

## READERS' VIEWS

# Fundamental Rights

**To The Editor "The Times of India"**

Sir,—The inclusion of fundamental rights in the Constitution of this country had been one of our most insistent and universally supported demands under the British rule. Yet the acquisition of political power seems to have corroded our souls, effaced our memories and killed our democratic instincts. How else could one explain Article 13 of the Draft Constitution 'safeguarding' certain civil liberties? The right to freedom of speech and expression, for instance, is not to affect "the operation of any existing law, or prevent the State (i.e. both the Federal and the Provincial Governments) from making any law relating to libel, slander, defamation, sedition or any other matter which offends against decency or morality or undermines the authority or foundation of the State."

Does the Constituent Assembly believe, or hope to convince the people of this country, that with all these qualifications the right is still "fundamental" and, therefore, "inviolable"? Does it protect political criticism—the soul of democracy—against victimisation at the hands of an intolerant administration? The same method of "guaranteeing" the rights to assemble peaceably, to form associations or unions and to move freely throughout the territory of India is proposed in this Article which must be regarded as an insult to all fighters for democracy in this country. How far indeed is freedom from free India!

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Poona, April 13.