

Q1

Critically examine the relationship between the preamble's ideal of 'sovereignty' and the increasing globalization of India's economy and polity. (8M)

→ The preamble of Indian constitution is based upon 'objective resolution', drafted and moved by Pt Nehru and adopted by constituent assembly.

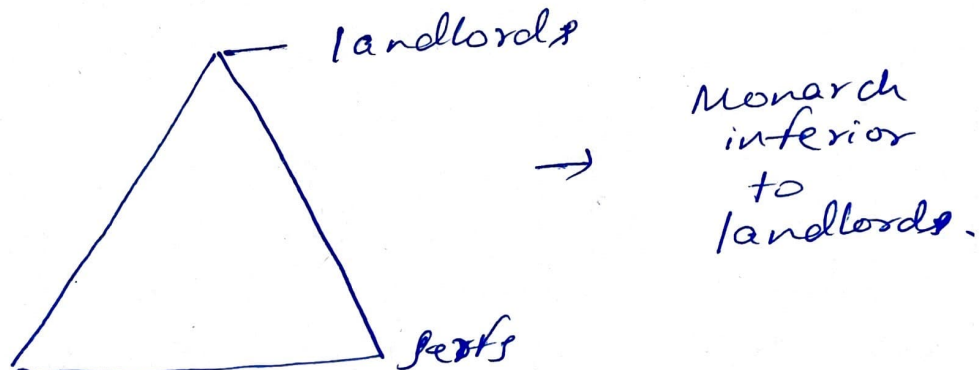
• The word sovereign implies that India is neither a dependency nor a dominion of any nation but independent state.

• preamble in its present form starts from :-

We the people of India

↓
from popular to plural sovereignty.

Evolution :- from 15th 16th century Europe.



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- Tripartite struggle →
landlords — Monarch — Church
- Individual's freedom
- evolution of state —
- Constitution to limit power of state
- Separation of power ← legislative
Judiciary
Executive
- Rule of law
- State — Rule of law —> Capitalism
economic freedom
profit motive
again from (-)ve liberty to
positive (+)ve liberty i.e. establishment
of welfare state to control capitalism
- Liberalism — Capitalism — Capital
↓
factory
↓
worker
Adopted by India by providing
equality of opportunity.

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Ideas enshrined in ~~Constitution~~ Preamble - Justice, liberty, equality and fraternity are interdependent. Critically evaluate the extent to which these ideas have been realized in India.

The term 'Preamble' refers to introduction or preface to the Constitution. It contains the summary or essence of the Constitution along with idea and aspiration upon which Indian State is founded.

Preamble ensures

- ↳ Justice : Social, Economical and political
- ↳ Liberty → Thoughts, expression, belief, faith and worship
- ↳ Equality ⇒ Status, opportunity
- ↳ Fraternity → Assuring dignity of individual and unity and integrity of Nation.

Justice : taken from Russian Revolution

The term Justice embraces three distinct forms i.e

Economic : denotes non-discriminatory between people on economic basis

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social \div • equal treatment of all citizens without any social distinction based on caste, colour, race, religion, sex and so on.

- It also means privilege to certain section of society

political \div All citizens shall have equal political rights & equal access to all political offices and equal voice in government.

Analysis

- ↳ Judicial delays \Rightarrow over 4 crores cases pending in various courts
- ↳ Inequality in Religion and Caste
- ↳ Economic inequality \Rightarrow policies favouring corporates over poor
- ↳ Impact of globalization \Rightarrow

Liberty originated from word 'libertas' i.e. freedom

Absence of restraints on activities of individuals and simultaneously providing opportunities for development of individuals.

Two types :

Negative — free from interference
positive \rightarrow Freedom to achieve/realise potential.

Analysis

Right (निजत)

freedom of speech

↳ used to curb the voice of protestors/opposition

social boundaries - LGBTQ rights still limited.

Equality

originates from latin word aequalis. i.e equal.

It states absence of special privileges to any section of society and the provision of adequate opportunity for all individuals without any discrimination.

Analysis

(i) economic inequality ÷ Increasing difference between rich and poor in society, ever widening gap further enhancing.

(ii) gender based discrimination ÷

- limited participation of women.
- unequal wages

(iii) procedural limitations ÷

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- Judicial system structural
 - pendency of cases
 - Expensive
- all these combined together is unaccessible to commoners

Fraternity

Originates from 'fraternitas' i.e brotherhood.

- To enhance equality and brotherhood between people and community.

Analysis

- (i) Social polarization ÷ Religion and caste based politics weakens fraternity.
- (ii) Citizen responsibility ÷ Increasing individual thought is deteriorating social unity.

Though ever evolving in nature but India has achieved milestone as:

- Rights to equality - Article 14 to 18.
- protection of women at workplace.
- specific acts for marginalized section of society and Tribals.
- various acts like POSCO & education rights for children.

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- In 18th lok Sabha over 17% of female legislators have been elected signifies the growing participation of women.

All these are just tip of iceberg as global indices shows there is huge room for improvement with 5th largest economy and with largest population share globally a lot can be achieved with youngest population globally.