BLOGS

Abolition of Titles under Article 18 of the Indian Constitution

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Introduction

The Indian Constitution is a beacon of democratic principles, ensuring equality and prohibiting the conferment of titles that could create a formal hierarchy among citizens. Article 18 of the Indian Constitution mandates the abolition of titles to ensure equality, prohibiting the state from granting any titles of nobility and restricting citizens from accepting foreign titles. However, national awards like Bharat Ratna, Padma Vibhushan, Padma Bhushan, and Padma Shri, instituted to recognise excellence and contributions to society, are not prohibited under Article 18. This article explores the details of Article 18, its clauses, exemptions, and significant judicial interpretations, particularly focusing on the legitimacy and implications of national awards.

Article 18 of the Indian Constitution: Abolition of Titles

The prohibition of titles under Article 18 prevents the creation of a privileged class that could undermine democratic values. This aligns with the broader constitutional goal of ensuring social and economic justice for all citizens.

It contains four distinct clauses addressing different aspects of the prohibition.

Clause 1: Prohibition of Titles by the State

Article 18(1) of the Indian Constitution states**:** *“The State shall not confer any title on any person, whether a citizen or a non-citizen.”*

This provision aims to prevent the establishment of any formal hierarchy or privileged class through the conferment of titles by the government. However, this prohibition does not extend to military and academic distinctions. Military titles such as Major, Captain, General, and academic titles such as Professor and Doctor (Dr.) are exempt due to their professional and merit-based nature.

Clause 2: Acceptance of Titles from Foreign States

Article 18(2) of the Indian Constitution states: *"No citizen of India shall accept any title from any foreign state."*

This clause ensures that Indian citizens remain free from foreign influences and do not owe allegiance to any external authority that might conflict with their duties as Indian citizens. It upholds national sovereignty and prevents potential conflicts of interest arising from such affiliations.

Clause 3: Foreign Titles and Offices of Profit

Article 18(3) of the Indian Constitution states: *"No person who is not a citizen of India shall, while he holds any office of profit or trust under the State, accept without the consent of the President any title from any foreign state."*

This clause regulates the conduct of foreigners in positions of profit or trust under the Indian government, ensuring their loyalty to the Indian State is not compromised by foreign allegiances or honours.

Clause 4: Foreign Emoluments and Offices

Article 18(4) of the Indian Constitution states: *"No person holding any office of profit or trust under the State shall, without the consent of the President, accept any present, emolument, or office of any kind from or under any foreign State."*

This clause is designed to prevent corruption and undue influence from foreign entities, ensuring officials remain dedicated to their duties towards the Indian State without external interference.

Exemptions for Military and Academic Titles

The provisions of Article 18 explicitly exempt military and academic titles from the prohibition on titles. This exemption acknowledges the merit-based nature of such distinctions, awarded based on individual achievements in their respective fields. Titles such as Major, Captain, General in the military, and Professor, Doctor in academia are allowed, representing professional recognition rather than social or political privilege.

National Awards: Bharat Ratna and Padma Awards

The conferment of national awards such as Bharat Ratna, Padma Vibhushan, Padma Bhushan, and Padma Shri is constitutionally valid and does not contravene Article 18. These awards serve as state recognition of exceptional contributions in various fields and are designed to promote excellence and national pride without creating a class of titled individuals.

Bharat Ratna

The Bharat Ratna is the highest civilian award in India, given for exceptional service towards the advancement of art, literature, and science and in recognition of public service of the highest order. Established in January 1954, it is awarded to individuals who have made significant contributions to the nation.

Padma Awards

The Padma Awards are divided into three categories:

- Padma Vibhushan: Awarded for exceptional and distinguished service.
- Padma Bhushan: Awarded for distinguished service of a high order.
- Padma Shri: Awarded for distinguished service in any field.

These awards aim to honour individuals who have made significant contributions in their respective domains, promoting national pride and motivation for excellence.

Judicial Interpretation

The prohibition of titles under Article 18 reflects the egalitarian principles enshrined in the Indian Constitution. By abolishing titles that create distinctions between individuals, the Constitution seeks to promote equality and prevent any form of hierarchical stratification within society.

Balaji Raghavan vs. Union of India (1996)

In the landmark case of Balaji Raghavan vs. Union of India (1996), the petitioner challenged the validity of national awards, arguing that they amounted to titles and were thus violative of Article 18. The Supreme Court, however, upheld the constitutionality of these awards.

Supreme Court's Ruling

The Court held that national awards such as Bharat Ratna, Padma Vibhushan, Padma Bhushan, and Padma Shri do not constitute titles within the meaning of Article 18. These awards are purely honorary and do not bestow any hereditary, social, or political privileges. They are given to recognise exceptional service and achievements, thereby promoting excellence in various fields. The Court emphasised that these awards cannot be used as suffixes or prefixes to the recipients' names, ensuring they do not serve as titles in the traditional sense.

Principles of Equality

The Supreme Court noted that these awards do not violate the principle of equality. Instead, they recognise the contributions of individuals who have excelled in their fields, encouraging others to strive for similar excellence.

Relevance of Article 51-A(f)

Article 51-A(f) of the Constitution enshrines the duty of every citizen to value and preserve the rich heritage of our composite culture. The Supreme Court highlighted that a system of awards and decorations is necessary to recognise excellence in the performance of duties, as it fosters a culture of appreciation and acknowledgement of exceptional contributions.

Conclusion

Article 18 plays a crucial role in upholding the democratic and egalitarian principles of the Indian Constitution by prohibiting the conferment and acceptance of titles that could create a hierarchy among citizens. The exceptions for military and academic distinctions are based on merit and professional achievements, ensuring that recognition in these fields does not undermine the principle of equality. By preventing titles and foreign influences, Article 18 ensures that all citizens and public officials remain committed to the sovereignty and democratic ethos of India.

By valuing and preserving the rich heritage of our composite culture, as mandated by Article 51-A(f), the system of awards and decorations encourages citizens to excel in their duties, fostering a culture of excellence and appreciation. These awards, while recognising individual achievements, also contribute to the nation's collective pride and motivation for continuous improvement.

Read: Important Articles of the Constitution