

PEOPLE IN INDIA WOULD KNOW THEIR FUNDAMENTAL RIGHTS

Dr. B. R. Ambedkar, the Law Minister, Government of India, visited Hyderabad. He addressed a meeting held in the Boat Club, under the auspices of the Hyderabad Progressive Group on 24-5-1950. Certain questions were put to him by the correspondents and members of the audience in regard to the Constitution, Democracy, Untouchability etc.

Parliamentary Democracy in India

There are moments when I think that the future of Democracy in India is very dark. But, I do not want to say that I have not other moments when I feel that if all of us put our shoulders together and pledge ourselves to “constitutional morality” we should be able to build up a regular party system in which there could be liberty, equality and fraternity.

Fundamental Rights Embodied in The Constitution Of India

It is wrong to suppose that fundamental rights conferred absolute rights on the citizens. We have certain limitations on Fundamental Rights which are necessary for the safety of the State. While we drafted the Constitution, we took care to see that individual liberty was not unduly affected by limitation on fundamental rights.

The best guarantee of fundamental rights was to have a good opposition in Parliament, in which case the Government was bound to behave properly.

The second safeguard was legal. For instance, a Minister acted on reports submitted by the C. I. D. in arresting and keeping a person under the preventive detention. The question that arose was were the reports of the C. I. D. genuine. This is a difficult question to solve.

I should have thought that legal ingenuity ought to be able to find some way of imposing some restrictions or some limitations upon the power of the Minister to act upon such reports so that there is enough ground for taking executive action and that there is sound semblance of genuineness in the report submitted. If that is done, I think, then the Supreme Court is there as another safeguard.

India is now in a transitional stage. When the U. S. A. framed its Constitution and incorporated the fundamental rights therein, its people did not know what the nature, scope and limitations of those rights were. It was only after a long course of judicial decisions of the Supreme Court that the difficulties were settled, and the nature, scope and limitations of fundamental rights were all laid down. Similarly, I am sure that after a period of five or ten years, people in India would know their fundamental rights and what their Constitution meant for them.

Adult Franchise

Question : Why was adult franchise introduced in India all of a sudden and not gradually ?

Answer: I think the party in power was so much committed to the principle of adult suffrage that notwithstanding the fact that towards the end they began to feel somewhat doubtful about its utility, they could not go back to it.

Personally, I am not at all afraid of adult franchise. I am one of the few people who are very much in touch with the masses and I feel certain that there is no fear of adult suffrage being misunderstood or misrepresented in any way. The only difficulty I feel about adult suffrage is the capacity of the attenuated official machinery to carry out the entire polling of this vast mass of voters in the country. The only way by which that difficulty could be solved, in my judgement, is not to have election in all the constituencies in one day, but to spread them over a few days to enable the machinery to function efficiently.

Question : Is it a fact that in the meeting of Hyderabad Scheduled Castes Federation Working Committee it was decided to give an ultimatum to Caste Hindus that if they did not

stop harassing the Scheduled Castes and recognise their rights, the Scheduled Castes would take the matter to the UN?

Answer: There was no agenda for the meeting and no resolutions were passed.

It is always, however, open to any section of the people in any country to go to the Human Rights Commission, if it feels oppressed.

Untouchability

The problem of Untouchability in India is assuming an economic aspect now which formerly it did not.

I suppose that the lot the Untouchables in the country is better now than was the case five or six years ago, but they might have progressed better and quicker if certain impediments were not in their way.

On Having A Common Civil Code For All Communities

Question : Is it not possible to have a common civil code for all communities inhabiting India, like the Hindus, Muslims, Christians, Parsis etc?

Answer: It is not so easy to produce a civil code applicable to all in this country irrespective of caste or religion. Obviously it is quite clear we cannot import principles of justice from some country outside India *denovo*. We do not have a clean slate. We should take the Hindu Law, the Muslim Law, the laws governing the Christians and other communities and other acts and find out a common denominator. We can go to every community and try to tell them to accept the common denominator in the interests of uniformity of law.

But first of all, we should know our own law and what it is. For instance, the Hindu Law is a 'Jungle'. It must be codified so that people may have an idea about laws governing them before they can consider having a common code.