

ning on "reasonable agreement
"and judicious compromise."

Two morals of equal worth have to be drawn from Dr. Sinha's address. One is the importance of compromise, because no Constitution if it fails to command a broad measure of loyal consent will have the "adamantine strength" claimed for the original charter of the Republic of the United States of America. The second moral follows in that the drafting of such a constitutional structure for India's 400,000,000 people demands the greatest patience and care based on the most careful study. A very large degree of natural and human impatience is in the air and is liable, if not restrained, to encourage the imposition of some hastily drafted constitutional document to fulfil the urge for full independence. To nothing could the maxim "more haste less speed" better apply. True, this Constituent Assembly has been, largely through the intervention of outside events, a wearisome time in coming; but now that it has arrived, it is imperative for the good of India that it be given the fullest opportunity to build well and build soundly for the future. It must not be forgotten that the ratification of a written Constitution on federal lines means a division of sovereignty between various legislatures and, to that extent at least, the subordination of those legislatures to the authority of that Constitution. The reality of freedom itself is dependent on the way this is done.

THE CONSTITUENT ASSEMBLY

A common prayer in India, and amongst all friends of India, is that the Constituent Assembly which opened its proceedings according to schedule on Monday will mark the historic conception of a freely constituted independent State. The two largest countries in the world, India and China, are both seeking almost simultaneously, albeit from different starting points, to work out a similar problem. Both are handicapped by, and are seeking ways and means of overcoming, initial fissures of one kind or another among large sections of their peoples. Each seeks nevertheless to evolve a constitutional structure on democratic foundations, to secure a free form of government by the people and for the people. Each likewise is embarked on a task which has no precedent in view of the size of the populations affected.

India's Constituent Assembly and the public from which the members of that Assembly draw their authority may well give heed to the advice accorded them by Dr. Sachchidananda Sinha in his inaugural address at New Delhi on Monday. Dr. Sinha gave a brief sketch of western experience in the provision and maintenance of such democratic States as have stood the test of time. He naturally drew particular attention to federal constitutions where they exist, from the small-scale and unique example of Switzerland to those of the United States of America and the self-governing Dominions of the British Commonwealth. He quoted a statement of Mr. Gandhi made as far back as 1922 when the great Congress leader declared that "*swaraj* will not be a free gift of the British Parliament. It 'will be a declaration of India's full self-expression, expressed through an Act of Parliament. But it will be merely a courtesy gratification of the declared wish of the people of India. The ratification will be a treaty to which Britain will be a party. The British Parliament, when the statement comes, will ratify the wishes of the people of India as expressed through the freely chosen representatives.'" This 24-year-old prophesy is now being implemented virtually to the letter. True, as Dr. Sinha points out, India's Constituent Assembly has been produced and meets "under the scheme propounded by the British Cabinet Mission." But resort to that method was impelled by circumstances which seemed otherwise to deny the possibility of a fully representative body meeting and working together. Nor is there anything mandatory in that scheme save in respect of the elements associated with the Constituent Assembly being committed to a working programme of procedure—an essential prerequisite to finding a minimum of common ground, the absence of which in a somewhat different context has so far deprived China of a National Assembly able to deliver the goods. Unhappily at the moment, India also has not managed to bring all the constituent elements together; but this gap can be filled if, as Dr. Sinha has urged, there is an early begin-