

SPEECH ON THE IMPORTANCE OF CONSTITUTIONAL DEMOCRACY AT UNIVERSITY OF ENGINEERING AND MANAGEMENT

I am happy to be present here today on the occasion of inauguration of new Campus Complex of the University of Engineering & Management. It is indeed a matter of pleasure for me that the University shall also be inaugurating a "**Centre for Study & Research on the Indian Constitution and Democracy**". Though the upcoming Centre has been named after me, I would like to stress that I am no expert on the Constitution or the working of Indian Democracy. I have been a creation of Indian Democracy, who has striven to very sincerely remain a constitutionalist, a student of our Parliamentary Democracy and a servant of people of India in which ever capacity I got an opportunity to serve.

2. It is heartening that the University of Engineering & Management has focused on not on quantitative but also qualitative aspects of education and aims at overall development of its students personality. I would consider the establishment of the Centre for Constitution and Democracy Studies, as a step further in that direction. To a common

observer, it would sound strange that an Institution imparting education in the technical fields of Engineering and Management would have a Centre dedicated to the study of the Constitution and Democracy. However, to my mind, the study of the Constitution of India and an insight into the functioning of its democracy cannot be limited to students of Social Sciences and disciplines of Political Science, Law and History. Students, irrespective of their choice of discipline, should have a deep understanding of India's Constitution and Democracy. In fact, each and every citizen, irrespective of his profession or subject of specialization, should have the knowledge of our Constitution and Democracy, since the operationalization and functioning of these two, is influenced by every citizen and in-turn influences and affects every citizen's life.

Dear Friends,

3. On 26th of January, 1950, we gave ourselves the Constitution. Through this document we, as citizens, entered into a social contract with our state to forge a powerful public-private partnership nourished by justice, liberty and equality.

4. Our Constitution is undoubtedly the most important legacy bequeathed to us by our founding fathers. Why does it command this amount of reverence? It is so, because, a

Constitution is a charter for the governance of a nation. It defines the nature and procedure of the governance and lays down rules for setting up and functioning of its institutions. The beauty of our Constitution lies in its flexibility and scope for interpretation which makes it responsive to the need of the times and is enriched by the experience of the decades. Yet, the Constitution enshrines certain timeless values that remain as our guiding principles.

5. The Indian Constitution is the holy book of democracy. It is a lodestar for the socio-economic transformation of an India whose civilization has celebrated pluralism, advocated tolerance and promoted goodwill between diverse communities. These values, however, need to be preserved with utmost care and vigilance.

6. The father of our Constitution - Dr. B R Ambedkar - saw great potential in using the Indian Constitution as a powerful instrument of socio-economic transformation and with this intention, introduced into the draft Constitution, a variety of provisions which would enable full accountability of the Government, checks and balances, protection of fundamental rights, independent institutions and consistent movement towards social democracy. Dr Ambedkar played a crucial role in laying down the Directive Principles of State Policy, a unique feature of the Indian Constitution. These principles mandate

that the State shall strive to promote the welfare of the people by securing and protecting a just social order. These principles lay the foundation for a social democracy. In Dr. Ambedkar's words, ***"Our Constitution is not only a political or legal document but also an emotional, cultural and social contract."*** My distinguished predecessor Dr. Sarvepalli Radhakrishnan had said on the eve of Independence Day fifty years ago and I quote: ***"We have adopted a democratic Constitution. It helps us to maintain our individuality in the face of mounting pressures for standardized thinking and acting..... Democratic Assemblies serve as safety valves for social tensions and prevent dangerous explosions. In an effective democracy, its members should be willing to accept law and lawful authority. No man, no group can be his or its own law giver"*** (unquote).

7. India's journey since independence has seen many successes. The greatest challenge for our founding fathers was to come up with a viable system of government. We have in the last 68 years established a successful parliamentary democracy, an independent Judiciary and strong institutions like the Election Commission, CAG etc. to sustain and support our political system.

8. It must be noted in the above regard that in practice our political system has been innovative and flexible. Our commitment to constitutional methods has resulted in many

interesting modern day manifestations. For example, the Right to Information Act is a unique and powerful instrument created by law to empower people and enable them access information from any department of the Government on any subject advancing thereby openness and transparency. Similarly, the Supreme Court of India, through Public Interest Litigation, has enabled the common man access to the highest courts of justice by just sending a post card. High Courts and Supreme Court have also taken *suo motu* cognizance of violation of fundamental rights and initiated action on their own setting aside the conventional notions of *locus standi*. We also witnessed recently the phenomenon of a popular agitation led by Shri Anna Hazare resulting in civil society gaining direct voice in the legislative process, hitherto, reserved only for elected members of the Parliament and state Legislatures. A draft Lok Pal bill was finalized through consultation between representatives of civil society and senior members of the Government prior to presentation in Parliament and subsequent adoption as law. All the above reflect the strength of Indian democracy and the dynamism of the Constitution.

9. When India became independent, many in the world thought our democratic experiment would never succeed. They looked at our diversity, poverty as well as the lack of education of our people and predicted that India would lapse into

authoritarian rule or military dictatorship. But, the people of India proved these prophets of doomsday wrong.

10. Our founding fathers pulled together India's remarkable diversity to build national unity, which has brought us so far. The Constitution represented a second liberation, this time from the stranglehold of traditional inequity in gender, caste, community, along with other fetters that had chained us for too long. The enduring democratic institutions they established have given us the gift of continuity on the path of progress. India today is a rising power, a country fast emerging as a global leader in science, technology, innovation and start-ups, and whose economic success is the envy of the world.

11. From within the spacious provisions of our Constitution, India has grown into a beautiful, vibrant, and sometimes noisy democracy. For us, the democracy is not a gift, but the fundamental right of every citizen; for those in power democracy is a sacred trust. Those who violate this trust commit sacrilege against the nation.

12. Some cynics may scoff at our commitment to democracy but our democracy has never been betrayed by the people; its fault-lines, where they exist, are the handiwork of those who have made power a gateway to greed. We do feel angry, and

rightly so, when we see democratic institutions being weakened by complacency and incompetence. If we hear sometimes an anthem of despair from the street, it is because people feel that a sacred trust is being violated.

13. It is a reality; however, that despite all the achievements in which we can take legitimate pride, our democracy continues to face many challenges. Large numbers of Indians still live in poverty, deprivation and want. Casteism too sadly remains a phenomenon we are yet to wipe out from our country and society.

14. Corruption is a cancer that erodes democracy, and weakens the foundations of our state. If Indians are enraged, it is because they are witnessing corruption and waste of national resources. If governments do not remove these flaws, voters will remove governments.

15. Equally dangerous is the rise of hypocrisy in public life. Elections do not give any person the license to flirt with illusions. Those who seek the trust of voters must promise only what is possible. Populist anarchy cannot be a substitute for governance. False promises lead to disillusionment, which gives birth to rage, and that rage has one legitimate target: those in power.

16. This rage will abate only when governments deliver what they were elected to deliver: social and economic progress, not at a snail's pace, but with the speed of a racehorse. The aspirational young Indian will not forgive a betrayal of her future. Those in office must eliminate the trust deficit between them and the people. Those in politics should understand that every election comes with a warning sign: perform, or perish.

17. Our first Prime Minister, Jawaharlal Nehru believed that democracy was something deeper than voting, elections or a political form of government. He said ***"In the ultimate analysis, it is a manner of thinking, a manner of action, a manner of behaviour to your neighbour and to your adversary and opponent."***

18. Let me read certain extracts from the well known speech made to a Constituent Assembly on November 25, 1949 by Dr. B.R. Ambedkar. He said and I quote:

".....however good a Constitution may be, it is sure to turn out bad because those who are called to work it, happen to be a bad lot. However bad a Constitution may be, it may turn out to be good if those who are called to work it, happen to be a good lot. The working of a Constitution does not depend wholly upon the nature of the Constitution. The Constitution can provide only the organs

of State such as the Legislature, the Executive and the Judiciary. The factors on which the working of those organs of the State depends are the people and the political parties they will set up as their instruments to carry out their wishes and their politics.”

Dear Students, Ladies and Gentlemen,

19. Seventy years since independence and 68 years after we adopted our Constitution, we have remained steadfast in our commitment to democracy, yet, we must be conscious of the fact that our democracy requires constant nurturing. At no cost should we allow the exploitation of the fault lines. Those who spread violence must remember that Buddha, Ashoka and Akbar are remembered as heroes in history; not Hitler or Genghis Khan.

20. Let us strive for rapid progress but even as we do so, ensure that the benefits of economic progress percolate down to the poorest of the poor and those living in the farthest corners of our country. Let us make the poorest in our land part of the story of a rising India. Let us embrace education, skill development and innovation which will enable us catapult India into the future and build a knowledge economy, riding the technological wave of the 21st century.

21. The soul of India resides in pluralism and tolerance. India is not just a geographical entity. It carries a history of ideas, philosophy, intellect, industrial genius, craft, innovation and experience. Plurality of our society has come about through assimilation of ideas over centuries. The multiplicity in culture, faith and language is what makes India special. We derive our strength from tolerance. It has been part of our collective consciousness for centuries. There are divergent strands in public discourse. We may argue, we may agree or we may not agree. But we cannot deny the essential prevalence of multiplicity of opinion. Otherwise, a fundamental character of our thought process will wither away.

22. Let me conclude by reiterating once again that we the people of India gave to ourselves our Constitution. Despite challenges, it has guided us and served our National aspirations very well. It is our solemn duty to bear true allegiance to it – more than anyone else it is you, the bright and ignited minds present here today, and the millions like you across the country, who will have to be the flag bearers of our future.

Thank You
Jai Hind