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Take it from the top

It stands as a towering testament to the power of words. 75 years after we adopted the Constitution of India, its beauty, might and ambition remain perhaps most evident in its Preamble. So, how have we fared on the promises the country made to itself all those years ago?

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"We, the people of India, having solemnly resolved to constitute India into a sovereign democratic Republic and to secure to all its citizens: Justice, social, economic and political; Liberty of thought, expression, belief, faith and worship; Equality of status and of opportunity; and to promote among them all fraternity assuring the dignity of the individual and the unity of the Nation..."

That's how the Constitution that was adopted by the Constituent Assembly on November 26, 1949, starts. I can think of few better beginnings — for texts as well as countries. The document was amended in 1976 to introduce the terms "socialist" and "secular", and an assurance about the integrity of the Nation in addition to its unity. The Constitution came into effect exactly 75 years ago today, on January 26, 1950. India's Constitution is the longest written one in the world. It holds 146,385 words and is broken up into 448 articles, 12 schedules and 25 parts. Today, 75 years on, a reckoning of the Constitution does not require an analysis of all 146,385 words. The extract from its preamble reproduced at the beginning of this essay will suffice. In that lies its beauty and power. This essay will attempt such a reckoning.

The first two descriptors are easy. India is a sovereign nation, in that it has a mind of its own, and is not a vassal state. It is also an electoral democracy (and one that does very well in terms of

handover of power, although political parties have displayed a tendency to subvert popular mandates to their advantage). The country isn't yet a perfect (or even good enough) liberal democracy, but that could also be said of many Western countries that tout themselves as liberal democracies. There is data, or convenient proxies, for some of the other parameters being assessed. For instance, crimes against people from the scheduled castes and tribes are a good proxy for social justice. The number, as measured by cases registered under two social justice laws — the Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act of 1989 and the Protection of Civil Rights Act of 1955 — increased to 67,646 in 2022, the latest year for which data is available. The number has steadily inched upwards — it was 53,531 in 2019 (though growth was muted in 2020 and 2021, likely because of the pandemic). There's a theory (which sounds logical) that the increase may be primarily on account of better reporting, but it is also very likely that the number of cases registered is still only a fraction of all crimes. This is borne out by the number of cases involving murder, registered under these two laws — 1,171 in 2022, up from 1,074 in 2019. It is difficult to hide a murder and it is a rare one that goes unreported. We have fared much better in terms of economic justice. The popular measure of inequality, the Gini coefficient (in this case, of consumption expenditure) was down to 0.237 in rural India in 2023-24, from 0.283 in 2011-12. Urban India too saw an improvement, with the coefficient falling to 0.284 from 0.363. With 0 representing perfect

equality and 1, perfect inequality, the data suggests that India has become a less unequal society. What of political justice? Is representation a good proxy for that? If it is, India still has some distance to cover. Muslim members of Parliament account for just 4.42% of the strength of the Lok Sabha, and this proportion is the third-lowest in history (since 1952, when it was 4.29%; it was 4.23% in 2014). The country has done much better by women. In 2024, women members of Parliament accounted for 13.6% of the Lok Sabha, the second-highest this proportion has been after 2019, when it was 14.4%. And women accounted for 9.37% of all members of legislative assemblies elected between 2020 and 2024, the highest this proportion has ever been. Parliament has passed the women's reservation law, which reserves a third of seats in the Lok Sabha and legislative assemblies for women, and the law is expected to come into effect from 2034. Now to more subjective assessments. While the original Constitution may have envisaged absolute freedom of thought and expression (akin to the US First Amendment), a year after the Constitution came into effect, India's own First Amendment made 14 significant changes to it, including one that restricts freedom of speech and expression. It introduced terms such as "public order", "friendly relations with a foreign state" and "incitement to an offence" that were

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vague then, and remain vague today, with both the executive and the judiciary interpreting these expansively. That was the easy part of the assessment. The rest, measuring India's progress in terms of securing for all its citizens "liberty of... belief, faith and worship" and promoting among them "fraternity assuring the dignity of the individual and the unity of the Nation..." is an exercise in reconciling extremes. There are some who believe India has done well in allowing people freedom to practice their faith; others who believe that it hasn't just done well on this front, but also become more honest (and less pseudo-secular); and still others who insist it has actually regressed, irretrievably damaging its once-plural ethos. Similarly, there are some who think India has done well in terms of promoting fraternity and assuring individual dignity and national unity; others who are convinced that it has done much more, enshrining individual dignities in laws, and defining the very concept of Indianness; and still others who warn of creeping (or sweeping) majoritarian tendencies that threaten all three (fraternity, individual dignity and national unity). In both cases, as with many other contentious issues, what you believe is a function of what (and who) you believe. Again, such polarisation isn't unique to India — but it does mean a lower score on at least some of the parameters being assessed. It is important to understand that the credit for success and the blame for failure does not live with any one leader or party. It is the success or the failure of all Indians, collectively (and also historically). India's record in translating the spirit of the preamble to the Constitution into our shared lived reality is mixed — which shouldn't surprise anyone. The Constitution defines an ideal state (and an ideal State), and India, and Indians, remain work in progress. What's important is to (borrowing a line from the Coue method), every day, and in every way, get better and better.

(Abhishek Jha helped compile some of the data for this essay)

inside

Special Edition: Early Republic Day essays, drawn from the HT archives of the 1950s

Constructive pacifism P02
C Rajagopalachari writes on war and peace

The film at crossroads P03
Balraj Sahni on realism in cinema

The charm of Gandhiji P03
Arthur Moore on love and the Mahatma

Our two main problems P04
Lal Bahadur Shastri on food and fabric

Building up health P05
Amrit Kaur on new frontiers in care

Are women freer? P06
Begum Hamid Ali on gender gaps, equal pay and more...

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