

SENSE AND SENSITIVITY ON FUNDAMENTAL DUTIES: A SURVEY ON INDIAN YOUTH

□ Dr Juhi Garg*
Dr Gagandeep Kaur**

ABSTRACT

By 2021, India will be considered the youngest nation in the world with 64% of our population falling under the working-age bracket. The future of the nation lies in the hands of its youth and they can build and transform the present shape of affairs and can write the destiny of its beloved nation. However, the question arises does the youth of this nation loves its nation and calls its "Beloved Nation". The philosophy contained in the Preamble has been emphasizing that citizens shall not only have the Fundamental Rights in Part III of the Constitution, but they should also correspond to Fundamental Duties, such as to uphold the sovereignty, unity, and integrity of the nation, to maintain secularism and the common brotherhood amongst all the people of India.

This survey is an attempt to find out the following objectives: 1.) Youth's sense of awareness of Fundamental Duties in the present era. 2.) Youth's sensitivity or emotional bonding for the national signs and symbols.

The survey included 231 Law students, ages ranging from 18 years to 23 years was the part of this study belonging to different states of India. The findings of the study will help future researchers, other stakeholders in sensitizing/educating patriotic values amongst the Indian children and youth.

Keywords: *Indian Youth, Fundamental Duties, Nation, Sensitivity, and Sensitization.*

INTRODUCTION:

Being ethically and morally elevated, being true and dutiful, and performing it righteously and devotedly is part of one's value system, it displays your virtuous nature. None can enforce such morals and values in people but being true, just and right, etc. should be part of the moral education of every educational system of the world so that the world can become a better place to live so that people respect, not only humans but human values, and emotions for the nation and its signs and symbols and invest their energies on their state which gives them all the rights and privileges. When morals

and ethics are in place, there is no or minimum chances or occurrences of human behavioural deviance. Law is required and enforced when the possibility of potential deviance in human normal behaviour is expected or foreseen or happens. Constitution was laid down, fundamental duties and rights were defined with the utmost care by the visionaries, foreseeing that when citizens are well sensitized of their duties and are sensitive towards it, they shall never display and engage in undutiful behaviour; also, they will ask and fight for their rights and rights of others.

The Fundamental Duties for Indian

*Associate Professor, University of Petroleum & Energy Studies, Dehradun-248007, Uttarakhand

**Assistant Professor in Law (SG) University of Petroleum & Energy Studies, Dehradun-248007, Uttarakhand

nationals were included in the Constitution of India in its 42nd Amendment in the year 1976, after the recommendations of the Swaran Singh Committee, constituted by the Government of India. The model was influenced by the Fundamental Duties of the USSR. Out of ten clauses in Article 51A (or the ten fundamental duties), six duties are positive duties and the other five are negative. The negative clauses are (b); (d), (f), (h), (j) and (k) require the citizens to perform these Fundamental Duties actively.

LITERATURE REVIEW

According to Habib, the call of 'country' by every frontier capacity to legitimize its very own country's prevalence over the oppressed countries was a type of patriotism and it is a time to stand up and state that it is hooliganism, not patriotism. Spillan & Harcar sketches a comparative study of Patriotism, Protectionism, Social Economic Conservatism to furnish investigators with a point of removal for knowing definite cultural distinction connected. Guite looks at how Official memory establishments like museums, monuments, and memorials not only reflected but also shaped ethnic relations to a great extent. Ravitch stated that educators trust that youngsters' confidence is solidly connected to a positive relationship to their tribal culture yet not to the way of life of the nation in which they live and are residents. According to Roy, the Nationalist imagination is marked by two key features (i) the "imagination of institutions" (ii) territorially bound approach to nationalism. Kellogg expressed that certain communities have chosen suffering and sacrifice rather than the surrender of national and personal honour. *AIIMS Students' Union v. AIIMS & Others* case, the court observed that although the fundamental duties have not been made enforceable in the Constitution of India however, it serves as a guide for not only resolving the matters related to writ petition but also for providing relief, which a court can provide relief that, a court can provide. In the *Rangnath Mishra v. Union of India and Others* case, a letter was written by the petitioner to the

Chief Justice of India as a request to issue relevant directions to the State to educate its citizen in the matter of fundamental duties to create a balance between rights as well as duties. In the *Javed & Ors vs State of Haryana & Ors* case, it has been observed by the Supreme Court of India that the fundamental rights must not be read in isolation. It must be read in the light of the chapter on Directive Principles of the State Policy and the Fundamental Duties as given in Article 51-A. In the *Union of India vs. Naveen Jindal and Associates* case, honourable Court states that: "Right to fly the National Flag without obstruction with respect and dignity is a fundamental right of a citizen within the meaning of Article 19(1) (a) of the Constitution of India. In *Shaikh Zahid Mukhtar v. The State of Maharashtra and Ors*, the court observed that: "when the question of testing the constitutional validity of any statutory provision or an executive act, or the reasonableness of any restriction cast by law on the exercise of any fundamental right by way of regulation, control or prohibition arises, the Directive Principles of State Policy and Fundamental Duties as enshrined in Article 51-A...". In *Megha Movies vs. Union of India, Ministry of Information and Broadcasting, New Delhi and Ors.* case, the court explained, "every citizen of India is duty-bound to obey the Constitution and respect its individuals and institutions..."

The need for the study was felt because, many studies are done on 'fundamental rights' but not much work is been done on 'fundamental duties' and as it is said, one must not ask or demand his rights unless he performs his fundamental duties first.

METHODOLOGY: The present study is an attempt to find out the following objectives:

1. Youth's sense of awareness of Fundamental Duties in the present era.
2. Youth's sensitivity or emotional bonding for the national signs and symbols.

The above objectives shall be accomplished through the survey. Data was being collected with the help of a self-developed questionnaire aimed for this study only. Stratified Random Sampling Technique was used for collecting samples from 231 Law students, ages ranging from 18 to 23 years. The respondents of this study were from different states of India. The collected data was scored, treated, inferred and the findings are presented below.

Before the survey, a pre-survey check was conducted 'student's pulse/feel check' was done through classroom debates and student think tanks on 'How they feel for the nation and their basic understanding of fundamental duties'. To validate the findings of the Pre Survey check and findings of the formal survey; a Post survey classroom debate and discussion were also conducted where the findings of the survey were shared with the respondents (randomly selected) and probed if they agree and validate the outcomes. The process of the research was tedious but was comprehensive and gave a holistic view.

SURVEY FINDINGS: The survey constitutes 54.1% of females and 45.5% of males have filed the data, there was an insignificant number of other gender was observed.

1. On Sensitisation: 87.4% of the respondents would like to believe that there exist fundamental duties for every citizen of our nation' and they are sensitized about the Fundamental Duties in the Constitution of India. Whereas, 8.7% youth population feels that the existence of fundamental duties for every citizen of our nation is a bookish notion but believe they have to believe in this. 3% of the sample believes that the existence of 'fundamental duties for every citizen of our nation's irrelevant in today's era and 1% feels that They don't even believe in the existence of fundamental Duties.

2. On Sensitivity:

- i. Respondents were asked if you observe that tattered national flags are lying all around on the road and people are

walking on them, would you like to take any action to dispose of them respectfully in the right protocol? 90.9% of youth responded Yes, they would do the needful by following the protocol and giving due respect to the national flag 5% said that it sounds bookish/theoretical, and rest 4% felt that it is irrelevant in today's era and they would not like to perform such an action.

- ii. 95.2% of people agreed that, if they observe in the newspaper that a soldier badly needs blood and they are the carrier of that rare blood group, they would like to save a life by donating blood and helping the nation. About 4% of youngsters feel that they would not donate the blood and approximately 1% of people feel that it is irrelevant to perform such a task.
- iii. 80.5% of young people only would like to stop and inform an unknown person who is found spitting on the monument of national importance. About 8% of people felt it is irrelevant to act in such away. About 7% of people said that the concept sounds bookish. Another 4.5% of people feel that they would not like to stop and inform unknown people.
- iv. 96.1% of people showed high regard towards National Flag and National Anthem and another 2% said it sounds too bookish to them. The remaining 3% said either such respect is irrelevant for today's time or they would not like to pay respect at all.
- v. 78% of young people cherish and follow noble ideals. 8.7% of people do it for the sake of doing it and 10% of people find it irrelevant. 4.3% of youth choose not to cherish and follow them at all.
- vi. 91.8% of young people would like to uphold and protect the sovereignty, unity, and integrity of India. Approximately 5% of people say that such morals and acts sound bookish but

they will perform their duties and the rest of the people feel either it is irrelevant in today's time.

- vii. 88.3% of young people would like to defend the country and render national service when called upon to do so. 4.8% of people say that they will not do the same and approximately 3% of young blood feels that it is an irrelevant idea. And about 4% of the sample feels that the idea sounds bookish but they will have to perform their duties.
- viii. 93.1% of young people would like to promote harmony and the spirit of common brotherhood amongst all the people of India transcending religious, linguistic, and regional or sectional diversities; to renounce practices derogatory to the dignity of women. About 4% of the sample feels that the idea sounds bookish but they will have to perform their duties. About another 4% of people say it is irrelevant to perform such duties in today's time.
- ix. 90.9% of the youth says they would like to value and preserve the rich heritage of their composite culture of the country, and approximately 5% of the sample says they would also have to do the same but that seems too bookish to them. However, the rest 4 % of the sample believes that it is an irrelevant idea.
- x. 93.5% of young people feel that they would like to protect and improve the natural environment including forests, lakes, rivers, and wildlife, and to have compassion for the living creatures of this country. Whereas, approximately 4% of people feel that they also will have to protect and improve the natural environment but it sounds too idealistic and bookish to them. About 2% of people believe that it is an irrelevant idea.
- xi. 85.3% people feel that they would like to develop the scientific temper, humanism and the spirit of inquiry and reform in the country, whereas, about 9% of the sample says that they will also have to do the same but doing this act sounds too bookish/idealistic to them. The rest of the sample feels that it was irrelevant to do so.
- xii. 88.3% of people were found to be liking the idea of safeguarding public property and to abjure violence. Whereas, about 8% of the people feel that they will have to behave in the desired way and will safeguard public property but such acts and morals are too bookish and idealistic. The rest of the sample feels it is irrelevant to perform in such a manner.
- xiii. 90.5% of young people would like to strive towards excellence in all spheres of individual and collective activity so that the nation constantly rises to higher levels of endeavour and achievement. Whereas, 8% of people feel that they would also have to strive towards excellence so that the nation can constantly rise to higher realms but this idea seems too bookish and idealistic to them. The rest of the people feel that they would not like to pursue excellence for the nation's progress or the idea seems irrelevant to them.
- xiv. 94.8% of young people were found to display liking towards providing opportunities for education by the parent/the guardian, to his child, or a ward between the ages of 6-14 years as the case may be. Whereas, 4% of people, said that they would do the same but the idea seems bookish. The rest of the sample highlighted their disliking towards the act.

CONCLUSION

The study concludes that the youth of today has decentsense and awareness of Fundamental Duties in the present era and they also have a sensitivity or emotional bonding for the national signs and symbols; which means

they feel great love and sense of belonging for the nation and its signs and symbols when some trigger occurs and the stimulus was shown or displayed for example in the Air Surgical Strike on February 26, 2019, and past Surgical Strike on September 27, 2016, or circumstances when our Soldiers are martyred or Indian Cricket Team play cricket with Pakistani cricket Team, etc. However, it is noteworthy to mention that human traits are identified when displayed against a consequence; they are the quality of someone's character, which is being seen and felt through gestures, actions, and behaviour. Besides, in our study, during the Pre-survey Pulse check, they admitted that their love for the nation comes out when such events occur. Youth also accepted that they do not feel the need to be sensitive towards national signs and symbols otherwise unless requirement or need arises; they are indifferent to such objects of the association in normal circumstances. The study also concluded the above through the Pre survey check, Survey findings, and Post Survey Discussions for result validation.

References

- Deoki Nandan Saxena, Citizenship Development and Fundamental Duties, Abhinav Publications, New Delhi, 1988, p. 27-29.
- Justice Kurian Joseph, My Fundamental Duties under the Constitution of India, available at: https://www.thehindu.com/migration_catalog/article14463342.ece/BINARY/Expanding%20the%20idea%20of%20India (10 February 2020)
- P. H. Parekh, Human Rights Year Book, International Institute of Human Rights Society, 2009, p.48.
- Irfan Habib, Nationalism in India: Past and Present, 45 SOCIAL SCIENTIST 3-8 (2017).
- John E. Spillan & Talha Harcar, A Comparative Study of Patriotism, Protectionism, Social Economic Conservatism between Indian and Vietnamese Consumers: The Effects of These Constructs on Buying Inclinations, 6 JOURNAL OF MEDIA AND COMMUNICATION STUDIES 1-26 (2013).
- Jangkhomang Guite, Monuments, Memory and Forgetting in Postcolonial North-East India, 46 ECONOMIC AND POLITICAL WEEKLY 56-64 (2011).
- Diane Ravitch, Should We Teach Patriotism? 87 THE PHI DELTA KAPPAN 579-581 (2006).
- Srirupa Roy, A Symbol of Freedom: The Indian Flag and the Transformations of Nationalism 1906- 2002, 65 THE JOURNAL OF ASIAN STUDIES 495-527 (2006)
- Vernon Kellogg, Patriotism and Sacrifice, 207 THE NORTH AMERICAN REVIEW 825-833 (1918).
- 78 (1999) DLT 453.
- (2003) 7 SCC 133. This letter was treated as Writ Petition. When the matter was taken up for hearing, the learned Amicus Curiae brought to notice the Report of the National Commission to Review the Working of the Constitution. Wherein a Committee commonly known as 'Justice J.S. Verma Committee' on made a report, operationalization of fundamental duties of citizens has been accepted and a strong suggestion has been made for their early implementation.
- (2003) 8 SCC 369.

- (2004) 2 SCC 510.
- Decision Date: 6 MAY, 2016 [2016 SCC OnLine Bom 2600]. It is also observed that: The Statement and Objects and Reasons of the impugned Amendment Act shows that the same enacted to give effect to Articles 48,48A and clause (g) of Article 51A of the Constitution.
- Decision Date: 05.06.2017 - KARHC), MANU/KA/2794. It was also observed

that For this purpose, there should be a contribution not only by the Governments but by the involvement of all citizens. It has also observed in this case that In all the spheres of individual and collective activity, the nation can rise to higher levels of endeavour and achievement only if citizens would sensitize with the performance of duties.

