

Chapter 15 Framing the Constitution

The Beginning of a New Era

1. What were the ideals expressed in the Objectives Resolution?

Ans. Jawahar Lal Nehru presented the Objectives Resolution in the Constituent Assembly on 13 December, 1946. It gave a brief account of the ideals and objectives of the Constitution.

These are following;

India was declared an independent sovereign republic.

Justice, equality and fraternity were assured to all the citizens of India.

Adequate safeguards were provided to minorities. It also referred to the well-being of the backward and depressed classes.

It was made an objective that India would combine the liberal ideas of democracy with the socialist idea of economic justice.

India would adopt that form of government which would be acceptable to its people.

No imposition from the British would be acceptable by the people of India.

India would work for peace and human welfare.

2. How was the term minority defined by different groups?

Ans. N.G. Ranga, a socialist who had been a leader of the peasant movement, urged that the term minorities be interpreted in economic terms. The real minorities were the poor and the downtrodden. Some considered that the real minorities were the masses of our country who were so depressed and oppressed that they were to even able to take advantage of the ordinary civil rights. Singh spoke eloquently on the need to protect the tribes, and ensure conditions that could help them come up to the level of the general population.

3. What were the arguments in favour of greater power to the provinces?

Ans. K.Santharam, a member from the Madras defended the rights of the states in the Constituent Assembly. He emphasised the need to strengthen the states.

He was not in favour of vesting more powers with the Centre. He was of the opinion the Centre would not be able to perform its duties efficiently in case it is over-burdened. The Centre will become automatically strong if all states are made stronger. He advocated that the Centre should be given less powers and states should be given more powers. Proposed allocation of powers between the Centre and States was also a matter of concern for K. Santharam. He felt that such a distribution of power would cripple the states.

¹ WWW.MEHRAJHABIB.BLOGSPOT.COM

4. Why did Mahatma Gandhi think Hindustani should be the national language?

Ans. In view of Mahatma Gandhi Hindustani was a language that the common people could easily understand. Hindustani was a blend of Hindi and Urdu. It was also popular among a large section of the people. Moreover, it was a composite language enriched by the interaction of diverse cultures. Words and terms from many different languages got incorporated into this language over the years.

It made this language easily understandable by people from various regions.

As per Mahatma Gandhi Hindustani would be the ideal language of communication between the communities. It would help to unify Hindus and Muslims and the people from north and south.

Language came to be associated with the politics of religious identities from the end of the 19th century. But Mahatma Gandhi retained his faith in the composite character of Hindustani.

5. What historical forces shaped the vision of the Constitution?

Ans. Following are some historical forces which shaped the vision of the Constitution.

Certain basic values were accepted by all national leaders as a result of the Nehru Report and the Fundamental Rights Resolution passed the Karachi session of the Indian National Congress.

Universal Adult Franchise, Right to Freedom and Equality and Protection of minority rights were these basic values.

After the results of 1937 elections, the Congress and other political parties were able to form the governments in the provinces. This experience with legislative and political institutions helped in developing an agreement over institutional design.

Many colonial laws were also the sources of the Indian Constitution. Government of India Act, 1935 was a major one. This way, the Indian Constitution adopted many institutional details and procedures from the colonial laws.

The French Revolution also inspired the makers of the Constitution. The working of the Parliamentary democracy in Britain and the Bill of Rights in the USA also inspired the framers of the Constitution.

6. Discuss the different arguments made in favour of protection of the oppressed groups.

Ans. It was felt that oppressed classes like tribals and untouchables required special attention and safeguards to enable them to raise their status and come to the level of the general population.

Tribals were regarded backward. They were not accepted well in society. They were almost rejected. For their upliftment they were required to be assimilated in the society. They were also required to be brought into the mainstream of the society. So special protection and care were offered to them.

In society untouchables were treated as labourers. Society used their services but did not give them respectable position. They were treated as outcast and kept isolated. Their sufferings were due to their systematic marginalization.

Lands of the tribals have been confiscated and had been deprived of their forests and pastures. Tribals and untouchables had no access to education. They did not take part in administration. So some legislations were required to improve their conditions.

7. What connection did some of the members of the Constituent Assembly make between the political situation of the time and the need for a strong Centre?

Ans. On 15 of August 1947, India became independent from the British rule. It was declared an independent country. But this independence was painful also. India was divided and Pakistan came into existence. This partition was marred with communal violence. So many leaders like Jawaharlal Nehru and Ambedkar favoured a strong Central Government for India. For their view they referred riots and violence that were ripping the nation apart. It was also felt that a strong centre was the need of the hour. Most of the members of the constituent Assembly also supported this view. Any deviation from this might jeopardize the interests of the nation. Peace, prosperity and political stability was not possible in case of a weak centre. It would fail to coordinate vital matters of common concern.

So Gopalaswami Ayyangar appealed to all the members of the Constituent Assembly that "the

Centre should be made as strong as possible."

It was also felt that only a strong and united centre could plan for the well-being of the country. Balakrishna Sharma also stated the similar view. It was also felt that it would mobilize all the resources, ensure strong defence against any aggressor and establish a proper administration.

Almost all the members of the Constituent Assembly supported a strong central government. They felt that it was necessary to check chaos, communal violence and to usher economic development of the country.

8. How did the Constituent Assembly seek to resolve the language controversy?

Ans. India is a very big country. It has many different regions. Different varieties of people live here and speak different languages. So, for a new nation like India it was necessary to give proper attention to the intricacies of different languages.

Hindustani: Hindustani was a choice for the Congress and Mahatma Gandhi. Congress had already decided to adopt Hindustani as the national language of the country. Mahatma Gandhi was also in favour of adopting Hindustani as the national language and supported strongly for this view. He argued that everyone should speak in a language which is understood by most of the common people. Hindustani was not a new language. It was a blend of Hindi and Urdu. It was enriched by the interaction of diverse cultures and spoken by most of the people of the country.

Hindi: R.V. Dhulekar pleaded in favour of Hindi for adopting it as the national language. He came from the United rovince and a Congressman. He wanted that Hindi should be used as language of constitution-making . He even said that those who did not know Hindustani were not worthy to be the members of the Constituent Assembly.

Report of the Language Committee: The language Committee of the Constituent Assembly suggested a compromise formula in its report. It suggested that Hindi in Devnagri script should be the official language of the country and tried to resolve the issue. It also suggested that transition from English to Hindi should be gradual. It was also suggested that during first fifteen years since adoption of the Constitution, English would continue to serve as for official

purposes. So, it was clear that the Language Committee referred Hindi as the official language not the national language.

Threat to South: The members of the Constituent Assembly who belonged to the Southern India were apprehensive of the view. They felt that Hindi would be a threat to their provincial languages. Shankar Rao from Bombay, T.A. Ramalingam Chettiar and Mrs. G. Durgabai of Madras suggested that issue of language required utmost care and needed to be handled efficiently and dextrally. Hindi should not be thrust upon the people of South India.