

## INDIAN POLITY | MODULE 1

## MAKING OF THE CONSTITUTION

## WHAT IS A CONSTITUTION?

- A Constitution is the supreme sovereign document of a country. It acts as a functional manual of a democratic society. It lays down the basic structure of the political system under which its people are to be governed.
- Constitution establishes the nature of the State and allocates power among the three organs of the state: **legislature, executive and judiciary**. It defines their powers, demarcates their responsibilities and regulates their relationship with each other so that there would not be any overlapping of jurisdictions.
- A Constitution is not a frozen and static set of regulations. **It is a living document**. It keeps constantly evolving as it requires changes, revisions and re-examinations.
- A proper Constitution should address the problems that a society is facing at the time of its inception; at the same time, it should be able to respond to all the challenges that may arise in future.
- The term 'Constitution' is derived from the Latin term '**Constitute**', which means 'to establish'.
- The idea of Constitution was originated in USA. James Madison is called the Father of American Constitution. It came to existence in 1789.

**Basic functions of a Constitution include the following:**

- To provide a set of basic rules that allow for minimal coordination amongst the members of a society.
- To specify who has the power to make decisions in that society. It includes how governments will be constituted.
- To set some limits on what a government can impose on its citizens. These limits are fundamental in the sense that the government may never trespass them.
- To enable the government to fulfill the aspirations of a society and create conditions of a **just** society.

**WRITTEN AND NON-WRITTEN CONSTITUTIONS**

- A **written constitution** is one in which most of the basic principles are reduced to writing. It is found in one or more legal documents duly enacted in the forms of law.
- A written constitution is the result of the conscious and deliberate efforts of the people. It is also called as ***Enacted Constitution***.
- An **unwritten constitution** is one in which most of the provisions are not in written form. It consists of customs, conventions and traditions and may also some written laws.
- An unwritten constitution is not the result of conscious and deliberate efforts of the people and is not enacted by a representative body. It is called as ***Evolved or Cumulative constitution***.
- The Constitution of India is the largest written constitution of any sovereign country in the world, with **448 articles in 25 parts and 12 schedules**.
- Monaco's Constitution, with just 3814 words, is the shortest in the world.
- The United States' Constitution, having 4400 words is the ***oldest and shortest written constitution*** of any major governments in the world.
- The British constitution and Israel Constitution are example for non-written constitution. Britain does not have one single document that can be called a Constitution. Rather, they have a series of documents, conventions and legislations such as The Magna Carta (1215), The Act of Settlement (1700) and so on.

❖ First written law in the world	Hamurabi's Code
❖ 'Eye for an Eye Tooth for a Tooth' is related to	Hamurabi's Code
❖ First law giver in the world	Hamurabi
❖ First Law giver in India	Manu
❖ Modern Manu	B.R. Ambedkar

**RIGID AND FLEXIBLE CONSTITUTIONS**

- Constitution can be further subdivided into two as Rigid and Flexible. This subdivision is based on the nature of the procedure to be followed for the amendment of the constitution.
- A rigid constitution is one which cannot be amended in the manner in which ordinary laws are passed, amended or repealed.

- If a special procedure is needed for its amendment, it is called a rigid constitution. Eg: Constitutions of USA, Canada, Switzerland, Japan, Australia etc.
- A Flexible Constitution is one which can be amended easily by a simple majority of Parliament. Here, there will not be any difference between constitutional law and ordinary law. Eg: British Constitution.

**DO YOU KNOW?**

Largest democracy in the world .....	India
The first democracy in the world .....	Greece
The country known as the cradle of democracy .....	Greece
Longest surviving democracy in the world .....	Britain
Land of Modern Democracy .....	British
Bible of Modern Democracy .....	Social Contract ( <i>Roussaeu</i> )
Home of Direct Democracy .....	Switzerland

**EVOLUTION OF THE CONCEPT OF CONSTITUTION IN INDIA**

- As early as in December 1918, the Delhi Session of the Indian National Congress unanimously adopted a resolution demanding that 'the principles of self-determination should be applied to India.'
- On February 1924, Motilal Nehru, the leader of the Swaraj Party introduced a resolution in the Central Legislative Assembly embodying a demand for summoning a representative Round Table Conference to recommend for the scheme of a Constitution of India.

**Swaraj Party was the first political party which raised the demand for a constituent assembly to frame a constitution for India. C R Das was the founder and first President of Swaraj Party. Motilal Nehru was the first Secretary.**

- An All Party Conference held in 1928 in Bombay as part of the Anti-Simon protests, appointed a committee under the chairmanship of Motilal Nehru to determine the principles of Constitution of India.
- The 'Nehru Committee' report was submitted on August 10, 1928. This report demanded dominion status but asserted that it will not be the

ultimate goal. Also, the report defined '**Citizenship**' and '**Fundamental Rights**' for the first time.

- The Karachi Session of the Indian National Congress in 1931 presided by Sardar Vallabhai Patel adopted a resolution on '**Fundamental Rights**' and '**Economic Policy**'.
- M.N. Roy, a veteran communist and later proponent of the Radical Humanism, put forward the idea of a Constituent Assembly for the first time in 1934.
- The scheme of a Constituent Assembly for framing the Indian Constitution was officially adopted by the Indian National Congress in 1934 Bombay Session. Dr. Rajendra Prasad was the President of INC at that time.
- This resolution was confirmed at the session of the Congress held at Faizpur in December 1936. This resolution said that:  
"The Congress stands for a genuine democratic State in India where political power has been transferred to the people, as a whole, and the Government is under their effective control. Such a State can only come into existence through a Constituent Assembly having the power to determine finally the constitution of the country."
- The demand for a Constituent Assembly was for the first time authoritatively conceded by the British Government, though in an indirect way, in the 'August Offer' of 1940. The offer said that the framing of the new Constitution would **primarily be the responsibility of the Indians**.
- The Cripps's proposal offered by Stafford Cripps in 1942 marked an advance over the August Offer. It proposed that making of the new constitution now rest '**solely**' not merely '**primarily**' in the Indian hands.

### **CABINET MISSION PLAN**

- After the Second World War, the Labor Party Government came to power in Britain and Clement Atlee became the Prime Minister. He sent a mission of three cabinet members to solve the constitutional deadlock in India.
- Members of the Cabinet Mission were: Pethick Lawrence (Secretary of State for India), Sir. Stafford Cripps (President of Board of Trade) and A. V. Alexander (First Lord of Admiralty).
- They came to India on March 24, 1946 and had prolonged negotiations with the leaders of different political parties but they couldn't agree among themselves.
- Then the Cabinet Mission offered their plan known as the Cabinet Mission Plan on May 16, 1946.

***Cabinet Mission Plan: Major Recommendations***

- The Plan proposed the establishment of an Indian Union which consists of the British Indian territories and the Indian Princely states. This union government will have power over Defense, External Affairs and Communications only; the rest of the powers will be vested with the Provinces.
- The Provinces should be free to form groups with executives and legislatures, and each group could determine the provincial subjects to be taken in common. Three such Provinces were proposed by the Cabinet Mission, namely: Section A, B & C.
- Section A consists of Madras, Bombay, United Province, Bihar, Central Province and Orissa; Section B consists of Punjab, North West Frontier Province and Sindh; and Section C consists of Bengal and Assam.
- The Plan also recommended the formation of an 'Interim Government' until the new Constitution was framed. Jawaharlal Nehru was designated as Vice-President and he and eleven of his colleagues took oath of office on September 2, 1946.
- ***The major recommendation of the Cabinet Mission was to establish a Constituent Assembly to frame a Constitution for India.***
- They also laid down in detail, the procedure to be followed to form the constitution-making body.

*In modern times, framing of Constitution by a specially chosen or Commissioned or constituted body called a 'Constituent Assembly' has become a normal method ever since the making of the federal Constitution of the United States of America by a Philadelphia Constitutional convention of 1787*

**FORMATION OF THE CONSTITUENT ASSEMBLY**

- The total strength of the Constituent Assembly was fixed at **389**.
- Of these, **296** seats were to be allotted to British India and **93** to the Princely States.
- Out of 296 seats allotted to the British India, **292** members were to be drawn from the eleven governors' provinces and **4** from the four chief commissioners' provinces (***one from each and they included Coorg, Delhi, Ajmer- Merwara and British Baluchistan***).

- Each Province and Princely state (or groups of states in case of small states) were to be allotted seats in proportion to their respective population. Roughly, one seat was to be allotted for every million population.
- Seats allotted to each British province were to be decided among the three principal communities - Muslims, Sikhs and General.
- The representatives of each community were to be elected by the members of that community in the provincial legislative assemblies and voting was to be done by the method of proportional representation by means of 'single transferable vote'.
- The representatives of princely states were to be nominated by the heads of the princely states.
- Thus, the members of the Constituent Assembly were ***partly elected and partly nominated***.
- Moreover, the members were to be indirectly elected by the members of the provincial assemblies, who themselves were elected on a limited franchise.

### **ELECTIONS TO THE CONSTITUENT ASSEMBLY**

- The elections to the Constituent Assembly were held in July 1946 under the supervision of the Reforms Office under Governor-General.
- Out of the 212 general seats, Congress won 203 seats. Additionally, Congress parties in Provincial legislatures elected some Muslims and Sikhs.
- In total, the Indian National Congress won 208 seats, the Muslim League 73 seats, and the small groups and the independent got the remaining 15 seats.
- Thus, the Congress had a majority of 69% in the Assembly. However, after the partition, the Congress majority jumped to 82%.

### **MAKING OF THE CONSTITUTION**

- The Assembly included all important personalities of India at that time, with the exception of **Mahatma Gandhi and M. A. Jinnah**.
- Although the Constituent Assembly was not directly elected by the people of India on the basis of adult franchise, it comprised representatives from all sections of Indian Society - Hindus, Muslims, Sikhs, Parses, Anglo-



Indians, Indian Christians, SCs and STs including women from all these sections.

- There were 17 woman members in the Constituent Assembly.
- Dr. Ambedkar represented the depressed class, Maharaja Darbhanga represented the landlords of India, Shyama Prasad Mookherji represented Hindu Maha Sabha, Frank Anthony represented Anglo Indians and H C Mookherji represented Indian Christians.

- There were 17 Malayalees, including three women in the Constituent Assembly. Out of these seventeen, 9 were from Madras, 6 from Travancore and 1 from Kochi. The other one Malayalee member was actually the representative of United Province (Uttar Pradesh).
- The Malayalee who represented Kochi in the Constituent Assembly was **Panampilly Govinda Menon**
- The Malayalee who represented United Province was **Dr. John Mathai**.
- Annie Mascarene (from Travancore), Ammu Swaminathan and Dakshayani Velayudhan(both from Malabar) were the three Malayalee women in Constituent Assembly.

## **WORKING OF THE CONSTITUENT ASSEMBLY**

- The Constituent Assembly held its first meeting on December 9, 1946 in the Constitution Hall which is now known as the “Central Hall of Parliament House”.
- Two hundred and seven representatives, including nine women were present on the first day of meeting
- The inaugural session began at 11 a.m. with the introduction of **Dr. Sachchidanand Sinha**, the temporary Chairman of the Assembly, by Acharya Kripalani.

**Acharya J B Kripalani** was the first person to address Constituent Assembly. He represented United Province in Constituent Assembly.

- Later, on December 11, 1946, **Dr. Rajendra Prasad** and H. C. Mukherjee were elected as the President and Vice President of the assembly respectively.
- **B.N. Rau** was appointed as the Constitutional Advisor to the assembly.
- S. N. Mukherjee was the Chief Draftsman of the Constitution who put complex proposals in legal language.

- On December 13, 1946 Jawaharlal Nehru moved the '**Objective Resolution**' in the Assembly.
- The Resolution was unanimously adopted by the Assembly on **January 22, 1947**. Its modified version forms the **Preamble** of the present Constitution.

## **POST INDEPENDENCE**

- The Indian Independence Act of 1947 made the following three changes in the position of the Assembly:
  - ❖ The Assembly was made a fully sovereign body, which could frame any Constitution it pleased.
  - ❖ The Assembly also became a legislative body. In other words, two separate functions were assigned to the Assembly i.e., making of a constitution for free India and enacting of ordinary laws for the country.
  - ❖ Consequently, the members of the Constituent Assembly representing those areas which were to be included in Pakistan, East Bengal, North West frontier Province(NWFP), West Punjab, Sindh, Baluchistan & Sylhet district of Assam, were no more members of the Constituent Assembly.
- NWFP & Sylhet decided through a referendum to remain with Pakistan.
- After partition, the strength of the Indian provinces was reduced to 229 from 296 and of those of the princely states from 93 to 70. Thus the total was reduced to **299**.
- On 29 August, 1947, the Constituent Assembly set up a **Drafting Committee** under the Chairmanship of **Dr. B.R. Ambedkar** to prepare a 'Draft Constitution' for India.

### **CONSTITUENT ASSEMBLY : NOTED PERSONALITIES**

President	Rajendra Prasad
Interim – President	Sachidananda Sinha
Vice-President	H. C. Mookerji
Constitutional Advisor	B. N. Rau
Secretary General	H. V. R. Iyengar
Chief Draftsman	S. N. Mukherjee



**Dr. B.R. Ambedkar is known as the architect of Indian Constitution. Jawaharlal Nehru is known as architect of Preamble. Sardar Vallabhai Patel is known as the architect of fundamental rights in India.**

### **VARIOUS COMMITTEES IN CONSTITUENT ASSEMBLY**

- The Constituent Assembly at various points during the constitution making process, appointed a number of Committees on different aspects of the Constitution to conduct preliminary research and deliberations within smaller groups.
- These Committees submitted their reports before Constituent assembly after long deliberations.
- Decision making in the committees was on the basis of a majority vote and members could record their dissents to decisions taken if they wished.
- The Constitutional Adviser, B.N Rau compiled reports of various committees and prepared a Draft Constitution which he submitted to the Drafting Committee.
- The following were crucial committees set up by the Constituent Assembly: Advisory Committee on Fundamental Rights and Minority Rights, Union Powers Committee, Union Constitution Committee, Provincial Constitution Committee and Drafting Committee.

<b>ORGANISATIONAL COMMITTEES</b>		
<b>Committee</b>	<b>Term</b>	<b>Chairman</b>
Rules of Procedure Committee	December 11, 1946 - 20 Dec. 1946	Rajendra Prasad
Steering Committee	January 21, 1947 - till the end	Rajendra Prasad
Staff and Finance Committee	December 23, 1946 - till the end	Rajendra Prasad
Credentials Committee	December 23, 1946 - till the end	A.K. Ayyar
Order of Business Committee	January 25, 1947 - July 14, 1947	K.M. Munshi
States (Negotiating) Committee	December 21, 1946 - June 5, 1947	J.L. Nehru
Flag Committee	June 23, 1947 - July 22, 1947	Rajendra Prasad
Committee on Functions of Constituent Assembly	August 20, 1947 - August 25, 1947	G.V. Mavlankar

**PRINCIPAL COMMITTEES**

<b>Committee</b>	<b>Term</b>	<b>Chairman</b>
Advisory Committee on Fundamental Rights, Minorities, Tribal Areas and Excluded Areas	24 Jan 1947 - 26 May 1949	Sardar Vallabhai Patel
Union Powers Committee	25 Jan 1947 - 26 Aug 1947	J.L. Nehru
Union Constitution Committee	4 May 1947 - 31 July 1947	J.L. Nehru
Provincial Constitution Committee	4 May 1947 - 21 July 1947	Sardar Vallabhai Patel
Drafting Committee	29 Aug 1947 - 17 Nov 1949	Dr. B R. Ambedkar

**OTHER MINOR COMMITTEES**

<b>Committee</b>	<b>Chairman</b>
Ad-hoc Committee on Citizenship	S. Varadachariar
Experts Committee on Financial Provisions of Constitution	N.R. Sarkar
Sub-Committee on Minority safeguards for West Bengal and East Punjab	Sardar Vallabhai Patel
Sub-committee on Fundamental Rights	J. B. Kripalani
Sub- Committee on Minorities	H. C. Mookherjee
North-East Frontier Tribal Areas and Assam Excluded & Partially Excluded Areas Sub-Committee	Gopinath Bardoloi
Excluded and Partially Excluded Areas (Other than those in Assam) Sub-Committee	A.V. Thakkar
Ad-hoc committee on the Supreme court	S.Vardhachariar
Committee on chief commissioners provinces	B.Pattabhi Sitaramaiah

***Some Other Committees were:***

- ❖ Hindi Translation Committee
- ❖ Urdu Translation Committee
- ❖ Press Gallery Committee
- ❖ Committee to Examine the Effect of Indian Independence Act of 1947
- ❖ Expert Committee on Financial Provisions

**DRAFTING COMMITTEE**

- Among all the committees of the Constituent Assembly, the most important committee was the 'Drafting Committee' set up on August 29, 1947.
- It was this committee that was entrusted with the task of preparing a draft for the new Constitution. It consisted of seven members namely- Dr. B. R. Ambedkar (Chairman), K. M. Munshi, N. Gopalaswamy Ayyangar, Alladi Krishnaswamy Ayyar, Syyed Mohammed Sadulla, B. L. Mitter (replaced by N. Madhava Rao) and D. P. Khaitan (owing to his death, T.T. Krishnamachari was chosen in 1948).
- The Draft Constitution as prepared by the Constitutional Advisor as a text for the Draft Committee to work upon, consisted of 243 articles and 13 Schedules.
- The Drafting Committee, after taking into consideration the proposals of the various committees, prepared the first draft of the Constitution of India
- The first Draft Constitution presented by the Drafting Committee to the Constituent Assembly contained 315 articles and 8 Schedules which was published in February 1948.
- At the end of the consideration stage, the number of articles in the Draft Constitution increased to 386. In its final form, the Draft Constitution contained 395 articles and 8 Schedules.

**ENACTMENT OF THE CONSTITUTION**

- Dr. B. R. Ambedkar introduced the final draft of the Constitution in the Constituent Assembly on November 4, 1948. It is called 'first reading'. The assembly had a general discussion on it for five days.
- The 'second reading' started on November 15, 1948 and ended on October 17, 1949.
- While deliberating upon the Draft Constitution, the Assembly moved, discussed and disposed of as many as 2,473 amendments out of a total of 7,635 tabled.

- The 'third reading' of the Draft Constitution started on November 14, 1949. Dr. Ambedkar moved a motion: '***The constitution as settled by the Assembly be passed.***'
- The Constitution was declared as passed on November 26, 1949 by the President of the Constituent Assembly. This date is enshrined in the Preamble of the Constitution.
- The Constitution of India was ***adopted on 26 November, 1949***. This is called ***Date of Adoption*** of Indian Constitution.
- The provisions related to citizenship, elections, provisional parliament, temporary and transitional provisions and some other articles came into force on November 26th, 1949 itself.

The members of the Constituent Assembly once again assembled to append their signatures to the Constitution on 24 January, 1950. In all, 284 members actually signed the Constitution. All members signed three copies of the Constitution namely, the English print version and the calligraphic version in English and Hindi. Nehru was the first and Rajendra Prasad was the last to sign these copies.

- The Constitution in its final form consisted of ***a Preamble, 395 Articles, divided into 22 parts and 8 schedules.***
- The Constitution of India came into force on ***26 January, 1950***. This date is referred to in the Constitution as the ***date of commencement*** and celebrated as the ***Republic Day***.
- 26<sup>th</sup> January is chosen as Republic Day to commemorate the ***Poorna Swaraj Day***, celebrated on ***January 26, 1930*** following the resolution of the Indian National Congress in Lahore Session of 1929.

## **SESSIONS OF CONSTITUENT ASSEMBLY**

- In all, the Constituent Assembly had 11 sessions over 2 years, 11 months and 17 days.
- Out of these 11 sessions, the first six were spent in passing the Objectives Resolution and in considering the Reports of Committees on Fundamental Rights, on Union Constitution, on Union Powers, on Provincial Constitution, on Minorities and on the Scheduled Areas and Scheduled Tribes.
- The seventh, eighth, ninth, tenth and the eleventh sessions were devoted to the consideration of the Draft Constitution.

- Out of total **165 days** convened by Constituent Assembly, **114 days** were spent on the consideration of the Draft Constitution.

First Session	:	9-23 December, 1946
Second Session	:	20-25 January, 1947
Third Session	:	28 April - 2 May, 1947
Fourth Session	:	14-31 July, 1947
Fifth Session	:	14-30 August, 1947
Sixth Session	:	27 January, 1948
Seventh Session	:	4 Nov 1948 – 8 Jan 1949
Eighth Session	:	16 May - 16 June, 1949
Ninth Session	:	30 July - 18 Sep 1949
Tenth Session	:	6-17 Oct, 1949
Eleventh Session	:	14-26 November, 1949
The Assembly met once again on <b>24 January, 1950</b> , when the members appended their signatures to the Constitution of India.		

## **ROLES OF CONSTITUENT ASSEMBLY**

- After Independence Constituent Assembly became the supreme Sovereign body which was empowered to frame the constitution according to its choice and to abrogate or alter any law made by the British parliament in relation to India.
- The Constituent assembly also became a legislative body which can make ordinary laws for the country apart from the constituent functions.
- On **November 17, 1947** the Constituent Assembly for the first time met as a Legislative Assembly. It elected **G. V. Mavlankar** as the speaker of the assembly.
- Since then Dr. Rajendra Prasad chaired as president of the constituent assembly when it was performing constitution making functions and Dr. G.V.Mavlankar chaired as the Speaker of the assembly when it was performing ordinary legislative functions.
- After the enactment of Constitution on January 26, 1950, the Assembly ceased to exist, transforming itself into the Provisional Parliament of India until a new Parliament was constituted in 1952

- Constituent Assembly also performed the following functions:
  - It ratified the India's membership of the commonwealth in May 1949.
  - It adopted the National Flag on 22<sup>nd</sup> July 1947.
  - It adopted the National Anthem on 24<sup>th</sup> January 1950.
  - It elected Dr. Rajendra Prasad as the first President of India on 24<sup>th</sup> January, 1950.

### **CONSTITUTION: SOME FACTS**

- While deliberating upon the draft Constitution, the Assembly moved, discussed and disposed of as many as 2,473 amendments out of a total of 7,635 tabled.
- United Province had largest number of representatives in the Constituent Assembly (55 members out of 229 after partition).
- Mysore is the princely state having largest number of representatives in the Constituent Assembly (7 out of 70 members).
- The Constitution-makers had gone through the constitutions of about 60 countries and borrowed necessary provisions from them.
- The total expenditure incurred on making the Constitution amounted to Rs 64 lakhs.
- The front cover of the Indian Constitution was designed by the renowned Bengali painter, Nandalal Bose.
- The original Constitution was handwritten and calligraphed by Prem Behari Narain Raizada.
- A Non-Party Conference, group consisted of individuals who represented a variety of interests except those of the Indian National Congress, Muslim League and the Communist Party appointed a committee in 1944 under the chairmanship of Tej Bahadur Sapru to draft a constitution. This committee of 30 members submitted their report in 1945.
- The Socialist Party of India drafted a constitution based on its own principles in 1948. It had 318 articles and the provisions for the state "regulate, limit and expropriate private property by law if common interests of the people require it"
- Dr. Ambedkar wrote a document titled 'State and Minorities' and submitted to the Fundamental Rights Sub Committee, of which Ambedkar was a member in 1947.



***Excerpts from the Constituent Assembly speech by Dr B.R. Ambedkar on Friday, the 25th November, 1949.***

“..... On the 26<sup>th</sup> of January 1950, India would be a democratic country in the sense that India from that day would have a government of the people, by the people and for the people. The same thought comes to my mind. What would happen to her democratic Constitution? Will she be able to maintain it or will she lost it again. This is the second thought that comes to my mind and makes me as anxious as the first.

It is not that India did not know what is Democracy. There was a time when India was studded with republics, and even where there were monarchies, they were either elected or limited. They were never absolute. It is not that India did not know Parliaments or Parliamentary Procedure. A study of the Buddhist Bhikshu Sanghas discloses that not only there were Parliaments-for the Sanghas were nothing but Parliaments – but the Sanghas knew and observed all the rules of Parliamentary Procedure known to modern times. They had rules regarding seating arrangements, rules regarding Motions, Resolutions, Quorum, Whip, Counting of Votes, Voting by Ballot, Censure Motion, Regularization, *Res Judicata*, etc. Although these rules of Parliamentary Procedure were applied by the Buddha to the meetings of the Sanghas, he must have borrowed them from the rules of the Political Assemblies functioning in the country in his time.

This democratic system India lost. Will she lost it a second time? I do not know. But it is quite possible in a country like India – where democracy from its long disuse must be regarded as something quite new – there is danger of democracy giving place to dictatorship. It is quite possible for this new born democracy to retain its form but give place to dictatorship in fact. If there is a landslide, the danger of the second possibility becoming actuality is much greater.

If we wish to maintain democracy not merely in form, but also in fact, what must we do? The first thing in my judgment we must do is to hold fast to constitutional methods of achieving our social and economic objectives. It means we must abandon the bloody methods of revolution. It means that we must abandon the method of civil disobedience, non-cooperation and satyagraha. When there was no way left for constitutional methods for achieving economic and social objectives, there was a great deal of justification for unconstitutional methods. But where constitutional methods are open, there can be no justification for these unconstitutional methods. These methods are nothing but the Grammar of Anarchy and the sooner they are abandoned, the better for us.

The second thing we must do is to observe the caution which John Stuart Mill has given to all who are interested in the maintenance of democracy, namely, not "to lay their liberties at the feet of even a great man, or to trust him with power which enable

him to subvert their institutions". There is nothing wrong in being grateful to great men who have rendered life-long services to the country. But there are limits to gratefulness. As has been well said by the Irish Patriot Daniel O'Connell, no man can be grateful at the cost of his honour, no woman can be grateful at the cost of her chastity and no nation can be grateful at the cost of its liberty. This caution is far more necessary in the case of India than in the case of any other country. For in India, Bhakti or what may be called the path of devotion or hero-worship, plays a part in its politics unequalled in magnitude by the part it plays in the politics of any other country in the world. Bhakti in religion may be a road to the salvation of the soul. But in politics, Bhakti or hero-worship is a sure road to degradation and to eventual dictatorship.

The third thing we must do is not to be content with mere political democracy. We must make our political democracy a social democracy as well. Political democracy cannot last unless there lies at the base of it social democracy. What does social democracy mean? It means a way of life which recognizes liberty, equality and fraternity as the principles of life. These principles of liberty, equality and fraternity are not to be treated as separate items in a trinity. They form a union of trinity in the sense that to divorce one from the other is to defeat the very purpose of democracy. Liberty cannot be divorced from equality, equality cannot be divorced from liberty. Nor can liberty and equality be divorced from fraternity. Without equality, liberty would produce the supremacy of the few over the many. Equality without liberty would kill individual initiative. Without fraternity, liberty would produce the supremacy of the few over the many. Equality without liberty would kill individual initiative. Without fraternity, liberty and equality could not become a natural course of things. It would require a constable to enforce them. We must begin by acknowledging the fact that there is complete absence of two things in Indian Society. One of these is equality. On the social plane, we have in India a society based on the principle of graded inequality which we have a society in which there are some who have immense wealth as against many who live in abject poverty. On the 26<sup>th</sup> of January 1950, we are going to enter into a life of contradictions. In politics we will have equality and in social and economic life we will have inequality. In politics we will be recognizing the principle of one man one vote and one vote one value. In our social and economic life, we shall, by reason of our social and economic structure, continue to deny the principle of one man one value. How long shall we continue to live this life of contradictions? How long shall we continue to deny equality in our social and economic life? If we continue to deny it for long, we will do so only by putting our political democracy in peril. We must remove this contradiction at the earliest possible moment or else those who suffer from inequality will blow up the structure of political democracy which is Assembly has to laboriously built up."