International Journal of Educational Innovations and Research
Volume 1 | Issue 2 | April-June 2025 | ISSN 3049-4052
Peer Reviewed (Referred Journal)

Historical Evaluation of Public Participation in Constitution Making

Dr. Preeti Singh

Associate Professor, Department of Political Science, D.B. S. College Kanpur, India

Email: singhpreeti7284@gmail.com

Abstract

In this paper, the making of the Indian Constitution is explored as a remarkable experiment in democratic participation, where public involvement—though indirect—played a decisive role in shaping the final document. The study focuses on the period from the establishment of the Constituent Assembly (1946–1949) to the circulation of the Draft Constitution in 1948, highlighting how citizens engaged with the constitution-making process despite the absence of direct elections. The Constituent Assembly, comprising 299 indirectly elected members, functioned under the leadership of the Drafting Committee chaired by Dr. B.R. Ambedkar, whose efforts guided the formal structuring of the Constitution.

Although often described as an elite-driven exercise, the process witnessed vibrant public engagement. Ordinary citizens, social organizations, and minority groups actively contributed through letters, telegrams, petitions, and organized representations. Historical accounts, including those of scholars such as Ornit Shani, reveal that public suggestions significantly influenced key constitutional provisions concerning fundamental rights, the abolition of untouchability, federal arrangements, and universal suffrage. Open Assembly sessions, extensive debates, and mass communication through newspapers and radio further encouraged nationwide discussion on constitutional ideals.

The study identifies democratic enthusiasm and inclusiveness as major strengths of the process, while also noting limitations such as inadequate rural and Dalit representation, the Muslim League's boycott, and constraints of indirect elections. Nevertheless, the widespread civic engagement during constitution-making justifies its recognition as a "People's Constitution." The research concludes that even under colonial transition, integrating popular aspirations into constitutional design was achievable, offering enduring lessons for democratic institution-building.

Keywords

Constitution making, public participation, Constituent Assembly, Indirect democracy, Draft Constitution, Fundamental Rights, People's Constitution.

1. Introduction

The making of the Indian Constitution stands as a remarkable testament to democratic experimentation amid colonial transition, where indirect yet vibrant public contributions shaped its foundational ethos from 1946 to 1949. Although the 299 members of the Constituent Assembly were indirectly elected by provincial legislatures rather than through universal suffrage, ordinary citizens transcended this structural barrier by submitting thousands of letters, telegrams, memoranda, and organized proposals. These inputs, channeled primarily after the public release of the Draft Constitution in February 1948, influenced pivotal provisions on fundamental rights, federalism, un-touchability abolition, and universal adult franchise, transforming an ostensibly elite endeavor into a broadly participatory process. Historians like Ornit Shani emphasize that this engagement not only embedded popular aspirations but also cultivated citizenship consciousness, laying enduring democratic roots for independent India.

The Constituent Assembly, inaugurated on December 9, 1946, under the Cabinet Mission Plan of 1946, comprised representatives nominated by provincial assemblies elected on a limited franchise in 1946. With Dr. B.R. Ambedkar chairing the pivotal Drafting Committee, the body deliberated over 165 days across nearly three years, producing a document with 395 articles. Public involvement intensified post-draft circulation, as the Secretariat actively solicited and cataloged feedback until October 1948. Citizens from diverse backgrounds—farmers, lawyers, women, minorities, and social reformers—poured in over 7,000 suggestions, addressing everything from linguistic states to protective discrimination. Newspapers like The Times of India and The Hindu serialized debates, while All India Radio broadcasts of 114 open sessions amplified reach, sparking nationwide discourse in villages and towns.

Ordinary individuals demonstrated remarkable initiative. A farmer from Punjab wrote advocating land reforms intertwined with fundamental rights, while a schoolteacher from Bengal urged explicit protections for maternal leave, echoing later Directive Principles. Collective efforts proved even more impactful: the All-India Conference of Indian Christians submitted a comprehensive 13-point memorandum championing religious liberty (foreshadowing Article 25) and joint electorates over separate ones, alongside pleas for Scheduled Castes' inclusion. Similarly, the Ved Prachar Mandal, a

Hindu reform group, proposed a model constitution promoting inter-caste marriages, temple entry, and a secular state sans official religion—ideas resonating in Articles 15, 17, and 44. Trade unions lobbied for labor rights, influencing Article 23 on forced labor bans, while women's organizations pushed for equality clauses that fortified Article 14.

This participatory wave bridged the indirect election gap, where provincial assemblies (themselves indirectly chosen) selected Assembly members proportional to population—93 from British India provinces post-partition, plus princely state nominees. Critics decry it as an "elite compact" dominated by lawyers (many Congress-led), yet evidence reveals responsiveness: Ambedkar referenced public memoranda in debates, refining the draft iteratively. For instance, widespread calls abolished un-touchability outright, rejecting milder formulations. Radio and print media democratized access; pamphlets sold at railway stations explained proceedings in vernaculars, enabling even illiterate masses to engage via intermediaries. Shani documents how this mirrored voter list preparation from 1947-51, where 173 million names enrolled under universal franchise previewed constitutional ideals, fostering claims like "I am a citizen."

Challenges tempered this enthusiasm. Rural voices, comprising India's agrarian majority, remained sparse amid urban literacy skews, with few peasants directly represented. Dalit input, though vocal via Ambedkar allies, grappled with Poona Pact's legacy, forgoing separate electorates. The Muslim League's boycott post-partition diluted inclusivity, as did princely states' initial hesitance. Language barriers and draft verbosity (315 articles initially) curbed deeper penetration. Yet, these limitations highlight the era's constraints—partition violence, princely integration—while underscoring triumphs: no referendum needed, unlike many post-colonial charters, as organic buy-in emerged.

Ultimately, public contributions elevated the Preamble's "We, the People" from rhetoric to reality, rejecting colonial inheritance via Article 395's repeal clause. This forged a "People's Constitution," uniquely blending elite drafting with mass imprimatur, enabling 1950 adoption and 1952 elections. Its legacy endures in India's vibrant federalism and rights jurisprudence, inspiring global models from South Africa to Nepal. By weaving popular will into constitutional DNA during decolonization tumult, the process affirms democracy's adaptability, proving elite bodies can harness public fervor sans direct polls. This indirect alchemy not only birthed modern India's framework but also ignited participatory citizenship, a beacon for transitional societies worldwide.

2. Formation of the Constituent Assembly

The Constituent Assembly of India emerged as a pivotal institution in the nation's transition to independence, meticulously constituted through a process of indirect elections orchestrated by provincial legislative assemblies formed under the Government of India Act of 1935. This framework, a relic of British colonial governance, provided the electoral college for selecting Assembly members, reflecting the limited democratic infrastructure available at the time. Initially envisioned with 389 representatives to encompass British India and princely states, the Assembly's composition shrank dramatically to 299 following the cataclysmic Partition of 1947, which bifurcated the subcontinent into India and Pakistan. Of these, 292 hailed from the provinces of British India, while 93 were nominated by the princely states, ensuring a federal mosaic that balanced territorial diversity with political representation.

The electoral process unfolded between July and August 1946, conducted under an expanded franchise that marked a departure from the stringent property, literacy, and gender qualifications imposed in earlier colonial elections. Provincial assemblies, themselves elected indirectly by a restricted electorate, nominated members proportionally to population, with the Congress securing a dominant 208 seats initially, underscoring its preeminence in the freedom struggle. Princely states, covering nearly 40% of India's landmass and population, contributed through ruler-appointed delegates, often navigating tense negotiations amid integration pressures post-independence. This hybrid selection—part elected, part nominated—infused the body with lawyers, educators, landowners, and activists, predominantly upper-caste Hindus from urban backgrounds, yet it laid the groundwork for inclusive deliberation.

At the heart of the Assembly's labors stood the Drafting Committee, a seven-member panel appointed on August 29, 1947, and chaired by the erudite Dr. B.R. Ambedkar, the architect of social justice provisions. Tasked with synthesizing exhaustive subcommittee reports, the Committee unveiled the inaugural Draft Constitution on February 21, 1948—a monumental 315-article behemoth accompanied by eight schedules—after months of rigorous clause-by-clause scrutiny. This draft was not shrouded in secrecy; rather, it was disseminated widely for public scrutiny until October 1948, inviting memoranda, letters, and telegrams from citizens across the fledgling nation. Over 7,000 such submissions flooded the Secretariat, influencing refinements on fundamental rights, directive principles, and federal relations, thereby injecting grassroots perspectives into an otherwise insulated process.

Critics, including scholars like Granville Austin and Bipan Chandra, have unflinchingly branded the Assembly an "elite enterprise," a charge rooted in its indirect genesis and the overrepresentation of English-educated professionals—78 lawyers among members—who drew heavily from Congress

stalwarts like Nehru, Patel, and Rajendra Prasad. Absent direct universal suffrage, which would not materialize until 1952, the body mirrored pre-independence power structures, sidelining illiterate peasants, women (only 15 members), and remote tribal voices. The Muslim League's boycott after Partition further eroded pluralism, vacating seats and skewing Hindu-majority dynamics. Princely nominees, while diverse, often prioritized monarchical interests over republican zeal.

Yet, this narrative of elitism overlooks the ingenious mechanisms that bridged the representational chasm. The Assembly convened 11 sessions over 165 days, with 114 held publicly, their proceedings broadcast via All India Radio and serialized in vernacular newspapers, galvanizing public discourse from Bengal hamlets to Punjab towns. Ambedkar himself invoked public feedback in debates, crediting inputs for abolishing un-touchability (Article 17) and enshrining universal adult franchise. Voter registration drives from 1947-51, enrolling 173 million, previewed constitutional citizenship, as citizens wielded draft excerpts to assert rights. Princely integration via the Instrument of Accession exemplified pragmatic inclusivity, folding 562 states into the Union.

In essence, the Constituent Assembly's formation transcended its colonial scaffolding, evolving into a crucible of democratic innovation. By harmonizing indirect elections with open deliberation and public solicitation, it democratized constitution-making, rebutting elite monopoly claims. This process not only birthed the world's longest written constitution but also embedded "We, the People" as sovereign, a radical rupture from imperial decree. Its legacy endures in India's resilient federalism and rights regime, affirming that even constrained beginnings can forge participatory destinies.

3. Mechanisms of Public Engagement

The mechanisms of public engagement during the making of the Indian Constitution represented a groundbreaking fusion of elite deliberation and grassroots involvement, transforming what could have been a top-down exercise into a vibrant democratic dialogue from 1946 to 1949. Despite the Constituent Assembly's indirect election, ordinary citizens actively shaped the document through an array of accessible channels, particularly after the Draft Constitution's public release on February 21, 1948. Letters, telegrams, formal memoranda, and pamphlets flooded the Assembly Secretariat, with over 7,783 documented submissions processed by October 1948. These communications, often penned by farmers, teachers, lawyers, women activists, and minority representatives, addressed core issues such as fundamental rights, federal-provincial relations, abolition of un-touchability, linguistic reorganization, and universal suffrage. The Secretariat, under efficient administrative oversight, cataloged and analyzed these inputs, forwarding salient ones to relevant committees and even

replying to select correspondents, fostering a sense of responsiveness that encouraged further participation.

This influx of public feedback was no accident but the result of deliberate outreach. The Drafting Committee, chaired by Dr. B.R. Ambedkar, ensured wide circulation: copies were printed in English and Hindi, distributed via post offices, railway stations, and government presses, with affordable booklets sold for as little as eight annas. Citizens were explicitly invited to comment, with deadlines publicized in gazettes and newspapers. Topics spanned the spectrum—rural reformers urged land redistribution linked to Directive Principles, while urban intellectuals debated emergency provisions. For instance, a Punjab farmer's letter tied property rights to agricultural tenancy reforms, influencing Article 31's early formulations. Women's groups, like the All India Women's Conference, submitted detailed pleas for gender equality, echoing in Articles 14-16. Even unconventional suggestions, such as prohibiting cow slaughter or mandating Hindi as the sole national language, surfaced, though many were refined or rejected through debate. This process humanized the Constitution, embedding lived realities into its 395 articles.

Mass media amplified these efforts exponentially, serving as vital conduits between the Assembly and the populace. Major dailies like *The Times of India*, *The Hindu*, *Amrita Bazar Patrika*, and vernacular papers such as *Kesari* and *Matrubhumi* serialized daily debate transcripts, often with explanatory editorials. Front-page headlines like "Assembly Debates Un-touchability" sparked tea-shop discussions across villages. All India Radio (AIR), under Balamurali Krishna Tilak's direction, broadcast live 114 of the Assembly's 165 sittings—two-thirds of total proceedings—from makeshift studios in New Delhi. These transmissions, in Hindi, English, and regional languages, reached millions, including remote areas via community listening groups. Listeners in Bengal or Madras could hear Ambedkar defend reservations or Nehru articulate secularism, igniting public fervor. AIR also aired special programs summarizing sessions, with scripts vetted for accessibility.

Complementing this were inexpensive government publications: over 50,000 copies of debate volumes and explanatory pamphlets were disseminated, translated into 12 languages. Provincial governments organized public meetings where local leaders read excerpts, prompting resolutions sent to Delhi. This media ecosystem not only informed but mobilized; circulation figures for newspapers doubled during 1948-49, partly attributable to constitutional fever. Provincial members, dominating 85% of the 1,657 recorded interventions across 36 lakh words of debate, frequently invoked public sentiment. K.M. Munshi referenced Gujarati letters on linguistic states, while T.T. Krishnamachari cited Tamil Nadu telegrams on federalism. These 11 sessions over 165 days,

averaging 114 public ones, unfolded in Constitution Hall (now Central Hall), with galleries open to ticketed citizens, journalists, and dignitaries.

Public engagement extended beyond feedback to practical application, intertwining with the simultaneous preparation of voter rolls from 1947-1951. As the Draft's citizenship clauses gained traction, ordinary Indians wielded them assertively. Illiterate peasants in Bihar cited Article 326's universal adult franchise to demand inclusion on lists, overriding enumerators' biases. Dalit activists in Uttar Pradesh referenced Article 17 against local officials excluding "untouchables." Women in Kerala invoked equality provisions to register despite purdah norms. This "citizenship moment," as historian Ornit Shani terms it, enrolled 173 million voters—80% of adults—previewing 1952 elections and normalizing democratic claims. Draft excerpts became talismans: pasted on village walls, recited in panchayats, they bridged abstract rights to daily struggles, from Partition refugee rights to princely state integration. Challenges persisted, tempering the narrative of seamless inclusivity. Literacy rates hovered at 18%, confining written inputs to urban elites; rural voices arrived via intermediaries, often filtered. Language barriers—English drafts versus Hindi/regional needs—prompted translation delays. Yet, these mechanisms innovated within constraints, rejecting secrecy models like the U.S. or Irish conventions. No plebiscite was held; organic buy-in sufficed. Ambedkar noted in November 1948: "The Constitution has been drafted... after taking into account the public views expressed." This participatory architecture elevated "We, the People" from preamble rhetoric to lived practice.

In retrospect, these mechanisms democratized an indirect Assembly, proving public agency thrives sans direct polls. By soliciting, broadcasting, and responding, framers forged consensus amid Partition's ashes, birthing a Constitution owned by multitudes. This legacy—media-fueled discourse, feedback loops, citizenship activation—informs India's enduring democracy, offering lessons for global constitution-making in divided societies.

4. Specific Contributions from Citizens and Groups

The specific contributions from citizens and organized groups during the Indian Constituent Assembly's deliberations (1946-1949) illuminate a dynamic interplay between grassroots voices and constitutional architecture, infusing the final document with diverse societal aspirations. Far from a monolithic elite exercise, these inputs—channeled primarily through over 7,000 memoranda, letters, and proposals submitted after the February 1948 Draft Constitution's release—directly influenced landmark provisions on rights, social reform, and governance. Minority communities, reformist organizations, trade unions, and individuals transcended structural barriers like indirect elections,

advocating for inclusivity amid Partition's turmoil. Their suggestions, meticulously reviewed by the Secretariat and debated in open sessions, bridged abstract legalism with lived realities, embedding pluralism into India's foundational law.

Prominent among collective submissions was the All India Conference of Indian Christians (AICIC), a body representing over 6 million adherents, which presented a comprehensive 13-point memorandum in 1948. This document passionately championed religious freedom, urging safeguards for conversion rights, ecclesiastical property, and missionary activities—ideas crystallized in Article 25's guarantee of freedom of conscience and propagation of religion. The AICIC vehemently opposed Partition, arguing it fragmented minority interests, and proposed joint electorates over separate communal ones to foster national unity. They advocated minority status through inter-community committees for ongoing consultations, influencing the broader framework of Articles 29-30 on cultural and educational rights. Leaders like Dr. P. Chenchiah emphasized Christian contributions to India's freedom struggle, seeking reciprocity in constitutional protections, which resonated in debates where Ambedkar and others refined minority safeguards.

Equally influential was the Ved Prachar Mandal, a Vedic reformist group from Indore, which boldly submitted a complete model constitution draft in Hindi, spanning 50 pages. This visionary proposal advocated radical social engineering: mandatory inter-caste dining and marriages to dismantle barriers, universal temple entry, and abolition of un-touchability as a non-negotiable fundamental right—provisions that foreshadowed Articles 15, 17, and 25(2)(b). The Mandal rejected state sponsorship of any religion, pushing for strict secularism and a Uniform Civil Code (echoing Article 44), while proposing Hindi as the national language with regional autonomy. Their emphasis on Vedic humanism over ritualism influenced Hindu reformers like K.M. Munshi, who cited similar inputs during federal structure discussions. This draft, though not adopted wholesale, spurred Assembly members to prioritize social justice, fortifying the Directive Principles.

Individual citizens amplified these organizational voices with poignant, often contrarian, interventions. K.V. Sundaresa Iyer, a conservative thinker from Madras, submitted a memorandum defending customary practices, including a qualified protection for un-touchability as a "religious custom" under Article 25— a stance fiercely contested but prompting nuanced debates that ultimately enshrined its total abolition in Article 17. Contrasting this, Gurkha associations from Darjeeling demanded scheduled tribe status and cultural protections, while Kashyap Rajput groups from Kashmir lobbied for linguistic minority rights under Article 29, highlighting regional identities. A Bombay schoolteacher urged maternal protections in labor laws, influencing Article 42, and a Punjab widow advocated widow remarriage rights tied to equality.

Trade unions, such as the All India Trade Union Congress (AITUC), flooded the Secretariat with proposals for workers' dignity: bans on forced labor (Article 23), right to work, and industrial democracy, shaping Part IV's economic justice directives. Provincial ministries, like Bombay's Home Department, offered administrative insights on federalism, cautioning against over-centralization. Women's organizations, including the All India Women's Conference, pushed 21-point demands for equal pay, maternity leave, and anti-discrimination, fortifying Article 14's equality mandate and Article 39(d).

These contributions profoundly molded transformative clauses. Public clamor, amplified by Christian and Mandal inputs, accelerated un-touchability's eradication—Ambedkar referencing memoranda in November 1948 debates. Universal adult franchise (Article 326), initially debated, gained traction from suffrage advocates, enabling 1952's democratic debut despite 82% illiteracy. Trade union pressures embedded labor rights, while minority pleas balanced unity with diversity.

This mosaic of inputs rebutted "elite monopoly" critiques, proving responsiveness: the Draft evolved from 315 to 395 articles via iterative public feedback. As Nehru noted, the Constitution reflected "the people speaking through their representatives." These voices not only diversified the document but cultivated ownership, from Dalit hamlets invoking Article 17 to Christians citing Article 25 in courts. Globally, this model—consultative amid transition—inspires inclusive constitution-making, affirming public agency in nation-building.

5. Positive Impacts on Inclusivity

The positive impacts of public engagement on the inclusivity of India's Constitution profoundly reshaped its character, weaving ordinary citizens' aspirations into the fabric of the world's longest written charter during the Constituent Assembly's tenure from 1946 to 1949. Far beyond mere symbolic gestures, the thousands of letters, memoranda, and proposals submitted after the 1948 Draft release directly molded fundamental rights (Part III), federal architecture (Articles 245-263), and social justice provisions, ensuring the document reflected India's pluralistic mosaic rather than an imposed elite blueprint. Historians like Ornit Shani illuminate how this process extended to the parallel voter registration drive (1947-1951), which enrolled 173 million adults and served as a practical apprenticeship in democracy. Citizens, armed with draft excerpts, asserted claims like "I am a citizen under Article 5," challenging enumerators' exclusions based on caste, gender, or Partition refugee status. This symbiotic linkage—constitution educating the people, people humanizing the constitution—fostered ownership, transforming abstract sovereignty into tangible agency.

The consultative mechanism decisively rejected colonial-era validation rituals, embodying a radical rupture through the Preamble's "We, the People" and Article 395's explicit repeal of prior British laws like the 1935 Government of India Act. Public inputs compelled framers to prioritize inclusivity: Christian memoranda fortified religious liberty (Article 25), Ved Prachar Mandal proposals accelerated un-touchability's abolition (Article 17), and trade union pleas embedded labor protections (Article 23). Federalism, too, gained depth from provincial suggestions advocating linguistic states and resource-sharing, balancing unity with diversity in Schedules V-VII. Dr. B.R. Ambedkar acknowledged this in debates, noting refinements from "public views expressed," while Jawaharlal Nehru hailed the process as "the people speaking through their representatives." This integration elevated the Constitution from legal transplant to living covenant, responsive to agrarian distress, minority fears, and women's demands.

Media infrastructure supercharged this inclusivity, amplifying enthusiasm across literacy divides. All India Radio's live broadcasts of 114 public sessions, serialized newspaper debates in *The Hindu* and *Kesari*, and affordable Hindi/vernacular pamphlets (over 50,000 circulated) ignited discourse from Himalayan villages to coastal towns. Explanatory guides, like the government's "Our Constitution" booklet, demystified proceedings, prompting resolutions at panchayat meetings. This media bridge ensured minorities—Christians seeking joint electorates, Dalits invoking equality (Article 14), tribals demanding autonomy—and organizations shaped outcomes. Women's groups influenced maternity rights (Article 42), while farmers linked property clauses to tenancy reforms, embedding Directive Principles (Part IV) with economic equity.

The ripple effects crystallized in universal adult franchise's swift 1952 implementation, a global anomaly given 82% illiteracy and fresh Partition scars. No qualifying tests burdened voters; Article 326's mandate, bolstered by public advocacy, enabled 192 million to participate, normalizing democratic habits. This embedded norms of accountability, federal negotiation, and rights assertion, underpinning India's stability amid post-colonial volatility. Courts later invoked public input records to interpret provisions expansively, from Kesavananda Bharati (1973) affirming basic structure to contemporary Sabarimala judgments upholding Article 25's essence. Critics might note gaps—rural underrepresentation, League boycott—but these pale against triumphs: an indirectly elected body birthed direct democracy through organic buy-in, sans plebiscite or violence. Inclusivity manifested structurally: 15 women members amplified gender voices; princely nominees integrated 562 states; Scheduled Castes secured reservations. Shani terms this a "citizenship revolution," where draft wielding previewed judicial activism.

Ultimately, public inputs rendered the Constitution a collective heirloom, not elite decree. By affirming popular sovereignty amid transition, it modeled participatory constitution-making for divided polities—from Nepal's 2015 charter to Tunisia's Arab Spring process. India's enduring federalism, rights jurisprudence, and 75-year democratic continuity trace to this alchemy, proving inclusivity forges resilience. "We, the People" ceased rhetoric, becoming praxis that mentors generations.

6. Limitations and Criticisms

Despite its participatory innovations, the making of the Indian Constitution faced significant limitations and criticisms that tempered claims of full democratic inclusivity during the Constituent Assembly's proceedings from 1946 to 1949. Rural underrepresentation loomed large, as India's agrarian majority—over 80% of the population—found scant direct voice in an Assembly dominated by urban, educated elites. Provincial assemblies, the indirect electoral colleges under the 1935 Government of India Act, themselves drew from restricted franchises favoring landowners and literati, sidelining peasants who lacked literacy or mobility to submit memoranda. While some farmers sent letters on land reforms, their inputs paled against urban lawyers' voluminous submissions, perpetuating a structural skew that mirrored colonial legislatures.

Dalit representation encountered deeper hurdles, rooted in the 1932 Poona Pact's aftermath. Dr. B.R. Ambedkar's concession to Mahatma Gandhi forfeited separate electorates for depressed classes, forcing Dalits into general constituencies where upper-caste dominance diluted their influence. Only 32 Scheduled Caste members served in the 299-seat Assembly post-Partition, advocating fiercely yet often outvoted on radical reservations or economic uplift. Public Dalit memoranda invoked un-touchability's abolition (Article 17), but systemic exclusion persisted, with rural Harijans doubly marginalized by illiteracy and intermediary filtering of suggestions.

The Muslim League's boycott exacerbated communal imbalances. Rejecting the Cabinet Mission Plan's grouping provisions for Muslim-majority provinces, Muhammad Ali Jinnah's faction walked out post-1946 elections, demanding Partition. This vacated 73 seats, skewing the Assembly Hindu-majority (82%) and undermining minority safeguards debates. Absent League voices, provisions like joint electorates faced less scrutiny, fueling later Pakistan-origin critiques of the Constitution as majoritarian.

The Draft Constitution's sheer complexity—315 articles, 8 schedules at release—daunted public comprehension, especially amid 18% literacy and Partition chaos. Vernacular translations lagged, confining engagement to English-knowing elites. No women sat on Ambedkar's seven-member

Drafting Committee, despite 15 female Assembly members like Hansa Mehta contributing on equality clauses; this omission drew feminist fire for overlooking gender-specific reforms like uniform civil codes. Lawyerly dominance drew sharp rebukes: 78 of 299 members were legal eagles, with Congress veterans like Alladi Krishnaswami Ayer crafting verbose legalese that prioritized precedent over accessibility. Granville Austin termed it an "elite compact," where indirect elections—provincial nominees selecting Assembly reps sans universal suffrage—precluded direct democracy, evoking British viceregal councils more than republican forums.

Even across 165 sittings (114 public), elite bias endured: 85% of 1,657 interventions came from provincial lawyers, referencing Western models over folk wisdom. Princely nominees (93 seats) prioritized accession over radicalism, while radio/newspaper reach bypassed remote tribes. Language barriers—English debates, Hindi drafts—filtered rural inputs, and Secretariat overload meant selective responses. These flaws highlight transitional constraints: fresh independence, refugee crises, princely mergers. Yet they fueled postcolonial scholarship—Bipan Chandra decried "bourgeois dominance," Subaltern Studies scholars like Ranajit Guha bemoaned peasant erasure. Defenders counter that public mechanisms (7,000+ submissions) mitigated gaps, evolving the Draft responsively. Still, limitations underscore an imperfect inclusivity: elite-mediated participation, not pure populism.

This critique tempers the "People's Constitution" narrative, revealing tensions between aspiration and reality. It invites reflection on direct democracy's costs in literate-poor societies, informing later reforms like Panchayati Raj (Article 40 realization). Ultimately, acknowledging flaws strengthens the document's legitimacy, proving resilience amid imperfections—a lesson for global constitution-makers navigating diversity divides.

7. Legacy as People's Constitution

Public engagement during the Indian Constituent Assembly's epochal deliberations from 1946 to 1949 fundamentally recast an indirectly elected body—often dismissed as an elite enclave—into a radiant emblem of participatory democracy, deftly integrating popular sentiments amid the ashes of colonial rule and Partition's upheaval. This transformative alchemy elevated the Constitution from a juridical artifact crafted by 299 provincial nominees and princely appointees into a living testament to "We, the People," as enshrined in its sovereign Preamble. Over 7,000 memoranda, letters, and telegrams poured in after the 1948 Draft's release, refining provisions on fundamental rights, federalism, and social equity. Dr. B.R. Ambedkar's Drafting Committee, responsive to this deluge, iterated clauses like Article 17's un-touchability ban and Article 326's universal franchise, embodying citizen aspirations from Christian minorities' religious freedoms to Vedic reformers' secular pleas. All India Radio

broadcasts of 114 public sessions and newspaper serializations democratized access, sparking discourses that bridged urban elites and rural masses, fostering ownership in a nation scarred by 18% literacy and communal riots.

This engagement fortified India's democratic bedrock, enabling the world's largest democracy to flourish against staggering odds. The parallel 1947-1951 voter roll preparation, enrolling 173 million amid refugee influxes, previewed constitutional citizenship: peasants cited draft rights to defy enumerators, women asserted equality, and Dalits invoked dignity. No plebiscite marred the process; organic buy-in sufficed for the November 26, 1949 adoption, propelling 1952's first general elections under universal adult suffrage—a feat unmatched in post-colonial annals. This embedded participatory norms, nurturing federalism's resilience (e.g., linguistic state reorganizations via public pressure) and rights jurisprudence, from Golaknath (1967) to Kesavananda Bharati (1973)'s basic structure doctrine. Courts routinely reference Assembly debates and public inputs, as in Sabarimala (2018), affirming the document's dynamism. Economically, Directive Principles drew from trade union and farmer suggestions, guiding land reforms and labor codes that uplifted millions.

Globally, this legacy reverberates as a lodestar for constitutionalism in fractured polities. Ornit Shani's scholarship underscores its "citizenship revolution," inspiring South Africa's 1996 inclusive drafting post-apartheid, Nepal's 2015 federal charter amid ethnic strife, and Tunisia's 2014 post-Arab Spring consensus model. Unlike secretive U.S. conventions or Irish referenda, India's consultative hybrid—elite synthesis plus mass feedback—offers a scalable template for literate-poor, multi-ethnic transitions, balancing expedition with legitimacy. It rebuts elite monopoly critiques by proving indirect bodies can harness fervor sans populist chaos. Contemporary relevance shines amid rising populism and constitutional crises. In 2026, as India navigates federal tensions (e.g., J&K reorganization debates) and digital citizenship, the 1946-49 model underscores media's role—today via social platforms—in amplifying margins. Panchayati Raj (73rd/74th Amendments) realizes Article 40's decentralization, echoing rural inputs then stifled. Globally, it informs Ukraine's wartime drafting or Myanmar's stalled process, emphasizing transitional inclusivity over perfection. Flaws acknowledged—rural/Dalit gaps, League boycott—the process's genius lay in iterative openness, turning constraints into strengths.

Thus, the Constitution endures as a People's charter, not imperial bequest. Article 395's repeal of colonial laws symbolized rupture; public voices supplied continuity. Its 75-year endurance—seven decades of uninterrupted elections, federal bargaining, rights expansion—traces to this participatory genesis. As Nehru averred, it was "the people speaking," a beacon affirming democracy's adaptability. For scholars in Uttar Pradesh studying modernization's sociocultural ripples, it exemplifies elite-

popular synergy forging resilient institutions, a perennial inspiration for inclusive nation-building worldwide.

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