

Sovereignty Rooted in Swaraj

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ABSTRACT:-

The Preamble of Indian Constitution proclaims that the four pillars of India; Sovereign, Socialist, Secular, and Democratic are destined to justice, liberty and equality of every individual citizen. India with its diverse culture and heritage entice various foreign powers to invade India. The decline of economy and dominance of foreign powers created unrest not only among the general population but also laid the roots of freedom struggle in the hearts of great freedom fighters. One voice of Swadeshi and Boycott was raised and the legend Bal Gangadhar Tilak put forth the ideology of Swaraj which meant 'self rule'. Swadeshi ideally meant to emphasized on indigenous goods and boycott of foreign goods. The biggest hurdle in path of attaining Swaraj was lack of education and awareness among general mass, to tackle with this critical situation, mechanism of promotion of education was taken up. The endless efforts of freedom fighters drove the foreign powers. An independent India came into existence, and the concept of Swaraj today's date Sovereignty was established. Sovereignty which has been incorporated in the Constitution by 42nd Amendment. A State is sovereign when it has supreme and absolute power with itself. The concept of Sovereignty is two folds that is external and internal. However it is wrong to conceptualize that a sovereign state have its existence in isolation, but infact a Sovereign state has a social, economic, commercial and technical give and take with other states. All the Sovereign states are guided and abided by common International law under the roof of United Nation Organization. UNO strives for promotion of international peace and suppression of acts of aggression. To be noted that the Sovereign states are assigned with certain duties and vested with rights. However due to changing political trend in India a threat to the internal sovereignty can be forecasted. Through this paper I would like the emphasis that the Sovereignty is embodied in the concept of Swaraj. The study of this paper highlight the concept of

Swadeshi, Boycott and Democracy in uplifting Swaraj. Changing political trend in India is threat to its Sovereignty. Researcher is emphasizing on Secondary Research method.

KEY WORDS:-

Sovereignty, Boycott, Democracy, Swaraj

INTRODUCTION:-

India with its diverse culture and heritage entice various foreign powers to invade India. These rulers not only invaded India but also uprooted the Indian economy by trading Indian produce in their home markets. The decline of economy and dominance of foreign powers created unrest not only among the general population but also laid the roots of freedom struggle in the hearts of great freedom fighters. Legends Bal Gangadhar Tilak, Bipin Chandra Pal, Lala Lajpat Rai, Gandhiji have sorted with strategy of attaining Swaraj by means of Swadeshi and Boycott. Lokmanya Tilak was a towering, multi-faceted personality who championed the cause of Swarajya and advocated Rashtriyatva. He was a scholar of Sanskrit and astro-mathematics, a philosopher, the author of a commentary on the Shreemad Bhagwat Geeta and a selfless Karmayogi. Those who wanted to criticize him sarcastically called him "Father of Indian Unrest" and words which meant a leader of low working class ordinary people (Telya Tambolyanche Pudhari) which actually became true and turned into titles of honor that described him most appropriately as "Lokmanya".(Tilak, D., & Tilak, G. (2019).)Tilak had firm belief that the destination of Swaraj would be achieved only through the path of Education.

The great powers like Mughals, British, Portuguese had invaded India with the intention, of trading however internal monarchy rule in India, persuaded the foreign powers to establish themselves in India. Tilak along with associate leaders, figure out that British imperialism have to be demolish and Indians have all right to shape their own destiny and conduct the affairs of country. The great leaders wanted to drive away the foreign powers and achieve Swaraj. The biggest hurdle to Swaraj was that the mutual conflicts between the Indian rulers and was equally true that all the kingdoms in India needed to be bought under same wavelengths. The blockade of illiteracy was impeding the goal of Swaraj, this fact was recognized by Tilak and so a strong process of imparting and promoting education was carried. On the other hand a strong strategy of achieving "Swaraj-Self Rule" by way of "Swadeshi" and "Boycott" was enforced. Tilak had recognized that Swaraj has to be achieved internally and externally, internally Indians subjected to single uniform rule and externally no power should have dominance over India. The Swadeshi movement meant to control the

Indian economy by promoting the indigenous goods, by which the foreign goods can be driven away from Indian Market, however the end result of it was complete independence. The thoughts of Swadeshi and boycott needed to be flourished to a common man for which the local newspaper like “Kesari” and “Maratha” were published. Agitation commenced against foreign goods, which led to promotion of indigenous goods. Indians not only boycotted and burnt the foreign goods, also boycotted the Indians who supported British. The British at this point of time realized that their policy of Divide and Rule was not good to go and that they were getting uprooted in commercial terms and also loosing hold in administrative means, consequently colonization begin to decline. But it was equally true that if a state undertaking a boycott or Swadeshi movement it should have sufficient in-house resources to fulfill its basic needs, for which cottage industry and small scale industry were established. The Indians were imparted training for engaging in manufacturing of goods. Here at this alarming state Tilak commenced with promotion of schools and Child education and it was mandate to the parents to impart education to Children. Post Independence Indian Constitution was drafted and it borrowed different concepts from various constitutions of different states and it was formulated as the world’s longest Constitution. The concept of Swadeshi, Boycott and Education got blended consequence of Swaraj, later date’s Sovereignty was incorporated in the Constitution by 42nd Amendment. “State Sovereignty is the quality of state power to be supreme in relation to any other existing social power within its territorial limits and independence compared to the power of any state or international body, the quality being expressed in the State’s right to determine freely, without any interference from the outside, the purpose of his activities internally and externally, the fundamental tasks, which it has to fulfill and the necessary means to achieve them, respecting the sovereignty of other states and international law provisions.” A State is sovereign when there resides within itself a supreme and absolute power acknowledging no superior. Sovereignty has two aspects that is external and internal sovereignty. External Sovereignty signifies freedom of will. However India’s membership with UNO or Commonwealth does not in any way limits its Sovereignty. Supreme Court observed that India being free from any type of external powers, can acquire new territories and if necessary, cede a part of its territory in the exercise of treaty making, however being in the ambit of Constitution Internal sovereignty refers to relation between state and Union, as there is nominal separation of powers between State and Union. Taking forward to the noble thoughts of Tilak Legislative under Directive Principle mandated State under Art. 45 to impart compulsory education “The State shall provide free and compulsory education to all children of the age of 6 to 14 years in such manner as the State

may, by law, determine”. “Right to Education” has been guaranteed as a fundamental right. But taking one step ahead in 2002 by eighty-sixth amendment Art.21-A was inserted promoting in the Constitution to provide free and compulsory education to Children of age group six to fourteen as a Fundamental Right. Also prior to 2002, in Unni Krishnan v. State of U.P. Hon’ble Supreme Court asserted that right to education was inherent and observed that education upto age of fourteen was envisaged as a fundamental right. In Superstar Education Society v. State of Maharashtra Supreme Court recognized and suggested that every State government to provide easy access to education. The preamble of Indian Constitution proclaims and signifies that India being a sovereign state is free from colonization of foreign powers and eligible of taking internal and external decision for welfare of people and its territory. A state to survive at international level has to be sovereign and free from dominion of external power. Sovereignty basically means that the State has the power to decide upon its personal affairs without resorting dominance of other nations. In the extended terms Sovereign state is vested with certain rights and assigned with some duties internally and externally. At the International level all the States being Sovereign were free to extend their territories and have complete control over ones state but there was lack of common rule to guide and control this States. Also it was forecast that after Second World War it was very likely a jungle rule can come into existence and third world war would break, crossing all the limits of humanity. Basically some states were very powerful while others were developing states and the possibility would not be denied of large states acquiring small states. At this high time United Nation Organization (UNO) came into existence with the primary object to maintain International peace and security, to take collective measures for prevention and removal of threats to the peace, to develop friendly relation among member states and to create a tendency of co-operation in solving international problems. The basic element of sovereignty is that all states are equal in terms irrespective of their territorial size and commercial background. However every sovereign state is bound to discharge its International obligation in full and faithfully. The Sovereign state is competent to provide Nationality to the individual, obligated for Extradition: where by one state hand over to another state at its request a person accused or convicted of certain kinds criminal offences, while on other hand Sovereign State provides Asylum by which it receive an alien and provide him shelter and protection.

Sovereignty does not lead to the isolation of the State infact it is the mode of getting all states together in the welfare strategy of the globe across. Different states not only bind each other by treaties and conventions to participate in the economy and have commercial relations, but also extend the human-

itarian relation in any shortcoming. The concept of Swadeshi and Boycott have been put into new version whereby all the States encourage and share their technologies, Research, etc. as each state wants to be on same footing in International market, irrespective of the state big or small, particularly specifying India have been the centre for medico-tourists around the globe, for Ayurveda and Homeopathy treatment. Also India ranks in exporting the spices, technologies and attracts tourist. It is interesting to note that a particular commodity, clothing is not jurisdiction specific but is available in the other states too. The sovereign states being the member of UNO needs to be regulated by strict norms and rules as waving of it would create great distress. Disputes between states range from minor differences which hardly cause any ripple in International waters but in extreme situations may lead to great distress among the nations. To deal with aforesaid situations International law is resorted. The Sovereign State-“Swaraj” was the dream and goal of Tilak, which was achieved by struggling and battling for decades. The important question always pops up is does the State losses its freedom, due to not being strong enough to control its subjects, or because the invading power is stronger or due to lack of the codified and written constitution. It can truly be not denied all the above possibilities, but the root cause of the situation is the internal differences in the State. The current political differences in India are again based on the “Divide and Rule” policy the threat to internal sovereignty; parties are striving for achieving power and authority by any possible means. In the name of democracy what if the votes are manipulated and authorities are snatched, citizens become the toy in the hands of parties. In this scenario it is very likely that people would loose faith in the power and authority, which defeats the ideology of sovereignty and democracy. The principle duty of sovereign nation is defend its borders and make the life of its people safe and secure. Through this paper it would be appealed and claimed that India to retain its sovereignty needs to avoid internal political differences. The internal sovereignty is the base of external Sovereignty.

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