

Prof. N. G. Ranga (Madras: General): Mr. Chairman and friends, I am extremely glad to be able to support this Resolution. It does not mean that I am quite satisfied with it; but so far as this Resolution goes, it places before us the most effective, the most comprehensive and liberal idea of the future that our people can look forward to, once our new Constitution comes into existence. But it is much more than a liberal view of things, because it is not content with placing high ideals and noble ideas before our people. It also takes into consideration the need for assuring to our people the actual enjoyment of the rights that are stated herein, and it is in this manner that this Resolution goes far beyond similar resolutions that had been moved in other constituent assemblies and similar ideas incorporated in other constitutions of the world.

There is one other respect also in which this Resolution is very much in advance. While in other constitutions, no specific mention has been made to assure the people the right of freedom of action in pursuance of their ideals, in pursuit of their aims, this Resolution makes it perfectly clear that our people will have the right to act whenever they find it necessary, provided such action is within the law and also in conformity with the moral standards of our people. That is a very important matter, because from time to time, both in this country and in other countries, governments used to come forward to deny the right of the people to rebel against any particular law, any particular ordinance, nay particular dictate of that particular government, and threatened the people and told them that they had absolutely no right whatsoever to go against the established law. But, Sir, while political philosophers were merely content in other countries, philosophers like Harold Laski and others, with exhorting the people to be ever ready to stand up to their rights, their obligations and civil liberties, here in India alone, the opportunity has been given--thanks to the leadership of Mahatma Gandhi to-- offer satyagraha on a mass scale and to claim that right not only for large bodies of people, organised and unorganised, but also for individuals. Again and again, we have been able to reiterate our right to rise against injustices to go against any particular law or system of laws and thus maintain that only in that way can the civil liberties of the people and also all their personal and individual rights be maintained. The State as well as human beings are liable to err and there must be some safeguard against their mistakes, and the only safeguard that can be found will be satyagraha. Therefore, Sir, I welcome this Resolution for that reason also.

Several people in this country have been complaining that such and such parties have not taken part in this Assembly and such and such other sections have not been able to come into the orbit of this Assembly and its work, and therefore, we have no right whatsoever to consider a resolution like this. Is it necessary, Sir, that all the members in a family should be present in council where the point for consideration is that the total property of that family should be increased, should be augmented? Can there be a member of any family who would be opposed to the increase of the moral and material prosperity and the rights of that particular family? This Resolution is nothing but that. We are here assembled to consider in what manner the rights and obligations, the powers and duties of every individual in this country, groups of people and the whole country, can be raised, increased and augmented. At this juncture it does, not matter, if some of us are not able to be in this House. It may be that for various reasons of their own, certain parties have kept themselves away; but that need not prevent us from trying to go ahead in order to increase the total heritage of our people, in order to augment the total rights and strength of our country.

Sir, at the same time, I said this is not enough and I would like to say a few words about that. It is all very well to go back to our villages and to our friends and tell them that we have passed a resolution like this and that in future all their rights will be safeguarded and they will have no fears in regard to the future. But will it be enough if those people get the right to live, to have full employment, to gain their fundamental rights, if they are only told that they will be able to have their meetings, their conferences, their associations and various other civil liberties? Is it not necessary to enable them to create such conditions in life as will enable them to enjoy these rights that we have enumerated here? It is a fact, Sir, it is a miserable fact, that millions and millions of our countrymen are not yet able to take advantage of the various liberties that we have laid down here, the various privileges, that we say, are being thrown open for everyone to enjoy. They are not educated. Economically, they are oppressed and suppressed also, and socially, they are backward and down-trodden. For all these people, so many more things have to be done, may be for some time to come, before they come to enjoy these rights. They need props. They need a ladder by which they can reach on to the stage when it will be possible for them to come to appreciate the value of the rights that we are placing before them and enjoy them.

Sir, there is a lot of talk about minorities. Who are the real minorities? Not the Hindus in the so-called Pakistan provinces, not the Sikhs, not even the Muslims. No, the real minorities are the masses of this country. These people are so depressed and oppressed and suppressed till now that they are not able to take advantage of the ordinary civil rights. What is the position? You go to the tribal areas. According to law, their own traditional law, their tribal law, their lands cannot be alienated. Yet our merchants go there, and in the so-called free market they are able to snatch their lands. Thus, even though the law goes against this snatching away of their lands, still the merchants are able to turn the tribal people into veritable slaves by various kinds of bonds, and make them hereditary bond-slaves. Let us go to the ordinary villagers. There goes the money-lender with his money and he is able to get the villagers in his pocket. There is the land-lord himself, the zamindar, and the mal-guzar and there are the various other people who are able to exploit these poor villagers. There is no elementary education even among these people. These are the real minorities that need protection and assurances of protection. In order to give them the necessary protection, we will need much more than this resolution.

But it is quite possible that we cannot incorporate all those things in a resolution of this character. It is the spirit of the Resolution that has got to be taken into account; it is in that light that the Constitution has got to be formulated. And in framing that Constitution we will have to see that there is a charter of fundamental rights. We are agreed upon that, but that will not be enough. Several other countries also have had their charters of fundamental rights. Yet these fundamental rights have been neglected by their own Governments. Therefore we will have to stipulate certain provisions in our own Constitution, by which it will be possible for our masses to invoke the aid of the law as against the State, as against the Government and its incumbents from time to time in order to see that these fundamental rights are actually enforced. For instance, in France they had noble ideals of equality, fraternity and liberty, and they laid it down that no Member of Parliament could possibly be put in jail while the House was in session. Yet that right was denied. Several Deputies of the French Parliament were put in jail and there was no safeguard against it. In America, before the law all the people are equal, but yet you know how depressed are the Negroes in that country. We have to prevent a repetition of that sort of thing in our country. In order to be able to do that, we must enable our own workers, our own peasants, our own ordinary masses to demand from the State necessary financial assistance to go to the Courts, the Supreme Court of the country and to seek its protection. Poor men, as you know, are not able to go to Court, and when they have to fight against the State, it is impossible for them to think of it at all. Just as you provide for a poor man's lawyer in criminal cases, so also if you were to make a similar provision for enforcement by the ordinary masses of the fundamental rights that we formulate, then there might be some safeguard.

The masses are the real minorities, and yet they are not asking for all these safeguards, and even when they ask for the safeguards they do not make it a condition precedent to constitutional progress. What is more, they care more for the country, for our own national progress and therefore, they not only say, let us go ahead, but they exhort us to go ahead. They stand by us, and I appeal to our own so-called religious minorities to take a lesson from these people. Whom are we supposed to represent? The ordinary masses of our country. And yet most of us do not belong to the masses themselves. We are of them, we wish to stand for them, but the masses themselves are not able to come up to the Constitutional Assembly. It may take some time; in the meanwhile, we are here as their trustees, as their champions, and we are trying our best to speak for them. While we are doing this, our friends, the Muslim Leaguers, wish the rest of the world to believe that we are trying to do them some harm therefore they cannot hope to come over here, they cannot be expected to come over here. I wish to tell them from this forum, it would be the greatest possible tragedy not only for the Muslim masses but also for the masses of the country in general, if the Muslim League were to follow this policy of non cooperation, this policy of do-nothing. What more can the Indian National Congress be expected to do in order to conciliate them than what it has already done? Our friends, the Muslim Leaguers, instead of trying to come to us and negotiate with us, reason with us or argue before us--they have gone over to the Britisher.

They have tried to gain one after another a number of concessions. Each one of these concessions has come down as a sort of black curtain in blotting out the vista of freedom and Swaraj that this country is aiming at; and in addition they have done enough to embitter the people of this country. In spite of all this, the Indian National Congress has chosen to accept all these various safeguards and rights and various other things that they have been gaining from the British with the only hope, with the only intention, with the only appeal to our Muslim League friends, to come over here and co-operate with us in the shaping of the Constitution for our country. If they do not come, are we going to stop where we are? Certainly not. They ought to know, and other people also who are backing them ought to know, that the Indian National Congress cannot be stampeded in this fashion. We are making history, we have been making history for the last 25 years. Again and again, in spite of our constitutionalists who have been telling us. "For God's sake do not go against the law, these things will not get us Swaraj, you negotiate with the British, work with the British", we have resorted to saytagraha on many an occasion in order to safeguard the rights and privileges of our people. We have made progress,--who can deny that? Could we have been in this Constituent Assembly if we had not been able to launch direct struggles? Could there have been even this possibility for the Muslim League to try and obstruct as they are doing now, if it had not been for the sacrifice and struggle that we have been carrying on all these years? We have reached a stage when it is impossible for British imperialism to prevent us from making progress. British imperialism goes to the pitiable plight of trying to have some allies in order to arrest our progress--may be for a day, may be for a few minutes. But British imperialism will not succeed, and these allies of British Imperialism cannot succeed. What is more, our own masses will soon be in a position to set aside not only British imperialism but also their allies in this country and go ahead and help us to go ahead. What has been the position of the Muslim League itself? There was a time when Mr. Jinnah used to say that independence was a sort of mirage, that it was absurd for India to claim independence for India. He himself said that direct action was an absurdity, and yet he has himself come to claim independence for India, he has declared himself in favour of independence. He has himself come to declare from the Muslim League rostrum the "Quit India" slogan, though he would like to have it, as "divide the country between us, and quit India." Nevertheless he followed in our own footsteps. He wants today two Constituent Assemblies, whereas not long ago he was not prepared to think of any Constituent Assembly at all. What does this show? I say, that if we go ahead, the Muslim Leaguers also are obliged to go ahead for the simple reason that the ordinary masses, whether Hindus or Muslims, to whichever community they belong, are impelling their political leaders, in spite of their own peculiar partisanship, to go ahead in the manner in which alone India can go ahead. Therefore, I appeal to our Muslim Leaguers, at least in the name of their own masses, to come into this House and co-operate with us, if they are not for their own vested interests, for their Nawabs, or for their Jagirdars.

Mr. Jinnah and others have been claiming in recent past that they are also as democratic as the Indian National Congress. If they are democratic, let them think over the fact as to which of the communities contains the largest number of poor people. Among the Hindus a good percentage are not poor, but among the Muslims, the rich people can be counted on your fingers. The poorest among our people are the Muslim masses. They need most urgently a free India without which there is no chance for the Tribal people or for the *Harijans* or for the Muslim *Mazdoor* or the *Kisan*, and, the longer Mr. Jinnah and others prolong this agony of slavery, the longer they will be delaying the possibility of their own masses making any progress.

Lastly, I wish to appeal to this House to see to it that the necessary provisions are made in the Constitution proper in order to enable our people to enjoy the various rights indicated in this Resolution. Without such provisions this Resolution will have become useless. It will only be a sort of pious hope and nothing more. It is true that, when it comes to be incorporated in our text-books and our boys and girls read them in their lessons, it will do a lot of educational work. But that will not be enough. Similar work was done in America and yet the ordinary rights of the people were set at naught by the Government. Therefore we should take care to incorporate the necessary sanctions in the Constitution in order to safeguard the interests of the masses and to ensure to them the necessary opportunities which are needed to enable them to enjoy these rights.