

# **Preamble**

## **Preamble**

Preamble refers to an introductory statement, which in turn describes, or states the reason for, the remaining portion of the document or writing. In the United States, the term *preamble* is most commonly associated with the introductory section of the U.S. Constitution. Preambles are, however, used at the beginning of other documents, such as charters, constitutions, and legal documents. To explore this concept, consider the following preamble definition.

## **Definition of Preamble**

### **Noun**

1. A preliminary statement, often used to explain the purpose of a formal document
2. An introductory statement or phrase

### **Origin**

1350-1400 Middle English < Latin *praeambulum* (“that which walks ahead”)

## **What is a Preamble**

A preamble is an introduction to a bill, statute, constitution, or other legal document. The preamble describes the purpose or objective of the text that follows. Before the term preamble came about, the Greeks used the word *prologue* to refer to such introductory statements. In fact, the term *prologue* is still used in reference to introductory sections of books and plays, with the term *preamble* most commonly associated with legal documents and charters.

## **Prominent Ideals of Preamble**

### **1. Concept of Popular Sovereignty**

Constitution uses the phrase “We the people of India”, this phrase establish that the Indian constitution is written by the representative of Indias. Indian Constitution is not framed by any external authority. Hence the Constitutions of India is having different basis of legitimacy than earlier constitutions like Government of India act, 1935.

### **2. Sovereign**

- India is a sovereign nation.

- Sovereign is the most important attribute of a nation state.
- This is the basis demarcation between Independent nations & colonies.
- The ideal of Sovereign as expressed in Indian Constitution shows that Indian possess autonomy in the sphere of decision making. In external spheres NAM was the policy to assert autonomy in decision making. Sovereign is always a diluted concept. In contemporary times with emergence of phenomenon like globalization, liberalisation Sovereignty does not exist ideally. Still Government of India is trying to achieve what is best possible for its people in contemporary contexts. Be it the platform of WTO, or UN.

### **3. Socialist**

Socialist has always been the goal of Indian Policy Systems. Indian national leaders like, Gandhi, Nehru, Ambedkar always felt that political democracy without socio-economic democracy is meaningless, for Indian leaders the ideal of liberty was also very important. Hence, we have adopted the path of democratic socialism, we are trying to achieve socialist Ideals through democratic mechanisms. Nehru gave concept of mixed economic in Indian context. Some people believe that goal of socialism has been compromised since India adopted new Economy-Policy based on Liberalism. But critics are not correct when Government still maintains its faith in ideals of socialism e.g. NREGA, food security act shows the recognition of necessity of having Inclusive Growth. So our Goals remains same but strategies to achieve the goal have been consistently modified.

### **4) Secularism (Article 25-28)**

- Meaning
- Features of secular State
- Problems
- Secularism features of Constitution of India.
- Analysis of Indian secularism.
- Conclusion.

### **Aspiration concept of preamble**

Preamble is the preface of the constitution it is also called as key of the Constitution. The aims and aspiration of the people of India are reflected in the Preamble.

In fact, Preamble is based on the historic objective resolution declared by Pandit Jawaharlal Nehru in the constituent assembly on 22 June 1947.

Though the Indian constitution is a bag of “Beautiful Borrowings” from the western world. But it missed the concept of DHARMA which was gift of India to the western world.

And also, it missed the concept of TRUTH and NON-VIOLENCE in the Preamble of the Indian Constitution.

## Sources of Indian Constitution

| Sources                      | Borrowed Features   |
|------------------------------|---|
| Government of India Act 1935 | Major part (2/3rd part) is taken up from this legislation. (1) distribution of power among centre and states (2) Office of Governor (3) Judiciary (4) Public Service Commission (5) emergency provision (6) Administrative Detail |
| Australian Constitution      | (1) Concurrent list (2) Freedom of trade, commerce and intercourse (3) Joint-sitting of the two Houses of Parliament  |
| Canadian Constitution        | (1) Federation with a strong Centre (2) Vesting of residuary powers in the Centre (3) Appointment of state governors by the Centre (4) Advisory jurisdiction of the Supreme Court   |
| Irish Constitution           | (1) Directive Principles of State Policy (2) Nomination of members to Rajya Sabha (3) Method of election of the President   |
| Japanese Constitution        | (1) Procedure Established by law  |
| Soviet Union's Constitution  | (1) Fundamental duties (2) Ideal of justice (social, economic and political) in the Preamble  |
| US Constitution              | (1) Fundamental rights (2) Independence of judiciary (3) Judicial review (4) Impeachment of the president (5) Removal of Supreme Court and High Court judges (6) Post of vice-president   |
| German (Weimar) Constitution | (1) Suspension of Fundamental Rights during emergency   |
| South African Constitution   | (1) Procedure for amendment in the Indian Constitution (2) Election of members of Rajya Sabha   |

|                        |   |
|------------------------|---|
| French<br>Constitution | (1) Republic (2) Ideals of liberty, equality and fraternity in the Preamble |
|------------------------|---|

## National Flag of India

The **National Flag of India** is a horizontal rectangular **tricolor**; saffron, white and green with the Ashoka Chakra in navy blue (नीला रंग) color at its centre.

## Colours of Indian flag represent

Upper **Saffron** Color Represent – Courage, Sacrifice, Strength

Middle **White** Color Represent – Peace, Truth, and purity.

Lower **Green** Color Represent – Faith, Chivalry, Fertility

## National Anthem

The National anthem was in the news recently. The Supreme court of india has declared that pride for the national anthem is non-negotiable and the Centre allowed differently-abled people to stay seated during the national anthem. It has also made it mandatory that all the citizens of India should stand up and listen to the National Anthem before they can watch a movie in a theatre.

The decision is in agreement with Article 51(A) of the constitution of india which makes honouring the National Anthem a fundamental duty of all citizens. In this regard, here we are giving some interesting facts about the Code of Conduct relating to the National Anthem.

In case you have missed out on our earlier article highlighting the 8 interesting facts about the Indian national anthem you can read them by clicking on the linked article.