

CONSTITUTIONAL VALUES ON INDIAN EDUCATION

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ABSTRACT

The constitutional values are reflected in the entire Constitution of India, Its Preamble embodies 'the fundamental values and the philosophy on which the Constitution is based. These are: sovereignty, socialism, secularism, democracy, republican character, justice, liberty, equality, fraternity, human dignity and the unity and integrity of the Nation. The values of the Constitution of India, What is Constitution of India? It is a Sovereign Socialist Secular Democratic Republic with a parliamentary system of government. The Republic is governed in terms of the Constitution of India which was adopted by the Constituent Assembly on 26th November, 1949 and came into force on 26th January, 1950. And what is values? principles or standards of behaviour; one's judgement of what is important in life and ultimate values is govern to life of Individual.

Keywords: Sovereignty, socialism, secularism, democracy, republican character, justice, liberty, equality, fraternity, human dignity and the unity and integrity of the Nation.

INTRODUCTION

India is a Republic Nation and the President of India is the head of the nation. He/she is elected every five years. The provisions are written in the Constitution to guarantee Justice for all. No one can be discriminated on the grounds of caste, religion, and gender. Social inequalities on any grounds of caste, religion, and gender are strictly prohibited. Welfare for all citizens is the prime objective of the Government; besides, the government also needs to give special attention, particularly to the underprivileged sections of the society.

The Constitution of any country serves several purposes. It lays down certain ideals that form the basis of the kind of country that we as citizens aspire to live in. A country is usually made up of different communities of people who share certain beliefs, but may not necessarily agree on all issues. A Constitution helps serve as a set of principles, rules and procedures on which there is a consensus. These form the basis according to which the people want the country to be governed and the society to move on. This includes not only an agreement on the type of government but also on certain ideals that the country should uphold. The Indian Constitution has certain core constitutional values that constitute its spirit and are expressed in various articles and provisions. But do you know what is the meaning of the word, 'value'? You may immediately say that truth, non-violence, peace, cooperation, honesty, respect and kindness are values, and you may continue to count many such values. In fact, in a layman's understanding, value is that which is very essential or 'worth having and observing' for the existence of human society as an entity. The Indian Constitution contains all such values, the values that are the universal, human and democratic of the modern age.

VALUES AND THE SALIENT FEATURES OF THE CONSTITUTION

The main features of the Constitution as shown in the illustration are as follows:

1. Written Constitution: As has been stated earlier, the Constitution of India is the longest written constitution. It contains a Preamble, 395 Articles in 22 Parts, 12 Schedules and 5 Appendices. It is a document of fundamental laws that define the nature of the political

system and the structure and functioning of organs of the government. It expresses the vision of India as a democratic nation. It also identifies the fundamental rights and fundamental duties of citizens. While doing so, it also reflects core constitutional values.

2. Single Citizenship: Indian Constitution has provision for single citizenship. It means that every Indian is a citizen of India, irrespective of the place of his/her residence or birth in the country. This is unlike the United States of America where there is the system of double citizenship. A person is a citizen of a State where he/she lives as well as he/she is a citizen of U.S.A. This provision in the Indian Constitution definitely reinforces the values of equality, unity and integrity.

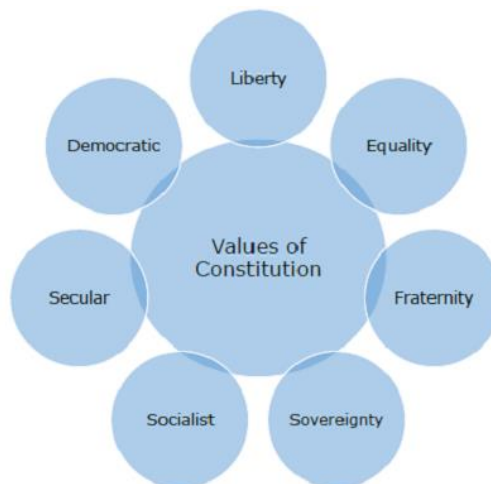
3. Universal Adult Franchise: The values of equality and justice are reflected in yet another salient feature of the Constitution. Every Indian after attaining certain age (at present 18 years) has a right to vote. No discrimination can be made on the basis of religion, race, caste, sex, descent, and place of birth or residence. This right is known as universal adult franchise.

4. Fundamental Rights and Duties: The Constitution guarantees the rights to individuals against the State as well as against other individuals. The Constitution also guarantees the rights of minorities against the majority. Besides these rights, the Constitution has provisions identifying fundamental duties, though these are not enforceable as the fundamental rights are. These duties reflect some of the basic values embodied in the Constitution.

5. Directive Principles of State Policy: In addition to Fundamental Rights, the Constitution also has a section called Directive Principles of State Policy. It is a unique feature of the Constitution. It is aimed at ensuring greater social and economic reforms and serving as a guide to the State to institute laws and policies that help reduce the poverty of the masses and eliminate social discrimination.

GUIDING VALUES OF THE CONSTITUTION

The important values of Indian constitutions are depicted in the following illustration –



Constitutional Values and the Preamble of the Constitution

The objectives set, are directly or indirectly linked with or are drawn from values. There is an integral relationship between them. However, value deals with *what* of the same thing whereas the objective is concerned with the *how* of that. It means that translation of values is the concern of objectives. Sometimes a value may not be an immediate objective but that still exists. Promotion of international peace may belong to that category. And finally, one finds a correlation between and among all the values; no value stands alone and so also the

objectives. Each contributes to the other. Lets now discuss some of basic values and objectives that provide basis and direction to governmental policy decisions.

(i). Democracy:

India is a democracy. We have adopted parliamentary democracy to ensure a responsible and stable government. As a form of government it derives its authority from the will of the people. The people elect the rulers of the country and the latter remain accountable to the people. The people of India elect their governments at all levels (Union, State and local) by a system of universal adult franchise; popularly known as μ One man one vote. Elections are held periodically to ensure the approval of the people to the governments at different levels. All the citizens without any discrimination on the basis of caste, creed, colour, sex, religion or education are allowed freedom of speech, thought and expression and also association. Democracy contributes to stability in the society and it secures peaceful change of rulers. It allows dissent and encourages tolerance.

(ii). Sovereignty:

By declaring us as a sovereign entity, Preamble emphasizes complete political freedom. It implies that our state is internally powerful and externally free. She is free to determine for herself without any external interference. There is none within her to challenge her authority. Only this attribute of sovereignty has made her a member in the comity of nations. Without sovereignty she has no essence. If a state can not freely determine what it wants and how to achieve it, it loses the rationale to exist. Further, sovereignty gives the state the dignity of existence. It would not receive respect from within as well from outside if it does not possess the sovereign status. This suggests that sovereignty is one of the most important values of a state. Therefore, the government is duty bound to defend its sovereignty by preventing any kind of threat to it coming from any entity and direction.

(iii). Secularism:

India is a home to almost all major religions in the world. To keep the followers of all these religions together secularism has been found to be a convenient formula. The ideal of secularism in Indian context implies that our country is not guided by any religion or any religious considerations. However, our policy is not against religions. It allows all its citizens to profess, preach and practice any religion of their liking. Articles from 25 to 28 ensure freedom of religion to all its citizens. Constitution strictly prohibits any discrimination on the ground of religion. All minority communities are granted the right to conserve their distinctive culture and the right to administer their educational institutions.

(iv) Socialism:

The Constitution has deliberately imposed on us the ideal of socialist pattern of society $\pm$ a kind of Indian model of socialism to suit to our needs and temperament. It stands to end all forms of exploitation in all spheres of our existence. Our Constitution directs the state to ensure a planned and coordinated social advance in all fields while preventing concentration of wealth and power in few hands. Our Constitution supports land reforms, promotes the well-being of working class and advocates for social control of all important natural resources and means of production for the wellbeing of all sections. To ensure a basic minimum to all has been the crux of many of our public policies today. Government of India has adopted mixed economy, introduced five year plans and has framed many such laws to achieve the value of socialism in a democratic set up. To achieve the objective of socialism Part-IV of our Constitution has outlined the principles to be followed.

(v) Justice:

Justice is called a total value. The fathers of our Constitution knew that political freedom would not automatically solve the socio-economic problems which have been deep rooted. Therefore, they stressed that the positive constructive aspect of political freedom has to be instrumental in the creation of a new social order, based on the doctrine of socio-economic justice. The message of socio-economic justice mentioned in the preamble to our Constitution has been translated into several articles enshrined in part-III and part- IV of the Constitution. A number of practical measures have been taken over the years to create more favourable social conditions for the millions of downtrodden. These include several developmental policies to provide safeguard to minorities, backward, depressed and tribal people.

- ❖ **Social Justice:** means the absence of socially privileged classes in the society and no discrimination against any citizen on grounds of caste, creed, color, religion, gender or place of birth. India stands for eliminating all forms of exploitations from the society.
- ❖ **Economic Justice:** Economic Justice means no discrimination between man and woman on the basis of income, wealth and economic status. It stands for equitable distribution of wealth, economic equality, the end of monopolistic control over means of production and distribution, decentralisation of economic resources, and the securing of adequate opportunities to all for earning their living.
- ❖ **Political Justice:** Political justice means equal, free and fair opportunities to the people for participation in the political process. It stands for the grant of equal political rights to all the people without discrimination. The Constitution of India provides for a liberal democracy in which all the people have the right and freedom to participate.

(vi) Equality:

Political equality though given in terms of vote but it is not found in all spheres of politics and power. Equality before law in order to be effective requires some economic and education base or grounding. Equality substantiates democracy and justice. It is therefore held as an important value.

(vii) Unity and integrity of the Nation:

To maintain the independence of the country intact and enduring, unity and integrity of the nation is very essential. Therefore, the stress has been given on the ideal of fraternity which would foster unity amongst the inhabitants. Without a spirit of brotherhood amongst the people the ideals of unity and integration of people and nation seem unattainable. Our Constitution expects from all the citizens of India to uphold and protect the unity and integrity of India as a matter of duty.

(viii).International peace and a just international order:

The value of international peace and a just international order, though not included in the Preamble is reflected in other provisions of the Constitution. The Indian Constitution directs the state

- a) To promote international peace and security,
- b) Maintain just and honourable relations between nations,
- c) Must respect for international law and treaty obligations, and

- d) Encourage settlement of international disputes by arbitration. To uphold and observe these values is in the interest of India. The peace and just international order will definitely contribute to the development of India.

(ix). Fundamental Duties:

Our Constitution prescribes some duties to be performed by the citizens. It is true that these duties are not enforceable in the court of law like the fundamental rights are, but these duties are to be performed by citizens. Fundamental duties have still greater importance because these reflect certain basic values like patriotism, nationalism, humanism, environmentalism, harmonious living, gender equality, scientific temper and inquiry, and individual and collective excellence.

THE FUNDAMENTAL DUTIES OF INDIAN CONSTITUTION

It shall be the duty of every citizen of India, The Fundamental Duties noted in the constitution are as follows:

- To abide by the Constitution and respect its ideals and institutions, the National Flag and the National Anthem;
- To cherish and follow the noble ideals which inspired our national struggle for freedom;
- To uphold and protect the sovereignty, unity and integrity of India;
- To defend the country and render national service when called upon to do so;
- To promote harmony and the spirit of common brotherhood amongst all the people of India transcending religious, linguistic and regional or sectional diversities; to renounce practices derogatory to the dignity of women;
- To value and preserve the rich heritage of our composite culture;
- To protect and improve the natural environment including forests, lakes, rivers and wild life, and to have compassion for living creatures;
- To develop the scientific temper, humanism and the spirit of inquiry and reform;
- To safeguard public property and to abjure violence.

AMENABILITY

In the *Berubari Case* (1960), the amenability & the significance of the constitution came into force. An important & very interesting question was raised relating to the powers of the Parliament to cede Indian territory to a foreign country, as an interpretation of the Article 3. The Supreme Court had held that the power of Parliament to diminish the area of a state as guaranteed in article 3 of the Constitution does not cover cession of the Indian territory to a foreign country. Hence, Indian territory can be ceded to a foreign country only by means of amendment of the Constitution under the Article 368. Consequently, the 9th Constitutional Amendment Act, 1960 was enacted to transfer the *Berubari Union* to Bangladesh (erstwhile East Pakistan). Supreme Court also held the view that Preamble cannot be a part of the constitution but later in *Kesavananda Bharati Case* (1973), the Supreme Court gave a comprehensive verdict. It said that Preamble is part of the Constitution and is subject to the amending power of the parliament as are any other provisions of the Constitution, provided the basic structure of the Constitution is not destroyed.

It has been clarified by the Supreme Court of India that, being a part of the Constitution, the Preamble can be subjected to Constitutional Amendments exercised under article 368, however, the basic structure cannot be altered. Therefore it is considered as the heart and soul of the Constitution.

FORTY-SECOND AMENDMENT

The preamble has been amended only once so far. On 18 December 1976, during the Emergency in India, the Indira Gandhi government pushed through several changes in the Forty-second Amendment of the constitution. A committee under the chairmanship of Sardar Swaran Singh recommended that this amendment be enacted after being consulted to study the question of amending the constitution in the light of past experience. Through this amendment, the words "socialist" and "secular" were added between the words "Sovereign" and "democratic" and the words "unity of the Nation" were changed to "unity and integrity of the Nation".

PHILOSOPHY AND IDEALS OF THE INDIAN CONSTITUTION

The philosophy and ideals of the Indian Constitution are reflected in the Preamble to the Constitution of India. To understand the philosophy and ideals of the Indian Constitution, we must know the Preamble in the first place.

- a. **India as a Sovereign state:** The Preamble declares India as a sovereign state. It is free from any external control. No foreign power can interfere in the internal affairs of India. India can determine her foreign affairs according to her free will.
- b. **India as a Socialist state:** It means the Constitution of India has a great objective to secure social and economic equality and fair distribution of wealth among all sections of people in the country.
- c. **India as a Secular state:** The characteristic of Indian secularism is that India does not recognize any religion as the official or state religion and treats all religions equally.
- d. **India as a Democratic state:** The Preamble describes India as a democratic state. The prime philosophy and ideal of the Indian Constitution is to make India a democratic state. India is regarded as the largest democratic state in the World. According to Abraham Lincoln, "Democracy is by the people, for the people and of the people."
- e. **To ensure Justice:** Justice implies that the Government will try to promote the welfare of all the sections of the people. The Preamble embraces three types of Justice- social, economic and political. To ensure Social Justice the Constitution has made special arrangements for the weaker sections of the society, abolished untouchability, provided free education up to a certain standard, etc. With a view to providing political justice, the Constitution has introduced the principle of universal adult franchise and has given an equal right to all adult citizens to be elected or appointed to public services. Economic justice implies that the Constitution seeks to ensure economic security for the common people and to do away with unequal distribution of income and wealth.
- f. **To ensure Liberty:** The other important philosophy and ideal of the Indian Constitution is to ensure liberty to its citizens for the all round development of their personality.
- g. **To ensure Equality:** Equality is the basis of a democratic state. Equality is necessary for the development of a society.
- h. **To promote Fraternity among the people:** The term fraternity has been incorporated in the Preamble as a means of assuring the dignity of the individual and the unity and

integrity of the nation. The term 'dignity of the individual' means that the personality of the individual should be recognized, because, the recognition of the personality and the dignity of the individual is an essential condition to promote fraternity among the people.

- i. **India as a Welfare state:** India is committed to the ideal of a welfare state and must establish socio- economic justice.

CONCLUSION

The Preamble of the Indian Constitution says: "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: Justice, social, economic and political; Liberty of thought, expression, belief, faith and worship; Equality of status and opportunity; and to promote among them all Fraternity assuring the dignity of the individual and the unity and integrity of the nation;

in our Constituent assembly this twenty-sixth day of November, 1949, do hereby adopt, enact and give to ourselves this." From the Preamble we can understand the philosophy and ideals of the Indian Constitution—

REFERENCES

1. Dr. Anil Kumar Mohapatra : Basic Objectives and Values of the Indian Constitution.
2. The Constitution of India was originally written in Hindi and English, so, both Hindi and English are its 'original' languages.
3. [The](#) Constitution of Yugoslavia briefly held this position from 1974 until it split up in 1990.
4. The Constitution was in 22 Parts originally. Part VII & IX (older) was repealed in 1956, whereas newly added Part IVA, IXA, IXB & XIVA by Amendments to the Constitution in different times (lastly added IXB by the 97th Amendment).
5. By 73rd & 74th Amendment, the lists of administrative subjects of Panchayat raj & Municipality included in the Constitution as Schedule 11 & 12 respectively in the year 1993.
6. Scheduled Areas are autonomous areas within a state, administered federally and usually mainly populated by a Scheduled Tribe.
7. Scheduled Tribes are groups of indigenous people, identified in the Constitution, who are struggling socioeconomically