

## Constituent Assembly Debate on Reservations

Constituent Assembly debates are very important sources of material for the UPSC exam. In this article, we bring you the highlights of the Constituent Assembly debates on the topic of Reservations for the [IAS exam](#) polity, governance, and social issues segments.

**Constituent Assembly Debate on Reservations:-** [Download PDF Here](#)

### CA Debate on Reservations

The Constituent Assembly worked for about three years in framing the largest constitution of the world. The ideals, about which the freedom movement had spoken, were to be translated into constitutional provisions. One of them was the protection of socially backward communities. The rhetoric of establishing an egalitarian society found its vociferous expression in the words of Jawaharlal Nehru. At that time the issue of reservation was pleaded, explained, accommodated and accepted with the national spirit to assimilate sections of society including the intended beneficiaries of the reservation policy into the mainstream of national life.

- Since the Depressed Classes have had limited opportunities in the past, special attempts should be made, of course, in the educational and economic field and even in the political field to see that they have a proper place till they find their own legs to stand upon without the external aid.
- The debate on the resolution moved by Nehru in the [Constituent Assembly](#) regarding 'aims and objects' that later formed the [Preamble](#) of the Constitution, clearly reveal the sentiments of different sections of the people.
- Even though the majority of the members wholeheartedly supported the resolution, B.R. Ambedkar had his own apprehensions.
- The leaders of the Congress Party were very articulate in upholding the rights of the Depressed Classes and offer them adequate safeguards for exercising those rights.
- But doubts were also expressed regarding the effectiveness of these measures.
- On the one hand, a member from Madras criticized separate electorates as an effective safeguard for Scheduled Caste reservation and on the other hand, a Harijan member, Nagappa vociferously argued for reservation for the ancient people who had been exploited by those who came later and dominated them.
  - Quoting the number of Scheduled Caste members and their population in various parts of the country, he tried to focus on the point that 'reservation' was essential with regard to Scheduled Castes and Scheduled Tribes.

Read other [Constituent Assembly debates](#) in the linked article.

### Untouchability in the Constitution

The provision regarding 'Untouchability' in the draft Constitution was generally welcomed. Eventually, the fundamental right of 'not being subjected to any discrimination' came to be qualified by the provisions to procure 'protective discrimination'.

- According to Nesiiah, unlike Martin Luther King, Ambedkar was in a position of authority for as the Chairman of the Drafting Committee of the Constitution and Minister of Law, 'he was vested with both real and symbolic authority at the highest level'.
- Hence he was able to intervene effectively for the emancipation of Dalits.
- According to one member, the inclusion of Ambedkar in the cabinet showed that there was a change of heart on the part of the caste Hindus.

- But later events revealed the fact that it was not really a change of heart, but only political expediency that made the Congress leadership offer Ambedkar such a position.
- But the relevant question is whether Ambedkar could or did exercise any real power. It would be safer to say that his skill as a lawyer was utilized by the then Congress Government.

The discussion on reservation revolved mainly around the **report on minority rights** which was presented by Sardar Vallabhbhai Patel.

- Speaking on the Report, P.S. Deshmukh said that the report was highly satisfactory; but at the same time, he voiced the fear that the so-called majority might be marginalized.
- On the other hand, members from the depressed classes, like S. Nagappa and Jaipal Singh, demanded representation in proportion to their population and representation in cabinets too.
- With regard to reservation of seats in parliament and state legislatures, originally the Constitution proposed a time limit of ten years. Though this was not agreeable to the Scheduled Castes, they accepted the advice of the political masters.

The affirmative action policies which were in place by 1947 have since been strengthened and enlarged in a manner that Dr. B.R. Ambedkar himself could hardly have foreseen. The Indian Constitution of 1950 is the foundation document for the affirmative action in the second half of the twentieth century.

## Conclusion

The Preamble of the Constitution places enormous emphasis on justice, liberty and equality; all of which resonate positively with a regime that emphasizes the well-being of the disadvantaged groups. The Constitution sets out to provide ... JUSTICE, social, economic and political; LIBERTY of the thought, expression, belief, faith and worship; EQUALITY of status and opportunity; and to promote among them all, FRATERNITY assuring the dignity of the individual and unity and integrity of the Nation... The following remarks of Dr. Ambedkar on how this Preamble is to be interpreted are revealing:

*It means a way of life which recognizes Liberty, Equality and Fraternity which are not treated as separate items in a trinity. They form a union of trinity in the sense that to divorce one from the other is to defeat the very purpose of Democracy. Liberty cannot be divorced from Equality and Equality cannot be divorced from Liberty, nor can Liberty and Equality be divorced from Fraternity.*

