Role of Brotherhood and Harmony in Safeguarding India's Unity and Integrity: A Critical Analysis

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"The spirit of brotherhood recognizes of necessity both the need of self-help and also the need of helping others is the only way which every ultimately does great god, that is, of helping them to help themselves."-Theodore Roosevelt

Abstract: The words mentioned above by Theodore Roosevelt permeate that the spirit of mutual brotherhood should be maintained not only for self-well-being, but for the well-being of all mankind which leads us to the ultimate creator of the Universe and this will lead to maintaining peace, unity, and integrity in society. Traditionally, India has been a nation that cherishes its unity in diversity. This term has been used to describe the nation for centuries. This was, to a large extent, a derivative of the spirit of harmony and brotherhood that was native to the roots of the country. Over the decades, this spirit has survived many wounds, but it has persisted. The purpose of this paper is to clarify and develop a detailed understanding of the spirit of harmony and brotherhood in the preservation of the unity and integrity of India through a social, political, and democratic process. It will address the objectives of developing the debate on the existence, challenges, and value of the spirit of peace and brotherhood in the protection of the unity and integrity of India. The main conclusion, suggestion and findings of the study point out the changes that need to adapt to overcome issues that are affecting these values. The methodology adopted for this study is a doctrinal method.

Keywords: Peace; Welfare; Spirit of Law; Values; Diversity.

INTRODUCTION

"The spirit of democracy... requires a change of the heart... requires the inculcation of the spirit of brotherhood."-Mahatma Gandhi

The above-mentioned words by Mahatma Gandhi give us a very strong message that in order if we want to succeed as a democratic developed country on the planet what we require is that we have a strong feeling of fraternity in our hearts to bring about and to witness the change, regarding preserving the democratic principle in letter and spirit if we wish that we should succeed as a developed democratic country in the world what we require is the strong feeling of brotherhood in our heart to bring and witness the change. The fight for a free and independent Indian republic resulted from many founding principles hoisted and cherished at the center of the system of institutional and social construction in the country. This valued freedom has come to infuriate India's national build-up pathway with certain compromises. The constitutionalists knew of the risks now posed by India by such an internalized theft of common solidarity. Thus, through the common spirit of harmony and brotherhood, the Constitutional

process was further undertaken to protect Indian identity for all reasons. As India decided to be an independent, socialist, secular, democratic republic – in spirit as well as on constitutional foundations – it was the spirit of peace and brotherhood that flourished over so many ages that ensured the country's unity and integrity is the result of its identity. India has not borrowed this tradition of this spirit but has borne it on its soil. The defense of the spirit of brotherhood and peace lies on the shoulders of the Indian courts, and it can only be imagined in the actual cause when culture, polity, and the legal diaspora are all on the same side when it comes to safeguarding the country's integrity through this mutual spirit.

TRADITIONAL UNITY AND THE COLONIAL LEGACY OF DIVIDE AND RULE

India entangled in the colonial split and was able to build a unit under India's constitution. Many factors determine its social, political, and legal environment in a diverse country. If the historiography of the country is entrenched in colonization and imperialism this factorization is

broadened further in perception and separation. The division's peeling back was based on colonial leaders' attempt to split India into several fronts. The colonialist leaders picked up on the unity of tradition which prevails in India from the time of Emperor Ashoka back to the third century. In the sacred Shastra, a tradition of unity, harmony, and brotherhood be "The Earth, bearing upon her many different peoples, speaking many languages, following different dharmas as suit their particular regions. Pour upon us a thousand-fold streams of bountiful treasures to enrich us, like a constant cow that never faith".

It was a traditional value in India to celebrate the idea that people from different faiths who come from different regions and speak different languages could assimilate and formulate a united country. India's major language groups and countless native speakers, religious life, and regional life, reflected its diversity. This traditional value had been disturbed by the colonial legacy of division and dominance, to impose imperial control over the country. This sentiment of exploiting and inciting the indigenous to fight each other was troubled by the colonial leaders. In that art, the British confused and divided politics to weaken politics. In this art, the British perplexed and pursued their divisive policies to undermine the country's political institutions. This was achieved by increasing the divisiveness and imperative, which was manifest in various ways as follow:

REGIONAL DIVISION

Britain's long-standing ambition to govern India has been sustained by region-by-regions division. In the United Kingdom, administrative superiority was established across India. Colonial proclivity, through its overlaid English identity, to divide various professional entities was the cause of massive dissatisfaction in India. In various regions, this leads to emerging solidarity. Their chambers of commerce, e.g., Andhras, the Maharashrians, Karnatakis. The British lifted the Bengals coercively, the Tamils the Telegus and the Bangladeshi the Oriyas.

LINGUISTIC DIVISION

The subsequent linguistic conflicts have been the natural corollary of this regional division and ultimately led to the creation of countries based on the Indian language. It was a gift of the United Kingdom totalitarian agenda without knowing the language history of India. The British maintained the following divisions of languages The Hindi language has been removed from modern-day Bihar. In 1905, Bengal was divided into East and East Bengal. Oriya speakers have been removed from Central Provinces.

RELIGIOUS DIVISION

One of the most powerful weapons in British hands was religious friction. The idea of divide and imperialism was explicitly designed to elasticate colonialism at the heart of India's brotherhood and harmony, thereby strengthening the country's unity and integrity. Soon after the British realised that the solidarity of religious groups in 1857 could lead to a weakening of the rule in the years ahead, the communal tensions alluded to the fact. In order to undermine the movement for freedom and consolidate its influence on colonial culture, the colonisers adopted the "appease-the-Muslim" policy e.g., by Sir Syed Ahmad Khan's knighting. The division of the country into regional and religious lines was a retrograde step in preventing the country from having the scars and reflections of a cruel past. The final declaration by Lord Mountbatten on this divide revealed some horrific events which are engraved in the collective remembrance of the country. The blood rivers flowed through large parts of the country when they came partitioned. Massacres were carried out on innocent men, women, and children.

SECTIONAL DIVISION

The British were very well acquainted with India's Varna structure and attempted to further split the Hindu community on a fundamental level. The British applied conventional concepts of class at home, and these ideas slowly but gradually expressed themselves in India as a hierarchical order.

CONSTITUTIONAL TRYST WITH HARMONY AND BROTHERHOOD

With India being liberated from the clutches of colonialism, it began to consolidate its glory gradually and progressively. The constitution-makers embodied a sense of harmony, non-discriminatory and solidarity as they desire to reverse the divisions that the British had manifested to divide the country. The constitution-makers were also deeply upset by the tragedy of partition, which had affected the spirit of harmony and brotherhood of the country and thus perturbed the integrity and unity of India in a tumultuous manner. This is expressed in the thoughts of India's first Prime Minister, Pandit Jawarhal Nehru, on brotherhood and harmony. He not only resisted the assertion that Muslims were a separate people from Hindus; he disregarded the idea basis. In his view, it was fundamental for India's identity that Hindus, Muslims, Sikhs, Christians and Paris's and others had mingled over centuries on the subcontinent. This was the visionary of the country as was the ability of America to accumulate and integrate different cultures into a coherent way the entire was brought in as one. This spirit was embossed in the constitution-making through ideas that permeated later as a mandated fundamental duty under Article 51(A) . The Constituent Assembly resisted the concept of starting the preamble by the expression "In the name of God", as it was perceived to be contrary to the fundamental religious freedom espoused by the Constitution. The constitution-makers explicitly believed that a new India would remove all kinds of divisions. In the Constituent Assembly, Dr B.R. Ambedkar observed that the Fraternity was indeed an aspect of the Preamble, a sense of brotherhood for all Indians. Mr. Govind Vallabh Pant replicated this sentiment that the formulation of culture must persist so that all Indians will live and enjoy the fruits of their ultimate sacrifice for liberty. The express provision for the maintenance of the spirit of harmony and brotherhood was later expressed in 1976.

REVIVAL OF SPIRIT OF FRATERNITY IN THE CONSTITUTION OF INDIA

The spirit of brotherhood coexists with the idea of rights, limitations, and duties. There must be some modicum between rights and duties to guarantee that there is an equilibrium in society. The 42nd Amendment in 1976 added the fundamental duties to the Constitution of India. The Parliament was seeking to enforce the duties referred to in Article 51-A(e). It is one of the most key aspects contained in the Chapter, including the Charter of fundamental duty. Article 51-A(e) reads as: "To promote harmony and the spirit of common brotherhood amongst all the people of India transcending religious, linguistic and regional or sectional diversities." The spirit embodied in the fundamental duty confirms the idea of championing harmony among all people of India and the spirit of communal brotherhood. Understanding that the colonial history left a deeper sense of discrimination in the minds of Indians, it was Ambedkar's perception of questioning, undermining and ultimately breaking down the hierarchical social relations which had become reasonable over the years, with the idea of brotherhood in the Preamble.

LEGAL AWARENESS OF THE SPIRIT OF HARMONY AND BROTHERHOOD

Although the implementation of fundamental duties is not effective, these ideas reflect a deep understanding through all the judicial bonhomie of the necessity for certain tasks to be supported by conscience. In Minerva Mills vs Union of India, since there is no normal judicial or quasi-judicial apparatus to impose its command, the court ruled that a rule enforcing an obligation or duty does not cease to be a rule of law. Regardless of any compliance issues, such a law will apply. Anything other than that, the Constitution's conventions, as well as international law laws, will no longer be considered rules of law. In Raghunathrao Ganpatrao vs Union of India, the Supreme Court emphasised Ambedkar's perception of the country as one of unity and brotherhood. The court made

its decision. In a country where regionalism, communalism, and linguist are all disrupting forces, it is critical to emphasise that India's unity and dignity can only be maintained by a spirit of brotherhood. In Ismail Faruqi v. Union of India, The Supreme Court reaffirmed that enduring peace between different cultures could only be accomplished by a recognising of humanity's solidarity, a realisation that ethnic and religious disparities are unfounded. In Karma Dorjee vs Union of India, the notion of prejudice against citizens from the North-Eastern states was extensively debated by the court. Acts of prejudice, according to the court, violate Article 51-A(e) fundamental duty. In the State of Maharashtra vs Sarangdharsingh Shivdassingh Chavan, the court essentially ruled that any directions that generated social inequality must be overturned, and every person has a duty to encourage the ethos of brotherhood and thus help safeguard India's unity and integrity.

As a result, the courts share a common view that the concept of brotherhood and peace is inextricably related to the country's stability and integrity. Biases of some sort, whether pre-or post-partition, can only serve to further divide society, dividing India along geographical, sectional, religious, and linguistic lines.

ANALOGICAL SYMBOLISM THROUGH SECULARISM

The judgement of the court in Ismail Farooqui was a foundation stone in the interpretation of secularism as the core principle of the constitution. The notion of secularism in India was immaculate, because it did not encapsulate a separation between the Church and the State, but guaranteed that the State was mainly away from all religions. This idea was part of supporting individuality through peace and brotherhood while keeping the state separate from any single religious manifestation to preserve India's unity and integrity. Harmony meant not rejecting religious views but holding strong religious beliefs while also forging peace despite the fundamental disparity of faith for the founding fathers of this country as well. In contrary to Pakistan's founding principles of territory, faith, and linguistic supremacy, members of the Constituent Assembly introduced the concept of secularism. This principle of secularism has been

reiterated to be part of the basic structure of secularism in S.R Bommai vs Union of India, the court effectively linked the concept of secularism to the duty of Indian citizens to foster harmony and a spirit of common brotherhood across religious, linguistic, or sectional beliefs.

In order to effectively endorse the spirit of harmony and brotherhood in uniforming the country across regional, religious, sectional and linguistic lines, the Court of Law and its interpretation have therefore played a vital part. Since the court's viewpoint of ideas plays a vital role in monitoring the perception of conscience that compatriots endorse, these judgments have affected history as serious efforts by the judiciary to unite the people.

CONTEMPORARY INSINUATIONS AND THREATS OF UNITY AND INTEGRITY

With the rapid growth in and development of nation one face rapid challenges and subtle threats in establishing unity and integrity particularly in the context of India. It can encompass a wide range of socio-political, legal, and economic issues that test the cohesion and stability of the country. Some contemporary factors that affect unity and integrity are political polarization, regionalism and secessionist movements, religious and ethnic tensions, economic disparities, misinformation and social media, globalization and cultural imperialism, judicial activism and overreach, environmental and resource-based conflicts, international influence, identity politics and reservation policy. Addressing these challenges requires a multi-pronged approach involving inclusive governance, equitable development, protection of minority rights, and fostering a culture of tolerance and national solidarity.

EXPANDING SPLITS BETWEEN LANGUAGE AND RELIGION

The preservation of harmony and fraternity plays a key role in the creation of an idea of unity and integrity, as we can understand from the

tradition and legal context of one country's beliefs. Despite the best efforts of different sections of society, the obstacles of the colonial past continue to hamper India's desire to be united. Over the decades, the spirit of harmony and brother has been progressively deprecated by a majority attitude. This escalating violence has become a menace to the spirit of harmony and fraternity in India and, as a result, also to unity and integrity. The politics of widely known hucksters who want to fuel fires across linguistic, regional, and religious lines have been a strong reflection.

FLEXING AWAY FROM UNITY AND INTEGRITY

The main feature of the dividing mechanism is the division of society along with various platforms. The model to caricature India as a one-language, the one-religion nation has been the most influential. The intention is to label people as "Hindu," "Muslim," "Maratha," or "Lingayat," and thereby restrict them to historical stereotypes that do not affect the current situation. In India, this technique of falsely pandering to factors that represent a certain mendacious value to enhance state institutions in favor of any faith, area, or linguistic attire has long been used to mobilizes people's belief. The faith in the Indian state's basic secular aspect has been a self-congratulatory perspective that has pervaded massive tracts of contemporary social and political practice. The convergence of religion and nationalism has been an open characteristic of India's polity over time. Provincial divisions have crept into society, like the politico-religious divide. In the state of Tamil Nadu, the emergence of strong Bengali sub-nationalism clashed with the concept of shifting state and cultural identity politics. The linguistic manifestation of division further advanced these regional obstacles. The hidden policy of promoting Hindi over other languages was an enormous regressive attempt in regions to even further inject nationalism. There was primary friction between the Dravidian language of South Indian and the languages of North Indian that led to Anti-Hindi turmoil in the 1970. Different parts of Punjab had this agitation. In the North-East, too, sub-cultural linguistic nationalism had its roots in the Assamese separation movement.

SAFEGUARDING THE DIGNITY OF THE INDIVIDUAL IN ORDER TO ENSURE UNITY AND INTEGRITY

The concept on which the broader principle of peace and brotherhood is based is a factual premise of the foundation of an individual's integrity. Individual dignity would proactively contribute to the concept of peace and brotherhood, which would contribute to the country's unity and integrity. This concept was very important to the framers of the Constitution of India. The Preamble's wording is a clear reflection of this concept. When talking about the fraternity, the honor of the citizen takes precedence over the country's unity and integrity. B.N Rau clarified the idea by stating, that the justification for placing the rights of the individual ahead would be that the country could be united unless the dignity of the individual is guaranteed. In Subramanian Swamy vs Union of India, the Supreme Court widened the case on the definitions of constitutional duties as basic values of our Constitution, under which the perception of dignity and respect provided to everyone and the views, creeds and practices of others have been referred to as the Constitutional norm; brotherhood which ensures the rights of the human being and the unity between the nation and its communities. Thus, in the common conscience of the people, if there is a bridge between the spirit of peace and brotherhood as well as the unity and dignity of the nation, It must be driven by the integrity of every person who significantly contributes to nation-building.

CONCLUSION, FINDINGS AND SUGGESTIONS

The country has been through many phases – from the colonial strength, its attenuation and India's rise in the world as a strong liberal democracy that has been strongly fixated in its conception of unity in diversity. The colonial strength hurt India's spirit of harmony and brotherhood but the traditionalist ideas of freedom and liberty ensured that India survived a scar as brutal as partition. The power of manifesting the idea of the spirit of harmony and brotherhood is

vested in India's constitutional mechanism and safeguards that it provides. The courts of the country have – in letter and spirit, signified that to ensure the unity and integrity of the country, the spirit of harmony and brotherhood must prevail. In order to firmly emboss this in the conscience of the Indian populace, all divisions – regional, linguistic, religious and sectional have to be avoided. The colonial empire made use of the inherent fault-lines and divided the country on a regional, linguistic, religious, and sectional basis. The colonial bruises effectuated the partition and scarred the idea of harmony and brotherhood in undivided India. The founding fathers of independent India understood the need to reflect and reverse engineer the harm done to India's harmony and brotherhood. The Constituent Assembly was conscious of the multiplicity of divides and hence emphasized the idea of fraternity ensuring the dignity of everyone which would effectively translate into harmony and brotherhood and ensure that the country is united and its integrity is safe. This idea was further expounded by the Parliament by legislating certain fundamental duties which included the idea of maintaining the spirit of harmony and brotherhood. The Indian courts further expanded their jurisprudence on the same and emphasized advancing the idea of harmony and brotherhood without any divisions to maintain the unity and integrity of India. Over the years, certain challenges of majoritarian nationalism, linguistic ascendancy and strong regional affinity has posed challenges to the spirit of harmony and brotherhood and thus threatened India's unity and integrity.

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