

Directive Principles of State Policy and Fundamental Duties: Constitutional Imperatives

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Lecture 10: Thematic Understanding of DPSPs II

Greetings to all of you, we are discussing the thematic structuring of DPSP. In the last lecture, we discussed socialist and Gandhian ideals, which are incorporated into the directive principles in Module 2 of our NPTEL course. Now, we are in Lecture 10, today's lecture, we are going to cover these concepts, where we will continue our discussion on the thematic understanding of the directive principles. And in today's session, we shall be taking up the discussion on Nehruvian ideas and DPSPs, cultural nationalists and DPSP and liberal ideas in the Directive Principles, that is what we will be touching upon. The purpose of the discussion is to give an overview on how the directive principle. Directive principles have accommodated divergent views and created a structure for ensuring the larger welfare of the people. Now, as I said to you, we have discussed socialist and Gandhian ideas. As it has been incorporated in the Directive Principles in the last session. Today, we will discuss these three important ideas, or values, which are present in the Directive Principles: the Nehruvian idea, Cultural Nationalism, and Liberal Principles.

These ideas and principles are to be seen as interconnected; they are not to be seen in silos or in isolation. One influences the other; one helps in nurturing the other. That is how we need to understand. And that is why we believe that when you read the socialist idea or Gandhian idea, it has to be connected with the cultural nationalist idea or with Gandhian philosophy. So, the theme is theme-based reading; the director's principle is certainly helping us understand how the consensus and accommodation work is a central feature of the Indian Constitution. Let us try to look at the connection between Nehruvian ideas and the directive principles. When you read the provisions of the Directive Principles, you get a feeler that Nehru's idea of democratic socialism has influenced the making of the Directive Principles or the finalization of their provisions. Nehru's principle, as known as democratic socialism, is different from the way

socialism is visualized in capitalist or imperialist terms. It is propounded independent of socialism, and Nehru has given this proposition (or idea) in 1931 at the Karachi Congress, where there was an emphasis placed on free education, including free primary education for everyone, protection of workers that has certainly become a part of the directive principles in the 1950 Constitution. It also very well certifies a viewpoint that the drafting of the directive principles is not entirely based on other constitutions, but there are features which are very much discussed during the freedom movement, and finally, those features were incorporated in the Directive Principles. Now, for example, the resolution of 1931, which talks about the organization of economic life, must conform to the principles of justice to the end that it may secure a decent standard of living. Further, the resolution says that states shall own or control key industries and services, mineral resources, railways, waterways, shipping, and other means of public transport.

So, this is what the resolution is that has been passed, and you can very well see a close connection between these resolutions and the provisions given in Part IV of the Constitution. Now, when you look at the idea of democratic socialism as propounded by Pandit Nehru, Pandit Nehru has suggested that political democracy alone may not be enough for achieving the goal which the independent movement is trying to attain—that is, a dignified life for everyone. So, Pandit Nehru was of the view that along with political democracy, it is important to also give equal significance and equal importance to social democracy. And in that process, he said that let the distribution of wealth and let the adequate means of livelihood be ensured to everyone in a democratic fashion. And there, he had his viewpoint. is in contradistinction to the Marxist way of looking at socialism.

So, he was of the view that democracy plays a significant role in institutionalizing the entire decision-making process, which should be taken in the interest of the people and aims to establish an egalitarian society. So, he said that political democracy is just a means to achieve an end in terms of social democracy, where the society and the nation commit to the welfare of everyone, ensuring that everyone has enough means to lead a dignified life. Now, when I look at individual provisions in the Directive Principles, I find that Article 38, which talks about reducing inequalities in income, or which says that it aims to eliminate inequalities in status and establishes a social order. All this when you try to connect with the idea of liberty, you try to connect with the idea of equality you would find that equality in India is not understood only in terms of "one man, one vote". In India, it is also to be understood as everyone having enough

means to lead a dignified life. It is about both political democracy and economic and social democracy. They are not independent with each other, they are interdependent and they need to influence each other in order to ensure that people of the country are free from hunger and have enough basic amenities to lead a decent life. That is something which is also there when you read language Article 39(b) where ownership of material resources has been said, or control of resources should not be such so it should not serve the common good. It says that it should be done in such a way so, that the common good is addressed and served, or, for example, when you look at Article 43A, which talks about the participation of workers in the management of industries. DPSP is also closely connected with the idea of cultural nationalism. Now, when I look at cultural nationalism, one way of looking at it is to see how nationalism as a name or as a value is being perceived by the majority community. But one for India, we need to understand that cultural nationalism is about acknowledging the diversity prevalent in the country along with creating a national community.

So, we need to understand how the active principle also accepts this idea of cultural nationalism and talks about valuing diversity along with that, as well as working to foster the idea of national identity. Though we were aware of the fact that when it comes to the composition of the Constituent Assembly, there was very nominal presence of the cultural nationalists from the Hindu Mahasabha or Rashtriya Swayamsevak Sangh. But when we look at the presence of certain members who have a certain affiliation with these organizations, for example, Mr. Purushottam Das Tandon, Mr. M.R. Jayakar, and Mr. Shyama Prasad Mookerjee, who later certainly became part of Pandit Nehru's cabinet. In that regard, they strongly advocated for some of the viewpoints of cultural nationalism. One of the members, Mr. Shibban Lal Saxena, in fact, moved an amendment to add Part I-A in the Constitution, and if you look at the recommendation given by him, he has highlighted a few things which I would also stress upon. I will not go through all the pointers which he has indicated but I will certainly tell you how cultural nationalism was advocated at the time of the making of the Constitution. For example, if you look at point number six, his suggestion is that the Union shall be called Bharat.

Then, when you look at the point, where it says that English shall be the second official language (point number 11) of Bharat during the transition period of the first 5 years. Now, when you look at number 12, you find that this draft also proposes that the national anthem of Bharat shall be "Bande Mataram," which is to be reproduced in the Second Schedule. So, in that case, you can very well make out there was some kind of known contribution made, some

kind of insider's shade, with the values of cultural nationalism in the making of the constitution in particular, in the drafting of the directive principle. Particularly, some features that give us the idea of cultural nationalism. For example, Article 48 of the Constitution [Draft Article 38A], which talks about the prohibition of cow slaughter. When you read the debate, you would find that the provision was missing in the draft given by Mr. B.N. Rau, where there was no such provision.

So, the ideas are very well closely connected with the Gandhian philosophy, which we have also discussed in the last lecture. In fact, the very idea of honouring the heritage and culture made Mr. Seth Govind Das suggest that provisions on cow slaughter shall be included as one of the provisions in the chapter on fundamental rights. Now, when you look at the debate on Article 48, which is on cow slaughter, you would find that somewhere it has been consented to respect the viewpoint of cultural nationalists, along with progressive approach, where both heritage, culture and diversity are to be respected. But at the same time, it has also been suggested that how society shall evolve over a period of time. So, Mr. Raghu Vira also supported the issue on cow slaughter ban, and Pandit Thakur Dass Bhargava proposed an amendment in the Draft Article 38A, which is now Article 48, where it is written that a state shall endeavor to organize agriculture and animal husbandry on modern and scientific lines and shall, in particular, take steps for preserving and improving the breeds of cattle and prohibit the slaughter of cows and all other useful cattle, especially milch and draught cattle and their young stock. So, this is what was proposed by Mr. Bhargava. which, in a way, has got approval of the Assembly, with slight amendments where, the amendment proposed was said to delete the words "and other useful cattle, especially milch cattle and of child-bearing age, young stocks, and draught cattle," and add at the end that "the word "cow" includes "bulls, bullocks, young stock, and stock of the genus cow". Now, this amendment proposed by Mr. Bhargava was adopted. And later, when the committee has looked into the draft, suggested finally, Article 38A was restructured like this: "The State shall endeavour to organise agriculture and animal husbandry on modern and scientific lines and shall, in particular, take steps for improving the breeds of milch and draught cattle including cows and calves and for prohibiting their slaughter." So, if you can look at it, there are some kinds of dilution done in the language. The clear dicta on prohibition have been diluted and at the same time, the word "preserving" was removed. So, these were the changes done where you find that cultural nationalists were not agreeing to the idea of diluting the expression, particularly on the issue of cow slaughter. But then a midway was achieved, and this provision was made: they let there be a provision on the

issue of cow slaughter, but along with also the issue of introducing a scientific approach to agriculture and animal husbandry. So, this is the point of accommodating differing viewpoints.

Liberal ideas are also included in the DPSP. For example, when I look at the language of Article 45, which talks about education, it says that "childhood care and education" is a prominent social and economic goal for the state to follow. So, you find that these ideas are also very much featured in the chapter on directive principles. Article 48 have already been discussed where it talks about a scientific approach towards animal husbandry. So, it is not only about the traditional way of going with agriculture. It also says that as society progresses, we need to evolve and really internalize and institutionalize certain processes. Article 51 again is about the promotion of international peace and respect for international law. So, these important provisions are symbolizing how liberal ideas have been incorporated in the framing of the directive principles. So, when you look at the thematic understanding of the directive principle, you would find that it is not based on any particular philosophy or idea. We have adopted Socialist idea, Gandhian philosophy, Nehru's democratic socialism idea. We have also given value to cultural nationalism, along with liberal values and the idea of liberalism.

We have valued the very idea that the goal of the state should be to achieve socio-economic justice, equitable resource distribution with a sort of decentralized process where grassroots democracy is to be strengthened in the form of village panchayats alongside modern governance principles. So, there is no doubt that DPSP is a very true example of accommodating divergent views and diverse perspectives, creating a sort of inclusive and pluralistic framework.

These are the references for today's session.

Thank you very much.