

Indian Legacy of Freedom



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This book covers demands for economic, political and personal liberty across different points in Indian history by Indian Liberals.

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Published in 2022

Compiled by Anushka Das Sharma & Paavi Kulshreshth

Edited by Rachita Pant

Designed by Ravi Kumar Yadav

Published by Centre for Civil Society

Supported by Friedrich Naumann Foundation

Acknowledgments Lakshmi Sampath Goyal, Sudeshna Maiti, Sourya Banerjee,
Shashikant Rai & Harsh Singh

The information shared in the profiles of the individuals is based on data available online and the publisher owes no responsibility as to the accuracy of the data.

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Contact

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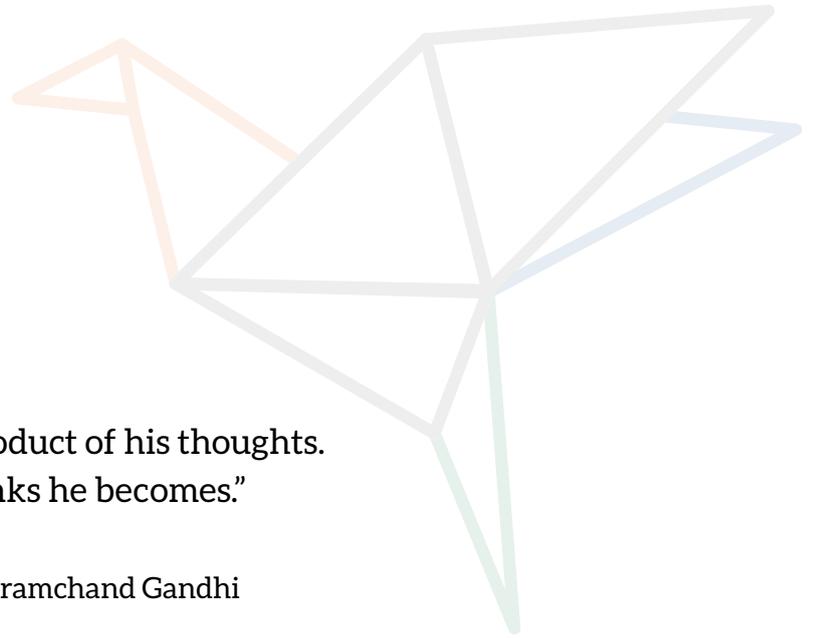
A-69 Hauz Khas, New Delhi 110 016

Tel: +91-11-26537456

Email: ccs@ccs.in | URL: www.ccs.in | www.indianliberals.in

“A man is but a product of his thoughts.
What he thinks he becomes.”

- Mohandas Karamchand Gandhi



Contents

Economic Freedom

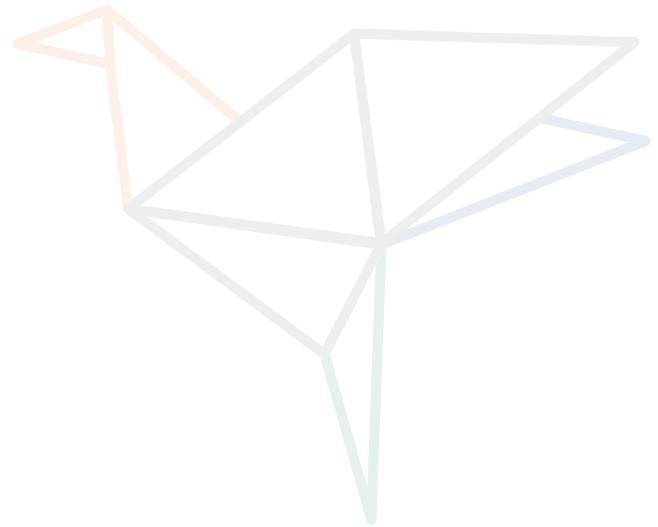
- 02** Free Enterprise in India and Freedom (1956)
by Ardeshir Darabshaw Shroff
- 08** Controls and Freedom (1960)
by Mandyam A. Sreenivasan
- 14** Free Market Economy: Key to Economic Progress and Freedoms (1982)
by Mohammed Aly Rangoonwala
- 18** Obstacles to Liberalisation and Market Economy (1993)
by Manu Shroff

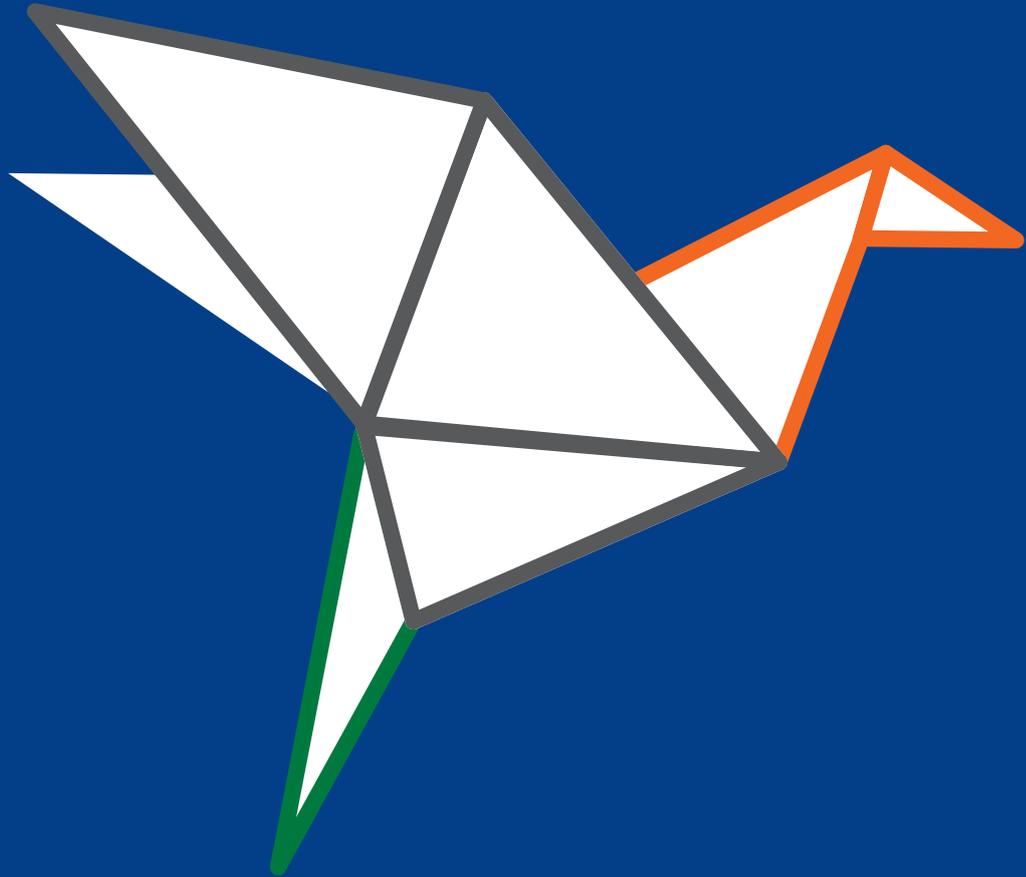
Political Freedom

- 24** The Essence of Democracy (1989)
by Minocher Rustom "Minoo" Masani
- 30** Forty-three Years of Independence (1990)
by Nani Ardeshir Palkhivala
- 36** Fundamental Rights: Our Protection Against Tyranny (1967)
by Mayurdwajsinhji Meghrajji III
- 42** Education, Leadership, and Vision of Free India (1998)
by Nani Ardeshir Palkhivala

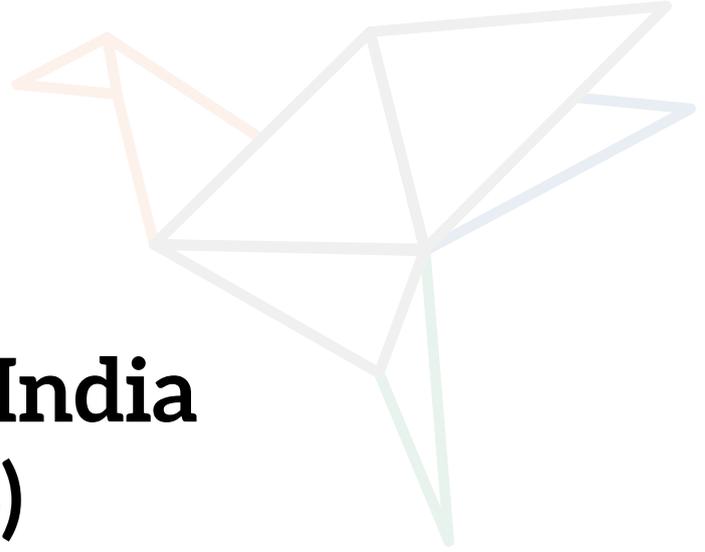
Personal Freedom

- 50 Shareefa Hamid Ali
A Pioneer of Intersectional Feminism
- 54 Mithan Tata Lam
An India Suffragist
- 60 Ramabai Ranade
Feminist and Educationist
- 64 Babytai Kamble
A Resolute Feminist





Economic Freedom



Free Enterprise in India and Freedom (1956)

By

**Ardeshir Darabshaw
Shroff**

*(Indian banker, economist, and founder
of Forum of Free Enterprise)*

The following essay was originally published by The Times of India in 1956. It discusses the contribution made by the private sector to the country's economic development in the pre-Independence era and a few years after that in the context of the Government of India adopting the socialist pattern of society as its philosophy for the Second Five-Year Plan.



Ardeshir Darabshaw Shroff (1899-1965)
Image courtesy of Penguin Random House India

“ The role of private enterprise in the future can be assessed only in the context of the Government’s decision to establish a socialist State in this country.

Two broad implications of this decision are obvious, viz., (i) that the State will assume increasing control and ownership of the means of production, and (ii) that the resources available to the Private Sector will be gradually diverted to the Public Sector.

There is a widespread lack of understanding as to what the private sector means. People interested in propagating the socialist faith have been mischievously representing the private sector as consisting of a few “tall poppies” comprising a few hundred people who today happen to be responsible for the management of some large-scale industries. It is not generally appreciated that the private sector consists of all agriculture, large, small-scale and cottage industries and the whole range of trade, including import, export, wholesale, and retail.

Throughout the length and breadth of the country there must be millions and millions of people engaged in retail distributive trade, either as individuals or small partnership firms, constituting a very important part of the private sector. It is, therefore, very necessary that the country at large should be made aware of what constitutes the private sector. Much of the excitement and fury that is often displayed on public platforms in deliberate misrepresentation of the private sector could be dispelled and the correct perspective established if the meaning of the private sector was made known in a sufficiently intelligible form to the country.





Image courtesy of Auto Focus



Image courtesy of Rahul Shah



Image courtesy of Sudhir Sharma



Image courtesy of Naim Benjelloun

Private Sector's Role and Responsibility

The stage has been reached when thinking people in the private sector, if they wish to serve the large interests of the country, cannot keep their thoughts and feelings to themselves in fear of incurring the displeasure of the ruling authorities.

It is absolutely imperative that thinking people in the private sector should make an organised endeavour to establish amongst all sections the highest standards of integrity and efficiency. However much we may disagree with the government in their policies and actions, everybody engaged in the private sector must recognise it as their elementary duty to respect the laws of the country and to pay their dues promptly without

any attempt to avoid their obligations. Organised bodies like Chambers of Commerce and various trade associations should insist on the observance by their members of rules of conduct which would not be open to challenge. Employers should cultivate relations with their employees in a progressive and liberal manner so as to ensure the identity of interests between the two.

The private sector should also be prepared, as far as possible, to cooperate wholeheartedly with Government in all measures are satisfied, intended to promote national interests. The country must be given concrete proof of the preparedness of the private sector to sincerely act in the above-mentioned directions if the capacity of the private sector to serve the country is to be made generally acceptable to the country." ■

Controls and Freedom (1960)

By

**Mandyam A.
Sreenivasan**

*(Former Minister of Food and
Civil Supplies, Mysore)*

Published as an essay in a 1960 edition of Forum of Free Enterprise, MA Sreenivasan discusses the demerits of using shortages in supply as an excuse to impose greater state control. He takes an in-depth look at the role of self-imposed controls in enhancing freedom.



*Mandyam A. Sreenivasan (1897–1998)
Picture right shows M.A. Sreenivasan and Sir Mirza Ismail riding horse.
Image courtesy of Star of Mysore*



Image courtesy of Ragu Raja

“ Gandhiji, as is well known, was firmly against controls and their continuance. Rajaji abolished food control and rationing in one bold sweep when he was Chief Minister of Madras. But Gandhiji and Rajaji were lovers of freedom. They did not hanker for power.

One of the official doctrines dinned into our heads today is that people of this country cannot, as individuals, or groups of free men, find the resources needed to improve the nation's living standards, and that the State, has therefore, to step in and take charge of wide and increasing areas of the normal activities of the people.

Controls are a necessary ingredient and preservative of freedom. What should be the nature and extent of controls in a free economy?

The controls that have a rightful place in a free economy are those that provide the maximum of assistance with the minimum interference; controls that regulate and safeguard, not those that regiment and emasculate; parapets, not road blocks; hedges, not barbed wire enclosures.

“

The controls that freedom needs and welcomes are not controls imposed from outside but self-imposed, in-built ones, like the nitrogen in the air we breathe, without which our lungs would get burnt by the oxygen, like the glands and hormones that regulate the beat of our hearts and the size of our bodies and keep us from shaping into giants or dwarfs. I like the controls of roaring flames and fierce explosions in the Rob-Royce engine of a Boeing airliner that carries us safely and speedily to the ends of the earth.

”





Image courtesy of Eddy Pellegrino

Controls in a free economy should be like traffic control on a busy highway – strict regulation that does not impede, but helps to make the flow of traffic safer, smoother, and speedier.

The most perfect of all the controls that freedom must have is self-imposed controls – the control exercised on every man by his conscience, the Swadharna commended by Gandhiji, as opposed to “the violence of the State” he warned against.”

Free Market Economy: Key to Economic Progress and Freedoms (1982)

By

**Mohammed Aly
Rangoonwala**

*(Former President of the
International Chamber of Commerce)*

Originally published by the Forum of Free Enterprise, the following text was an address by M. A. Rangoonwala, delivered as the Chief Guest on January 12, 1982, at the function celebrating the Forum's Silver Jubilee.



*Mohammed Aly Rangoonwala (1924-1998)
Image courtesy of Rangoonwala Group*

“ Barriers to trade and investment between countries, though regrettable by the absolute standards of the one-world ideologue and frequently harmful to the cause of maximising global economic efficiency, are not alone and of themselves a major catastrophe.

What does the real damage is that government controls and restrictions extend deep and wide into our national economies, thwarting and distorting competition and the free enterprise system on a massive scale.

In my mind, I have no doubt whatsoever that the free market economy is the key to all freedoms. In fact, the market and freedom are really synonymous terms. We should never forget that the only thing governments can control is people.



Image courtesy of Josh Hill

And that is all controls can ever mean: 'people' control. It is never prices or goods and services but only people who are controlled, subsidised or supported by the government.

When government controls people it necessarily deprives them of some freedom. Economic controls are automatically destructive of the market economy in which people voluntarily buy and sell on mutually acceptable terms. Controls involve compelling people to act in ways they would not necessarily choose voluntarily.

I am not against the idea of the government publishing its view on future developments in a country in the form of an overall development plan for the general guidance of its own agencies and the private sector... But that is all it should be. Rapid economic growth is a by-product of good government policy; it cannot be a government policy in itself." ■



Image courtesy of Quintin Gellar

Obstacles to Liberalisation and Market Economy (1993)



*Manu Shroff (1930-2007)
Image courtesy of IIMA Archives*

By

Manu Shroff

*(Indian economist and former
Editor of The Economic Times)*

*Originally published by the Forum of Free Enterprise in 1993, this
excerpt is taken from a keynote address delivered by Manu Shroff
at a seminar organised by the Project for Economic Education in
November 1992.*



Image courtesy of Darshak Pandya

Lessons from India's Socialist Past

“ In the name of socialism, we ignored individual enterprise and looked to the state to provide the impetus for growth and removal of poverty...The result was comprehensive central planning backed by an ever-expanding bureaucracy which undertook to direct economic activity in its minutest detail.

We learnt from experience, but ever so slowly, preferring at every stage to believe that the path chosen by us was [not] wrong; only the implementation went awry, as if the distortions which the licensing system created were not the inevitable consequence of the system but resulted from its corruption.

As if the poor performance of the public sector was not a consequence of the inherent weaknesses of extensive public ownership of means of production but was caused only by the corruption of the political and administrative system, as if the very corruption did not have its roots in the design of central planning and extensive government intervention.

Those who thought that after July 1991 [post liberalisation of the Indian economy], it would take but a short space of time to move to free enterprise and market economy probably understated the strength of [these] attitudes. And it is a change in these attitudes which is far more important than specific policy reforms if we are to move to a market economy in a meaningful way.



Image courtesy of Sumit Kumar

What about Inequalities?

[A] reservation about liberalisation is that it will accentuate the duality in our society. While the urban middle class forges ahead, borne on the dynamism of a market economy, the rural poor will be left behind.

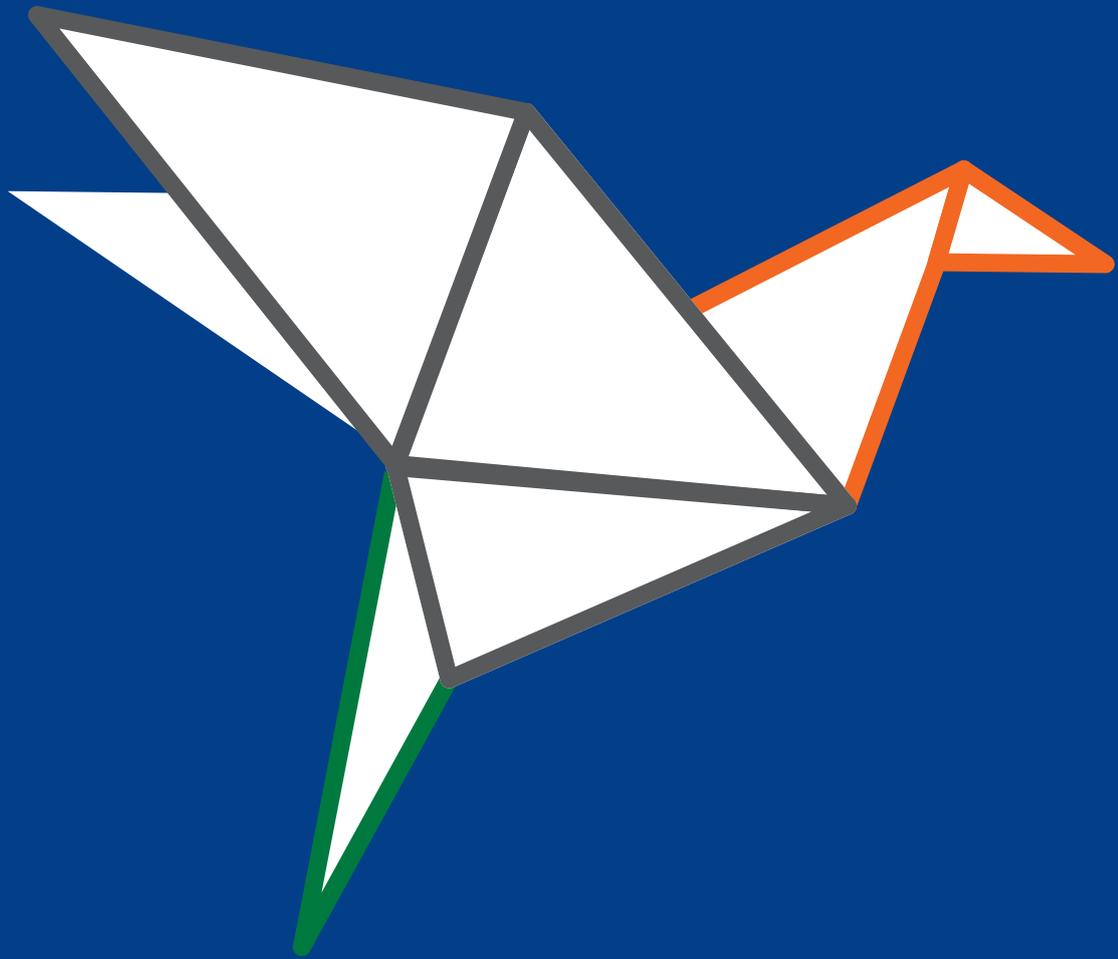
It is a paradox of our experience that while the failures in the industry have been due to excessive government intervention, those in agriculture seem to be due to inadequate intervention. The introduction of a market economy in agriculture, in the absence of land reforms, spelled disaster for poor farmers.

To ask for greater and more meaningful government intervention in the rural sector is not a contradiction but an assertion that market forces cannot work without a strong framework of laws and rules which ensure that markets are not distorted. This is true of industry and financial services as well.

What about existing inequalities of wealth and income?

This is a legitimate question to which there are no easy answers. Other models of development which try to attack these inequalities through state action seem to have failed. What is being tried now is allowing freer play of the market with safety nets for the weak in the hope that the resulting gains will, in the end, benefit all.

In sum, I have argued that but for the economic crisis, we may never have moved so far in the direction of a liberal market economy, given the feudal attitudes and the ideological baggage of the past.” ■



Political Freedom

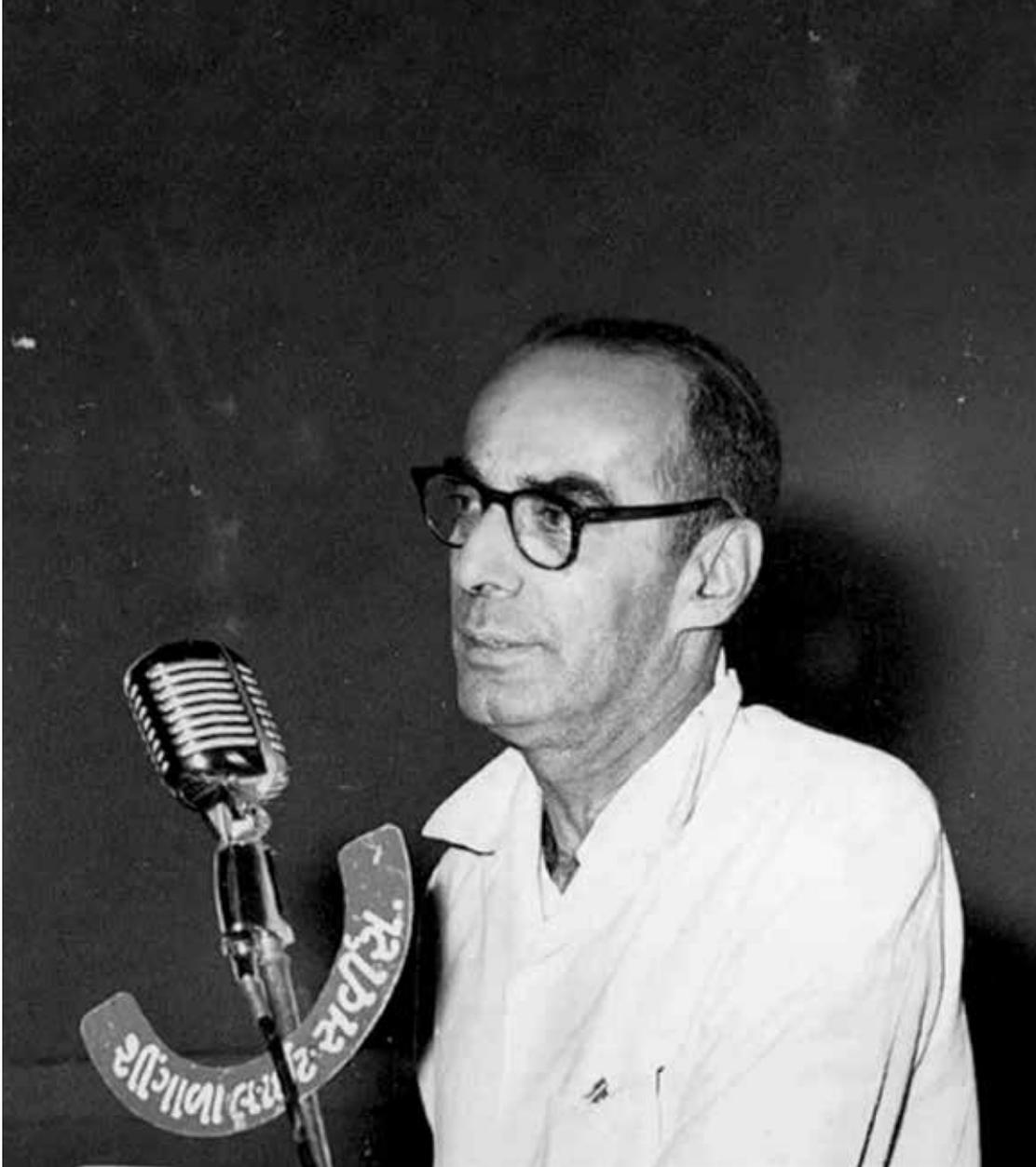
The Essence of Democracy

By

**Minocher Rustom
“Minoo” Masani**

*(Indian Parliamentarian and
liberal thinker)*

*Originally published by the Harold Laski Institute of
Political Science, Ahmedabad, in March 1989, “The
Essence of Democracy” concepts of liberal democracies.*



Minocher Rustom "Minoo" Masani (1905-1998)

Image courtesy of The Print Author

The Misconception of Majority Rule

“

Some people would reply that democracy means majority rule. How wrong they are!

The concept of majority rule is a particularly pernicious one in countries which are not of a homogenous nature ethnically, linguistically or by religion. Examples of such countries are the Union of South Africa, Fiji, Sri Lanka, and, of course, our own country. In these countries, there is a built-in permanent majority based on race, language or religion. Majority rule in such cases would mean the tyranny of the majority community over the minority community or communities. ”



Image courtesy of Bloomberg

Democracy by the People

“ Democracy has been defined as the government of the people, for the people, and by the people, the last of these being the most important of the three.

The sharing of power has to be both horizontal and vertical. It should be horizontal in the sense that minority groups have a right to participate in the government of the day along with the majority.

Vertical participation is equally important. The infrastructure of democracy lies in grassroots vigilance and initiative, which keeps political parties and governments on the straight and narrow path. The element of grassroots vigilance is not one that can be created by law. It is primarily one that is dependent on home and school education and training of the young in the right to think for themselves, training in the right to stand up to authority-whether domestic, industrial or political when the conscience demands it...democracy is contingent on the existence of independent, aware and courageous citizens who are prepared to speak up for their rights and do not always count the cost.” ■



“

I measure the progress of a community by the degree of progress which women have achieved. ”

- Dr Bhimrao Ramji Ambedkar



Image courtesy of Chatham House

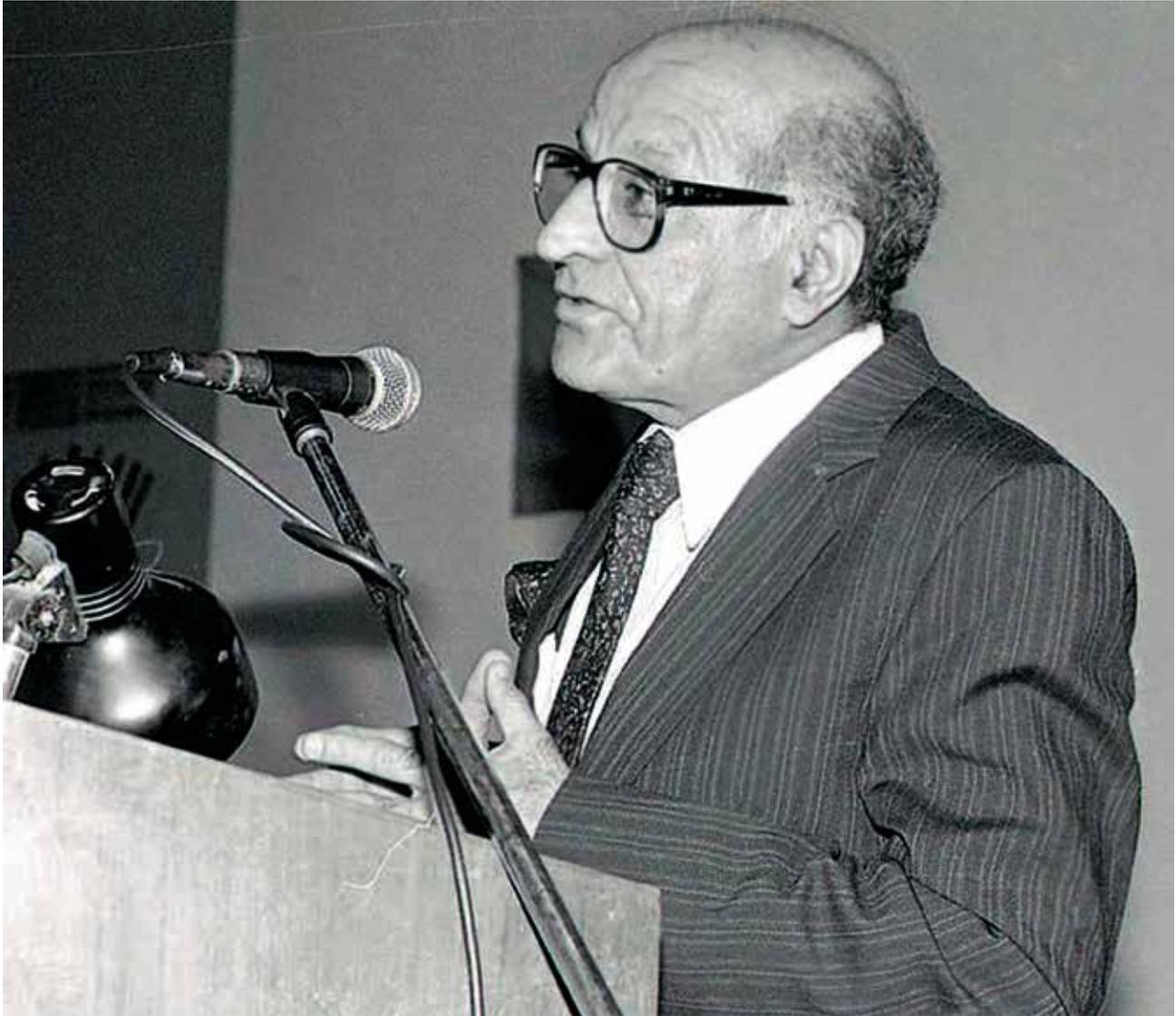
Forty-three Years of Independence

By

Nani Ardeshir Palkhivala

(Former Attorney General of India and liberal thinker)

Originally delivered as the Jawaharlal Nehru Memorial Lecture by Nani Palkhivala at Trinity College, Cambridge, on 7th November 1990. The author analyses India as a democracy, an economy, a united nation at 43 years of independence.



Nani Ardeshir Palkhivala (1920-2002)

Image courtesy of Tribune

Greatest Achievement of Indian Democracy

“ The greatest achievement of Indian democracy is that it has survived unfractured for forty-three years. Eight hundred and forty million people - more than the combined population of Africa and South America - live together as one political entity under conditions of freedom. Never before in history, and nowhere else in the world today, has one-sixth of the human race existed as a single free nation. Professor Rostow of Texas University regards the survival of Indian democracy as the most important phenomenon of the post-war era.

India's Three Inestimable Advantages

First, we had 5000 years of civilization behind us - a civilization which had reached “the summit of human thought” in the words of Ralph Waldo Emerson. The trader's instinct is innate in Indian genes. An Indian can buy from a Jew and sell to a Scot and yet make a profit!

Secondly, whereas before 1858, India was never a united political entity, in that year, the accident of British rule welded us into one country, one nation; and when independence came, we had been in unified nationality for almost a century under one head of state.





Thirdly, our Founding Fathers, after two long years of laborious and painful toil, gave us a Constitution which a former Chief Justice of India rightly described as “sublime”. It was the longest Constitution in the world.

India and Liberalisation

India in the Eighties initiated a policy of liberalisation and dismantling of controls. For the first time, we talked of economic rationalism in place of economic theology, and we realised the imperative necessity of fruitful egalitarianism in place of sterile socialism.

The Budget of 1985 was epoch-making. It was the finest Budget free India ever had...The new budgetary philosophy was eminently suited to prepare and equip India for a place in the 'Prosperity League' in the unfolding future. The new philosophy was that the government should no longer be the power above the people, to be lobbied, petitioned and propitiated for favours. Unfortunately, the government's sensible new policy – the one ray of hope for fast economic growth – was never fairly implemented.





But the landscape is not one of unrelieved gloom... Among the industrialised nations of the world, we are the tenth. The country has set its sights high. It has nuclear reactors and satellites in space.

The vitality of India is remarkable. The country does not have a powerful economy but has all the raw materials to build one. It would not be an exaggeration to say that the Indian economy is a sleeping giant that, if awakened, could make an impact on the global economy.

There are various factors which go to make foreign investments in India very attractive. First and foremost, when you invest in India, you invest in democracy. The survival of democracy in India ought to be a matter of the most vital concern to the free world.

Further, our domestic market is itself enormous. Almost all manufacturing units in India, with foreign collaboration, have garnered golden grain.

If you insist upon nothing but the best, you often get it in India, comparable to world standards. India can and does respond to uncompromising insistence on quality.

Finally, the great appreciation of most foreign currencies against the Indian rupee offers an excellent opportunity of using India as a manufacturing base.

It is true that eternal vigilance is the price of liberty. But it is true, in an even deeper sense, that eternal responsibility is also part of the price of liberty. Excessive authority, without liberty, is intolerable; but excessive liberty, without authority and without responsibility, soon becomes equally intolerable." ■

Fundamental Rights: Our Protection Against Tyranny

By

**Mayurdwajsinhji
Meghrajji III**

*(Indian Parliamentarian,
Swatantra Party member)*

In a 1967 Judgement (Golaknath vs the State of Punjab), the Supreme Court declared that it is not within the powers of the Parliament to take away Fundamental Rights under Part III of the Constitution. In April 1967, MP (Praja Party) Nath Pai proposed a Bill securing such powers for the Parliament. In September, MP (Swatantra Party) Sriraj Meghrajji proposed a Bill (considered an amendment to Pai's Bill) providing, that any amendment of the Fundamental Rights must be the subject of a Referendum. The following text covers Sriraj Meghrajji's justification for proposing a Bill that aims to amend Nath Pai's Bill. The text was originally published by the Swatantra Party.

In the 1967 Judgement, Justice Mohammad Hidayatullah (11th CJI) said:



*Mayurdwajsinhji Meghrajji III (1923 - 2010)
Image courtesy of IndiaNetzone*

“

Our liberal Constitution has given to the individual all that he should have – freedom of speech, of association, of assembly, of religion, of motion and locomotion, of property and trade and profession. In addition, it has made the State incapable of abridging, or taking away, these rights to the extent guaranteed, and has itself shown how far the enjoyment of those rights can be curtailed. It has given a guaranteed right to the person affected to move the court. The guarantee is worthless if the rights are capable of being taken away.”

Why Fundamental Rights form a Separate 'Chapter?'

“ The wise and farseeing framers of the Constitution of India saw fit to delve into the foundations of society...and they included a statement of Fundamental Rights in our Constitution...The object of selecting these particular rights and codifying them was not to expose them to the power of passing parliaments but to safeguard them from legislative interference.

Otherwise, what was the object of codifying them at all? Since most of these rights are natural rights in any democratic society, the future legislatures might have been trusted to respect them...as the judiciary was bound to enforce them. It is, therefore, clear that the object was to place these Fundamental Rights beyond the reach of the ordinary legislative process.

Ambedkar's Explanation

The Hon'ble Dr. B. R. Ambedkar, while explaining that the procedure for amending the Constitution was simple, expounded on the necessity of curbing the powers of Parliament. He said:

“

In considering the Articles of the Constitution, it (the Constituent Assembly) has no eye on getting through a particular measure. The future Parliament, if it met as a Constituent Assembly, its members will be acting as partisans seeking to carry amendments to the Constitution to facilitate the passing of party measures which they have failed to get through Parliament by reason of some article of the Constitution which has acted as an obstacle in their way. Parliament will have an axe to grind: while the Constituent Assembly has none.”

(Constituent Assembly, 4 November 1948)



Image courtesy of The Brookings Institution



Image courtesy of Miriam Gomez Blanes, UNOPS



Acting under the mandate of the whole people [the Constituent Assembly] did not bequeath to Parliament or to the legislative bodies collectively...the power of abridging or abrogating Fundamental Rights. This was made explicit by Dr. Ambedkar:

“

If the future Parliament wishes to amend any particular article, which is not mentioned in Part 111, or Article 304, all that is necessary for them is to have [a] two-thirds majority. Then they can amend it.”

(Constituent Assembly, 17 September 1949)

Meghrajji's Argument Against Power to Amend:

Certain Fundamental Rights may be inscribed in the Constitution, but they transcend the Constitution. They are inherent in the people. They are their birthright.

...by what right can Parliament turn itself into a sort of Constituent Assembly and so assume to itself the powers which the Constitution has expressly denied to it? We have neither asked for nor been given such a mandate.

I ask: Has any Hon. Member put the issue to his electorate in clear and explicit terms that, if elected, he will try and procure for Parliament the comprehensive power to amend, not this or that right, but the entire gamut of Fundamental Rights embodied in Part III of the Constitution?

If anyone has...he alone has the right to speak in support of this Bill [Nath's Bill that demands the right to abridge or amend for the Parliament].”

Education, Leadership, and Vision of Free India

By

**Nani Ardeshir
Palkhivala**

*(Former Attorney General of
India and liberal thinker)*

Originally published by the Forum of Free Enterprise, the following excerpt is taken from a 1998 booklet. It revisits Nani Palkhivala's response speech at the University of Mumbai's Special Convocation for the conferment of the Honorary Degree of Doctor of Laws (LL.D.) in January 1998.



Nani Ardeshir Palkhivala (1920-2002)

Image courtesy of Tata Group

Moral Leadership for Education

“ I would like to pay my humble tribute to the teachers and the professors of this University and at the other universities of our country who trim the silver lamp of knowledge and keep its sacred flame bright from generation to generation. They expend their lives on significant but unadvertised work. Quite a few of them plough the lonely furrow of scholarship. Their dedication bears witness to the selflessness of the human spirit.

I am proud to say that during my days as a student, our teachers and professors used education as the technique of transmitting civilisation...If I may speak in a lighter vein, the greatest lesson taught to us was that a formal education at a university cannot do you much harm, provided you start learning thereafter!

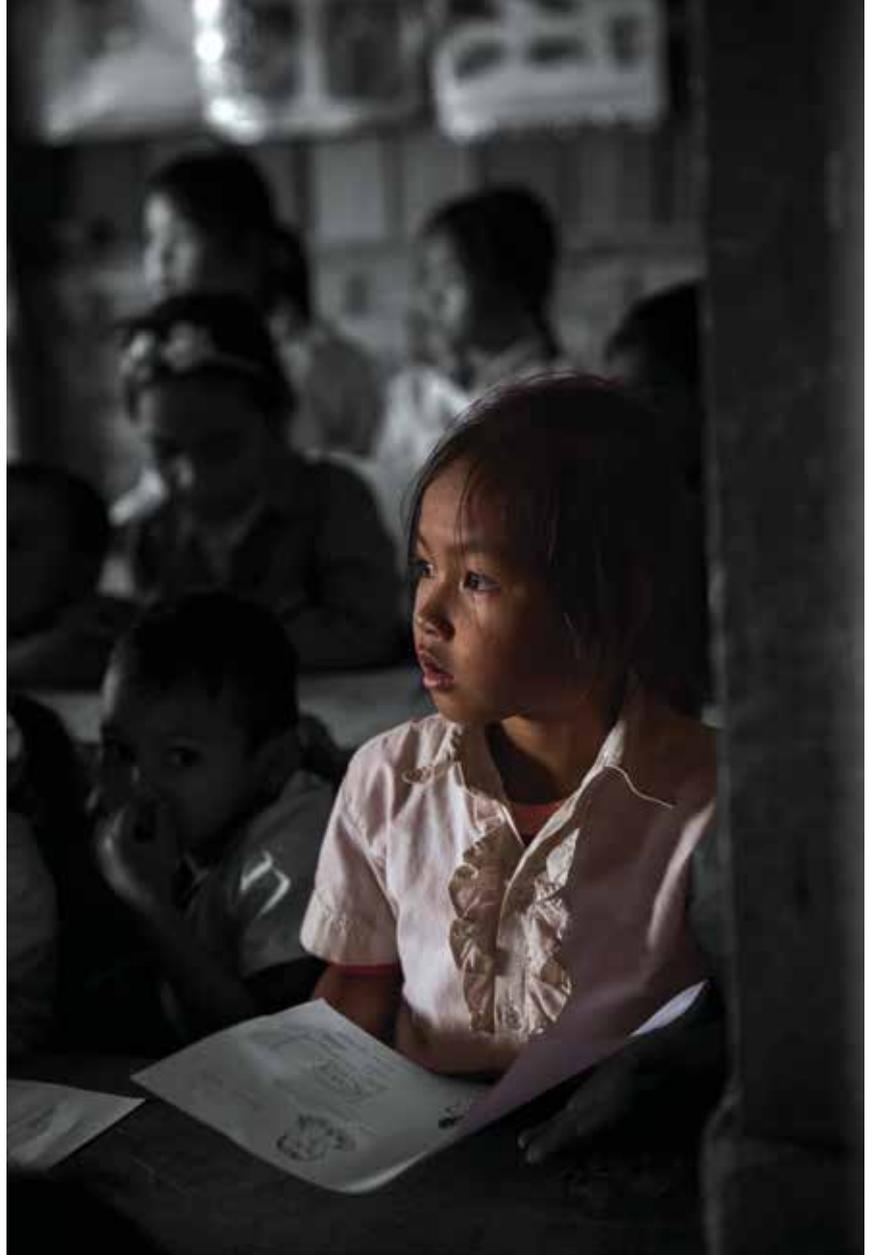


Image courtesy of Rasy Nak

Where are the Leaders of Tomorrow

In ancient India, kings and emperors thought it a privilege to sit at the feet of men of learning. Intellectuals and men of knowledge were given the highest honour in society. King Janaka, himself a philosopher, journeyed on foot into the jungle to discourse with Yajnavalkya on high matters of state. In the eighth century, Sankaracharya travelled on foot from Kerala to Kashmir and from Dwarka in the west to Puri in the east. He could not have changed men's minds and established centres of learning in the far-flung corners of India but for the great esteem and reverence which intellectuals enjoyed.

“

When a republic comes to birth, it is the leaders who produce the institutions. Later it is the institutions which produce the leaders.

Where are the leaders of tomorrow? – can only be answered by the other question – where are the nation-building institutions which can produce the leaders of tomorrow?

Do we have educational institutions which aim at generating excellence? – institutions which are equipped to produce movers of people, mobilizers of opinion.

”





Ignorance must Diminish

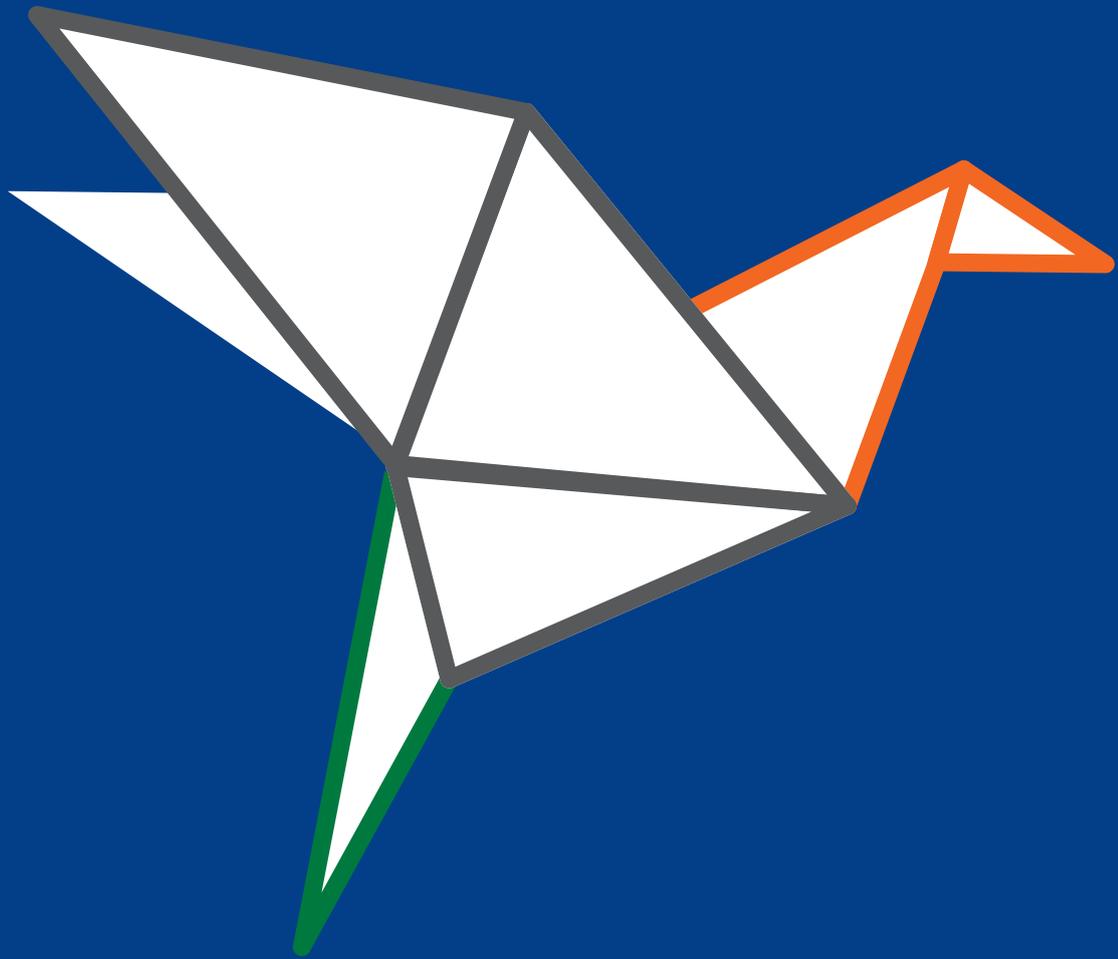
We have failed in imparting value-based education to our youth which I was fortunate to receive both as a student and in the home. The result is that India, which should have led the world in life-nurturing ideas, is being led by the crass materialism of others. We are quite right in making constant endeavours to raise the standard of living of our people. But the standard of life is even more significant than the standard of living. If we lose our sensitivity towards the quality of life, it can only mean that while our knowledge increases, our ignorance does not diminish.

“

What we need today more than anything else is moral leadership at all levels. It is particularly essential in the field of education – moral leadership founded on courage, intellectual integrity and a sense of values.”

We, the citizens of Maharashtra, are very fortunate that we are living in a State which has produced some of the greatest Indians of the last hundred years – Dr. Dadabhai Naoroji, Sir Pherozeshah Mehta, Mahadev Govind Ranade, Bal Gangadhar Tilak, Gopal Krishna Gokhale – all of whom had the distinction of passing through the portals of this great University. They lived their lives in the service of the country and its people.

A regenerated secular India would have been the greatest monument to their memory.”



Personal Freedom

Shareefa Hamid Ali: A Pioneer of Intersectional Feminism

Compiled by

**Anushka Das Sharma,
Paavi Kulshreshth &
Rachita Pant**

(Centre for Civil Society)

The following essay revisits the life and legacy of a largely neglected Indian liberal, Shareefa Hamid Ali. A prominent advocate of an intersectional approach to feminism and individual rights, Ali was the president of the All India Women's Conference and a founding member of the United Nations Commission on the Status of Women.



Shareefa Hamid Ali (1883- 1971). Image courtesy of Wikipedia

Ali was born on 12 December 1883 to a progressive Muslim family in Gujarat. Surrounded by family members whose ideologies were inherently liberal, Ali grew up with similar beliefs and ideas of individuality and justice.

Ali explicitly disavowed purdah as she believed it concealed a woman's individuality and personality literally and metaphorically. Owing to her parents' liberal outlook, she was among the few women to be

educated and became well-versed in Urdu, Marathi, Persian, French, and English.

Her political interests and ideas of justice and women's emancipation came to the forefront when she attended a session of the Indian National Congress in 1907. The session focused on the Swadeshi movement, which piqued her interest. It encouraged her to work for the women of her community, the disadvantaged and marginalised sections of society.

Ali also helped improve health and education access for the marginalised and neglected by teaching them their rights to education and healthcare. She firmly believed that education could help people recognise their rights and value personal liberty to break the shackles of societal categories.

She organised a campaign in Sindh mobilising Muslim women against child marriage, arguing that it restricts women from identifying their individuality and denies them the fundamental right to education. Women from all sections of society supported the campaign. The Sarda Act (Child Restraint Act, 1929) was passed on 28 September 1929, enforcing 21 and 18 years as the minimum marriageable ages for men and women, respectively. This was the first legislation in India for the minimum age of marriage.

As a prominent leader in the Indian independence movement, she was also part of various organisations and committees working towards women's emancipation. She was the president of the All India



*Picture of Shareefa Hamid Ali.
Image courtesy - Abdullah Yusuf Ali's book
'Life and Labour of the People of India'*

Women's Conference (AIWC). AIWC aims to improve education for women and children and focuses on women's rights. Through this organisation, Ali gave her ideas of women's education a wider platform. She represented the organisation at the Istanbul Congress of the International Alliance of Women, marking her presence as a woman seeking basic rights for all women. She accentuated the presence of different kinds of feminism, often separated by regions and countries, inspiring one to look beyond one's social position and adopt an inclusive lens.



*Shareefa with her husband and sister.
Image courtesy of Issuu*

Ali was appointed to a women's sub-committee of the National Planning Committee in 1939. The sub-committee adopted an intersectional approach to women's upliftment, reviewing the social, economic, and legal status of Indian women. Ali represented Muslim women on the committee and believed it was important to have representatives from all communities to recommend measures of equal opportunity. Only

when violations of individual rights, and by extension violations against the rights of communities, are identified can a society achieve equality in all contexts.

In 1947, Ali represented India as one of the fifteen founding members of the first United Nations Commission on the Status of Women. Ali, alongside other delegates from around the world established the Commission's guiding principles. Ali brought her ideas of inclusivity while drafting the principles. The principles included raising women's status irrespective of nationality, race, language, and religion and continue to guide the functioning of the Commission and can be found in the United Nations Universal Declaration of Human Rights principles.

An ardent advocate of individual, human and, women's rights, Ali paved the way for younger generations of women to live their lives on their terms. ■

Mithan Tata Lam: An India Suffragist

Compiled by

**Anushka Das Sharma,
Paavi Kulshreshth &
Rachita Pant**

(Centre for Civil Society)

Indian suffragists played an immense role in the nationalist struggle and the subsequent universal adult franchise. A Padma Bhushan recipient, Mithan Tata Lam was one of the first women to be called to the English Bar and the first woman lawyer ever appointed to the Bombay High Court.



*Mithan Tata Lam (1898- 1981)
Image courtesy of Wikipedia*

Unlike most large democracies, the Indian constitution adopted universal suffrage since its inception. Indian suffragists deserve a significant share of the credit for this progressive cornerstone of independent India. Mithan Tata Lam joined the women's suffrage movement in British India along with Madam Bhikaji Cama, Princess Sophia Duleep Singh, and Lolita Roy.

Mithan's mother, Herabai, played a significant role in her introduction to the suffrage struggle. Together, they achieved many firsts for Indian women.

By 1915, Herabai had become the honorary secretary of the Women's Indian Association, and Mithan joined her as a suffragist in 1919. They travelled to London to present a memorandum on the women's franchise, alongside Sarojini Naidu, before the Southborough Franchise Committee. The suffragists' goal was to eliminate sex disqualification in the Government of India Bill (1919), which explicitly barred women in India from the franchise.

Mithan and Herabai's statement - titled 'Why Should Women Have Votes?' - was brought to the India Office on 25 September 1919. Among their reasons for granting voting rights to women, a statement read:

“

It has been recognised now in all countries that the sex barrier has been a grave mistake, is out of date, unworthy of the times, a relic of past days when might was above right ... Why should India lag behind others in this respect and create a sex barrier where one does not exist, and thus brand Indian women as inferior to their sisters in other countries.”

They also argued,

“

Attempt to reform without the cooperation of women, and you are simply raising a paper fabric on foundations of sand.”



Herabai (seated) and Mithan Tata, 1919. Image courtesy of Wikipedia.

Mithan, Herabai, and other Indian suffragists succeeded in placing the rights of Indian women on a global platform. For this liberal cause, they brought together organisations and individuals from India and the United Kingdom. Suffrage organisations and individuals in Britain began sending letters to the India Office in their support.

While the Government of India Bill (1919) did not include women's franchises, the British government did concede autonomy to individual Indian provinces to provide enfranchisement to women, leading to the enfranchisement of women for the first time in Madras in 1921.

Mithan was admitted to Lincoln's Inn as a barrister in 1920 - only a year after the Sex Disqualification (Removal) Act (1919) had allowed women to enter public office. In 1923, she became one of the first women to be called to the English Bar.

In 1924, Mithan returned to India and began practising at the Bombay High Court. She was also a law professor at the Government Law College, making her the first woman to be a law professor in India.



Lam (left) was the sheriff of Bombay, the first female sheriff in India. Image courtesy of Getty Images.

Being the first of her kind, Mithan rallied against sexism within the legal profession by asking, 'how can a woman be declared unfit without even being given a trial?' Yet her efforts in legal practice challenged the age-old hierarchies that thrive in courtrooms and public offices. She is seen as a feminist, and liberal icon as her interventions in the legal sphere challenged and disrupted systemic misogyny, making it an inclusive profession.

Outside the court, she worked extensively on gendered legislation for inheritance and marriage. She also became a popular advocate for women's and children's rights. Mithan married a fellow lawyer, Jamshed Sorab Lam, who supported her work on the betterment of Bombay's slum dwellers by improving health and infrastructure facilities.

After three years of practice at the Bombay High Court, Mithan Tata Lam was appointed as a Justice of Peace and a committee member on the Parsi Marriage Act (1865). Her contribution led to an amendment of the Act, i.e., the Parsi Marriage and Divorce Act (1936). Adding to her list of firsts, in 1947, Mithan became the first woman Sheriff of Bombay. She also chaired the Women's Committee for the Relief and Rehabilitation of Refugees from Pakistan in 1947.

She was also an active member of the All India Women's Conference (AIWC) and served as its president from 1961-62. She held leadership and representative positions in the National Council of Indian Women, the Women Graduates Union of Bombay, the Indian Federation of Women Lawyers, the International Federation of Women Lawyers, and the United Nations.

Mithan Tata Lam passed away in 1981, leaving an everlasting legacy that revolutionised India's legal, social, and political reforms. The largest democracy in the world would not be what it is today without the consistent efforts and contributions of women such as Mithan Tata Lam. ■

Ramabai Ranade: Feminist and Educationist

Compiled by

**Anushka Das Sharma,
Paavi Kulshreshth &
Rachita Pant**

(Centre for Civil Society)

A 19th-century Indian feminist who fought for women's freedoms and trained them in public speaking, teaching, and weaving, Ramabai Ranade played a monumental role in bringing women into the public space.

One of the most important social reformers of pre-independence India, Ramabai Ranade's contributions have led to massive strides in women's empowerment. At a time when women were not to be seen in public often and heard even less, Ranade's life was nothing less than revolutionary.

Ramabai Ranade was born on 25 January 1863 in the Kurlekar family in Maharashtra. Albeit living in an era when women's education was not considered important, Ramabai was married at the age of 11 and educated herself with the active support and encouragement of her husband, M G Ranade. His ideals inspired her, and she learnt mathematics, geography and languages from him.

Ramabai's foray into activism began with her involvement with the Prarthana Samaj, which first exposed her to the ideas of social reform and its liberal undertones. Prarthana Samaj was a movement for social reform and conducted meetings and lectures addressing several important issues, including women's empowerment.. She utilised social spaces provided by ritual gatherings like kirtan to organise educational activities like essay writing and lectures to further promote reformist values among women.



*Ramabai Ranade (1862- 1924)
Image courtesy of Wikipedia*

Ramabai gradually developed her oratory skills and became a well-known public speaker. Her maiden speech was as the Chief Guest at Nasik High School. Since then, she has spoken in public countless times, delivering simple and eloquent speeches in English and Marathi. She also actively took on leadership roles and established a branch of Arya Mahila Samaj in Bombay and founded the Hindu Ladies' Social and Literary Club in the city. This organisation sought to train women in languages, handworks like knitting and tailoring, public speaking, and other basic skills.

Gradually she became increasingly involved in social service and after her husband's death, organised the first



Image courtesy of Seva Sadan Society

Bharat Mahila Parishad in Bombay. During the famine of 1913, she organised relief in Gujarat and Kathiawar. She chaired the first session of the India Women Conference in Bombay in 1904, fought for the cause of the indentured labourers in Fiji and Kenya, and organised aid for female pilgrims visiting the shrine of Sant Dnyaneshwar.

Ramabai's most liberal characteristic was how she practised her principles. Her most significant contribution is the establishment of Seva Sadan. Seva Sadan trained women to become nurses and later expanded to a Women's Training College and new departments for basic education and vocational and professional training of women. Its Pune branch trained over a thousand women, a significant feat when literacy among women was not considered important. Its Bombay branch acted as a home for distressed women, including widows, showcasing a distinctively liberal feature of her work of accepting women despite their social or economic background.

Her role as a social activist in her later years focused on two main causes, extending primary education to all girls and voting rights for women. She established a girls' school in Pune called the Poona Native Girls High School, incidentally India's oldest Indian-run girls' high school.

Ramabai was at the forefront of organising the Women's Suffrage Movement in Bombay in 1921-22. The Women's Indian Association, under Sarojini Naidu's leadership, raised the demand for including women's suffrage in the new Franchise Bill being discussed by the Government of India. Ramabai and other influential women sent telegrams of support to the then Secretary of State and was one of the earliest persons to raise the demand for equal political rights for women.

Ramabai's life and work can be read in her words in '*Amchya Ayushyatil Kahi Athvani*', translated into English as '*Himself: The Autobiography of a Hindu Lady*' by Katherine van Akin Gates, written in Marathi and published in 1910. A pioneer of the Indian women's movement, she was one of the first women in India to ask for political rights, support girls' education, and work for women's economic independence. She realised the role of civil society, community, and entrepreneurship as the way forward for women and engaged in harnessing their potential by making them economically independent and giving them a sense of dignity. ■

Babytai Kamble: A Resolute Feminist

Compiled by

**Anushka Das Sharma,
Paavi Kulshreshth &
Rachita Pant**

(Centre for Civil Society)

Babytai Kamble was a pioneering voice of intersectional feminism in India. As a Dalit woman, she understood the complexities of caste, class and gender-based oppressions and their overlapping nature. Her life and work provide a critical lens into the intersectionality of feminism.

“ It is the woman who is the doer. ”

– Babytai Kamble (Pandit)

A teacher, entrepreneur, human rights activist, and champion of women's rights, Babytai Kamble's life exemplifies purposeful determination. Kamble was inspired by the life of Dr B.R. Ambedkar and his contributions to the Dalit community. Kamble became a torchbearer of his values and motives but also created her legacy paving the way for Dalit women in activism and literature.

Kamble's peers and supporters called her Babytai out of affection and adoration. She belonged to one of the largest marginalised communities, the Mahar community. She began attending public meetings organised by various Dalit activists that inspired her to work for her community.

The meetings primarily focussed on the emancipation of marginalised communities, the acknowledgement of violations of human rights, absence of fundamental individual rights, and ways to implement these rights for the betterment of disadvantaged communities.

Once, an activist portrayed women as leaders, which struck a chord with young Kamble as it was a rare sight per societal norms. Therefore, hearing about such a possibility encouraged her to follow the same path. Kamble was married at the tender age of thirteen. Surrounded by poverty and unemployment, they started a small business selling grapes. This experience brought out the entrepreneur in Kamble. Her ideas and motives regarding the business gave her the agency that most women were forbidden to access.

Kamble soon became a member of the Mahila Mandal that Raja Malojiraje Nimbalkar and his wife, Lakshmibai, formed in Phaltan, Maharashtra. The Mandal focused on Dalit women's right to education and employment. Together, they fought for social equality in their community and participated in various deliberations regarding women's emancipation in these meetings. Kamble also ran an ashram for children of disadvantaged and vulnerable communities, focusing on their overall growth and development through



Babytai Kamble (1929- 2012)
Image courtesy of The Print

education. By imparting her ideas and motives to the ashram children, she was creating a safe space for them and giving them the scope to be independent, which she believed was crucial for one's individuality.

Kamble often read stories and narratives from the newspapers she used for packaging. The lack of representation of the marginalised, especially Dalit women, in the stories, encouraged her to pen down her lived experiences in her autobiography, *Jina Amacha* (The Prisons We Broke).

Her book elucidated Dalit women's oppression which was lacking in mainstream narratives and crucial to achieving individual fundamental rights. Kamble was unafraid of being critical of her community regarding the patriarchal subjugation of women. Dalit women are doubly marginalised as they are subjected to the humiliation of the upper caste community and men of their community.

Kamble's autobiography becomes a way of reclaiming her identity as a Dalit woman and an act of resistance to the atrocities and enormity of the world. Not being allowed to read and write by her husband and often subjected to physical violence if caught in the acts of education, Kamble created a space for herself in a male-dominated world.

She also published a collection of poems in Marathi titled *Man Bolata*. It focused on the teachings of Ambedkar and the emancipation and empowerment of the Mahar Community.

Kamble passed away in April 2021, leaving a legacy of freedom and equality. Her ideals and beliefs help us understand feminism on liberal ideas, seldom ignored and silenced, along with the multi-dimensional aspects of feminism. ■

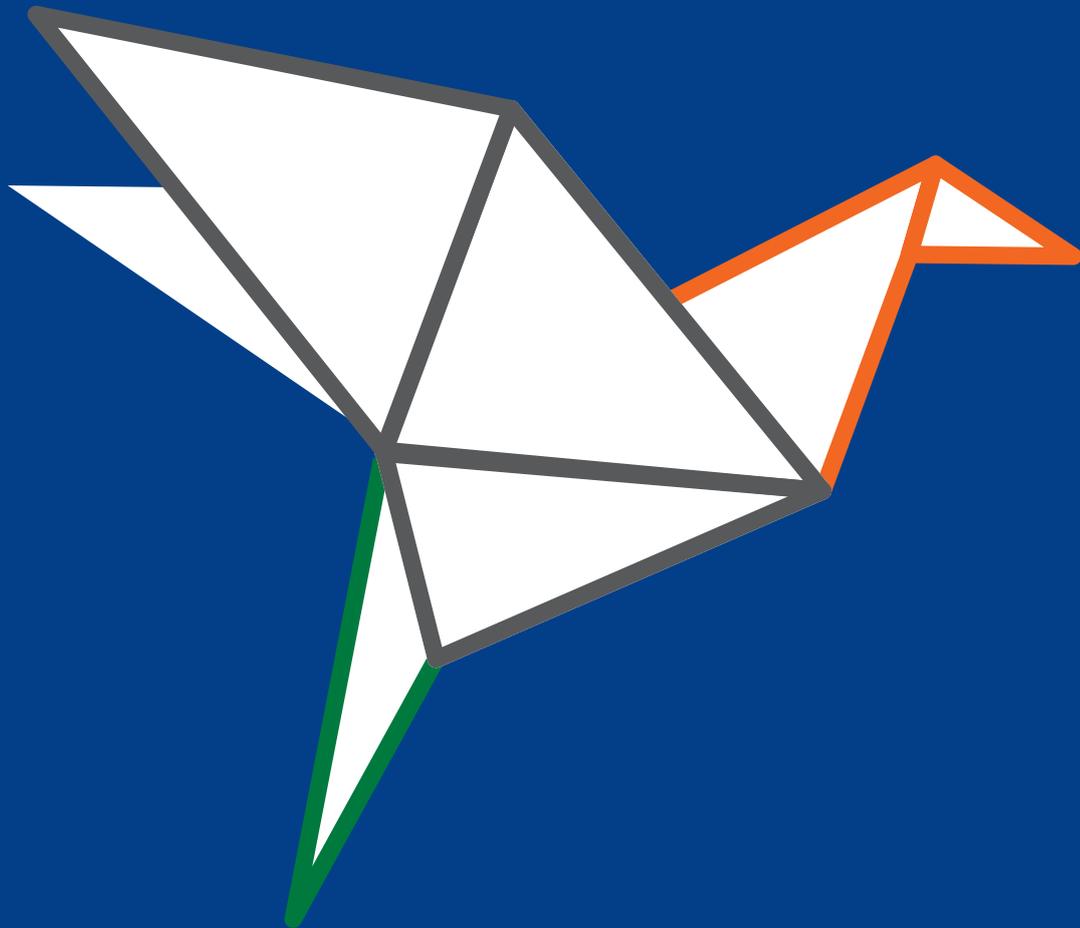


“

Women should have a deeper and extended education, not because we may make better matches for our girls ... not even that the services of the daughter-in-law may be more valuable in the home of her adoption, but because woman like man is first of all a mind, and only in the second place physical and a body. ”

- Lady Abala Bose







About Indian Liberals Project

indianliberals.in is a digital archive of Indian Liberal works in English and regional languages.

The Indian liberal space with its long history, old defenders and emerging advocates is as diverse and wide-ranging as the liberal political spectrum. While the space includes thinkers and scholars with the conscious liberal tag, there are countless others whose writings could find resonance with some or all the core liberal values. Still, all of them offered a potentially different lens to look at the age-old questions on the role of the state, society, and markets in India.

However, the writings of these individuals and organisations are currently dispersed and/ or limited to the vernacular audience and run the risk of getting lost with the passage of time.

It is, therefore, important to preserve India's history with liberalism; to ensure that every Indian, today and tomorrow, is familiar with their own national champions of liberty; that their ideas are more widely known and accepted so that India can avoid repeating its mistakes and forge a more successful path going forward.

Website: www.indianliberals.in



About Centre for Civil Society

Centre for Civil Society (CCS) advances social change through public policy. Our work in education, livelihood, and policy training promotes choice and accountability across private and public sectors. To translate policy into practice, we engage with policy and opinion leaders through research, pilot projects and policy training.

We are India's leading liberal think tank, ranked 5th in India and 83rd in the world by the annual study conducted by 2021 Global Go To Think Tank Index Report released by the University of Pennsylvania.

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**FRIEDRICH NAUMANN
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South Asia

About Friedrich Naumann Foundation

The Friedrich Naumann Foundation for Freedom (FNF) is a German political foundation which promotes liberal values. It has offices in around 60 countries around the world. FNF New Delhi office serves as Regional Office of South Asia region. It has other offices in the region in Dhaka, Colombo and Islamabad. However, it does have partners in Bhutan and Nepal who work with it on promoting liberal values. It works on four focal issues: good governance, rule of law and human rights, education, and free market economy.

Website: www.freiheit.org/south-asia





Indian Legacy of Freedom

This book covers demands for economic, political and personal liberty across different points in Indian history by Indian Liberals.



Advancing Individual Choice and Institutional Accountability



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