

# “SOCIAL AND ECONOMIC EQUALITY CANNOT BE DENIED LONG”

## Dr. Ambedkar Stresses Dangers To Freedom

### REPLY TO FINAL DEBATE ON CONSTITUTION

NEW DELHI, November 25.

“WE must not be content with mere political democracy. We must make our political democracy a social democracy as well,” declared Dr. B. R. Ambedkar, Chairman of the Drafting Committee, replying to the debate on the third reading of the draft Constitution.

Indicating the dangers to democracy in India, he said that social and economic equality could not be denied long without imperilling political democracy—the main achievement incorporated in the draft Constitution.

“On January 26, 1950, we will have equality in politics and inequality in social and economic life. 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 this Assembly has so laboriously built up.” (Cheers).

Warning them also of the danger of democracy in India giving place to dictatorship, Dr. Ambedkar said that the first thing they must do was to hold fast to constitutional methods of achieving their 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-co-operation and satyagraha. These methods are nothing but the grammar of anarchy and the sooner they are abandoned the better for us.”

Another danger, he felt, arose from hero worship. In politics, “bhakti” or hero-worship “is a sure road to degradation and to eventual dictatorship.”

Dr. Ambedkar said, “in believing that we are already a nation, we are cherishing a great delusion. How can a people divided into several thousands of castes be a nation? These castes are anti-national.

We must overcome all these difficulties if we wish to become a nation in reality.”

#### DEMOCRATIC BASIS OF CONSTITUTION

##### Reply To “Red” Critics

Replying to Communist and Socialist criticism of the Constitution, Dr. Ambedkar said, “The Communist Party wants a constitution based upon the principle of the dictatorship of the proletariat. They condemn this Constitution because it is based upon parliamentary democracy.”

The Socialists, he said, wanted firstly, the freedom to nationalise all private property without payment of compensation if they came into power, and secondly, if their party failed to come into power, they wanted the unfettered freedom not merely to criticise but also to overthrow the State.

On the merits of the Constitution all that he would say was that the principles embodied in it were the views of the present generation or, if this was an over-statement, the views of the members of the Constituent Assembly. However good or bad a Constitution might be, whether it would turn out good or bad, would ultimately depend on the men who, would work it.

If those who were dissatisfied with the Constitution could not obtain even a two-thirds majority in a Parliament elected on adult franchise to amend the Constitution, their dissatisfaction with it could not be deemed to be shared by the general public.

##### “FORMIDABLE TASK”

Dr. Ambedkar said that the Assembly might congratulate itself for having accomplished “so formidable a task in so short a time.” “It will now be two years, 11 months and 17 days since this Assembly first met. During this period the Constituent Assembly has altogether held 11 sessions, which have consumed 165 days. Out of these, the Assembly spent 114 days for the consideration of the draft Constitution.”

“In its final form, the draft Constitution contains 395 Articles and eight schedules,” Dr. Ambedkar continued. The total number of amendments to the draft had been approximately 7,635, of which, the total number of amendments actually moved were 2,473.

Mr. Naziruddin Ahmed, Dr. Ambedkar said, had called the Drafting Committee a “Drifting Committee,” evidently to show his contempt for it. Dr. Ambedkar regarded it as a compliment. The Drafting Committee would have been guilty of gross dereliction of duty and a false sense

of dignity if it had shown the honesty and the courage to withdraw its amendments which it found faulty and substitute them with others which it thought better.

Dr. Ambedkar added that he felt overwhelmed by the compliments showered upon him. He came into the Constituent Assembly with no greater aspiration than to safeguard the interests of the Scheduled Castes. Dr. Ambedkar was grateful to the Assembly for reposing in him so much trust and to have given him an opportunity to serve the country.

Paying a tribute to the Congress Party in the Assembly, Dr. Ambedkar said: The task of the Drafting Committee would have been a very difficult one if the Constituent Assembly had been a motley crowd. There would have been nothing but chaos. This possibility of chaos had been reduced to nil by the existence of the Congress Party in the Assembly, which brought into the proceedings a sense of order, and discipline.

##### TRIBUTE TO “REBELS”

At the same time, he paid a tribute to the “rebels”, Mr. Kamath, Dr. P. S. Deshmukh, Mr. Sidhwa, Prof. Saksena and Pandit Thakuradas Bhargava. Party discipline in all its rigidity would have converted the Assembly into a gathering of “yes men”.

He paid a warm tribute to the President and acknowledged the services of Sir B. N. Rau, who prepared a rough draft of the Constitution and Mr. S. N. Mukherjee, the chief draftsman of the Constitution. He also mentioned the staff who sometimes had to work even beyond midnight.

Dr. Ambedkar said that a serious complaint had been made against the Constitution on the ground that there was too much of centralisation and that the States had been reduced to municipalities. The chief mark of federalism lay in the partition of the legislative and executive authority between the Centre and the units by the Constitution. This was the principle embodied in the Indian Constitution. There could be no mistake about it. It was, therefore, wrong to say that the States had been placed under the Centre. The Centre could not by its own will alter the boundary of this partition; nor could the judiciary.

The operation of the over-riding powers vested under the Constitution in the Centre was expressly confined to emergencies only. There could be no doubt that in the opinion of the vast majority of the people, the residual loyalty of the citizen in an emergency must be to the Centre and not to the constituent State.

#### FUTURE THREATS TO INDEPENDENCE

##### “Country Above Creed”

Looking to the future, Dr. Ambedkar said: “On January 26, 1950, India will be an independent country. What would happen to her independence. Will she maintain her independence or will she lose it again? What perturbs me greatly is the fact that not only India has once before lost her independence, but she lost it by the infidelity and treachery of some of her own people.

“Will the story repeat itself? It is this thought which fills me with anxiety. This anxiety is deepened by the realization of the fact that in addition to our old enemies in the form of castes and creeds we are going to have many political creeds. Will Indians place the country above their creed or will they place creed above the country? I do not know. But this much is certain that if the parties place creed above country, our independence will be put in jeopardy a second time and probably be lost for ever. This eventuality we must all resolutely guard against. We must be determined to defend our independence with the last drop of our blood.

“On January 26, 1950, India would be a democratic country in the sense that India from that day would have 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 lose it again?

“It is quite possible in a country like India—where democracy from its long disuse must be regarded as something new—here is a 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 actually is much greater.

#### MEANS TO DEFEND DEMOCRACY

##### “Inequality Must Go”

He said there were three means to defend democracy. Firstly, all social and political changes should be achieved through constitutional means; secondly, hero-worship must be eschewed, and thirdly, the resummation of political democracy into social democracy must take place.

“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 means elevation for some and degradation for others. On the economic plane, we have a society in which there are some who have immense wealth as against many who live in abject poverty.

“Without fraternity and equality, liberty will be no deeper than a coat of paint,” he said.

“There can be no gainsaying that political power in this country has too long been the monopoly of a few and that many are beasts of burden. This monopoly has not merely deprived the majority of their chance of betterment, it has

sapped them of what may be called the significance of life.

These down-trodden classes are impatient to take part in the government of being governed. They are enmeshed in the country. This urge for self-realization in the down-trodden classes must not be allowed to devolve into a class struggle or a class war. That would indeed be a day of disaster. Therefore, the sooner room is made for the realization of their aspirations the better for the few, the better for country, the better for the maintenance of its independence and the better for the continuance of its democratic structure. This can only be done by the establishment of equality and fraternity in all spheres of life.”

#### BLEND OF IDEALISM AND REALISM

##### Mr. Anthony’s Views

Mr. Frank Anthony, Anglo-Indian representative, opening the final day’s general debate on the third reading of the Constitution today, said that the Constitution represented a proper blend between idealism on the one hand and realism on the other.

Refuting the “unjustified criticism of over-centralisation”, Mr. Anthony said that the country would have been more fortunate if a firm unitary system of Government had been established. He regretted that subjects like education, health and police had been left entirely within the ambit of provincial autonomy. The provinces were “running amuck” and the educational policy of some Governments represented a travesty of the provisions of a secular democracy with no regard for linguistic minorities.

The Congress President, Dr. Pattabhi Sitaramayya, was cheered as he rose to speak. He said that the delay that had occurred in framing the Constitution enabled the Constituent Assembly to see things in the proper perspective and incorporate administrative changes *pari passu* political developments.

Many critics had contended that the Constitution was not revolutionary in conception, and that it was a mere imitation of the Government of India Act of 1935. These were half-truths. Revolutions and documents were contradictory terms. They had imitated the 1935 Act because the country worked out its emancipation not through a “bloody revolution” but by imperceptible transition from the stage of bureaucracy to co-operative Commonwealth.

##### COUNTRY’S UNIFICATION

The delay had enabled the administration to piece together 562 States which were “untouched and altogether unconnected with one another.” Administrative measures had been taken to consolidate the country which was divided geographically, linguistically and communally when they had “inherited it from the British.” Now they had one homogenous country, under one Central Government, with a federal structure.

“In 1937 Mahatma Gandhi had three main programmes: *khaddar*, untouchability and Hindu-Muslim unity. “We have perpetuated *khaddar* as the forerunner of the cottage industry, the encouragement of which forms one of the principles of directive policy.

“We have removed untouchability by law and Hindu-Muslim unity has been carved out by the joint electorate. Over 17 crores of people will adorn the electoral rolls next year.

“Thus we have converted a dependency into a co-operative Commonwealth. Who can dare say that this is not an achievement worthy of our labours and worthy of our country, all in the period of three years.”

#### INDEPENDENCE OF AUDIT CHIEF

##### “No Frowns Nor Favours”

The Congress president then dealt with two aspects of the Constitution, the fundamental rights and the powers of the Auditor-General. The foundation of the fundamental rights, he said, was laid at his house at Masulipatam following the Karachi Congress in 1931. Every fundamental right implied duty. The criticism levelled against the chapter relating to the fundamental rights was not justified inasmuch as every right implied a duty.

As regards the Auditor-General, he said that the provisions represented a great improvement in the position assigned to him. No matter how perfect a constitution might be, it was the money that counted. In future they had to deal with Rs. 370 crores in the Centre and as much as in the provinces. Who was there to control the proper expenditure of this money? The Auditor-General must be as supreme and independent as the Judges of the Supreme Court. He was not merely an accountant but he represented a judicial frame of mind. He was called upon to criticise Government and expose it to ridicule. Today, they had installed the Auditor-General in a supreme position and he need not care for the “frowns or favours” of Government or the executive.

##### “GRAMMAR OF POLITICS”

Dr. Pattabhi Sitaramayya went on: “The Constitution is a grammar of politics. By itself, it is inanimate and insensitive. It will prove to be of use in the measure in which we have been able to use it because everything depends upon the manner in which we approach it. Take, for example, the joint electorate. We have established joint electorate.

There are 35 million Muslims in the country representing seven or eight per cent. of the population. Is it possible for them to obtain a single seat through joint electorate without the aid of others? It is a terrible responsibility we have taken upon our shoulders, when we asked them to give up separate electorates. The majority community will have to see that the implied gentlemen’s agreement is honoured in letter and in spirit and give them more seats than their population entitled them to receive. (cheers). If we are able to do that, we shall be able to justify the great concessions they had made.”

Mr. Jagat Narain Lal (Bihar) said that the Constitution would usher in the country “the dawn of a new era which will make the State prosperous and stable.”

He, however, objected to the State being called “secular” and said that the acceptance of the idea that the State would not interfere with any religion would have been enough.

Mr. T. T. Krishnamachari, member of the Drafting Committee, replying to the “contradictory” criticisms levelled against the Constitution, said, “Our Constitution is a federal constitution in which we have given to the units powers

which are substantial and significant both in their legislative scope and executive sphere.”

The Drafting Committee, he said, had gone to great pains in enumerating the powers of the Centre and the units and in the concurrent field. Perhaps the one possible power not enumerated was capital levy on agricultural land. “It might be that following the scheme of estate duty and other duties on urban and agricultural property, even if the Centre were to take over this power as part of the residuary power, it would assign the proceeds to the provinces because all things that are supposed to be agricultural are assigned to the provinces.”

The Drafting Committee, he went on, had avoided very scrupulously the possibility of a vacuum in governmental power. There would be no change of a “defect of power” so far as enumeration was concerned. Under these circumstances, it was only a matter of academic distinction whether the residuary power was vested in the Centre or in the provinces.

#### FINANCIAL POWERS OF PROVINCES

##### “Wrong Criticism”

He described as “wholly wrong, wholly inaccurate and even really mischievous” the statements made by “one or two provincial Finance Ministers” recently that when the new Constitution came into force, the provinces would have no financial powers whatever.

Conditions had more or less forced the Drafting Committee to incorporate the provisions of the Government of India Act so far as the financial set up was concerned, Mr. Krishnamachari said. It might be that in one or two matters certain restrictions had been placed on the financial powers of the provinces, notably in the matter of the Sales Tax. But that did not mean that the Centre got any benefit thereby. These restrictions which were all of a very minor nature, had been placed merely to benefit the economy of the country as a whole.

As the Finance Minister, had pointed out “on the one occasion that he appeared before us,” there was really no rivalry between the Centre and the units so far as the

taxing power and spending were concerned, Mr. Krishnamachari said. The Centre’s needs were covered largely by defence and administrative expenses. The Centre had no territory of its own in which it had got a special interest in spending the money.

“What we want,” said Mr. Krishnamachari, “is that the total amount of financial resources available both for the Centre and the units has to be augmented if the ultimate purpose of this Constitution, namely the economic betterment of the common man, is to be undertaken.

Mr. Krishnamachari said that the drift of taxing power in all constitutions had been towards the Centre, because from a police State the State was becoming a welfare State and the ultimate responsibility for the economic well-being of the country rested with the Centre.

##### PRESIDENT’S POWERS

Referring to the powers vested in the President, Mr. Krishnamachari said that those people who contended that the President would be an autocrat did not realise for one moment that the President had to act on the advice of his Prime Minister. Yes, the Prime Minister would be an autocrat, said Mr. Krishnamachari, if the party that elected him and the Parliament to which he was responsible were both inactive. But the tenure of office of a Prime Minister was only that amount of time that was necessary to pass a vote of no-confidence in him.

The Drafting Committee had completely copied the scheme of responsible government that was functioning in Britain today.

Mr. Deshbandhu Gupta (Delhi) supporting the constitution said that it was a time to rejoice and congratulate each other and not to criticise the constitution. He however, reminded members that “the people of Delhi” had found no place in the constitution. He hoped that the assurance given by Pandit Nehru in the House that some provision would be made by an Act of Parliament before the constitution was inaugurated whereby the people of Delhi would be given “a hand in their administration” would be fulfilled.

He regretted that in the fundamental rights no mention had been made of the “freedom of the press.”