



## Inculcating constitutional values in India: Challenges and pathways

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### Abstract

The inculcation of constitutional values in the minds of the Indian people has been a significant challenge since the Constitution's inception. When the people of India solemnly resolved to adopt a Constitution and dedicated it to the nation, it was imbued with values such as popular sovereignty, portraying the nation as a Sovereign, Socialist, Secular, Democratic Republic. In this regard, certain principles were imparted in the form of liberty, equality, and fraternity to maintain a just social order. However, in a multicultural, multi-ethnic, multi-lingual, and multi-religious society like India, upholding these values as a consistent expression of the Indian mind set and connecting them with the true spirit of the Indian nation has proven difficult. This paper seeks to explore how these values have been connected to the lives of ordinary Indians. It also examines what has compelled the state's leaders to maintain these values even in the face of the rise of right-wing extremism, where the concentration of power and the denial of diversity have become common. To achieve its objectives, this paper engages in a thorough review of existing literature, employing the content analysis method.

The major findings suggest that these values are, by default, Western in nature, and thus have struggled to resonate with the Indian populace in their true essence. The universal applicability of such values has failed to consider the specificities embedded in the Indian Constitution, particularly the principle of unity in diversity, making these values easy targets for Indian rulers who have often sought to undermine them. Nevertheless, in practice, their efforts to hijack the emotions of the Indian people concerning these values have yielded some political gains in their favour.

**Keywords:** Constitutional values, constitutionalism, liberty, equality, fraternity, justice, unity in diversity, multiculturalism

### Introduction

The Constitution of India, arguably the lengthiest constitution in the world, has crossed several decades as it recently marked its 75<sup>th</sup> anniversary. Upon its adoption, it imbued the entire nation with the spirit of democracy. By fostering republican values and ethics, it empowered the people and recognized their true power. Through the embrace of values such as liberty, equality, and fraternity, the Constitution affirmed the real goal of Indian democracy. Justice became the prime objective of this democracy. Slogans like 'Unity in diversity' projected the values of plurality, which became a protective wall for Indian democracy, shielding it from ambiguities, disruptions, deviations, and potential demolitions by upholding the moral obligation to ensure value neutrality, tolerance, and impartiality in a just social order.

Today, a pressing issue in Indian political discourse is how to inculcate the values of the Indian Constitution in the minds of the people, especially when many are influenced by narrow individualism, parochialism, narcissistic tendencies, and systemic practices of communal disharmony. The challenge of our time is how to bridge the gap between "We" and "They." Can constitutional values help address this problem and facilitate coordination between these opposing forces in a judicious manner? What challenges do these values face in the current political context, particularly from right-wing extremism?

To explore these issues, a thorough review of existing literature and related value structures has been conducted, seeking to build a theoretical framework that may address these problems in a practical way. The content analysis method has been employed for this purpose.

### Constitutional Values: Fact or Fantasy?

Constitutional values reflect the moral essence of the Constitution. They establish the ethical foundation upon which the moral obligations of a nation are built. These values endorse principles that instil morality in the minds of ordinary people, helping them to unite as a moral whole so they can understand the nation's ethical essence and the importance of national integration.

Constitutional values generally serve as a tool to create moral sanctions in favour of institutions that are constitutionally formed and operate within the limits prescribed by the Constitution<sup>1</sup>. In other words, these values help people understand why they should obey institutions formed under the Constitution, what the moral essence of the activities undertaken by these institutions is, and how those activities align with moral objectives. Values emanating from constitutional thought are closely aligned with the emotional heartbeat of a nation<sup>[2]</sup>. In many cases, national sentiment guides this thought process, making constitutional values a bridge between national sentiment and constitutional morality.

The essence of constitutional values can be evaluated based on several factors:

1. How practical are these values in nature?
2. How are they connected to the lives of ordinary people, and how much do they influence them?
3. To what extent are these values legitimized by moral obligation?
4. How successfully do they create moral sanctions in favour of constitutional institutions?

All these questions are important for determining whether constitutional values are grounded in reality or if they are

merely empty rhetoric. While a group of academics, researchers, political analysts, and constitutional experts [3, 4, 5, 6, 7, 8] highlight the importance of constitutional values by focusing on their ethical foundations, they often fail to answer the question: What happens when the context in which these values are applied changes? Other thinkers [9, 10, 11, 12, 13] examine these values from a socio-political perspective but struggle to effectively address their role in moral politics and political morality.

Changes have also occurred in the understanding of political accountability. Promises that once upheld the sanctity of constitutional morality have sometimes replaced by new ones. Scholars [14, 15, 16, 17] have often focused on these changes and their negative impact on the diverse implications of constitutional values but have overlooked the gap between state morality and constitutional morality. Some scholars [18, 19, 20, 21] have attempted to explore the tension between power and morality but have not adequately addressed the role of constitutional morality within the ethics of power. Therefore, it is crucial to discuss how the evolving objectives of political rulers can impact the ethical notions of constitutional values. Likewise, it is important to understand to what extent changes in the political strategies of rulers may reshape the causes and consequences of these values.

In India, the power of constitutionality endorses constitutional values across various aspects of political and social life. It establishes a legal framework through which these values can be implemented in the lives of ordinary people. However, it is important to examine whether common Indians can truly practice these values in their daily lives. Additionally, it is essential to assess how effectively they embrace constitutional values—particularly the core principle of social justice—in their social lives.

It is evident from the past that, on several occasions, social values have overtly defined political values, and vice versa. Constitutional values are the product of the interaction between the two [22, 23] though there are rarely any common rules that structure such interactions. The limited channels through which this interaction has occurred have not clearly defined a common pattern of value transformation from social to political, or vice versa, and thus have not suggested favourable conditions for such transformation. Despite these limitations, constitutional values have emerged and shaped the social and political life of ordinary people. Even before the Constitution of India was formed, these values began to partially develop through various nationalist activities.

Indian political thinkers successfully blended spiritual values with political morality [24] to mobilize large numbers of people against British rule. Bankim Chandra Chattopadhyay laid the blueprint for this approach, which was overwhelmingly used by Indian patriots to achieve their goals. Later, Mahatma Gandhi also employed this strategy in a distinct way. Based on the values of truth and ahimsa (non-violence), he redefined political power and called on ordinary Indians to fight for a just social order. He demonstrated the power of truth as a moral political principle and instilled political morality in the minds of the common people.

After independence, Indian leaders wholeheartedly acknowledged the value of truth and other religious principles in pursuing their moral political goals. However, their liberal mind set led them to embrace principles that, despite their political nature, also carried social values. In

this way, liberty, equality, and fraternity became the core values of the Indian Constitution. However, these values, most of which were borrowed from Western liberalism, did not always align with the ultimate aims of religious principles such as truth, justice, and others. To harmonize religious principles with political values [25], the concepts of democracy, secularism, and socialism were adopted, though it was never clearly defined under what conditions the divinity of religious principles would support the value system that shaped political morality and constitutional values.

In the present Indian context, constitutional values appear to be eroding. Their internal coherence has weakened, as the supreme value of individuality has overshadowed religious values such as truth and justice. Democratic, socialistic, and secular principles are either politicized or caught in the paradox of power versus protest. In this environment, political morality has been wielded against constitutional morality [26], reducing the status of constitutional values to mere fantasy, rather than fact.

### **Essence of constitutional values in Indian experience**

In the Indian experience, the essence of constitutional values lies in two key factors: firstly, how compassionately these values align with the values of common people, and secondly, how effectively they uphold the moral structure of constitutional validity. By reorganizing the political and social spaces, constitutional values foster unity in India's diverse socio-political spectrum. They help to revive the spiritual connection with political morality and endorse the values of truth and justice within the political sphere.

In India:

1. Constitutional values are not merely dogma. They are regularly practiced in the daily life of ordinary Indian people. For example, values like liberty, equality, and fraternity are experienced when common citizens exercise their freedom of speech, enjoy their freedom of thought, or apply their right to vote equally. Additionally, these values are expressed through the articulation of socio-cultural goals and religious freedom, maintaining a democratic environment essential for free socio-political interaction. The success of such interactions determines how effectively constitutional values provide justice to common people [27]. Similarly, to govern the relationship between rulers and the ruled, the principles of "Equality before Law" and "Equal Protection of Law" have been adopted, which are essential for providing legal protection to every Indian citizen. Fraternity is fostered through the spiritual outlook embedded in constitutional values. These values, which promote peace, justice, harmony, and honesty, bring people closer to their goals of being human. Their universal appeal has fuelled various social movements and encouraged common people to pursue further achievements. After independence, numerous social movements arose, demanding truth. The RTI Movement, India Against Corruption Movement, and the Movement for Justice in Bhopal are among the most notable. It is important to note that the Indian people have wholeheartedly absorbed these values and respect them from their innermost core to build a strong nation, stable society, and committed political community.

2. Values propelled by the Constitution are closely tied to the emotions and aspirations of the political community defined as a nation <sup>[28]</sup>. Therefore, these values have immense potential to mobilize people toward specific national goals and help them assimilate values pertinent to their national interests, transcending their moral position. Deeply affectionate for the values of the Indian Constitution, the people of this country pay homage to the multicultural fabric of Indian democracy. They respect the values of others, show tolerance toward others' thoughts, and fulfil their roles by maintaining a just social order to protect and preserve the ethos of democratic pluralism, as prescribed by the Constitution.
3. Constitutional values establish norms of moral obligation <sup>[29]</sup> to maintain a high standard in socio-political life. In the case of India, such obligations not only maintain high standards in the socio-political life of the Indian people but also make them more accountable to their constitutional duties and responsibilities <sup>[30]</sup> in order to protect the sanctity of the Indian Constitution. As long as people voluntarily accept these constitutional values, they will pay homage to the moral obligations imposed by this value system. However, if the appeal of constitutional values fades, people will no longer feel bound by these moral obligations, and a legitimacy crisis will begin to take root.
4. Since constitutional values are largely based on the emotional appeal to the Indian people <sup>[31]</sup>, they possess enormous power to influence the minds of the populace by regulating their thought processes. This enables constitutional values to act as a mechanism for generating support, helping to garner more backing for constitutionally accepted organizations.

#### **Why these values are still in use despite the changing nature of state policy?**

In the present Indian context, a significant shift in state policy has posed a serious threat to existing constitutional values and their structural orientation. On one hand, right-wing extremism purportedly entangles new ethics of politics that attribute new causes to nationality and nationalism. It allows a reverse flow of power, concentrating it in the hands of a few, and denies the universal application of constitutional values essential for a "sovereign, socialist, secular, democratic republic." On the other hand, it customizes the values of populist politics, embracing the principle of "otherization" and using the power of thought to defend political morality. This morality is justified by the feeling of becoming one nation, more dependent on unity rather than diversity. Such unity is mistakenly described as a similitude of belonging—similarity in origin, history, language, land, and blood—which poses a serious threat to the existing constitutional values. Now, the question is: despite these fault lines, why are these values still experienced by the state?

In India, the passion for power dictates the process and means through which state morality should be justified. The question arises: if this process and these means do not align with constitutional values, or if there is a vast difference between political morality and constitutional values in terms of norms, principles, sanction, and validation, what happens? In the present era, while constitutional values

justify that the basis of state power should lie in the pluralistic values of the political community (thus emphasizing communitarian goals and assigning state power accordingly), political morality defines political values based on individualism and state power from a neoliberal perspective. This creates a significant clash with the constitutional value of pluralism. The supremacy of individuality governs the public domain, undermining the basic concept of altruism and encouraging need-based interaction between the individual, the state, and other individuals. Political narratives have also changed their moral dimension, now based on the goals of populist politics. In this context, moral obligation tied to truthful, inclusive, and sustainable governance sometimes differs from the goals of constitutional values in terms of their justification.

Despite these thematic, cultural, and procedural differences, present Indian state rulers still maintain the basic structure of constitutional values, as they have not changed the constitutional basis of the Preamble to the Indian Constitution, which defines India as a "sovereign, socialist, secular, democratic republic," although the purity of these values is rarely maintained. The reasons behind this stance of the rulers are as follows:

1. **Concern for People's Reaction:** Present rulers are very much concerned about how people would react if they changed the very foundation of constitutional values. They are uncertain about the impact such changes would have on the common people and how this reaction would manifest through the ballot box. This uncertainty prevents them from fulfilling their broader political goals.
2. **Lack of Suitable Alternatives:** To replace these basic values, suitable alternatives are required. Though populist politics has favoured some alternatives, these substitutes do not align with the pattern and process of constitutional functions and their validation, which justifies the continued acceptability of constitutional values to the people and citizens.
3. **Flexibility of Constitutional Values:** Constitutional values are flexible enough to meet the demands of present rulers. Therefore, the rulers do not feel the need to change them. Even if these values do not fully justify their political motives, they still retain faith in them, believing they can mould these values in accordance with their political goals.
4. **Compromise Between Constitutional and Political Morality:** Sometimes, the power structures of core political institutions help coordinate between the mutually opposed interests of constitutional values and political morality. In many cases, the fundamentals of constitutional morality are compromised for the sake of a more favourable experience with political morality. For example, to accommodate right-wing extremism, constitutional values such as secularism and tolerance are often compromised in various areas of power. This allows those in power to maintain the orientation of constitutional values without changing their foundation but instead altering their direction and dimension by exploiting their flexible nature for further development.

- 5. Abstract Nature of Constitutional Values:** Studies <sup>[32, 33]</sup> show that most constitutional values are abstract in nature. This leaves it to the state authorities to decide to what extent and in what form these values can be materialized. This opens the door for rulers to transform these values in accordance with the needs of their regime without significantly altering their basic structure.
- 6. Corporate Governance:** Nowadays, to establish the sanctity of corporate governance, the government sometimes uses constitutional values and thus does not want to entirely abandon them. By incorporating these values, a socially responsible form of Corporate governance begins to emerge <sup>[34]</sup>. In this context, a common space between public social responsibility and corporate economic policy has been created. Policies that determine the convergence point of polity and economy, and upon which co-ordination and co-operation between representatives of Government and corporate leaders take place, are primarily based on constitutional values such as democracy, liberty, equality, social justice and others. The essence of these values is also used to legitimise the foundation of Corporate governance. Constitutional values of democracy – such as participation, openness, responsiveness, responsibility- are invoked to justify the linkage between Government and Corporate governance, the people and corporate governance and the various forms of corporate governance itself. Moreover, through the application of these values, the government helps check corporate lust for power and resources.

### **How to inculcate these values in the mind of common people?**

It is a significant challenge for Indian rulers to inculcate constitutional values in the minds of common people. The transformation of the plural atmosphere of the Indian state has gradually manipulated the maxims of constitutional values, which preferably justify the inner meaning of liberty, equality, and fraternity. As a consequence, a severe decline has occurred in the pursuit of achieving the core values of the nation, i.e., unity, uniformity, and integrity, in a diverse socio-political spectrum. Indian rulers have adopted a mixed cultural model to govern these diverse sentiments and value judgments, but they sometimes fail to maintain parity between them.

The range of actions taken in the form of cohesion and assimilation has the potential to contribute to the process of inculcating constitutional values, but there is little scope to understand the minds of common people, as most of these actions are designed by the rulers and imposed upon them. In India, although a number of obstacles have arisen, several formal and informal means and modes have been suggested to achieve these goals. These are detailed below:

#### **A. Formal Ways**

Constitutionally accepted or legally recognized paths that have been taken for this purpose are called formal ways. The details of these paths are given below:

##### **1. Launch State-initiated Programs**

In India, the state can organize numerous programmes through which such values can be developed, defined,

and promoted. Programmes like National Integration Camp, Ek Bharat Shreshtha Bharat, National Youth Parliament Festival, Fundamental Duties Awareness Programme are popular in this regard. In addition, the celebration of Constitution Day adds further momentum to these initiatives. The objectives of these programs are to make people more connected with the indigenous essence of constitutional values and strengthen their alignment with constitutional democracy.

##### **2. Redefine The Goals of the State**

To connect people with the moral aspects of the Constitution, present state leaders may redefine the goals of the state in a moral sense and maintain constitutional ethics in their work. By doing so, they can instil a sense of morality in the minds of the common people and help them understand the key aspects of constitutional morality and its relevance to their daily lives.

##### **3. Introduce a Value Education Policy**

To inculcate constitutional values in the minds of common people, Indian state leaders have introduced a vivid value education policy with detailed guidelines for future use. This policy includes initiatives such as reorienting the academic curriculum to enhance moral excellence and foster dynamic thinking, allowing students to spontaneously participate in various awareness programs arranged by the government for this purpose. Additionally, the celebration of various days, especially those connected to the notion of the Indian Constitution, such as Independence Day, Republic Day, National Integration Day, National Youth Day, and National Yoga Day, facilitates the achievement of this goal effectively. The prescribed policy also governs matters that influence the connection between personal and constitutional values by raising awareness among people. A large number of academic seminars and conferences are organized for this purpose.

##### **4. Create a Favourable Environment**

It is expected that the rulers of the Indian state will provide ample opportunities for people to practice these values in their daily lives. Platforms for free participation, open discussion, collective thought, and cooperative efforts can help create an environment conducive to this purpose. In India, despite various infringements on constitutional and legal rights, an open environment has developed for free discussion, collective participation, and cooperative association. This helps people to take corrective measures on their subjective thoughts and makes them unbiased and sensitive in articulating the values promoted by the Constitution.

##### **5. Uphold the Fundamentals of Constitutional Values in Law-Making Initiatives**

In a parliamentary democracy like India, the role of the legislative assembly is crucial in promoting and protecting constitutional values in the minds of the common people. It orchestrates what is called the rhythmic expression of emotional attachment to nationality and nationalism, mobilizing people toward

the constitutional goals directed by national leaders in the form of national values and constitutionalism. It is the duty of the members of the legislative assembly to clearly connect these two. As long as people do not understand how the so-called 'alien' values of constitutional morality are connected to Indian values of nationalism, they will not fully accept the moral judgment of these values in their lives.

## B. Informal Ways

Informal ways refer to methods that are not formal in nature, meaning they are not formally prescribed by the Constitution or defined by any law. A number of informal methods can be adopted to instil constitutional values in the minds of common people. The details are provided below:

### 1. Appeal to the Goodwill of the People

One can appeal to the goodwill of the common people to make them more sensitive to constitutional values and to develop a positive mind-set that appreciates these values in their daily practices.

### 2. Involvement of NGOs

The involvement of Non-Governmental Organizations (NGOs) can be highly effective in this regard. NGOs can undertake awareness-building programs like 'Using Samvidhan Live! The Jagarik Project' <sup>[35]</sup> and 'Know Your Constitution' among people and make them conscious of the values mentioned in the Constitution <sup>[36]</sup>. Additionally, through the active involvement of NGOs, people can realize the utility of these values. Under the supervision of NGOs, they can also learn how to practice these values in their daily lives.

### 3. Organize Social Campaigns

To correlate social values with constitutional ones, a large number of social campaigns can be highly effective. Such campaigns can highlight the roles of normative goals through which a successful tuning between social and constitutional values can occur. This fine-tuning process effectively outlines the channels for value production and offers corrective methods to evaluate and justify the relevance of these values in the minds of common people. These campaigns will undoubtedly help people align their social goals with the moral values preserved in the Constitution.

### 4. Promote Cultural Activities

Cultural activities have significant potential to produce cultural values, which can serve as a connecting link between social and constitutional values. Cultural activities clearly define how people can adopt constitutional values in their daily lives <sup>[37]</sup>. Furthermore, they can generate popular sentiment that successfully mobilizes people to embrace constitutional values under the banner of a pan-national spirit.

## Impediments to the Inculcation of Constitutional Values

In India, it is not easy to instil particular values in the minds of common people, given the country's multicultural, multi-ethnic, multi-lingual, and multi-religious orientation. While constitutional values are not tied to any single belief system but rather embody a blend of multiple values rooted in humanity, morality, and secularity, they have great potential to fulfil diverse needs. However, due to a lack of structural orientation, this endeavour often faces obstacles.

## 1. Industrial Civilization and Consumerism

Industrial civilization, along with its consumerist attributes, often prevents people from listening to the voice of their moral self. This becomes a major impediment for those who seek to revive moral issues under the banner of constitutional morality. Industrial civilization promotes the concept of economic man. It not only hinges the cultural aspect of sociability but replace communitarian values by the core principle of economic individualism. Consumerist culture defines individual happiness in terms of money. It limits the scope of liberty, equality and other constitutional values <sup>[38]</sup> by allowing all consumerist approach and profit making theory. Its aggressive outcomes limit the scope of social justice and defies those values maintain integrity and harmony in Indian political society.

## 2. Exclusive Individualism

Exclusive individualism leads people away from the concept of constitutional morality <sup>[39]</sup>, posing a significant challenge to the inculcation of such values in the minds of Indian citizens. Supreme individuality promotes 'self' as the highest embodiment. Satisfying one's own needs becomes the primary goal, where the justification for morality lies in one's personal development. Atomistic individualism, which postulates egoistic values of thought, seriously obstructs the goal of plurality as advocated by Indian constitutional values.

## 3. Lack of Mechanisms for Value Transmission

There is a lack of effective mechanisms to nurture constitutional values in a rational way that would make them integral to citizens' daily lives. This poses a significant problem for policymakers who aim to embed these values in both public and private life. Problems arise when newly adopted socio-political values fail to align with the goals of constitutional values. In this context, justice as social value is also overlooked by the policy makers. Similarly, in a monolithic power structure, the hierarchy of values always justifies the political interests of dominant power bloc. Social hierarchy further reinforces this system from the outside. While socio-political interactions sometimes attempt to transformation these values in a large scale, such transformation rarely advance the fundamental goals of constitutional values.

## 4. Influence of Traditional Values

Under the influence of traditional value systems, constitutional values often lose their impact <sup>[40]</sup>. Common people tend to remain loyal to the values they have inherited from their ancestors, values that have helped them justify their identity as an ancient civilization. As a result, they may be reluctant to adopt other values, especially those seen as being "imported" from outside, causing problems in the inculcation of constitutional values.

## 5. Lack of Favourable Conditions

The failure to protect favourable conditions in which constitutional values can flourish without interruption is another major drawback. Increasing conflicts between political morality and constitutional validity hinder the

process of democratic diversity, affecting the cultural environment that supports Indian constitutionalism. This makes it difficult to justify constitutional morality effectively.

## 6. Commodification of Values

The commodification of values increases the likelihood of misinterpretation, distorting the appeal and function of constitutional values<sup>[41]</sup>. This politicization of values can mould them into commodities of the political market, diluting their character. The hybridization of these values further threatens their purity. The lack of a collective effort to curb such tendencies leads to a serious crisis in the diversified application of these values.

## Conclusion

From the above discussion, it is clear that constitutional values play a significant role in the value orientation adopted by common Indian people. These values successfully promote and protect national sentiments centred around the Constitution. With this emotional backdrop, they effectively articulate constitutional aspirations and derive goals for the constitutional regime.

To further constitutionalism, it is essential to inculcate these values in the minds of the Indian populace. There is a need for an indigenous method through which these values can be successfully implanted in the minds of the people. The essence of these values should be discussed without compromising their originality as represented in Indian culture. As long as these values are portrayed in a Western context, they will struggle to secure a place in the minds of common Indian people.

It is also important to consider who will be responsible for inculcating these values. The individual tasked with this responsibility should be competent and possess a creative sense to achieve better results in this endeavour.

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