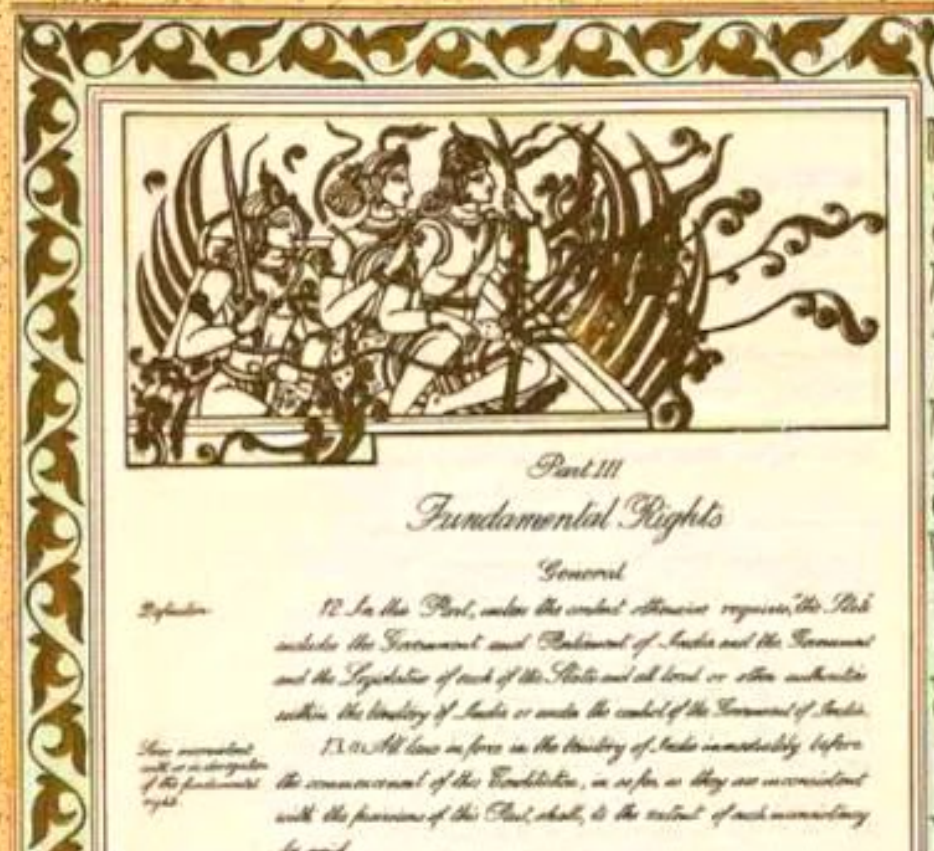


# Soul of the Indian Constitution



Ram, Sita, and Laxman are depicted in the Indian Constitution's original copy while they are returning Vanvas: Source: Bar&Bench

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## **Introduction**

The constitution is the soul of the Republic of India that is Bharat. Bharat's civilisational history, values, and needs of India and its people served as inspiration for the Indian Constitution. It is undoubtedly true that many of the organisational components of institutions like the Parliament and the Judiciary were influenced by other nations, however Bharat's ideals remained the guiding principles and values that shaped the Indian constitution. The Constituent Assembly of India adopted the Indian Constitution on November 26, 1949, and it came into force on January 26, 1950. It established a parliamentary system of government with a comprehensive federal framework and some unitary characteristics. India has the world's longest constitution amongst any sovereign state. For a country as diverse and complex as India, the success of the Indian Constitution never ceases to fascinate, surprise, and inspire specialists from all over the world.

## **Objective of the Constitution**

The Indian Constitution, which outlines the structure, responsibilities, rules, and laws of the land, is Bharat's paramount statute. Preamble contours the constitution's objective and its principle goals. The Indian Constitution is of the following nature:

### **Sovereign**

Implying that the India state is internally powerful and externally free. It demonstrate that no external force can influence its decisions and it is free to take its own decisions.

### **Socialist**

The 42nd amendment added this phrase to the preamble. It envisions the creation of a "welfare state."

### **Secular**

The 42nd Amendment added this as well. India is a secular nation, thus people are free to practice and spread their religion. All religions will be treated equally.

### **Democratic**

India is a democratic country. The term has been introduced to achieve the political, economic and social democracy.

*The state's objectives, which include justice, liberty, equality, and fraternity as well as maintaining the nation's unity and integrity, are stated in the preamble.*

### **Justice**

Justice in social realms entails a society free from discrimination. Justice in the economic domain entails economic equality and fair chances for everyone. Justice in politics refers to ensuring that everyone is treated equally under the law.

### **Liberty**

Constitution affirms freedom of several forms, including social, civil, and political freedom, which is expressed through the constitution's fundamental rights. Freedom of religion, opinion, speech, and belief, for instance.

The Preamble's significance was best summed up by Pandit Thakur Das Bhargava, a member of the Constituent Assembly, who had said: "The Preamble is the most precious part of the Constitution. It is the soul of the Constitution. It is the key to the Constitution... It is a jewel set in the Constitution... It is a proper yardstick with which one can measure the worth of the Constitution."

### **Equality**

In the context of equality, this means that everyone is granted equality of status and opportunity, "Equality before the law" and "Equal protection of the law," equality in public spaces, and equal opportunities.

### **Fraternity**

Fraternity is defined as "a sense of shared brotherhood and sisterhood among all Indians."<sup>1</sup>

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<sup>1</sup> <https://legislative.gov.in/sites/default/files/COI.pdf>

## The Soul of Indian Constitution

Bharat's laws and regulations are articulated in both its written and dictated principles, practices, traditions, and customs. Indian Smritis and Granths validate this underpinning. A major component of Indian civilisation and culture from ancient to the present was a significantly advanced legal framework and justice system. The concept of a constitution is indigenous to India and is rooted in its long enriched history. Although the Hindi word "Samvidhan" more precisely expresses it and has been used for centuries, we chose to adopt the term "constitution" as it was widely used in post colonial countries. However, it is untrue to erroneously think that the constitution is a gift from the West. For centuries, Bharat has defended and upheld the Samvidhan (constitution).

Historical Indian principles and values include democracy, secularism, socialism, justice, liberty, equality, fraternity, republicanism, and sovereignty. The Constitution of India, which is a clear reflection of Indian beliefs and customs, serves as the foundation for their content, breadth, and interpretation.

Given that it is an evolving constitution, the Indian Constitution is regarded as the soul of India. While preserving India's rich history, culture, and ethos, the Constitution's laws, rights, and obligations assist in managing opportunities and difficulties. The Constitution must be liberated from interpretations and analyses that are shaped by an imperialist outlook, mindless emulation of other ideals not natural to Bharat, and conformist attitudes toward those ideals.

*A cursory study of the mottos of the constitutional and statutory agencies clearly establishes the fact that they are from the Indian knowledge system.*

- **Satyameva Jayate**, a mantra from the Hindu scripture Mundaka Upanishad. On January 26, 1950, the day India became a republic and gained independence, it was chosen as the nation's motto.<sup>2</sup>
- The Supreme Court of India's logo, Ashoka Chakra, contains an inscription from the Bhagavad Gita: "**Yato Dharma Tato Jaya**," which translates as "Where there is Dharma, there is victory."<sup>3</sup>

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<sup>2</sup> <https://knowindia.india.gov.in/national-identity-elements/state-emblem.php>

<sup>3</sup> <https://twitter.com/jdhankhar1/status/1147311568033439744>

- The motto of Comptroller and Auditor General of India (CAG) is taken from Sanskrit language i.e. **Lokhitharth Satyanishtha**, which means dedicated to Truth in Public Interest.<sup>4</sup>
- In the logo of Archaeological Survey of India (ASI) **Pratnakirtimapāvrinu** a Sanskrit language phrase which means unfold/uncover the ancient glory.<sup>5</sup>
- All India Radio India's Public Service Broadcaster, the Radio vertical of Prasar Bharati living up to its motto **Bahujan Hitaya : Bahujan Sukhaya**, which means for the happiness of the many, for the welfare of the many.<sup>6</sup>
- India's domestic internal security and counter-intelligence agency Intelligence Bureau (IB) motto is **Jāgrtaṃ Aharniṣaṃ** means Always Alert.
- The Research and Analysis Wing (R&AW), foreign intelligence agency of India's motto is **Dharmō Rakṣati Rakṣitaḥ** which is a phrase of Mahabharata. The phrase translation is Law protects, when it is protected.
- The tagline of the Defence Research and Development Organisation (DRDO), **Balasya mūlam vijñnam**, which literally translates to "knowledge is the source of power," expresses a strong conviction to their mission.<sup>7</sup>

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<sup>4</sup> <https://cag.gov.in/en>

<sup>5</sup> <http://asiegov.gov.in/>

<sup>6</sup> <https://prasarbharati.gov.in/all-india-radio-2/>  
#:~:text=National%20Artists-,AIR%20Home,Bahujan%20Hitaya%20%3A%20Bahujan%20Sukhaya'

<sup>7</sup> <https://www.drdo.gov.in/about-drdo#:~:text=Balasya%20Mulam%20Vigyanam%22%E2%80%94the,the%20field%20of%20military%20technologies.>

## **Purpose of the Constitution**

The Constitution fulfils two functions. It includes outlining the function of the government, its numerous parts, including the executive, legislative, and judiciary, as well as the rights of citizens. The Indian Constitution also outlines the characteristics of the future society that must be created by a cooperative effort between the government and the people, based on both constitutional and civilisational ideals.

Another crucial function of a constitution is to lay the groundwork for socioeconomic growth. Particularly in India, the Constitution has been instrumental in guaranteeing the fair treatment of those on the margins. The Directive Principles of State Policy in Part IV of the Indian Constitution have encouraged the government of India to pass legislation that serve as tools for promoting free access to education for children, protecting the environment, preserving labour rights, and other causes.

In addition to preserving national sovereignty, the constitution also preserves communal sovereignty. A country's political system is more vulnerable to attacks from foreign forces if it is weak. As a result, political societies that reject constitutionalism are more prone to dissolution. Stability is what the constitution is supposed to provide in this circumstance.

The right to vote and to criticise those in positions of power is guaranteed under the Indian constitution. Elections, a representative government, and the ability to criticise the power structure are essential components of a democratic society. The constitution also has the goal of defending citizen's basic human rights.



## **Concluding Remarks**

On November 26, 1949, India's constitution, a supreme law for its people, was adopted and it was enforced into effect on January 26, 1950. The Constitution serves as the foundation for both socioeconomic development and the protection and advancement of human rights. Members of the Constituent Assembly carefully considered Indian civilisation's values, culture, and tenets from the standpoint of a welfare state. The limitations imposed by the state constitution ensure that all laws, rules, and amendments respect the diverse cultures of India. The constitution establishes a number of essential rights for citizens as well as a number of responsibilities and duties.

With 395 articles and 12 schedules, the Indian Constitution is the world's longest written constitution. Ancient Indian scriptures and manuscripts can be used to trace the origins of the ideas of good governance and a welfare state. The written Constitution's aesthetics reflect the values and purposes of its authors. The cultural and historical foundations of the constitution convey a powerful message about the evolution and continuum of Indian civilisation.

