

Celebrating 70th Anniversary of Indian Constitution Day,

26th November 2019-2020

Lecture on Fundamental Duties

by Prof. (Dr.) M. P. Singh, Visiting Prof., NLUD

On 17th February 2020, in the Moot Court Hall, NLU Delhi, at 11:30 A.M.

NLU Delhi as the National Co-ordinating University is celebrating the year-long activities on Fundamental Duties. Under this MHRD/UGC initiative, **NLU Delhi** held its first lecture on:

“Constitutional Status and Importance of Fundamental Duties in our Liberal Constitution”

In the welcome address Prof. Ritu Gupta, team, National Co-ordinating University welcomed the eminent academician Prof. (Dr.) M. P. Singh. She spoke about how along with 26 state coordinating universities NLUD is organising a series of events under the abovementioned. She mentioned how this lecture initiates the list of activities in the calendar celebrating **70th Anniversary of Indian Constitution Day 2019-2020**. Prof. (Dr.) M. P. Singh is considered to be constitutional law luminary. He revised the book Constitution of India by V. N. Shukla.

Prof. (Dr.) M. P. Singh discussed on the importance of fundamental duties and their relevance in the 21st century. As students of Law University and one of the most comprehensive constitutions in the world, he said we should be aware of our constitutions and its provisions. Especially the provisions which have been included in light of experiences earned after implementation of constitution in the last 70 years.

He spoke on how fundamental duties were initially not a part of the original constitution but introduced later through the 42nd amendment which made revision to the entire constitution during the period of emergency. He spoke how liberal constitutions earlier mandated the fundamental rights only. Further, elaborating on how in India, Fundamental Duties were brought into inclusion in the constitution and why they were retained after the 44th amendment post emergency. While some revisions were removed from the

42nd amendment and not retained in the 44th fundamental duties remained a part of the revised constitution. The lecture spoke on how fundamental duties is imperative to the citizens of a country as much fundamental rights are, and this is not an Indian concept but is seen from the times of Aristotle who in western type of schooling spoke of the state and its citizens and their responsibilities towards each other. This is where the idea of the responsibility of citizens came from. These duties he said are the responsibilities towards the state in return of advantages availed by the citizens.

The lecture discussed on the origins and implementations of fundamental duties, and how the most liberal constitutions, including the 1st constitutions namely America's, included only fundamental rights; thereby protecting the citizens by the state. However, other constitutions like that of Mexico, Weimar in Germany and Irish constituencies introduced duties of individuals towards the state. Hence western constitution makers also like India, introduced the concept of responsibility of citizens towards their country in the context of a liberal constitution.



He referred to 'A Theory of Justice' by Rawls, saying that liberty is liable to obligations too. He gave the example of M. K. Gandhi saying that he had learnt from his mother that as human beings all our rights come from our duties as well. Further, western theories believe that the root of rights lies in duties as

there is a correlation. Even in European Constitutions there is a social clause in their constitutions; hence rights and duties go hand in hand.

Fundamental duties help in interpreting rights and existing laws. But this is also as a voluntary observance, wherein state intervenes in educating its citizens on duties by creating awareness on it.

The MHRD-UGC initiative entails responsibilities on the Indian citizens to make the society and country better. An enlightened society includes enlightened and responsible citizens, which is the whole premise of Fundamental Duties.

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