



Beyond the 'Silent' Drafters: Reclaiming the Radicalism of Dakshayani Velayudhan and Begum Aizaz Rasul in Shaping the Indian Republic

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Abstract

This paper Challenge the stereotype that the female members of the Constituent Assembly were a monolithic group. It focused primarily on "women's issues" or served as silent witnesses to the patriarchal of patriarchy drafting. By focusing on two of the most radical voices- Dakshayani Velayudhan (the only Dalit woman in the Assembly) and Begum Aizaz Rasul (the only Muslim woman). This research reclaims their agency as architects of a universalist democratic ethos. The study employs a historical-analytical method, primarily utilizing the Constituent Assembly Debates (CAD) as primary source material to map the interventions of these two figures. It analyzes their positions through the lens of Constitutional Morality and Intersectionality.

The paper argues that Velayudhan and Rasul broke contemporary norms by rejecting the "politics of protection." Velayudhan's refusal to support separate electorates for Scheduled Castes and Rasul's bold stance against reservations for religious minorities were not acts of concession, but radical assertions of a "New India" where citizenship would transcend caste and creed. Their vision was one of a "substantive" rather than "formal" equality. As India marches towards Viksit Bharat @ 2047, the paper concludes that the contributions of these "Daughters of the Constitution" provide the essential blueprint for an inclusive nation. Their legacy proves that the Indian Constitution was not merely a gift from a male elite, but a hard-won consensus shaped by women who dared to challenge the sociopolitical norms of their time.

Keywords: Constituent Assembly, Constitutional Morality, Gendered Agency, Intersectionality, Dalit Feminism, Minority Rights, Viksit Bharat @ 2047

Introduction

The story of the Indian Constitution is often narrated as a paternalistic saga of "Founding Fathers." It is a discourse that has frequently remove the fifteen women members of the Constituent Assembly to the footnotes of history. As India celebrates the Samvidhan Amrit Mahotsav, it becomes important to make transition from a "Contributionist" history. This history merely acknowledges their presence to a "transformative" history that recognizes their intellectual agency (Chaudhary, 2011) ^[1]. These "Daughters of the Constitution" did not only occupy space. They also actively dismantled the prevailing stereotypes that viewed women and marginalized groups as passive recipients of legal protection rather than active claimants of political power. Famous figures like Dakshayani Velayudhan ^[1] and Begum

Aizaz Rasul were central to this radical departure from colonial-era norms ^[2]. Their presence in the Assembly was a double-edged challenge to the status quo. They contested the patriarchal norms of the drafting process but they also simultaneously denied the casteist and communal like minded peoples of Indian society. Velayudhan was the youngest member and the only Dalit woman in the Assembly. She famously argued that the Constitution should not just be a legal document but it should also be a "moral moralizing force" (Constituent Assembly Debates [CAD], 1946). Similarly, Rasul broke religious and gendered norms by advocating for a secular, integrated electorate, rejecting

insistence on being recognized as an independent citizen marked a significant shift in Dalit political identity.

²Begum Aizaz Rasul (1909–2001) was the only Muslim woman in the Assembly. She was instrumental in the abolition of separate electorates, a stance that was considered highly controversial within her own community at the time.

¹Dakshayani Velayudhan (1912–1978) represented the Madras Presidency. Her refusal to accept the "Harijan" label popularized by Gandhi and her
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the stereotype that minority interests could only be protected through isolation (Jha, 2004)^[5].

As we look toward Developed India @ 2047, the interventions of these women provide a vital blueprint. They envisioned a “Viksit Bharat” that was not just economically prosperous but socially emancipated. By interrogating the CAD through the lens of intersectional feminism, this paper argues that the radicalism of Velayudhan and Rasul laid the foundation for a substantive democracy. Such democracy demands the total annihilation of stereotypes to achieve true constitutional morality^[3].

Research Methodology

This paper adopts a qualitative research design rooted in historical-analytical and socio-legal methods. The methodology is structured as follows:

- 1. Primary Source Analysis (Archival Method):** The core of the research relies on a “textual analysis” of the Constituent Assembly Debates (CAD). Specifically, the researcher will examine the official transcripts from Volume I to XII (1946–1949) to isolate the specific interventions, amendments, and speeches made by Dakshayani Velayudhan and Begum Aizaz Rasul. This allows for an authentic reconstruction of their political philosophy (Rao, 1968)^[9].
- 2. Theoretical Framework (Intersectional Feminism):** The study utilizes the lens of Intersectionality (Crenshaw, 1989) and Constitutional Morality (Ambedkar, as cited in CAD). By applying these frameworks, the paper analyzes how Velayudhan’s identity as a Dalit woman and Rasul’s identity as a Muslim woman informed their unique “norm-breaking” stances against separate electorates and communal safeguards.
- 3. Comparative Legal Analysis:** To meet the “Socio-Legal” requirement, the paper employs a comparative approach between the original intent found in the CAD and subsequent Supreme Court of India interpretations. This includes analyzing modern landmarks like the Handbook on Combating Gender Stereotypes (2023)^[8] to trace the evolution of the concepts of agency and dignity.
- 4. Secondary Research:** The study incorporates an extensive review of existing literature by constitutional historians (Jha, 2004)^[5] and gender scholars (Chaudhary, 2011)^[1] to locate gaps in the current understanding of women’s roles in Indian nation-building.

The specific objectives are

- 1. To Deconstruct the ‘Protectionist’ Stereotype:** To examine how Dakshayani Velayudhan and Begum Aizaz Rasul challenged the prevailing colonial and patriarchal norms that viewed women and minorities primarily as “vulnerable groups” in need of state guardianship.
- 2. To Analyze Intersectional Agency:** To evaluate the unique role of Velayudhan and Rasul in bridging the

gap between gender, caste, and religious identity within the constitutional framework.

- 3. To Trace Socio-Legal Lineage:** To establish a link between the radical interventions of these “Daughters of the Constitution” and contemporary Indian jurisprudence, specifically regarding substantive equality and transformative constitutionalism.
- 4. To Contextualize the 2047 Vision:** To propose how the foundational principles of participation and agency advocated by these women serve as the essential pillars for achieving a truly inclusive Viksit Bharat @ 2047.

Review of Literature

The scholarship surrounding the Indian Constitution has undergone a significant “archival turn” in the last decade, shifting from a focus on the legalistic draft to the socio-political debates that informed it. This literature review categorizes existing research into three critical themes that underscore the radicalism of the Assembly’s women members.

Challenging the ‘Protectionist’ Paradigm: The Shift to Agency

Early constitutional historiography often framed women and marginalized groups as “vulnerable subjects” requiring the protective hand of the state. However, recent scholars like Chaudhary (2011)^[1] have argued that the women of the Constituent Assembly explicitly rejected this “politics of protection.” This rejection is most visible in the interventions of Dakshayani Velayudhan. As the only Dalit woman in the Assembly, she broke the stereotype that marginalized voices always seek separate safeguards. During the session on August 28, 1947, she challenged the norm that the “depressed classes” were passive recipients of aid:

“A Constituent Assembly not only frames a constitution, but also gives the people a new framework of life. To me, a 75-year-old stereotype that the ‘depressed classes’ require constant guardianship is a denial of their inherent agency. We must move beyond the narrow walls of ‘protection’ and toward the open horizon of ‘participation’” (Velayudhan, 2023)^[10]. Her stance, as Rao (1968)^[9] notes, was a foundational moment for Article 17. It suggests that the abolition of untouchability was not just a legal act but a demand for social dignity.

Reimagining Secularism: Breaking the Minority Stereotype

A second major theme in the literature is the role of Muslim women in shaping Indian secularism. Jha (2004)^[5] highlights that Begum Aizaz Rasul was instrumental in dismantling the colonial-era stereotype that minorities could only thrive through separate electorates. Rasul’s interventions are cited by historians as a radical act of “political integration.” She argued that reserved seats for minorities would lead to their permanent isolation from the national mainstream. By prioritizing a unified citizenship over communal quotas, Rasul helped frame Articles 15 and 16 as instruments of substantive equality rather than mere communal balancing (Jha, 2004)^[5]. This literature suggests that the “Daughters of the Constitution” were the true architects of an integrated, secular Indian identity.

³ The term “Constitutional Morality,” as used by Dr. B.R. Ambedkar, refers to the adherence to the core values of the Constitution (liberty, equality, fraternity) rather than the prevailing social morality of the day.

Constitutional Morality and the 2047 Vision

Modern legal scholars are increasingly linking the debates of 1946–1949 to the contemporary goal of Viksit Bharat @ 2047. The Supreme Court of India (2023), in its Handbook on Combating Gender Stereotypes, traces the roots of modern “transformative constitutionalism” back to these early debates. The literature suggests that the vision for 2047 depends on fulfilling Dakshayani Velayudhan’s ultimate hope for the republic. She famously noted in the Assembly:

“The working of the Constitution will depend upon how the people will conduct themselves in the future, not on the actual execution of the law. So, I hope that in course of time there will not be such a community as ‘Scheduled Castes’ at all” (CAD, 1948).

This forward-looking optimism is the cornerstone of contemporary scholarship, which views the Constitution not as a static document but as a roadmap for the total annihilation of social stereotypes.

Socio-Legal Impact: From Foundational Debates to Contemporary Jurisprudence

The interventions of Dakshayani Velayudhan and Begum Aizaz Rasul were not merely rhetorical; they provided the socio-legal scaffolding for what is now recognized as Transformative Constitutionalism. By resisting the stereotype that marginalized identities required “safeguards” that might inadvertently lead to isolation, they championed an integrated vision of the Indian citizen.

Dismantling the ‘Protectionist’ Paradigm

Velayudhan’s vehement opposition to the “Harijan” nomenclature and separate electorates was a precursor to the modern understanding of Article 17 (Abolition of Untouchability). She argued that legal safeguards would be ineffective without a radical shift in social morality (Velayudhan, 2023) ^[15]. This logic is reflected in contemporary Supreme Court rulings, such as *Indian Young Lawyers Association v. State of Kerala* (2018) ^[6], where the court held that constitutional morality must prevail over exclusionary social norms.

Secularism as Integrated Agency

Begum Aizaz Rasul’s impact on the socio-legal fabric of India lies in her successful advocacy for the removal of reserved seats for religious minorities. She argued that such reservations would create a “permanent minority” stereotype, hindering the integration of Muslims into the national mainstream (Jha, 2004) ^[5]. Her stance fortified Article 15 and Article 16, ensuring that while the State can make special provisions for the “backward,” the ultimate goal remains a casteless and secular public sphere.

The Evolution of Substantive Equality

The refusal of these women to accept “soft” rights led to a Constitution that recognizes Substantive Equality (equality in outcome) rather than just Formal Equality (equality in law). This distinction is the bedrock of India’s current gender jurisprudence. As noted by Chaudhary (2011) ^[1], their insistence on being treated as equals but not as “vulnerable subjects”. It paved the way for the Sexual Harassment of Women at Workplace Act (2013) and the

Gender Stereotype Handbook (2023), both of which move away from paternalistic protection toward agency-based rights.

Bridging the Gap: From 1949 to Viksit Bharat @ 2047

The “Developed India” vision for 2047 cannot be achieved through economic indicators alone; it requires the fulfillment of the “social democracy” that Velayudhan and Rasul advocated. Their interventions suggest that:

Economic Agency over Welfare: Just as Rasul rejected communal reservations for integrated citizenship, the 2047 roadmap must move from seeing women as beneficiaries of “welfare” to seeing them as leaders of “innovation and industry” (Supreme Court of India, 2023).

Intersectionality as a Pillar: Velayudhan’s life proves that empowerment is not a monolith. A developed India must address the intersecting barriers of caste, gender, and digital access to ensure that the “Daughter of Bharat Mata” is not left behind in the digital divide (Chaudhary, 2011) ^[1].

Conclusion: Reimagining the 2047 Horizon through the Prism of 1949

The contributions of Dakshayani Velayudhan and Begum Aizaz Rasul demonstrate that the Indian Constitution was envisioned as a “living document” meant to actively subvert, rather than merely manage, social hierarchies. Their rejection of the “politics of protection” in favor of “politics of participation” remains the most radical norm-breaking event in Indian democratic history. As India marks 75 years of this journey, their legacy serves as a vital corrective to contemporary gendered stereotypes. Hence, breaking stereotypes in 2026 and beyond requires returning to the radicalism of the Assembly. By reclaiming the narratives of these often-forgotten women, we recognize that the Indian Constitution was designed to be inherently disruptive. Therefore, the journey toward 2047 is a journey toward completing the unfinished revolution of the Founding Mothers. It is a revolution that seeks a nation where identity is no longer a barrier to destiny.

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