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The Constitution of India came into effect on January 26, 1950. (GETTY IMAGES)

MAKING OF THE REPUBLIC

The Constitution emerged through negotiation, participation, and collective imagination; we feature a selection of books which urge citizens to keep that spirit alive

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Indeed, if I may say so, if things go wrong under the new Constitution, the reason will not be that we had a bad Constitution. What we will have to say is, that Man was vile," said B.R. Ambedkar on November 4, 1948, while introducing the Draft Constitution to the Constituent Assembly.

The foundational text of India's democracy, the Constitution of India was drafted by the Constituent Assembly between December 1946 and November 1949, formally adopted on November 26, 1949, and came into effect on January 26, 1950. While long regarded as legal text and framework of governance, recent scholarship has increasingly approached it as a living and evolving project to be studied through varied lenses of power, history, and socio-economic justice. Together, they return to the single, animating question: who sustains constitutional democracy?

Partha Chatterjee's *For a Just Republic: The People of India and the State* (Permanent Black/ OrientBlackswan, 2025) regards the interface between the state and the messy, tangled, contingent realities of political society. He says that imperfect institutions tend to manage populations rather than empower individuals, reminding us of Dr. Ambedkar's words: "Power and knowledge do not go together."

At the point where the formal "nation-state" apparatus encounters the lived realities of the "people-nation," argues Chatterjee, constitutional democracy for a just republic depends on coalition-building: on the equal participation of and equal respect for the value of every constituent part of the federation.

Wider debate

Prabhat Patnaik's *Socialism and the Indian Constitution* (Speaking Tiger, 2025) widens the debate to questions of economic justice and social policy. Citing the Supreme Court's observation that the term "socialist" in the Preamble implies a commitment to a welfare state and equality of opportunity, Patnaik links constitutional values to material conditions. Anand Teltumbde's *Dalits and the Indian Constitution* (Speaking Tiger, 2025) brings caste into the centre of constitutional reflection. Asking how far the Constitution has been able to fulfil its emancipatory promise, Teltumbde turns to Ambedkar's belief in constitutional morality – "something deeper than just following rules – a shared commitment to the spirit of the Constitution." T. M. Krishna's reflections in *We, the People of India: Decoding a Nation's Symbols* (Westland Books, 2026) views the Constitution as a cultural and ethical text, urging that "We, the people" must stand for constitutional values that are lived, felt, and upheld by individuals through civic culture.

Gautam Bhatia's *The Indian Constitution: A Conversation with Power* (HarperCollins, 2025) is a sustained exploration of how power is created, channelled, and contested in India's constitutional order. The book argues that even while setting out to protect liberty and pluralism, constitutional interpretation – through "inflection-point judgements" – has sometimes facilitated an inherent centralising drift. Yet there have been moments of dissent and departure. Participation is fundamental to this process. "If we do wish to constitutionalize public participation both as a right and a norm, perhaps the first task is to recover the submerged histories of popular constitution-making... in order to break open a space for another alternative reading of the Constitution."

Building a future

In *Assembling India's Constitution* (Penguin, 2025), historians Rohit De and Ornit Shani reopen the story of its creation to a fuller telling. They include, for example, a letter written in May 1947 from 80 leaders of the Moshalchi community from Char Balasia village, located at the tip of a *char* land and literally on shifting sand in the Padma River in Bengal. They were writing to the Constituent Assembly – physically far away in Delhi but, just weeks before independence, emotionally so much closer. "The country is now on the threshold of momentous constitutional change," they wrote; "The authorities should take stock of the situation and mete out even-handed justice. In the future constitution, we should be treated as a separate Community..." *In the future constitution.* Remarkably, they were not pleading as supplicants, but already writing as future sovereign citizens. "The Moshalchi were just one of countless groups and individuals across India who," De and Shani write, "turned to the constitution as a resource for their future."

Even before independence, the Constituent Assembly received thousands of such letters. Nalinkanta Barkahati wrote from Gauhati that "for our constitution to be democratic in the true sense", it needed to give voters the right to recall. Kotu Ram, the Hindu legislative assembly member from the Bannu valley in the North-West Frontier Province, wrote that untouchability must be abolished through the constitution. Sujit Chatterjee, declaring himself "a citizen of free India," wrote that the death penalty should be abolished through the constitution. Paramananda Das from Pacharia village in Assam asked for the draft Constitution to be published so that people could give their suggestions.

A plural process

The making of the Indian Constitution was a plural and participatory process. De and Shani record how, beyond elite debates in the Constituent Assembly in Delhi, women's organisations, student groups, trade unions, caste associations, princely states, religious societies, other social groups, and innumerable individuals, articulated their constitutional demands from "people's constituent assemblies" in all corners of the subcontinent and even beyond. People understood the importance of issues that were being deliberated in the Constituent Assembly; they mobilised to convey their concerns; they demanded to be part of discussions. They asked for the draft Constitution to be published, made it a bestseller, translated it into multiple languages, and listened to broadcasts about it on All India Radio.

De and Shani show that through their widespread deliberation and participation, the people of India gave legitimacy to the future Constitution even before it was formally enacted. This moving work of revisionist history demonstrates that the Constitution and, indeed, constitutionalism, were not elite gifts fashioned and bestowed from above; they emerged through struggle, negotiation, and collective imagination. As Upendra Baxi observes, the book shows that ordinary people were co-equal authors of the Constitution.

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