

**BOOK REVIEW: PREAMBLE BY RC LAHOTI**

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*“Several constitutional provisions dealing with equal distribution of justice in the social, political and economic spheres, spoken of in the Preamble need prismatic interpretation to perceive not through an artless window glass but reflected with the enhanced intensity and beauty of the notable aspirations contained in Fundamental Rights illuminating the constitutional rights.”<sup>1</sup>*

Justice R.C. Lahoti, *Preamble: The Spirit and Backbone of The Constitution of India* (EBC, Lucknow, 2021).

Former Chief Justice of India, R.C. Lahoti has authored the book titled, "Preamble: The Spirit and Backbone of The Constitution of India", originally published by EBC Lucknow in 2017 and reprinted in 2021. The book is based on the Preamble of the Constitution of India and is divided into XI parts, with each Part dealing with a unique and different importance of the Preamble and its interpretation. The short read is a masterpiece of literature explaining each word of the Preamble in a simple and lucid writing. It serves as a testament to the spirit of law etched in the Preamble, which is a reminder of the years of struggle for independence and our desire of what we want the nation to be. Especially for law students, the book invokes a sense of pride and understanding of the Constitutional text from a multi-faceted view with a jurisprudential touch to understand each word in its true depth.

Part I of the book is an Introduction which states the basics of how a Constitution is formed. It speaks of the changing interpretation of the Constitution with reference to the changing social and philosophical dynamics. The Part talks about the importance of Preamble and why one should study it.

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<sup>1</sup> *Indra Sawhney v. Union of India*, AIR 1993 SC 477, para. 1.

Part II of the book first describes the three parts of the Preamble, explaining in detail how the craftsmanship of the Preamble has been beautiful throughout. The choice of words and their placement in relation to each other has been described in the light of justice and ideological perspectives. This gives a justification as to why each word is used and why each word is placed where it is placed. Reference has been taken from the Constitutional Assembly dialogues as well. Great deliberation has been done on each word used in the Preamble in light of the Constituent Assembly debates, the idea of justice, and common logic. This has made the explanations in the book satisfactory and plausible.

Further, it is also highlighted what was not included in the Preamble and why so. Amendments and their constitutional validity have also been talked about with special reference to the case of *Kesavananda Bharati v. State of Kerala*.<sup>2</sup> The chapter ends with few criticisms on the Preamble that were discussed in the Constituent Assembly itself, and about the coming into force of the Preamble. Since the author has not shied away from acknowledging the criticisms of the Preamble, it makes the book even more interesting and wholesome, covering many viewpoints on it.

Part III is regarding the Objectives Resolution, which is regarded as the prologue to the Preamble. The brief history of the Constituent Assembly is discussed, which is closely followed by a background of objectives of the Objectives Resolution. This whole Part is a political and historical deliberation on the formation of the Preamble which grasps the reader tightly in his chair in an anticipation as to what is going to unfold next. The unfolding of events has been explained in a simple chronological fashion that is engaging and grasping.

Part IV begins with a note on whether the Preamble is a part of the Constitution or not. The two landmark cases regarding the same have also been discussed in detail, focusing on the reason given in each case.

Part V is an important Part in the sense that it discusses the role of Preamble in shaping the destiny of the country. The significance of the Preamble is discussed in light of article 368, the fundamental rights, the directive principles of state policy, and several other provisions of the Constitution. Jurists and judges have often said that the Preamble is a historic document and a source for

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<sup>2</sup> (1973) 4 SCC 225.

interpretation. Reference has been laid on many such cases to justify the interpretational value of the Preamble, which is then talked about in the next part.

Part VI is a swift transition to the interpretational value of the Preamble. The chapter deals with how the Preamble has been referred to while dealing with cases involving serious questions of interpretation, and how judges have deliberated upon the true meaning of certain words in question with reference to the values set out in the Preamble. The book sets out an extraordinarily detailed deliberation on the interpretational value of the Preamble. An analysis has been done by citing judges' opinions, other countries' Preamble, and opinion of jurists.

Further, the Preamble has also been discussed as a point of reference for other statutes, to help in their interpretation. In addition to that, light has been shed on international documents as an aid to interpret the Preamble.

Part VII describes the words and phrases used in the Preamble. Various cases have been referred to analyze the jurisprudence developed on each word or phrase. Moreover, how these words function in relation to each other has also been discussed, giving the text of the Preamble a wholesome view that beautifully connects to one another.

Part VII describes the Preamble in relation to the basic structure doctrine. Part IX describes how the Preamble is an essential for the judiciary and judges for trust, ethics, professionalism, and as protectors of the law. Part X mentions the reference of the Preamble in other texts such as Tagore's prayers. The epilogue is a hope for India to achieve the goals enshrined in the Preamble. There are two schedules attached in the Book, the first one mentioning Preamble of other Constitutions while the second one mentioning clauses of Constitutions without a Preamble that act as a Preamble.

The point of the Book is not only to impart the knowledge of the Preamble of the Constitution of India. The Book seeks to remind us that the Preamble (and in turn the Constitution) has a larger meaning in our life and we must appreciate the beauty of the law to the fullest. The Book reminds us of the great sacrifices and deep meanings behind each word. Whatever we are today is because of those very words which we usually take in a lighter sense in everyday parlance. Even as judges, advocates, or students of law, the book is a brief reminder of the shared history we have with each other in respect of our rights and values.

The Book is excellent and stellar as it reminds the judicial officers as well that their office is of a higher pedestal that needs to be maintained with the highest standard of ethics and professionalism, in and outside the courtroom. The Book serves as a token of inspiration and future hope that none can unsee. All in all, it is a must read for all people to understand the intricacies of the Constitution. Justice Lahoti has written a book that touches the heart of the reader in the purest way. He rightly ends the book by quoting a speech delivered by Dr. A.P.J. Abdul Kalam in the Central Hall of Parliament soon after he was sworn in, with a hope to achieve a developed India as thought of by the Preamble.