

Our freedom, our Constitution

As the tricolour was hoisted on August 15, 1947, Indians were already collectively owning the Constitution-in-the-making, reimagining freedom as a transformation of their lives and rights



ROHIT DE AND
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ABOUT SIX MONTHS after India gained Independence, and shortly after the draft Constitution was published in February 1948, the social activist and journalist P Kodanda Rao, criticised its length. The draft ran to 209 pages, 315 articles and eight schedules. "The Indian Constitution," he suggested, "may be so short that it may even be made the National Anthem and even inscribed on the National Flag. Only such a document will grip the imagination and evoke sentimental or emotional response, and not one with three hundred clauses which no one will ever know." The final Constitution of 1950 was, however, even longer, with 395 articles, and 10 schedules, and it has continued to expand since then. Nonetheless, the Indian Constitution has become an anthem and a rallying point for its citizens.

This may look and feel new, but in fact, the everyday relevance and invocation of the Constitution has never waned in India from the moment of its making. This could not have been achieved by merely promulgating the Constitution in the name of the people. How, then, has the Constitution come from the time of its making, a site of struggle through which citizens assert their rights and claim remedies?

Publics across India, we discovered based on new archival materials, saw the Constitution-making as pregnant with possibilities for changing their lives for the better. Thousands of diverse groups, associations and individuals from across the length and breadth of the country developed a fever of constitutional expectations, articulating demands of the future Constitution, firing off missives to the Constituent Assembly, putting forward a range of constitutional ideas, wants and aspirations for what was to be, in their word, "our Constitution".

Adivasi Gond students, to take one example, convened a conference in Nagpur three weeks after the Constituent Assembly first met with the object of uniting "aboriginal students". They sent 16 demands to the Assembly, which included free and compulsory education, special scholarship, guarantees of government employment to incentivise education and representation in the university governance. The public engagement with the Constitution-making generated a churn of innovative rights claims. Informed by their daily life-experiences, the Indian public thought beyond conventional constitutional ideas, addressing, for example, disability, sexual violence, child rights and the right to food.

The public-intense engagement with the Constitution-making was unplanned and came as a surprise to the Constituent Assembly. Indeed, just ahead of the beginning of the constitutional debates, Assembly member K M Munshi suggested that the Assembly proceedings should be held behind closed doors to ensure the experts work efficiently, free from public



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pressure. The Indian public, however, had a different idea. They insisted on having a say and in participating. The scale of their demands ultimately forced the Constituent Assembly to open the Constitution-making process to the public. The draft Constitution of February 1948, which was now circulated for public comments, became a best seller with several reprints being sold even on railway stations. The public made it their own by producing unauthorised translations of the draft in numerous Indian languages, including Tamil, Sanskrit, Telugu, and Hindustani. Through this process, the Indian public was working out the Constitution's potential implications for their lives. They criticised its limits, such as on civil liberties, and attempted to change it. At the same time, they already demanded that the government abide by the draft Constitution.

The Deaf and Dumb Society of India, as one example, pointed out to the Constituent Assembly that granting equal citizenship for all had little value to disabled people unless discrimination built into existing laws were removed, and the disabled were granted reservations in education and government jobs. The Constituent Assembly Secretariat assured them that universal adult franchise in the future Constitution would protect their rights. They responded furiously, stating that adult franchise would mean little to them unless there were constitutional guarantees for education, em-

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ployment, anti-discrimination and their inclusion in the census.

Despite high levels of illiteracy, poverty, scarcity and the uncertainties wrought by the Partition, the Indian public was not a passive recipient of the Constitution, nor were they absent in its making. The process of making the Constitution animated their imagination. They understood what they were getting. And, most importantly, through collective public struggles, Indians made themselves the real protagonists in the theatre of constitutionalism. For the Indian public, therefore, the Constitution was not a sacred book or a textbook, to be interpreted only by "priests" — be they judges or legislators.

Indians made themselves constitution-alists ahead of the Constitution coming into force in 1950. As the tricolour was hoisted on August 15, 1947, their Constitution was already alive. Indians collectively owned the Constitution-in-the-making, reimagining freedom as a transformation of their lives — social, economic, and political. As they have demonstrated during the time of the constitution making and since, they have mobilised in pursuit of this transformative vision persistently.

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WHAT THE OTHERS SAY

"Independence Day celebrations today for millions of this country's citizens will be tempered by the harsh realities of life in modern Pakistan, foremost of which are economic stagnation, political polarisation and resurgent militancy and extremism."
— DAWN, PAKISTAN

Caste is system, not classification

Debate on sub-classification of SCs ends up making Dalits pay the price for the plight of the more oppressed among them



MOGGALLAN BHARTI

FEW ISSUES CAN be debated without nuance, least of all matters of constitutional morality. Any policy that expands social justice — including the Supreme Court's verdict on sub classification within the Scheduled Castes and Scheduled Tribes categories vis-a-vis reservation benefits — is welcome. This newspaper's editorial, ('Deepening justice', IE, August 2), does so. However, in light of the apex court's judgment, some notions must be clarified to understand the larger "circumstances of social justice" — to borrow a phrase from political theorist David Miller — for SCs and STs.

A set of institutions dispensing social and economic goods, and a state committed to social change, together constitute the conditions which are indispensable for social justice to become substantive. In simpler words, Dalits, Adivasis and numerous other marginalised communities are at a historical disadvantage, which continues to play out to this day, despite India being in its 75th year as a constitutional republic.

The state's abysmal failure in removing caste stigma, ending caste-based violence and the general apathy of the people towards the marginalised all speak to the failure of social justice measures to address the matrix of socioeconomic deprivation that we owe to the caste system.

The first — and necessary — step to meaningfully address the glaring social inequalities in India is to carry out a comprehensive caste census across the country. This must not be limited to disadvantaged groups alone — it must include all the sections of society

This requires some elaboration.

There is no denying the fact that there are communities among SCs who have a minimal presence in higher education and public sector employment. (It bears repeating that the collective share of Scheduled Castes as a whole is significantly low in these sectors, despite reservation). Caste data from the 2011 national Census — and there has been no Census since — which enumerates SCs and STs, does provide a basic picture of the internal socioeconomic differentiation within these categories. There is a case for doing more here, so that underrepresented communities can be brought into the net of reservation. However, the explanations for the glaring inequalities vis-a-vis accessing reservation isn't in the perceived discrimination of "better off" SCs against "worse off" SCs. There are several other reasons. Let me just go into two of them.

First, while the privileged castes, due to their social positioning, are conspicuous by their presence in almost all the important public institutions of higher education and

public sector employment, the underprivileged, particularly Dalits, have seen significant improvement in their access to higher education only after the promulgation of the Constitution of India. The constitutional republic became a possibility because of the social and political movements that has preceded it, and laid down the rules for social and political representation essential for a democratic polity. This politics of representation imbued with the larger philosophy of social justice has been the heart of Dalit politics ever since.

Dalits have been striving hard to build a socially just country, in which they participate as equals as envisaged by Ambedkar. That a vast section could only claim their rights because of their empowerment through politics — and one of the most important preconditions of such a politics was to leave their caste occupation and embrace the world of protest, change and emancipation through learning. Effectively then, social mobility among the Scheduled Castes is directly proportional to their untethering from the stigmatised caste occupation. The section that lags behind in their access to reservation is chiefly because of their indifference to this politics of empowerment embedded in Ambedkar's philosophy of a socially, economically and politically just society.

Secondly, and this is connected to the first, the reason for the under-representation of certain sub-castes within SCs is due to their general backwardness arising from low education and income levels, as professor Sukhadeo Thorat, among others, have argued recently. The under-representation of these subcastes owes to truncated capabilities among them — a direct result of the lack of politicisation and not due to the discrimination at the hands of other Scheduled Castes. The impression that the underrepresented among SCs owe their condition to the better-represented presumes that these social groups are a standalone, singular grouping, isolated from the larger scheme of graded inequality inherent in the caste system. This diverts attention from the in-human caste system, and creates an impression that it's Dalits who must bear the responsibility and culpability for those among them who have the least. In reality, their collective disempowered social status is due to the ideology of the caste system as a whole.

We cannot remain oblivious to caste — some even deny its existence as an axis of inequality — when it comes to the sometimes deplorable behaviour of upper castes while at the same time becoming a conscientious society with concerns about extending reservation benefits for neediest when it comes to Dalits.

I am sure there is a possibility of sub-classification among the upper castes as well. After all, they too are not a homogenous group of marauding oppressors — there does indeed exist an enlightened sub-set within them that is anti-caste.

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JAYANT CHAUDHARY

A plan for the young

Skilling can drive India's growth. Budget shows the way

INDIA TODAY IS at a pivotal point where, along with sustained economic growth, we must also harness our demographic dividend. This means empowering people with skills that ensure economic resilience and social inclusion. We must build a roadmap where every member of the workforce has the opportunity to develop useful occupational and vocational skills, upskill to improve the quality of their employment and reskill to utilise new tools for enhancing their competencies. This imperative is particularly relevant for rural India, where equitable access to sustainable livelihood opportunities is not only necessary for economic stability but also social integration.

The next two decades, leading into India at 100 and beyond, could be the most significant in the country's growth trajectory. India is in a position to become the largest contributor to the global workforce. We must, therefore, focus on making the country a global hub for innovation, education, entrepreneurship, and high-quality skills.

The Budget exercise isn't just about placing an account of revenue, expenditure and plans for taxes — ideally, it should also be a statement of intent and resolve. The Union Budget 2024 is a clarion call for an enabling policy framework and ecosystem for the country's youth, who could become catalysts for a high economic growth trajectory. It has

rightfully prioritised the Ministry of Skill Development and Entrepreneurship (MSDE), putting it at the forefront of enabling and empowering our youth. Key initiatives include a centrally sponsored scheme under the Prime Minister's package that will skill 20 lakh youth over the next five years.

A substantial allocation has been made for Industrial Training Institutes (ITIs) for the next five years. Hundred ITIs are to be modernised through a hub-and-spoke model, supported by a total outlay of Rs 60,000 crore. This endeavour has been bolstered by a new centrally sponsored scheme, developed in collaboration with states and industry, to ensure that skilling outcomes meet high standards of quality and relevance — Rs 30,000 crore will come from the Centre, Rs 20,000 crore from state governments, and Rs 10,000 crore from industry contributions, including CSR funding. The capacity of five national institutes will be augmented with the aim of benefiting 20 lakh students, aligning ITI training with industry needs and creating a robust pathway for workforce development.

Another major change is the revision of the Model Skill Loan Scheme up to Rs 7.5 lakh, with a guarantee from a government-promoted fund, expected to benefit 25,000 students annually. This will help us lay greater emphasis on outcomes under our key focus areas, schemes, and initiatives which

are set out below.

The Skill India Mission today supports all flagship schemes of the government, such as PM Kaushal Vikas Yojana (PMKVY), PM Vishwakarma, PM JANMAN Yojana, Lakhpati Didi, Solar Mission, Green Hydrogen Mission and AI for India. Since its inception in 2015, the Mission has equipped millions of young Indians with the skills needed to thrive in a rapidly evolving job market. As Skill India completes 10 years, it is imperative to reimagine the Skill 2.0 landscape and adopt a comprehensive approach to future developments. PMKVY is focused on short-term skill development training. It focuses on the rural youth and has trained over 1.49 crore candidates.

Apprenticeship training has emerged as a cornerstone of skill development and economic growth. Recognising its importance, the Centre has revised the Apprentices Act of 1961 to provide a more conducive training framework. More than 32 lakh youngsters are engaged as apprentices. Integrating apprenticeships into the educational system and linking them to higher education pathways is crucial. To make apprenticeships more attractive, the government shares stipend costs with establishments under the National Apprenticeship Promotion Scheme (NAPS) and has streamlined processes to expedite stipend reimbursements.

An exciting development in this respect is the launch, last year, of the Skill India Digital Hub (SIDH) — a platform for all skilling requirements. The portal has been envisaged as an information repository for all government initiatives related to skilling and entrepreneurship.

There are also plans to make India a global skills hub by equipping our institutions to meet international demands. Students in these institutions will receive financial support through skill vouchers and skill loans. We will also integrate skilling with general academic education, as per the recommendations of the National Education Policy.

India plans to use its demographic dividend to optimise its role in the global economic growth story. In the coming months, major initiatives will be rolled out to put skill development at the forefront of India's growth trajectory. A multi-pronged approach that gives every working age Indian an opportunity to have higher quality and skill-intensive employment will not only separate us from the rest of the world but will ensure that we lead the drive to being the world's leading economy by 2047.

The writer is Union Minister of State (Independent Charge), Ministry of Skill Development and Entrepreneurship, Government of India. Views are personal

LETTERS TO THE EDITOR

DEMANDING SAFETY

THIS REFERS TO the editorial, 'Failing her' (IE, August 14). Doctors' strike across India highlights the risks that medical personnel face in the line of duty. Many states have put in place laws that make violence against healthcare personnel a non-bailable offence, and prescribed fines and jail terms for offenders. However, not many convictions have taken place under these laws. The Kolkata incident underlines the need for workplace safety for doctors and other medical personnel, especially women. Government, hospital management, and society must work towards a safer environment for those who save lives daily.
Khokan Das, Kolkata

TRUMP & MUSK CHAT

THIS REFERS TO the editorial, 'Politician & Tech Bro' (IE, August 14). Donald Trump's conversation on X with owner Elon Musk was marred by technical errors. It was the latest mishap for the Republican nominee as he has sought to regain his footing amid a surge in enthusiasm for his new rival, Kamala Harris. Trump has been trying different ways to break through at a challenging moment for his campaign. Even then, he made at least 20 false claims in that conversation.
SS Paul, Nadia

ODE TO 'PYAASA'

THIS REFERS TO the article, 'When Guru Dutt met Plato' (IE, August 14). Guru Dutt excelled at portraying sorrow and anguish on-screen. His films are cult classics. *Pyaasa*, in particular, shows that the director in him was well-versed in cinematic subversions. Legendary filmmaker Satyajit Ray also admired Dutt's piece de resistance for his remarkable sense of rhythm and fluidity of camera. Sahir Ludhianvi poured the protagonist's bitterness and disillusionment into the songs. Dutt was fortunate to have him.
SH Quadri, Bikaner

QUOTA POLITICS

THIS REFERS TO the article, 'The post-Mandal moment' (IE, August 14). The SC verdict on sub-classification of SCs/STs has expanded the scope of substantive equality in the delivery of justice. It has paved the way for the empowerment and representation of hitherto marginalised communities. However, the responses, particularly from Dalit leaders virtually negating the sub-classification do not align with the spirit of equity. The *obiter dicta* on creamy layer exclusion can't be a fig leaf for politicians to obfuscate the reality of power asymmetry within marginalised communities.
LR Murmu, New Delhi