## Chapter 3

### Socialism in India’s Constitution: Dr. B.R. Ambedkar’s and Pandit Jawaharlal Nehru’s Reflection

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3.1. Introduction

In previous chapter second, we have studied the reflection of the Liberalism in the Constitution of India. In this chapter, we are going to study the reflection of Socialism in the Constitution. Particularly it is to study Dr. B. R. Ambedkar’s “State Socialism” and Pandit Jawaharlal Nehru’s “Democratic Socialism”, and its reflection in the Indian Constitution.

“The word “Socialist” was not there originally in the Preamble. It was added to the Preamble by the 42nd Amendment of the Constitution in 1976. Then, the concept of “Socialism” has been made explicit. And India’s commitment to this ideal has been underlined and strengthened”. “Nehru omitted the word ‘socialism’ from the Objective Resolution”.1

The term “Socialist” has not been defined in the Constitution. The Constituent Assembly could not reach to a common agreement, to do a concise definition of socialism. “…nearly everyone in the Assembly was Fabian and Laski-ite enough to believe that ‘socialism’ is everyday politics for social regeneration, and that democratic constitutions are inseparably associated with the drive towards economic equality. The Constituent Assembly in the Objectives Resolution and the debate on it established that the Constitution must be dedicated to some form of socialism and to the social regeneration of India”. 2 Initially mixed-economy was accepted in India.

The government accepts the policy of mixed economy where public and private sectors co-exist side by side. However, the private enterprises have so far been rigorously controlled by the government. But, in present time, government policies are going towards Disinvestment and increasing privatization. And signs are seems as increasing economic inequality. Economic inequality is not an aim and spirit of the Indian Constitution, this is obvious. So, the chapter- ‘Socialism in India’s Constitution: Dr. B.R. Ambedkar’s and Pandit Jawaharlal Nehru’s Reflection’ fulfils the need of the researcher, to know what is the nature of Socialism, which has been reflected in the Constitution.
The Supreme Court has in number of decisions referred to the concept of socialism and has used this concept along with the Directive Principles of State Policy to assess and evaluate economic legislation. The Court has derived the concept of social justice and of an economically egalitarian society from the concept of socialism. According to the Supreme Court, “the principal aim of socialism is to eliminate inequality of income and status and standards of life, and to provide a decent standard of life to the working people.”

Democratic socialism aims to end the poverty, ignorance, disease and inequality of opportunity. Socialistic concept of society should be implemented in the true spirit of the Constitution. In Samatha v. State of Andhra Pradesh, the Supreme Court has stated while defining socialism: “Establishment of the egalitarian social order through rule of law is the basic structure of the Constitution.”

The Court has laid emphasis on social justice so as to attain substantial degree of social, economic and political equality. Social justice and equality are complimentary to each other. Complete justice –social, economical and political-is what Indian Constitution promises to each and every citizen. Such a promise, even in its weakest form and content, cannot condone policies that turn a blind eye to deliberate infliction of misery on large segments of our population.

Another idea propounded by the Court is that socialism means distributive justice so as to bring about the distribution of material resources of the community so as to subserve the common good.

By reading the word ‘socialist’ in the Preamble with the Fundamental Rights, contained in Arts. 14 and 16, the Supreme Court has deduced the Fundamental Rights to equal pay for equal work and compassionate appointment.”

Before going into detail there is need to know briefly, concept of socialism.
3.2. Concept of Socialism

Socialism is a social system which is contrast to the capitalism. Socialism generally refers to an economic concept. The term “socialism” has reflected so many different visions, and assumed so many different forms for examples Utopian Socialism, Marxian Socialism, Christian Socialism, revisionist Socialism, Fabian Socialism, Guild Socialism and Syndicalism and other various.

Socialist historian Carl Landauer defines, “Socialism is a system of communal (or social) ownership established for the purpose of making (or keeping) the distribution of income, wealth, opportunity and economic power as nearly equal as possible”.

Webster’s Third New International Dictionary defines, “socialism as any of various economic and political theories advocating collective or governmental ownership and administration of the means of production and distribution of goods”.

From above definition meaning of socialism implies:

a) Socialism is a system of society;

b) Society is the owner of wealth or collective or governmental ownership.

c) In Socialist Society distribution of income, wealth, opportunity and economic power as nearly equal as possible;

d) Ownership of society or government of means of production and distribution.

Concept of Democratic Socialism is very essential to understand the reflections of Nehru’s idea of democratic socialism in the Constitution of India. So, concept of democratic socialism can be studied as following.

3.3. Democratic Socialism Meaning

“Socialism “, generally, refers to an economic concept. “Democratic Socialism” refers to an ideology resting on both economic and political assumption. In his ‘Ideologies and Modern Politics’ David Fellman stated the characteristics of Democratic Socialism as following:
Democratic Socialism is unequivocally devoted to the democratic political system. It fully supports the individual rights of free speech, free press, free election, religious freedom, cultural freedom, and due process of law. It rejects, both in theory and practice, the legitimacy of a violent assumption of power by minority. It is in brief, full-bodied democratic faith, as the term ‘democratic’ is understood in the west.

In contrast to communism, democratic socialism does not envisage the state as transitionally necessary evil, but as the indispensable instrument through which the people can achieve and maintain socialist objectives. It has no illusions that the elimination of private property would exorcise the root sources of human evil and render organized coercion unnecessary.

Democratic Socialism has not (in recent decades, at least) call for the total nationalization of economic life.

The concept of class struggle, while not absent from democratic socialist theory, does not bulk as large as in communist theory where present, it is usually transmuted into less harsh and intractable form them strict Marxist theories require.

Democratic socialists are not wedded to any theory of economic determinism unlike communism “scientific socialism” evolving from historic needs from the will and efforts of men.

The democratic socialism implies:

a) It devoted to democratic political system;

b) It fully support to the individual rights;

c) Due process of law;

d) It rejects power by any minority;

e) Democratic faith, not violent means;

f) The state is not transitional a necessary evil;
g) State is the indispensible instrument to achieve and maintain socialist objectives;

h) It is not call for the total nationalization of economic life;

i) Not a heavy class struggle as communism;

j) To establish equality, liberty and justice as possible as.

After briefly, studying the definition, meaning and characteristic of democratic socialism, it is necessary to study the concept of ‘State Socialism’. The concept of State Socialism is very necessary to study Dr. B. R. Ambedkar’s reflection of the idea of socialism.

### 3.4. Concept of State Socialism

State socialism is very important concept to understand the reflection of socialism in the Constitution of India. In his ‘Bismarck and State Socialism’ William Harbutt Dawson gave a difference between socialism and state socialism.

The individualism prevents the working the State as possible as but the socialism increases it. Individualist wants to do everything without the State as possible as. Socialist wants to do everything with the State. State Socialism tries to avoid the two extreme ends. It seeks to such order to develop the manhood and individual liberty.

“Socialism would abolish the existing political order altogether, while State Socialism would use the State for the accomplishment of great economic and social purposes, especially restoring the function … to be the principal business of the State, of “holding the balance” between classes and parties.”

The State Socialists do not, like the Socialists, propose to reduce mankind to a dead level of uniformity. They recognize the existence of individual differences. In short, State Socialism is mean way between unlimited individual liberty and extreme social control.

**The State Socialism does not want to abolish the state but stands for removing the evils of capitalist discrimination and inequality.**
Socialism stands for the idea of a welfare state. The State Socialists believe in, the State alone can remove exploitation, and promotes General welfare. The means of production should be nationalized. The worker should be given equally pay, for equal works. The workers or depressed classes can enjoy liberty and equality both in political and economic life. The State Socialists are against the abolition of the state. This is a concise understanding of the concept of ‘state socialism.

Then in this study, the discussion in the Constituent Assembly about establishing “Socialism” in India is important.

3.5. Constituent Assembly: View on Socialism

In the Constituent Assembly, Dr. Rajendra Prasad, “Spoke of a classless society for India.”

Dr. B. R. Ambedkar anticipated that future governments might support capitalism and deviate from their duty to the Indian citizens. So, he wanted to constrain all government to the socialist path. In the Constituent Assembly much more discussion happened. But it could be not possible to prepare a concise definition of socialism on a common agreement. From that discussion, some main important principles or elements of socialism have come out, which may be very useful to the future government to make their policies.

No inequality in social and economic life

Many members of the Constituent Assembly were the thought of the socialism should be included the Constitution. Dr. Babasaheb B. R. Ambedkar warned on 25th November, 1949 the Assembly about the inequality in social and economic life. He spoke, “On the 26th of January 1950 we are going to enter a life of contradictions. In politics we will have equality and in social and economic life we will have inequality. In politics we will be recognising the principle of one man one vote and one vote one value. In our social and economic life, we shall, by reason of our social and economic structure, continue to deny the principle of one man one value. How long shall we
continue to live this life of contradictions? How long shall we continue to deny equality in our social and economic life? If we continue to deny it for long, we will do so only by putting our political democracy in peril. We must remove this contradiction at the earliest possible moment or else those who suffer from inequality will blow up the structure of political democracy which is Assembly has to laboriously built up”.  

Dr. Ambedkar said, there should not be inequality in social and economic life. Equality should be in political, social and economic life in India.

**Obligation of the Future State**

Mr. B. Das in the Constitution Assembly, on 30th July 1947 spoke and proposed for social security, minimum education, well-being of people, maintenance of peace, minimum standard of living which is appropriate to socialism. Mr. B. Das spoke about almost goals of the socialist state, and it should be the obligation of the future state.

**Immediate Attention toward Hunger and Education**

Mr. Mohammad Sheriff took the attention towards to remove the starvation and hunger, and education advancement. He spoke in the Assembly on 30 July, 1947.

Immediate attention toward hunger and education is one of the tasks of the socialist and welfare state.

**Positive State and Social Service State**

In the Constituent Assembly, Mr. G. L. Mehta said the future will have to be a **Positive State and Social Service State**, in his words, “the state of the future will have to be a 'positive' state, it will have to be a social service state. It will require large finances and more or less homogenous economic
conditions will have to be maintained in order to achieve these purposes”.12

‘Positive State and Social Service State’ implies socialist and welfare state.

**We Stand For the Socialist System**

Mr. R. K. Sidhwa proposed on 28th July 1947 in the discussion on Report of the Union Constitution Committee the following new clause (12-A) is to be added

The Federation shall make laws for-

1. The Socialist system of economy nationalization of high industries, administration on co-operative basis of trading enterprises;
2. equalization of capital by private owners;
3. prevention of exploitation;
4. abolition of unemployment, and guaranteeing the right of work to every citizen;
5. recreation, annual vacations, leave with wages for maternity period, child welfare, rest homes, clubs and comfortable dwelling houses for all classes of workers;
6. right to maintenance in old age, family provision in cast of sickness or loss of capacity to work, free medical aid...”

He wanted to include in the part III of Fundamental Rights. This was Sidwa’s socialist plan for India, which was proposed in the Constituent Assembly.13

He emphasis on to establish an “Inter-State Commission”, “Economic Commission” and “National Building Programmes” in the Constituent Assembly, on 30th July, 1947 he said, “…Such an Inter-State Commission also requires to investigate the economic conditions of the country…it is necessary that in the constitution itself provision should be made whereby an Economic Commission will be set up so that they may devise ways and means of advancing the nation-building programmes, for, Instances public
health, social security, social co-operation... In our Objectives Resolution itself we have made it perfectly clear that we stand for the socialist system...”14 Mr. R. K. Sidhwa’s all this plan stands for socialist system.

Decentralize Socialist Society

Balkrishna Sharma a member of the Constituent Assembly suggested that we have to prepare the process of nationalization and Socialization of Industries. “Then, in order to have a socialist society, we must at the same time have in our country a decentralized system of Government”.

Balkrishna Sharma’s suggestion of nationalization and socialization of industries one of the distributive programmes of the socialist state.

Equality is the Underlying theme of the Resolution

Pandit Jawaharlal Nehru in the Constituent Assembly clarified the underlying theme resolution is “equality” and “Sovereignty of people”. He said, “The Resolution placed before you to-day has equality as its underlying theme.”16 Equality is the essential feature of the socialism, which is reflected in the Nehru’s thought.

Formulae of Economic Democracy

There is not the theoretical word but the content of things is formulae for socialist state. Which forms of socialism have to adopt there will controversy. So, merely is avoided the word ‘socialism’.

Pandit Jawaharlal Nehru spoke, “We have given the content of democracy…of economic democracy in this Resolution. Others might take objection' to this Resolution on the ground that we have not said that it should be a Socialist State. Well, I stand for Socialism and, I hope, India will stand for Socialism and that India will go towards the constitution of a Socialist State and I do believe that the whole world will have to go that way”.17 Pt. Nehru said, I have
given the formula of economic democracy which is necessary to establish the socialist state.

**Not Theoretical Word but Desired Content**

Next in his same speech, Pt. Nehru,“¹⁸ that he wanted a socialist state, for that he gave a formula or desired content for socialist state without theoretical word to avoid the disagreement among the members of the Assembly.

**Not Tolerate Gross Inequalities**

Mr. Masani in the Assembly said that democracy needs to extend to economic and social sphere. “It would not tolerate the wide and gross inequalities which exist in our country”.¹⁹ He wanted to remove political, social, and economic inequality from India. This is the other word of socialism.

**No Exploitation of a Man's Labour**

In his same speech Mr. Masani said that in our future India no man will be exploited by other. In his words, “It would not tolerate the exploitation of a man's labour by somebody else. It certainly means that everyone who toils for the common good will get his fair share of the fruits of his labour. It also means that the people of this country, so far as any constitution can endow them, will get social security-the right to work or maintenance by the Community”.²⁰ He spoke all about the goals which have to be achieved by a socialist state.

**Equal Opportunity to Develop**

Then, Mr. Masani wanted to lay the foundation equal opportunity to develop in the Constitution of India. He stated, “…Equality of opportunity certainly assumes that every child in this country, every boy and girl, will get an equal opportunity to develop those faculties which he or she possesses in order contribute to the common good”.²¹
Individual Freedom and Democratic State

Mr. Masani said no one can exploit or dominate the rest. In his word, “we all stand for the freedom of the individual and for a democratic State...this desire to distribute power to our common people, to distribute political and economic power so widely that no one man or group of people can exploit or dominate the rest...” 22 His desire was to distribute the political and economic power among the common people, to stand for individual freedom and democratic state. Then in his same speech he spoke that men will not be slaves to capitalism.

Men Will Not Be Slaves to Capitalism

In his word, “...Thus my picture of a socialist India is the picture of an economic and political democracy. In this democracy, men will neither be slaves to capitalism nor to a party or the State. Man will be free.” 23

Thus his picture of India was a socialist means an economic and political democracy. Almost no one was in support to establish a capitalistic system in India. Capitalism is “an economic system characterized by private or corporation ownership of capital goods, by investments that are determined by private decision rather than state control and by prices, production and the distribution of goods that are determined mainly in a free market”. 24

Social Changes

Again Masani said that there is no need to destroy individual liberty and democracy to establish a socialist system. For social justice, social changes can make by the mechanism of political democracy and individual liberty. He spoke to establish the democratic socialism in India.
**State Is a Mere Instrument**

Many members wanted the state to be a mere instrument that the central problem of their times was whether the State is to own the people or the people are to own the State. Where the State belongs to the people, the State is a mere instrument subordinate to the people and it serves the people. It only takes away the liberty of the individual to the extent that the people really desire it. Where the State owns the people, the people are mere robots in a big machine-pushed about here and there by the whims of an all-powerful dictator or an all-powerful party.²⁵

**Individual Will Occupy the Central Point**

In the Constituent Assembly individual was at central point in discussion. “the direction to a constitution where the people will be in power, where the individual will occupy the centre of the stage and the development of the individual personality will be the main aim of our social good…every individual Indian has an "inalienable right to Life, Liberty and pursuit of Happiness"."²⁶ Development of Individual personality was the main aim of the Constituent Assembly.

**Mutual Co-Operation between Men and Women**

Women have to be human rights and mutual co-operation have to be between men and women. “…there were thousands of women that day who were denied the ordinary human rights… that equality which can alone be the basis of mutual respect and understanding and with-out which real co-operation is not possible between man and woman. Women form one half of the population of this country and, therefore, men cannot go very far without the co-operation of women… objectives …will not remain on paper but will be translated into reality”.²⁷ In the Constituent Assembly heavy discussion was on to lay foundation of scientific socialist ideals.
Scientific Socialistic Ideals

Algurai Shastri said, “…a State where there is no dearth of food and cloth and distribution is equitable. It (the Resolution) embodies scientific socialistic ideals when it says "to each according to his needs and from each according to his capacity"… It is the sacred duty of a State to provide its people with all their necessities…” 28

The ideal is “to each according to his needs and from each according to his capacity”. The Constitution shall not be established on a capitalistic basis.

No Capitalistic Based Constitution

Vishwambhar Dayal Tripathi argued in the Assembly, “When we frame the Constitution…Constitution shall not be established on a capitalistic basis. If we do not do so now, the rulers may later on interpret these principles in their own arbitrary way and against the best interests of the people… declare that our constitution shall be drawn up on socialistic lines…” 29 He argued that the Constitution shall not be established no a capitalistic basis, it shall be drawn up on socialistic lines. Then he said abolition of the Zamindari system was necessary in India to establish a socialist system.

Abolition of the Zamindari System

Vishwambhar Dayal Tripathi said in the Assembly, “the Constitution shall be formed in a socialistic and positively not on a capitalistic basis... the abolition of the zamindari system, and the nationalization of the key industries… The public will be fully benefited when we accept socialistic ideals and draw up the Constitution on that basis.” 30 Abolition of the Zamindari system was a socialistic ideal.

Thus, the above discussion in the Constituent Assembly, about to be a Socialist India shows a clear picture of democratic socialism. Members of the Constituent Assembly do not reach to a common agreement of the concise
definition of Socialism. But they gave essential elements of Socialism for future India. Above studied those elements of Socialism are as following:

No inequality in social and economic life, Obligation of the Future State, Immediate Attention toward Hunger and Education, Positive State and Social Service State, Stand For the Socialist System, Decentralize Socialist Society, Equality is the Underlying theme of the Resolution, Formulae of Economic Democracy, Not Theoretical Word but Desired Content of Socialism, Not Tolerate Gross Inequalities, No Exploitation of a Man's Labour, Equal Opportunity to Develop to all, Individual Freedom and Democratic State, Men Will Not Be Slaves to Capitalism, Social Changes through the Mechanism of Political Democracy and Individual Liberty, State Is a Mere Instrument, Individual Will Occupy the Central Point, Mutual Co-Operation between Men and Women, Scientific Socialistic Ideals, Constitution Shall Not Be Established On a Capitalistic Basis, and Abolition of the Zamindari System etc. These elements define the nature of future Socialist India.

In previous chapter we have studied the reflected Liberalism in the Constitution. In more extent liberalism is reflected into Fundamental Rights and the basic structure of the Constitution of India. And these above discussed elements of Socialism, in the Constituent Assembly of India, it can be found reflected in the Indian Constitution into Fundamental Rights and particularly the Directive Principles of State Policy. So, next point is the study of Directive Principles of the State Policy.

3.6 Directive Principles: Socialism in it

Directive principles of State Policy consist of article 36 to 51 in the Indian Constitution. It has been said that this idea has been borrowed from the Irish Constitution. But, B. N. Rao referred Kauteelya’s ‘Arthashatra’ for this ideas.
The Directives Principles of State Policy in the Indian Constitution seeks some socio-economic goals. The Constitution makers rightly perceived that mere political democracy would be meaningless in a country of the poor millions without economic justice. These goals are prosperity and well-being of people as welfare state. Various governments in India try to achieve it. It designed for State to achieve social and economic democracy. The Directive Principles of State Policy is to seek the welfare state.

Dr. B. R. Ambedkar stated that these Principles shall not be enforceable by any court of law, but a party which failed to implement would stand to lose next election. Thus, the accountability to enforce these principles was left to the political process, will and necessity of the people. Purpose of this study is to seek Socialism in the Constitution particularly in the Directive Principles.

Equality as Basic to the Constitution

The Supreme Court emphasised on the “equality” as basic to Indian Constitution. No legislature in India can transgress it. Even an Amendment of the Constitution offending a basic structure of the Constitution is ultra vires. In India it permits every process of equalization and protective discrimination. Equality is core to the socialism and it is the basic structure of the Constitution.

Equality is as a basic element for socialism. Indian Constitution permits every process of equalization and protective discrimination. Hence, the equality as basic element is reflected in the Constitution of India.

Under Article 21 every person has a right to his life which embraces “not only physical existence of life but the equality of life” and “for residents of hilly areas, access to road is access to life itself”. One facet of ‘equality before law’ is that there shall be no privileged person or class and that none shall be above law. Again article 21 ensures ‘the equality of life’, and the
‘equality of life’ is the fundamental ideal for the social state. Thus, the Socialism reflected in the Constitution of India.

In the Preamble to the Constitution ‘liberty’ got the first place than equality, but in the Fundamental Right ‘equality’ got first place than ‘liberty’. Article 14 ensures the “equality before law”. Article 15 ensures prohibition of discrimination on grounds of religion, race, caste, sex or place of birth. And Article 16 ensures equality of opportunity in matter of public employment. Article 17 abolishes the untouchability in any form found in India. Article 18 abolishes the titles. Thus the Constitution fully ensures the ‘the equality of life’ which is the fundamental principle or element for the socialist state.

“Egalitarian” as Basic to Indian Social order”

The Constituent Assembly was expected the egalitarian society in India. The Supreme Court’s interpretation is ‘egalitarian as basic to Indian social order. These Principles seek to build a socially just society. It does not impose any particular socio-economic philosophy on the country. The Constitution has to establish an egalitarian social order through the rule of law. According to these principles various governments have to frame their policies for the needs of contemporary time to build a socially just society.

The Supreme Court’s interpretation of Socialism

The Supreme Court has defined the term “Socialism” in various cases is very important to investigate the reflection of Socialism in the Constitution of India. The word “socialist” is inserted in the Constitution of India by 42nd Constitutional Amendment in 1976. It is clearly declared that India as “Sovereign, Socialist, Secular, Republic, Democracy”. Supreme Courts various decisions, to define socialism have been emphasised on to establish an egalitarian social order through the rule of law.

Egalitarian Social Order through the Rule of Law

It does not impose any particular socio-economic philosophy on the country. The Constitution has to establish an egalitarian social order through the rule of law. Rule of law implies the ‘absence of arbitrary power’, ‘equality
before law’ ‘individual liberty’. It preserves the social justice and individual liberty. In this sense Democratic Socialism is reflected in the Constitution of India.

**Basic Framework of Socialism**

The Supreme Court interpreted the framework of socialism in the Constitution of India. In *Minerva Mills Ltd. v. Union of India*, the Supreme Court considered the meaning of “Socialism” as to crystallize a socialistic state securing to its people socio-economic justice by interplay of the Fundamental Rights and the Directive Principles. In *Nakara*, the Supreme Court has stated that democratic socialism achieves socio-economic revolution to end poverty, ignorance, disease and inequality of opportunity. This idea has been reiterated by the Supreme Court in a number of its pronouncements. **The basic framework of socialism provides a decent standard of life to the working people.**

**Aim of Socialism**

The aim of socialism in Indian Constitution is the distribution of the material resources among the community in the way as to subserve the common good. In *Ranganath Reddy*, the Supreme Court has stated that the aim of socialism is the distribution of the material resources of the community in such a way as to subserve the common good.

**Principle Implicit In Every Directive Principle**

Socialistic principles are implied in the every Directive Principles. In *Sanjeev Coal*, the Supreme Court has held that the broad egalitarian principle is implicit in every Directive Principle. The law ought to be designed so as to promote broader egalitarian social goals to do economic justice for all. principle implicit in every Directive Principle is egalitarian and economic justice for all.

**Poor Can Live with Dignity**

The Preamble to the Constitution read with Directive Principles in Arts.38, 42.43,46 and 48A promote the concept of social justice. The aim of
social justice is to attain a **substantial degree of social, economic and political equality**. Social justice is a device to mitigate the suffering of the poor, weak, Tribals and the deprived sections of the society and to elevate them so **that they can live with dignity**. In the course of time, the courts have raised social and economic justice to the high level of Fundamental Right.\(^{36}\)

In short, state’s all action should be such as to make socio-economic democracy with liberty, equality and fraternity in reality to all the people through democratic socialism under the rule of law. **Right to social and economic justice has now been held to be Fundamental Rights.** The Preamble, the Fundamental Rights and the Directive Principles have been characterized as the ‘trinity’ of the Constitution.\(^{37}\) Thus articles 42, 43, 46 and 48 A promote the concept of social justice to attain social, economic and political equality. Poor can live with dignity. Poor’s living with dignity is one of the goals of socialist state.

**The fundamentals in the governance as State Socialism**

Directive Principles of State Policy is a certain direction to the legislature and governments in India. **These are the fundamentals in the governance.** It gives direction in what manner, and for what purpose the executive and legislature are to exercise their power. Thus the state has to make laws according to these principles. And State is to use its administrative machinery to achieve these Principles. Thus the accountability of state increases to social welfare.

**Preference to Social Philosophy of the Directive Principles**

Initially Supreme Court adopted that a Directive Principle could not override a fundamental right. In case of conflict between the two, the Fundamental Right would prevail over the Directive Principle.\(^{38}\) The Supreme Court started giving a good deal of values to the Directive Principles from the legal point of view and started arguing for harmonizing the two—the Fundamental Rights and Directive Principle. Then, when two judicial choices are available, the construction in conformity with **the social philosophy of the**

No Conflict between Fundamental Rights and Directive Principles

Initially, literally importance is given to the Fundamental Rights than the Directive Principles. To respond the changing need of the society, the Court began to regard as these two are co-equal. “Without making the Directive Principles justiciable, The Supreme Court began to implements the values underlying these principles to the extent possible. The Court began to assert that there is “no conflict on the whole” between the Fundamental Rights and the Directive Principles. “They are complementary and supplementary to each other. And both Fundamental Rights and Directive Principles have come to be regarded as co-equal there is an effect a judicial tendency to interpret Fundamental Rights in the light of, and so as to promote, the values underlying Directive Principles”. 39

This aspect of the Directive Principles was stressed upon by the Supreme Court in Golak Nath v. State of Punjab, these two are formed an “integrated scheme” which was elastic enough to respond to the changing needs of the society.

In Kesavananda Bharati v. State of Kerala, The Court observed:

“The Fundamental Rights and Directive Principles constitute the “conscience of the Constitution…” There is no antithesis between the Fundamental Rights and Directive Principles…and one supplements the other”. 40

Shelat and Grover, JJ, observed in their judgment:

“Both parts III (Fundamental Rights) and IV (Directive Principles) have to be balanced and harmonized…then alone the dignity of the individual can be achieved…They were men to supplement each other”. 41

Non-violent Social Revolution

In Pathumma v. State of Kerala, the Supreme Court has emphasized that the purpose of the Directive Principles is to fix certain socio-economic goals for immediate attainment by bringing about a non-violent social revolution.

**Directive Principles Embody Social and Economic Rights**

Recently, in *Ashoka Kumar Thakur v. Union of India*, *Balakrishnan, C J.* said that no distinction can be made between two sets of rights. The fundamental Rights represent the civil and political rights and the directive principles embody social and economic rights. Merely because the directive principles are non-justiciable by the judicial process does not mean that they are of subordinate importance. Right to education before now it was a directive principle and now it is a fundamental right.

**Directive Principles Are Fundamental In the Governance**

In *Olga Tellis v. Bombay Municipal Corporation*, the Supreme Court has argued that since the Directive Principles are fundamental in the governance of the country they must, therefore, be regarded as equally fundamental to the understanding and interpretation of the meaning and content of Fundamental Rights. So, the Directive Principles cannot be neglected by the executive and legislature.

Reading, Articles 21, 38, 42, 43, 46, and 48A together, the Supreme Court has concluded in *Consumer Education & Research Centre v. Union of India*, that “right to health, medical aid to protect the health and vigour of a worker while in service or post retirement is a Fundamental Right… to make the life of workman meaningful and purposeful with dignity of person.” It stands for working men’s security; this is an important element of the socialist state. So, socialism reflected in the Constitution.

**End Is Specified In Directive Principles**

said that the Fundamental Rights “are not an end in themselves but the means to an end”.

The end is specified in the Directive Principles. The fundamental rights and the directive principles together “constitute the core of commitment to social revolution and they, together, are the conscience of the Constitution”. The Indian Constitution is founded of the bedrock of “the balance “between the two.

“To give absolute primacy to one over the other is to disturb the harmony of the Constitution. This harmony and balance between Fundamental Rights and Directive Principles is an essential feature of the basic structure of the Constitution”. Directive Principles and Fundamental Rights together constitute the core commitment to the social revolution which is appropriate to the socialism. The interpretation of the Supreme Court has held the balance between these two. And declared it is as the basic structure of Constitution.

“Bedrock of balance” as “Balanced Socialism”

The main theme of the Court’s pronouncement was that the Constitution is based on the “bedrock of balance” between the Directive Principles and Fundamental Rights and to give absolute primacy to one over the other would disturb this balance. Both can co-exist harmoniously. The goals set out the directive principles are to be achieved without abrogating the fundamental Rights. Both can flourish happily together. It can be said as “Balanced Socialism” or ‘Moderate Liberalism’ reflected in the Indian Constitution. It can be said “balance between personal liberty and social control”, which seems in the Constitution of India.

Government Adapt To Middle Path

Government adapt to middle path between individual liberty and public good. The Supreme Court in I. R. Coelho v. State of T.N. recently restated:

“By enacting fundamental rights and directive principles which are negative and positive obligations of the States, the Constituent Assembly made it the
responsibility of the Government to adopt a middle **path between individual liberty and public good.** Fundamental Rights and the directive principles have to be balanced. That balance can be tilted in favour of the public good. The balance, however, cannot be overturned by completely overriding individual liberty. This balance is the essential feature of the Constitution.  

**Socialism Reflected In Social Justice**

The Constitution envisages the social order is to be based on social justice. Article 38 (1) directs the state to strive “to promote the welfare of the people by securing and protecting as effectively as if may a social order in which justice, social, economic and political, shall inform all the institutions of the national life.” 47 This directive reaffirms what has been declared in the Preamble to the Constitution, viz. the function of the Republic is to secure, *inter alia*, social, economic, and political justice. To secure justice to the people under the law, Courts with broad powers have been established in the country. 48

The Court has explained the idea of Social Justice as follows:

The Constitution commands justice, liberty, equality and fraternity as supreme values to usher in the egalitarian social, economic and political democracy. The concept of ‘social justice’ which the Constitution of India engrafted, consist of **diverse principles essential for the orderly growth and development of personality of every citizen.** ‘Social Justice’ is thus an integral part of justice in the generic sense. Justice is the genus, of which social justice is one of its species. **Social Justice is a dynamic device to mitigate the sufferings of the poor, weak, dalits, tribals and deprived sections of the society…”** 49

Article 38 (2) directs the state to strive “to minimize the inequalities in income” and endeavour “to eliminate inequalities in status, facilities and opportunities, not only amongst individuals but also groups of people residing in different areas or engaged in different vocations”. 50
Social justice is the arch of the Constitution which ensures life to be meaningful and liveable with human dignity. Socialism is fully reflected in the Indian Constitution, in the ideals to eliminate inequalities in status, facilities and opportunities.

**Means to Reduce Inequalities**

The Supreme Court pointed out that the instrument of taxation is not merely a means to raise revenue but is also a means to reduce inequalities.

**Socialism reflected in Principles of Policy to be followed by the States which is called the Directive Principles of State Policy**

Article 39 requires the state, in particular, to direct its policy towards securing:

(a) That all citizens, irrespective of sex, equally have the **right to an adequate means of livelihood**;

(b) That the **ownership and control of the material resources** of the community are so distributed as best to subserve the common good;

(c) That the operation of the economic system does not result in the **concentration of wealth and means of production** to the common detriment;

(d) That there is equal work for both men and women;

(e) That the health and strength of workers, men and women, and tender age of children are not abused and that citizens are not forced by economic necessity to enter avocations unsuited to their age or strength;

(f) Those children are given opportunities and facilities to develop in a healthy manner and in conditions of freedom and dignity and that childhood and youth are **protected against exploitation** and against moral and material abandonment.\(^{51}\)

The state may not be compelled by affirmative action, to provide adequate means of livelihood or work to the citizens. But the state is under a negative obligation; means, **not to deprive a person of this right without just and fair procedure**.
Some of the main elements of socialism are reflected in the Constitution of India through this Article 39 (a), (b), (c), (d), (e), and (f) as Socialism Means Distributive Justice, Nationalization a Mode distribution, Not to Concentration of Wealth, Equal pay for equal work to both men and women, Equal pay for equal work” as a constitutional mandate of equality, Least the Minimum Pay-Scales, Children Protected From Exploitation, No bonded labour, Free Legal Aid, Living Wage, Standard of Living, Uniform Civil Code, Promotion of weaker sections, The Doctrine of Economic Empowerment, and Prevention of all forms of Exploitation. Next point will be ‘socialism means distributive justice’ to be described.

**Nationalization a Mode of distribution**

Socialism means the Distributive Justice the Supreme Court interpreted. But what is the distribution. It says that the nationalization a mode of distribution. “The word “distribution” does not mean that the property of one should be taken over and distributed to others. This is only one mode of distribution but not the only mode. Nationalization is also a distributive process as it prevents concentration of wealth in the hands of a few and, thus benefits the society at large. The idea of nationalization of a material resource of the community cannot be divorced from the idea of distribution of that resource in the community in a manner which advanced common good”.

In 1997 the Supreme Court observed in *Air India Statutory Corporation v. United Labour Union*, Distributive justice fulfils the basic purpose of restructuring the economic order. Therefore, article 39 (b) has a social mission.

**Not to Concentration of Wealth**

There is one of the important elements of the socialism is “not to concentration of wealth and means of production in the hands of a few. Article 39 (c) envisages that the State should secure the operation of the economic system on such a way as not to result on the concentration of wealth and
means of production to the common detriment. It also clarifies that carrying on of a trade and business is a legitimate function of the state. Its objective is to prevent concentration of wealth in any one individual.

Measure of agrarian reform, such as vesting of ownership of tiller himself, a provision (Taxation of capital and wealth under 86, List I) in the Income-tax Act authorizing acquisition of property in case its value is shown less than its market price value by less than 15% in the instrument of transfer.\textsuperscript{54}

When the State \textit{takes over bus transport from private hands}, the beneficial effects resulting there from will be passed on to the community at large and this fulfils the objectives of Articles 39 (b) and (c). \textbf{Concentration of large blocks} of land in the hands of a few individuals is a contrary to Articles 39 (b) and (c). Therefore, \textbf{legislation for agrarian reform} and \textbf{abolition of zamindari} to fulfill the objectives laid down in Articles 39 (b) and (c.) Imposing \textbf{ceiling on landholdings} fulfils Articles 38 and 39. Article 39 also clarifies that carrying on of a trade and \textbf{business is a legitimate function of the state}.\textsuperscript{55}

The General Insurance Business (Nationalization) Act, 1972 which was nationalized the business of general insurance. For need of economy, in the best interest of community, and to ensure that the operation of economic system does not results in the concentration of wealth to the common detriment.

The State takes over bus transport from private hands, abolition of zamindari, and ceiling on holdings, trade and business a legitimate function of the state are some of the important initiatives taken in India to achieve the goal of socialist state.

\textbf{Equal pay for equal work to both men and women}

The Supreme Court gave meaning to the word ‘Socialist’ in the Preamble at least mean “equal pay for equal work”. According to article 39 (d), the state has to ensure that there is equal pay for equal work for both men
and women.\textsuperscript{56} Parliament has enacted the \textbf{Equal Remuneration Act, 1976} to implement Article 39 (d). The Act provides for payment of equal remuneration to men and women workers for the same work, or work of similar nature and for the prevention to discrimination of grounds of sex. “Equal pay for equal work” this principle indicates to the gender quality.

\textit{Randhir Singh v. Union of India and D. S. Nakara v. Union of India} in these cases the Supreme Court emphasised on as \textit{the word ‘Socialist’ in the Preamble at least mean “equal pay for equal work.”} “Equal Pay For Equal Work” as a Constitutional Mandate of Equality- The Supreme Court has observed in \textit{Grih Kalyan Kendra v. Union of India in 1991} equal pay for equal work is not expressly declared by the Constitution as a Fundamental Right but in view of the Directive Principles of State Policy as contained in Art. 39 (d) of the Constitution “equal pay for equal work” has assumed the status of Fundamental Right in service, jurisprudence having regard to the constitutional mandate of equality in Articles 14 and 16 of the Constitution.\textsuperscript{57}

At least the word socialist meaning ‘Equal pay for equal work’ and this is one of the mandates of the Constitution. Also this principle implies the gender equality.

\textbf{At Least the Minimum Pay-Scales}

At least the minimum pay scales to casual labourers are to denial of the exploitation. Labour free from exploitation is one of the aims of a socialist state. \textit{Daily RC Labour, P &T Dept v. Union of India 1988 and Dhirendra Chamoli v. State of U.P. 1986} The Court said, \textit{the state cannot deny to casual labourers at least the minimum pay-scales} of employed workmen. Such denial amounts to \textit{exploitation of labour which is not permissible.}\textsuperscript{58} Deciding at least the minimum pay-scales is a mechanism for enacting socialism.
Children Protected From Exploitation

The Constitution protected children from exploitation. The children have been declared a supremely important asset. And the State has to do all things for welfare the children. Welfare of children is one of the important characteristic of a Socialist State.

Article 39 (e) and (f) respectively prohibits the tender age of the children from being abused and ensures that the children grow in a healthy manner and are protected from exploitation. The Government of India in its national policy for the welfare of the children declared that “**the nation’s children are a supremely important asset**”. Hence, protect them from cruelty and exploitation. It is the duty of the state, to look after the child with the view to ensuring full development of its personality.

“Besides, Articles 39 (e) and (f), the Constitution also incorporates a few more provisions to promote the welfare of the children. Article 15(3) enables the state to make special provisions for children. Article 23 prohibits traffic in human beings. Article 24 prohibits employments of children below the age of 14 in any hazardous employment. Article 21-A provides compulsory and free education for children up to the age of 14 years and 45 directs the State to provide early childhood care and education for all children until age 6 years”. 59 Article 45 now provides that the State shall endeavour to provide early childhood care and education for all children until they complete the age of six years. Child Labour (Prohibition and Regulation) Act, 1986 bans employment hazardous industries.

No Bonded Labour

Bonded labour is one type of exploitation of the labourers. This type of exploitation is prevented by Constitution. Individual has been given the right to live with human dignity. *In Bandhua Mukti Morcha v. Union of India* The Court observed:
“This right to live with human dignity enshrined in Article 21 derives its life breath from the Directive Principles of State Policy and particularly Article 41 and 42.”

P. Shivaswamy v. State of Andhra Pradesh The Supreme Court observed:

Article 42 of the Constitution makes it the obligation of the state to make provision for securing just and human conditions of work. There are several other Articles in part IV of the Constitution (i.e. Directive Principles) which indicate that it is the State’s obligation to create social atmosphere befitting human dignity for citizens to live in.”

The Indian Constitution made obligate to the State for securing just and human conditions of work and to create social atmosphere befitting human dignity for citizens to live in. India as some other Socialist State does not minimize the individual personal liberty. The Constitution aim is not provide the facilities in the exchange of basic human rights.

Free Legal Aid

‘Free legal aid’ to ensure that opportunities for securing justice are not denied to any citizen by reason of economic or other disabilities. It promotes justice on the basis of equality.

The Supreme Court has emphasised under the Art. 39 A. The State government undoubtedly has an obligation to set up a comprehensive and effective legal aid programme in order to ensure that the operation of the legal system promote justice on the basis of equality. Legal Services Authority Act 1987-Lok Adalat is to reduce the load of cases on Civil Courts.

Living Wage

“Living wage” the term in Indian Constitution is contrast to the “law of Iron”. Article 42 requires the state to make provision for securing just and human conditions of work and for maternity relief. Article 43 envisages the ‘living wage’ to all workers. A living wage is such wage as enables the mail earner to provide for himself and his family not merely the bare essentials of food, clothing and shelter, but a measure of frugal comfort including education
for children, protection against ill-health, requirements of essential social needs, and a major of insurance against the more important misfortunes including old age. A ‘minimum wage’, on the other hand, is just sufficient to cover the bare physical needs of a worker and his family. Minimum wage is to be fixed in an industry irrespective of its capacity to pay. Fixation of minimum wage is in public interest and does not impose an unreasonable restriction on the right to carry on a trade guaranteed by Art. 19(1) (g) (Edward Mills v. Union of India).63

To Eliminate the Inequality in Income

To maintain a “standard of living” is a principal aim of the socialist state. The Directive Principles of State Policy directs toward the welfare state in India.

“According to the Court, the principal aim of socialist state is to eliminate the inequality in income, status and standard of life. The basic framework of socialism is to provide a decent standard of life to the working people and, especially, to provide security from cradle to grave. On the economic side envisages economic equality and equitable distribution of Income.” 64

Art. 43(B) added by 97th Constitution Amendment in 2011, aims at revitalizing cooperative societies with a view to ensuring their contribution to the economic development of the country. The principal aim of socialist state is to eliminate the inequality in income is reflected in the Constitution of India.

Uniform Civil Code

The Courts has continued to emphasize that a common civil code will help the cause of national integration by removing the contradictions based of ideologies.

Promotion of Weaker Sections

Article 46 obligates the state to promote with special care the educational and economic interest of the weaker sections of the people, and, in particular of the Scheduled Castes and the Scheduled Tribes, and to protect them from social injustice and forms of exploitation.65
Socialism Means Distributive Justice

The Supreme Court of India interpreted socialism in the Indian Constitution means the “Distributive Justice”. “The aim of socialism is the distribution of the material resources of the community in such a way to subserve the common good. “The material resources of the community” means, and include all resources, natural and man-made, public and private owned. Therefore, all things which are capable of producing wealth for the community would be material resources. A socialistic state secures to its people socio-economic justice. Socialism means distributive justice—an idea ingrained in article 39 (b). 66

The Court evolved the concept ‘Distributive Justice’ from the Directive Principles of State Policy. The law should be used as an instrument. “The Court has emphasized that law should be used as an instrument of distributive justice to achieve a fair division of wealth amongst the members of the society based upon the principle: From each according to his capacity, to each according to his needs”. 67

“From each according to his capacity, to each according to his needs” this is the core aim of a socialist state, which is reflected in the Indian Constitution.

In Ahmedabad Municipal Corporation v. Vishwanath Pandu Borde case, the Supreme Court has observed:

“Article 38, 39 and 46 mandate the state, as its economic policy, to provide socio-economic justice to minimize inequalities in income and in opportunities and status. It positively charges the state to distributive its largess to the weaker sections of the society envisaged in Article 46 to make socio-economic justice a reality, meaningful and fruitful so as to make the life worth living with dignity of person and equality of status and to constantly improve excellence.” 68

The Constitution has mandated to provide socio-economic justice to minimize inequalities in income and in opportunities and status. This is the principal character of the Indian Constitution.
The Doctrine of Economic Empowerment

The doctrine of economic empowerment of the poor or weaker sections of the society implies the idea in Socialism. And with “reading articles 14, 21, 38, 39 and 46, and the Preamble to the Constitution, the Supreme Court has also developed the doctrine of economic empowerment of the weaker sections of the society”. 69

In R. Chadevarappa v. State of Karnataka the Court observed:

“The economic empowerment, therefore, to the poor, dalits and tribes in an integral constitutional scheme of socio-economic democracy is a way of life of political democracy. Economic empowerment is, therefore, a basic human right and a Fundamental Right as part of right to live, equality and of status and dignity to the poor, weaker sections, dalits and tribes”. 70

In India there poor, dalits, and tribes to their economic empowerment the Constitution provides the scheme of socio-economic democracy. Socialism reflected in this scheme of socio-economic democracy.

Prevention of All Forms of Exploitation

The Court interpreted economic and social justice requires to prevention of all forms of exploitation.

In Charan Singh v. State of Punjab, The Court said, “…that economic and social justice requires to be done of the weaker section of the society, in particular to the Scheduled Castes and Scheduled Tribes and to prevent them from social injustice and prevention of all forms of exploitation”. 71

And to prevention of all forms of exploitation is the idea which is implied in the Socialism.

Primary Duty of Welfare State- Rising Standard of Living

According to the Constitution of India, the Supreme Court said, the primary duty of the state is to welfare of the people. “Article 47 obligates the state to regard, as among its primary duties, the raising to the level of nutrition and the standard of living its people and the improvement of public health, in particular, the state is to endeavour to bring about prohibition of the
consumption, except for medicinal purposes, of intoxication drinks and drugs which are injurious to health”. ⁷²

In *Paschim Banga* the Court has observed: “…it is the constitutional obligation of the state to provide adequate medical services to the people. Whatever is necessary for this purpose has to be done”. ⁷³ Aim of any Socialist State has been to welfare of the people. This the great ideals is underlying in the Constitution of India.

**Industry Should Be Organized By the State-A Principle of Socialism**

Industry should be organized by the state is a idea of socialism. According to Socialism division of product should be according to a justice. It is important than the development of the potential production. A principle of socialism is that the *industry should be organized by the State*. For the Indian Constitution, business is a legitimate function of the state. **State monopoly Article 19(6)(ii)** enables the state to make laws for creating state monopolies either partially or complete in respect of any trade or business or industry or service So, the idea, industry should be organized by the state is prevails in the Constitution of India. ⁷⁴

**No laissez faire Economy in India**

From the implementation of the Indian Constitution, the foundation of Indian economy was the ‘Mixed Economy’ and not laissez fair economy.

“Economic Liberalism consisted merely in the demand for free competition and unlimited laissez faire in production and exchange…” ⁷⁵

Many contradictions have been seen in many places in the constitution due to the combination of various ideas. **Indian constitution does not provide the absolute or uncontrolled liberty to the individuals.** But no person can be deprived of his life or personal liberty neither except “according to procedure established by law” nor shall be denied equality before the law or the equal protection of the laws of the country.
Right to property abrogated

Socialism rejects private property in some extent and the Indian constitution removes the “right to property” from the list of fundamental rights. That was might a major hindrance to abolition to land lordship. At the beginning the Constitution had Art. 19(1)(f) and Article 31 to protect property rights. Article 19(1)(f) guaranteed to the Indian citizens a right to acquire, hold and dispose of property. Article 19(5), however, permitted the state to impose by law reasonable restrictions on this right in the interests of the general public or for the protection of the interest of any Scheduled Tribe.

It was stated that for purposes of Article 19(1)(f), property was that which could by itself be acquired, disposed of or taken possession of. In course of time, Art. 31 came to be modified drastically through several constitutional amendments, ultimately, in 1978, by the Constitution 44th Amendment, Arts. 19(1)(f) and 31 were abrogated. Articles 31A, 31B and 31C as well as Art.300A are the existing constitutional provisions concerning private property. Art.300A has been added by the 44th Amendment.

Article 300A - Right to property

The forty- fourth Amendment of the Constitution in 1978 transformed the right to property form the category of Fundamental Rights by repealing Art. 31 and converted it into an ordinary constitutional right by enacting Art. 300A. Article 300A merely says: No person shall be deprived of his property save by authority of law.

Right to property-current position - after 1978, in the area of property relations, there are left with only four constitutional provision viz. Arts. 31A, 31B, 31C and 300A Articles 31A, 31B, these right are under the chapter of Fundamental rights but do not confer any rights, but instead seek to impose drastic restrictions on the right to property, these provision give power to make laws curtailing property rights.
Art. 300A does confer some protection on private property, but this constitutional provision does not get the status of a Fundamental Right. This is nearly the idea of socialism.

India’s constitution prevents traffic in human beings, enforced labour and employment of children below fourteen years in factories, mines, and other hazardous employment.

**Constitution does not approve** wherever the relation is establishing of socialism with the means of bloody revolution. Conclusion by Dr. Rajendra Prasad is about the Indian Constitution, “It endeavours to translate into practice the noble concept of a socialist society—a blending of ballot paper and economic democracy. It includes the most elaborate declaration of human rights so far framed by any states.”

Thus, the Indian Constitution is the Unique Document of the World. It has laid down the foundation to Socialism in the Constitution compatible to the Indian context. The great problem across the world, while implementing socialism is to way draw the line between personal liberty or individual liberty and social control. Individual liberty and social control these both principles respectively reflected in Fundamental Rights and the Directive Principles of the State Policy in the Constitution, the Constitution held the balance between individual liberty and social control.

In other words balance between the Fundament Rights and the Directive Principle of State Policy. The Directive Principles are not merely enforceable in the Court but these are being equally treated as the Fundamental Rights. The Fundamental Rights are being interpreted and defined in the broad perspective of the Directive Principle. The Supreme Court of India declared the Directive Principles are the mandatory to the State. So, the principles upheld in the Directive Principles are equally essentials as the Fundamental Rights. And the aim to achieve the State is to welfare state and Socialist State.

The Democratic Socialism is reflected in the Constitution of India. It can be underlined, those elements of socialism reflected in the Constitution as:

Nationalization a Mode distribution, Not to Concentration of Wealth, Equal pay for equal work to both men and women, Equal pay for equal work” as a constitutional mandate of equality, At Least the Minimum Pay-Scales, Children Protected From Exploitation, No bonded labour, Free Legal Aid, Living Wage, Uniform Civil Code,

Promotion of weaker sections-SC, ST, and OBC, Distributive Justice, The Doctrine of Economic Empowerment, Prevention of all forms of exploitation, Primary Duty of Welfare State- Rising Standard of Living, Nehru’s Ideological Foundation to Indian Polity and Economy, Industry Should Be Organized By the State-A Principle of Socialism, and No laissez fair Economy in India. Thus the Conclusion is “Democratic Socialism (balance between basic human rights and social control), or “Libsolism” (Liberty + Socialism) is reflected in the Constitution of India.

The next point will be Dr. B.R. Ambedkar’s “State Socialism” and its reflection in the Constitution of India.
3.7 Indian Constitution: Dr. B. R. Ambedkar's Reflection of State Socialism

Dr. Bhimrao Ramji Ambedkar (1891-1956) is known as a learned professor, lawyer, economist, sociologist, archeologist, social revolutionary. He is known as the architecture of the Indian Constitution. He was the Chairman of the Drafting Committee in the Constituent Assembly of India. He has been law minister and labour minister of India. He was one of the greatest thinkers of the world. He is Barat Ratna awarded. He is one of greatest contributor to framing the Constitution of India. His concept of State Socialism in India is very important to understand the reflected various ideologies in the Indian Constitution.

State Socialism recognized as a reaction against extreme individualism of the 19th century. The elements of the State Socialism can be found in the works of Eduard Bernstein (Germany), Jean Juarez (France), Karl Branting (Sweden), Eduard (Belgium) and Dr. B.R. Ambedkar (India).

The State Socialism does not want to abolish the state but stands for removing the evils of capitalist discrimination and inequality. State Socialism stands for the idea of a welfare state. The State Socialists believe in, the State alone can remove exploitation, and promotes General welfare. The means of production should be nationalized. The worker should be given equally pay, for equal works. The workers or depressed classes can enjoy liberty and equality both in political and economic life. The State Socialists are against the abolition of the state. This is a concise understanding of the concept of ‘state socialism.

Dr. Babasaheb’s Concept of State Socialism

According to him, the State should be the owner of the land. The basic industries should be under the ownership of the State. He wanted to abolish the zamindari system. For him, key industries should be nationalized. He wanted
to establish the liberty, equality, fraternity and social justice by the State in India. He wanted to classless and casteless society for India. He fought for basic human rights for all people. He studied socialism deeply. He did comparison between Marxian communism and Buddhism. He rejected the bloody path for social revolution. In *Pathumma v. State of Kerala*, the Supreme Court has also emphasized that the purpose of the Directive Principles is to fix certain socio-economic goals for immediate attainment by **bringing about a non-violent social revolution.** Dr. Babasaheb Ambedkar’s social mission is to establish the equality, liberty, fraternity and social justice by the non violent way. He stated that Article 32 the **constitutional remedies are the “heart of the Constitution”**.

His emphasis on Parliamentary Democracy and guaranteed basic human right reject any type of dictatorship. He obligates the state to revolutionary social and economic changes. He wanted a free man, from unreasonable bondage of society. His State Socialism is to remove the extreme inequalities and evils castes system from the society. Both public and private enterprises should under the guidance of state control. Fraternity is one of the essential key for social justice. For Dr. Babasaheb Ambedkar aim of socialism has to be achieved by constitutional method in peacefully manner.

Dr. Babasaheb did not want to abolish the State like Marxism. He rejected the Hindu Varnashrama. For him, the Scheduled Castes must first acquire the political power. He believed in Buddhism which is based on rationality and morality. Dr. Ambedkar believed in State as an instrument of social change and social welfare. His concept of State Socialism demanded the nationalization of agricultural land and collective farming.

Both, Pandit Jawaharlal Nehru and Dr. Ambedkar wanted to establish the State Socialism through the Constitutional method, not by bloody revolution. He does not want capitalism.

Dr. Babasaheb did not accept as it is the theory of Karl Marx’s ideology based on economic exploitation. He thought, eradication of economic
exploitation alone cannot free the individual from the tyranny of the society in India. He advocated that the socialism on democratic base and also state ownership of land and other means of production can free the individual from the tyranny of the society in India. According to him there can be no political stability unless and until there is social democracy and economic equality. He wanted to abolish the Zamindari system.

**Dr. Babasaheb wanted Economic Democracy**

Dr. Babasaheb insisted on economic democracy in the Constituent Assembly. In his word, “Our Constitution as a piece of mechanism lays down what is called parliamentary democracy. By parliamentary democracy we mean ‘one man, one vote’ and one vote, one value. He rejected the dictatorship of any particular body of people and he accepted the Parliamentary Democracy for political equality.

Dr. Babasaheb said that his ideal was economic democracy. His ideal was economic democracy. He did not want to enable the people capture. He said there are various ways to come the economic democracy. “…these various ways by which economic democracy may be brought about; we have deliberately introduced in language that we have used, in the directive principles, something which is not fixed or rigid. We have left enough room for people of different ways of thinking, with regard to the reaching of the ideal of the economic democracy. To strive in their own way, to persuade the electorate that it is the best way of reaching the economic democracy, the fullest opportunity to act in the way in which they want to act”79

He said that he gave flexibility to achieve the ideals of economic democracy. Thus, Dr. Babasaheb Ambedkar’s thought of economic democracy is reflected in Constitution of India.

Again he gave the most valuable explanation on the Directive Principle. According to him directive principles have a great value. His ideal is economic democracy. He did not want merely a parliamentary form of Government
He stated, “...without any direction as to what our economic ideal, as to what our social order ought to be, we deliberately included the directive principles in our Constitution.”

According to him, our object in framing this constitution is really two-fold: (1) **to lay down the form of political democracy** and (2) **to lay down that our ideal is economic democracy** and also to prescribe that every Government whatever, it is in power, shall strive to bring about economic democracy.

**Dr. B. R. Ambedkar’s Plan of State Socialism**

He proposed the plan of State Socialism for India as following.

The United States of India shall declare as a part of the law of its Constitution:

(1) The industries which are key industries or which may be declared to be key industries shall be owned and run by the state.

(2) The industries which are not key industries but which are basic industries shall be owned by the state and shall be run by the state or by Corporations established by the state.

(3) The insurance shall be a monopoly of the state and that the state shall compel every adult to take out a life insurance policy commensurate with his wages as may be prescribed by the legislature.

(4) The agriculture shall be a state industry.

(5) The state shall acquire the subsisting rights in such industries, insurance and agricultural land held by private individuals, whether as owners, tenants or mortgagees and pay them compensation in the form of **debenture** equal to the value of his or her right in the land. Provided that the reckoning value of the land, plant or security on account shall be taken of any rise therein due to emergency, or any potential or unearned value or any value for compulsory acquisition.
(6) The state shall determine how and when the debenture holder shall be entitled to claim cash payment.

(7) The debenture shall be transferable and inheritable property but neither the debenture holder nor the transferee from the original holder nor his heir shall be entitled to claim the return of the land or interest in any industrial concerned acquired by state or be entitled to deal with in any way.

(8) The debenture holder shall be entitled to interest in his debenture at such rate as may be defined by law, to be paid the state in cash or in kind as the state may deem fit.

(9) Agricultural industry shall be organized on the following basis:

(i) The state shall divide the land acquired into farms of standard size and let out the farms to civilization to residents of the village as tenants (made up of groups of families) to cultivate on the following conditions:

   (a) The farm shall be cultivated as a collective farm;

   (b) The farm shall be cultivated in accordance with rules and directions issued by Government;

   (c) The tenants shall share among themselves in the manner prescribed the produce of the farm left after the payment of charges properly leviable on the farm.

(ii) The land shall be let out to the villagers without distinction of caste and creed and in such manner that there will be no landlord, no tenants and on landless labourer.

(iii) It shall be the obligation of the state to finance the cultivation to the collective farms by the supply of the water, drought animals, implements, manure, speed, etc.

(iv) The state shall be entitled to:
(a) To levy the following charges on the produce of the farm:

(i) a portion for land revenue;

(ii) a portion to pay the debenture holders; and

(iii) a portion to pay the use of capital goods supplied, and

(b) Prescribe the penalties against tenants who break the conditions of tenancy or willfully neglect to make the best use of the means of the cultivation offered by the State or otherwise act prejudicially to the scheme of collective farming.

(10) The scheme shall be brought into operation as early as possible but in no case shall the period extend beyond the tenth year from the date of the constitution coming into operation.\(^{82}\)

**Essential features of his State Socialism**

To achieve the State Socialism essential features of it, he advised as following:

(i). Condemnation of the present order of society and economic inequality.

(ii). Advocacy of one man, one vote and one value.

(iii). Achievement of state socialism and parliamentary democracy.

(iv). Acceptance of the fact that present immoral social order is due to the attitude of Hindu and their Varnashrama.

(v). A widespread desire to change the social and economic order, for, unless we are surcharged with a will to practice the gospel, we will not succeed

(vi). A program of actions leading to the ideal to be achieved through constitutional means only; and,

(vii). A revolutionary will establish social democracy to carry out the program social solidarity.\(^{83}\)
**Brief Analysis of his State Socialism**

Dr. Babasaheb Bhimrao Ambedkar opposed Gandhism and Marxism because he believed that both of these ideologies could not free the individual from the tyranny of the society.

He says that suffering is not only due to economic exploitation but also social exploitation. Ambedkar also thought that the industries should be nationalized gradually by the way of democracy. And his proposal was the establishment of socialism is possible avoiding the demerits of dictatorship. The dictatorship of proletariats was proposed by Karl Marx.

Dr. Babasaheb Ambedkar states that the ideal political solution would be to avoid all dangers of establishing socialism and taking advantages as to retain democracy and to prescribe state socialism by the law of the Constitution, so that it will be beyond the reach of parliamentary majority to suspend, amend or abrogate it. One can achieve the objects to establish socialism, retain parliamentary democracy and avoid dictatorship.

To avoid the dictatorship he said for in India, Bhakti in religion may be the road to salvation of the soul. But in politics, Bhakti or hero-worship is a sure road to degradation and eventually dictatorship. To free individual avoid this all types of dictatorship, Dr. Ambedkar wanted a democracy, not a dictatorship in Indian society. He refers democracy as fundamental changes in the social and economic life of the people and the acceptance of those changes by the people without resorting to disputes and bloodshed.⁸⁴

His sole concern was the all-round development of the downtrodden masses. For the successful democracy there must not be the suppressed class and oppressed class in the Indian society. For him classless and casteless society should be in India. Certainly, idea of casteless and classless society prevails in the Indian Constitution.
Four essential Principles of Political Democracy

To establish State Socialism, totalitarianism, tyrannies and dictatorship should be abolished from Indian society. For him, to establish socialism, retain Parliamentary Democracy and avoid Dictatorship. Political Democracy rests on four premises which may be set out in the following terms:

(i). the individual is an end in himself.

(ii). that the individual has certain inalienable rights which must be guaranteed to him by the Constitution.

(iii). that the individual shall not be required to relinquish any of his constitutional rights as a condition precedent to the receipt of a privilege.

(iv). that the state shall not delegate powers to private persons to govern others.\(^{85}\)

This plan has two special features. The one feature is; it proposes state socialism is important fields of economic life.

The second special feature of this plan is; **it does not leave establishment of state socialism to the will of the legislature. It establishes state socialism by the law of the constitution and thus makes it unalterable by any act of the legislature and the executive.**\(^{86}\)

Thus Dr. Babasaheb Bhimrao Ambedkar wanted to establish state socialism through political democracy but not through the dictatorship. He wants to include the program of socialism in Fundamental Rights but it would not be possible at that time when the Constitution structure making because of the refusal. He also criticized the objective proposal of Jawaharlal Nehru that there was not a strong emphasis on the socialism. While framing the Directive Principles of State Policy in the Constitution of India he said.”...Our object in framing this Constitution is really two-fold: (1) to lay down that our ideal is political democracy and, (2) to lay down that our ideal is economics
democracy…”\textsuperscript{87} Again Babasaheb states that the individual is an end in himself and the state shall not delegate powers to private persons to govern others. The individual has certain unalienable rights which must be guaranteed to him by the constitution that the individual cannot be required to relinquish any of his constitutional rights as a condition precedent to the receipt of privilege.

He stated that the Fundamental Rights are the gift of the law, gift of the State. Non-Fundamental Rights are the agreement between parties. “…Constitutional lawyers assume that the enactment of the Fundamental Rights is enough to safeguard their liberty and that nothing more is called for. They argue that where the State refrains from intervention in private affairs, economic and social – the residue is liberty. What is necessary is to make the residue as large as possible and state intervention as small as possible. It is true that where the state refrains from intervention what remains is liberty. But this does not dispose of the matter, One more question remains to be answered. To whom and for whom is this liberty? Obviously, this liberty is liberty to the landlords to increase rents, for capitalists to increase the hours of work and reduce the rate of wages. This must be so. It cannot be otherwise. For in an economic system employing armies of workers providing goods in mass at regular intervals, someone must make rules so that workers will work and the wheels of industry run on. Life otherwise will become impossible. In other words what is called liberty from the control of state is another name of the dictatorship of the private employer”\textsuperscript{88}

He said about the Directive Principle, these are the Fundamental Rights what we called the Directive Principle of State Policy. Merely there are not answerable into any court of law but certainly they are answerable their breach, in the electorate at the election time. The Directive Principles are not the contrivance, party to come into power, but whoever come into power they cannot neglect them.
Babasaheb stated, his proposal was the planning of economic life of community which is so essential to maintenance the liberty of the individual in the modern society. These thoughts are related to the state socialism. Only writing the fundamental rights in the Constitution is not the guarantees but this plan of ‘state socialism’ can assure the guarantees it.

In short, Dr. Ambedkar’s sole concern was the all-round development of the downtrodden masses. For the successful democracy, there must not be the suppressed class and oppressed class in the Indian society. His plan of ‘state socialism’ has two special features. One is that it proposes state socialism is important fields of economic life, the second special feature of this plan is, that it does not leave establishment of state socialism to the will of the legislature. It establishes by the law of the constitution and thus makes it unalterable by any act of the legislature and the executive. He wanted to establish liberty, equality, fraternity and justice in India.

He proposed, “there should be no difference between legitimate and illegitimate children as far as laws are inheritance of concern. This is about children and their rights. According to him thinking of superiority and inferiority of the group of people is not good.

According to him, Labour’s conception of liberty is very positive. It involves the idea of government by the people. It is in the opinion of labour, does not mean parliamentary democracy. The liberty as conceived by labour includes the right to equal opportunity and the duty of the state to provide fullest facilities for growth of every individual according to his need. This is idea prevails in the Constitution. This is the contradiction in society, wealth to those who do not work and poverty for those who do. In Politics there is equality and in economy there in inequality. He stated, “One man one vote, one vote one value is our political maxims. Our maxim in economic is a negation of our political maxims”. There may various paths to solve the problem. This contradiction should not be longer.
When the Bombay assembly discussed the Industrial Disputes Bill in 1938, Dr. Ambedkar attacked the Bill as it was deemed to curtail the liberty of the workers to have a right to strike.

According to him, strike was a civil wrong not a crime. **To make a man to serve against his will was nothing less than making him a slave.** The right to strike is nothing to more than the freedom to choice one’s work on terms which one considers acceptable. Therefore, he thought, the Industrial **Dispute Bill ought to have been called The Workers Civil Liberties Suspension Act”**. 89

Ambedkar stressed the need for capturing political power electing the labour’s own representatives. **He also emphasized that the fight against imperialism was incomplete unless it was accompanied the fight against capitalism.** He said congress was using the constitutional machinery to advance the interest of the capitalists and other vested interest-by sacrificing the interest of the peasants and workers, and there he could not join such an organization.

**Socialist Economy**

Unless the economy of country is a socialist economy it would not be possible to come in reality social and economic justice. Difficulty is with begging not with ultimate goal due to the heterogeneous society. He said somewhere that it is easy to give power; it is difficult to give wisdom.

The Constituent Assembly neglected Dr. B. R. Ambedkar’s Plan of State Socialism. He stated that without any direction as to what our economic ideal, as to what our social order ought to be, they deliberately included the directive principles in our Constitution. Through the ‘basic structure’ and Directive Principles State Socialism is reflected in some extent in the Indian Constitution.
3.8 Indian Constitution: Pandit Jawaharlal Nehru's Reflection of Democratic Socialism

Pandit Jawaharlal Nehru's Concept of Democratic Socialism and its Reflection in the Constitution of India, this study is important to test the research hypothesis. Jawaharlal Nehru (1889-1964) was born in Uttar Pradesh, Prime Minister of the interim government, Lawyer and Congress leader, Advocate of socialism, democracy and anti-imperialism. He became First Prime Minister of India after independent. He was socialist and republican. He stated that our economic programme must be based on the human outlook and must not sacrifice man to money.

In 1933 Nehru wrote to his daughter Indira, the future prime minister of India, “Socialism, I have told you is of many kinds. There is general agreement, however, that it aims at the ‘control by the state’ of the means of production; that is, land and mines and factories and the like, and the means of distribution, like railways, etc. and also banks and similar institutions. The idea is that the individual should not be allowed to exploit any of these methods or institutions, or the labour of others, to their own personal advantage.”

According to him he was temperamentally and by training an individualist, and intellectually a socialist. He hoped that socialism does not kill or suppress individuality. But it will release innumerable individuals from economic and cultural bondage. So his idea is mixture of individualism and socialism, faith in democracy, social and economic justice. and finally he adopt a non-doctrinaire attitude towards socialism when he proposed the “Objective Resolution” in the Constituent Assembly and as the Prime Minister of India.

Democratic Socialism meaning

Democratic Socialism attempts to bring about Socialism through peaceful democratic means as opposed to violent transformation, and represents the reformist tradition of Socialism. Democratic Socialism implies
an ideology of non-violent socio-economic revolution. Nehru ideals were democracy, secularism, socialism, non-alignment and promotion of scientific approach.

**Nehru’s Plan for Democratic Socialism**

Nehru wanted to solve the problem of inequality and poverty in Indian society. So, as a Prime Minister, he laid emphasis on:

1. Planning
2. Public sector
3. Development of heavy industry
4. Rapid industrialization
5. Application of science and technology
6. Atomic energy.

"Nehru's socialism was a broad tendency and not a precise body of rigid beliefs". The democratic method of convincing the people was an essential part of Nehru's socialist programme. It has been compatible with the Constitution of India.

The main features of Nehru’s democratic Socialistic pattern of society are

1. Removal of poverty
2. Reduction of inequalities of income and wealth
3. Provision of equal opportunities to all
4. Mixed economy
5. Check on concretization of economic power and growth of monopolistic tendencies
6. Social gain in place of private profits and
7. Democratic values.\(^{90}\)
Non-Violent Technique for the Socialist Transformation, Balancing between Individual and social life, People as the Ultimate Source of Sovereignty and Social Welfare and Secularism, these are some of the main ideas of his socialism.

Nehru rejects the basic ideas of Marxism such as mainly class struggle, proletarian dictatorship and violence for revolution. His attachment was with the values of social justice, equality, social and economic freedom Nehru’s emphasised values of social justice, equality, and social and economic freedom is reflected strongly in the Constitution of India.

**Nehru Did Not Accepted the Dictatorship and Authoritarianism**

He did not accept dictatorship and authoritarianism like Dr. B.R. Ambedkar. His Socialism was a broad tendency and not a rigid ideology. He sought the application to the ideology in the Indian cultural, economical, and social context.

He is known for a half liberal, and half Marxist position. He was a libertarian Marxist, whose idea of Socialism was full of the great civil liberty. Socialism which he dreamt of was to be brought about by democratic means”, this democratic socialism is reflected in the Constitution of India.

He knew that mere political democracy and political rights would be inadequate, and these should be extended to the social and economic aspects of democracy. This idea fully reflected in the Directive Principles and Fundamental Rights and the basic structure of the Constitution.

He opposed to the continuance of land Lordism and Zamindari System. He vowed to end it. Nehru was not for making the right to property. Nehru was not for making the right to property a very absolute or deeply entrenched right.
Right to property curtailed

Right to property has been progressively curtailed through constitutional amendments. Although, originally, the Constitution contained adequate provisions to protect private property and although the Supreme Court sought to interpret these constitutional provisions liberally in favour of the protection to the institution of property, the fact remains that the right to property has practically ceased in India.

Eminent Domain

Eminent Domain is regarded as an inherent right of the state, an essential incident of its sovereignty, to take private property for public use. This power is known as Eminent Domain. The two essential ingredients of eminent domain are:

1. Property is taken for public use;
2. Compensation is paid for the property taken.

The Indian version of ‘eminent domain’ is to be found in entry 42, List III, which says “acquisition or requisitioning of property”.91

In Kameshwar,92 the Supreme Court emphasized that the power to acquire property compulsorily meant power to take property for a public purpose and for compensation. The Court defined ‘eminent domain’ as “the power of the sovereign to take property for public use without the owner’s consent upon making just compensation”. The ideas of ‘public purpose’ and ‘compensation’ are thus inherent in entry 42.93 Nehru was the opinion of this.

Two basic factors constitutionally guaranteed and judicially protected fundamental rights, and the constitutional scheme of the distribution of powers.
Nehru believed in the need of Socialism but his emphasis was on gradualism, constitutionalism and reformism. These main features of Nehru’s Democratic Socialism are fully reflected in the Constitution of India.

“Future governments were to pursue socialist planning, but within the limitations of the Constitution. Socialism is in the form of licenses system and planning policy. To reduce disparities in wealth and income, eliminate exploitation, provide security for tenants and workers, and, finally, promise equality of status and opportunity to different sections of the rural population. Nehru described this tension as one between the Directive Principles “which represent dynamic movement towards a certain objective” and Fundamental Rights which “represent something static, to preserve certain rights”.\textsuperscript{94} Latter the Court explained these are complimentary to each other and there is no antithesis between them.

Jawaharlal Nehru developed strong socialist leanings during his time in England. He believed that capitalism could not strengthen either political or socio-economic equality. He wrote: "Democracy and capitalism grew up together in the nineteenth century, but they were not mutually compatible. There was a basic contradiction between them, \textit{for democracy laid stress on the power for many, while capitalism gave real power to the few.}"

The main thread joining these two ideas, critiquing capitalism and embracing socialism, was \textit{that political equality was meaningless unless there was economic equality in India}. Given the popular political and economic ideology, India was to become a Republic with a Parliamentary democracy and also a Socialist Welfare State

B. R. Ambedkar, the architect of the Indian Constitution, did not advocate Soviet style socialism, but he expressed his disappointment when nationalization of land was not included in “the Resolution” which was presented by Nehru on 13 December, 1946 in the Constituent Assembly. He accepted the Marxian interpretation of History but did not believe in class war,
not in the materialist Philosophy which is so widely prevalent among the socialist circles. **By socialism he means an equalitarian social order**”.

Thus, the various proponents of Socialism could not come to an agreement on the precise nature of the proposed economic system. Finally the word socialist was left out of the Preamble, which declared India a “Sovereign Democratic Republic

### 3.9 Conclusion

The Preamble of the Indian Constitution, the Fundamental Rights and the Directive Principles of State Policy are full of the Liberalism and Socialism. State Socialism and Democratic Socialism these are the two concepts prevails in the Constitution of India.

**a)** **Social justice and of an economically egalitarian society**, Right to social and economic justice has now been held to be Fundamental Rights.

**b)** **The principal aim of socialism is to eliminate inequality of income and status and standards of life, and to provide a decent standard of life to the working people, protection against exploitation.**

**c)** **Establishment of the egalitarian social order through rule of law is the basic structure of the Constitution,**

**d)** **The right to an adequate means of livelihood, socialism means distributive justice so as to bring about the distribution of material resources of the community so as to subserve the common good,** the operation of the economic system does not result in the **concentration of wealth and means of production** to the common detriment.

**e)** ‘Socialism’ would abolish the existing political order, while ‘State Socialism’ would use the State to obtain the great economic and social purposes, **For the Socialistic achievement the Constitution concedes the non-violent means. Especially State to “hold the balance” between classes and parties. Thus, as exactly the Concept of State Socialism is reflected in the Indian Constitution.**

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Men will neither be slaves to capitalism nor to a party or the State. Man will be free. The Supreme Court has held that the **broad egalitarian principle is implicit in every Directive Principle.** The law ought to be designed so as to promote broader egalitarian social goals to do economic justice for all.

Directive Principles and Fundamental Rights together constitute the core commitment to the social revolution which is appropriate to the Democratic Socialism, State Socialism, Social Democracy, Economic Democracy and Democratic Liberalism.

The main theme of the Court’s pronouncement was that the Constitution is based on the “**bedrock of balance**” between the Directive Principles and Fundamental Rights and to give absolute primacy to one over the other would disturb this balance. Both can co-exist harmoniously. **The goals set out the directive principles are to be achieved without abrogating the fundamental Rights.** Both can flourish happily together. It can be said as ‘Balanced Socialism’ or ‘Moderate Liberalism’ reflected in the Constitution of India.

Article 38 (2) directs the **state to strive to minimize the inequalities in income** and endeavour to eliminate inequalities in status, facilities and opportunities, not only amongst individuals but also groups of people residing in different areas or engaged in different vocations.

**Concentration of large blocks** of land in the hands of a few individuals is a contrary to Articles 39 (b) and (c). Therefore, **legislation for agrarian reform** and **abolition of zamindari** to fulfill the objectives laid down in Articles 39 (b) and (c.) Imposing **ceiling on landholdings** fulfils Articles 38 and 39. Article 39 also clarifies that carrying on of a trade and **business is a legitimate function of the state.**
The word ‘Socialist’ in the Preamble at least means “equal pay for equal work.” The Court has emphasized that law should be used as an instrument of **distributive justice to achieve a fair division** of wealth amongst the members of the society based upon the principle: **From each according to his capacity, to each according to his needs**

The Supreme Court has also developed **the doctrine of economic empowerment of the weaker sections of the society**.

Constitution does not approve wherever the relation is establishing of socialism with the means of bloody revolution. Conclusion by Dr. Rajendra Prasad is about the Indian Constitution, “It endeavours to translate into practice the noble concept of a socialist society-a blending of ballot paper and economic democracy. It includes the most elaborate declaration of human rights so far framed by any states.

The Indian Constitution is the Unique Document of the World. It has laid down the foundation to Socialism in the Constitution compatible to the Indian context. The great problem across the world, while implementing socialism is to way draw the line between personal liberty or individual liberty and social control. Individual liberty and social control these both principles respectively reflected in Fundamental Rights and the Directive Principles of the State Policy in the Constitution, the Constitution held the balance between individual liberty and social control.

In other words balance between the Fundament Rights and the Directive Principle of State Policy. The Directive Principles are not merely enforceable in the Court but these are being equally treated as the Fundamental Rights. The Fundamental Rights are being interpreted and defined in the broad perspective of the Directive Principle. The Supreme Court of India declared the Directive Principles are the mandatory to the State. So, the principles upheld in the Directive Principles are equally essentials as the Fundamental Rights. And the aim to achieve the State is to welfare state and Socialist State.

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The Democratic Socialism is reflected in the Constitution of India. There are the principles of socialism reflected in the Constitution:
The concept of social justice and of an economically egalitarian society,

To eliminate inequality of income and status and standards of life, and to provide a decent standard of life to the working people,

Establishment of the egalitarian social order through rule of law is the basic structure of the Constitution, Social justice and equality are complimentary to each other, To establish an egalitarian social order through the rule of law,

The distribution of the material resources of the community in such a way as to subserve the common good, The Constitution is to fix certain socio-economic goals for immediate attainment by bringing about a non-violent social revolution, Social Justice is a dynamic device to mitigate the sufferings of the poor, weak, dalits, tribals and deprived sections of the society,

According to the Court, the principal aim of socialist state is to eliminate the inequality in income, status and standard of life. The basic framework of socialism is to provide a decent standard of life to the working people and, especially, to provide security from cradle to grave.

The Court has emphasized that law should be used as an instrument of distributive justice to achieve a fair division of wealth amongst the members of the society based upon the principle: From each according to his capacity, to each according to his needs”, Socialism means distributive justice-an idea ingrained in article 39 (b).

The State Socialism does not want to abolish the state but stands for removing the evils of capitalist discrimination and inequality. State Socialism stands for the idea of a welfare state.

Dr. Babasaheb Ambedkar’s social mission is to establish the equality, liberty, fraternity and social justice by the non violent way. He stated that Article 32 the constitutional remedies are the “heart of the Constitution”.

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He stated that “various ways by which economic democracy may be brought about; we have deliberately introduced in language that we have used, in the directive principles, something which is not fixed or rigid. We have left enough room for people of different ways of thinking, with regard to the reaching of the ideal of the economic democracy. To strive in their own way, to persuade the electorate that it is the best way of reaching the economic democracy, the fullest opportunity to act in the way in which they want to act.”

According to him, our object in framing this constitution is really two-fold: (1) to lay down the form of political democracy and (2) to lay down that our ideal is economic democracy and also to prescribe that every Government whatever, it is in power, shall strive to bring about economic democracy.

It does not leave establishment of state socialism to the will of the legislature. It establishes state socialism by the law of the constitution and thus makes it unalterable by any act of the legislature and the executive.

The Constituent Assembly neglected Dr. B. R. Ambedkar’s Plan of State Socialism. He stated that without any direction as to what our economic ideal, as to what our social order ought to be, they deliberately included the directive principles.

Nehru rejects the basic ideas of Marxism such as mainly class struggle, proletarian dictatorship and violence for revolution. His attachment was with the values of social justice, equality, social and economic freedom. Nehru’s emphasised values of social justice, equality, and social and economic freedom is reflected strongly in the Constitution of India. This idea fully reflected in the Directive Principles and Fundamental.

He opposed to the continuance of land Lordism and Zamindari System. He vowed to end it. Nehru was not for making the right to property. Nehru was not for making the right to property a very absolute or deeply entrenched right.
Future governments were to pursue socialist planning, but within the limitations of the Constitution. Socialism is in the form of licenses system and planning policy. For democracy laid stress on the power for many, while capitalism gave real power to the few. **By socialism he means an equalitarian social order.**
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