

**SPEECH BY THE PRESIDENT OF INDIA, SHRI PRANAB  
MUKHERJEE DELIVERING THE FIRST N.K.P SALVE MEMORIAL  
LECTURE ON "CONSTITUTION AND GOVERNANCE"**

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1. It is indeed a matter of pleasure to join you for the first memorial lecture of Late Shri. Salve who was a multi-dimensional personality. I am happy to be here to deliver the First Memorial Lecture of Late N.K.P. Salve on Constitution and Governance.
2. The defining feature of any democracy is that it replaces the rule of men by the rule of law and achieves this by creating institutions of governance and processes for their functioning. The challenges of governance are always enormous. It is more so, in a country that has 17.5% of the world's population but only 2.4 per cent of land resources and 4.2% of world's natural resources with a society which is multi-cultural, multi-lingual and multi religious. The challenges are compounded by development issues faced by around 355 million people living in poverty line.
3. From the time of its birth, India has continued to face the challenges of poverty and development and annual GDP growth was 1% - 30 years 3.5% -10 year 5%, 10% of 6.5%. To meet these challenges, the institutions have to adapt and adopt new strategies and must redefine themselves from time to time. There is therefore a need for discussion and debate about the functioning of our Constitutional institutions, to measure their growth and to judge their performance with a view to strengthening them.
4. Ladies and Gentlemen, by our Constitution, we resolved to give to ourselves a Republic. Our Constitution recognized individual rights and community rights and gave them primacy by calling them fundamental rights, making them enforceable and giving

power to our courts to act as a bulwark against any attempt to restrict or curb them.

5. Our founding fathers were not unaware of the potential conflict between the Judiciary and Executive and Legislature or either one, but they had faith in the power of public opinion – the ultimate symbol of political sovereignty. They knew that the different wings of government would learn to co-exist and work together for the benefit of the nation and its people.
6. Our Constitution spells out the aspirations of the founding fathers. The guidance for the government, in the form of Directive Principles of the State Policy, is contained in Part-IV of the Constitution. The relationship between these principles of state policy and the fundamental rights of citizens was fashioned upon an article of faith of the founding fathers--that even the most desirable ends should only be achieved through permissible means.
7. Ladies and Gentlemen, Our Constitution created three wings of the state: the legislature to make the laws and hold the executive to account; the executive to govern this vast nation; and the judiciary to ensure that all institutions stayed within their constitutional remit and to ensure that none tramples upon the constitutional rights guaranteed to the people.
8. A written instrument even as elaborate and lengthy as the Indian Constitution is never exhaustive. A constitution is a charter for the governance of a nation and its jurisprudence is dynamic and constantly evolving. The notion of what is good governance must be defined by the need of the times and enriched by the experience of the decades. Yet, it enshrines certain timeless values that can never be compromised. It is our duty to identify

these values and to measure our performance on the touchstone of these values.

9. The Preamble records the resolve of the people of India to be secular. It records the resolve to secure to all citizens justice, liberty, equality and fraternity. How far have we achieved these and what is the task ahead?
10. Ladies and Gentlemen, it can be said with some sense of satisfaction that despite the challenges we have faced, India continues to remain firmly rooted to secularism. The idea of what are the contours of secularism at its fringes is debated – as it must be in any vibrant society – but the basic principles of equality of all religions, the right to freedom of thought and conscience and the right to practice and profess religion and to establish institutions of choice have been steadfastly observed in this country.
11. There have been aberrations and every communal conflict, irrespective of its magnitude, scars the conscience of our nation. The problem is now exacerbated by terrorism that professes religious underpinnings. The challenge of any democracy is to adhere to basic values of civilized behavior and respect human rights and civil liberties in the face of provocation.
12. Justice - social, economic and political - is in the life of any nation, a journey more than a destination. There have been measures of social justice which over the decades have slowly but surely shown results. Abolition of untouchability is one such measure. However, much needs to be done to achieve greater social justice, particularly gender justice. To achieve social justice requires not mere governance but the transformation of social ethos, a recasting of mindsets and that is the job not just of the legislature, the executive or the courts, but of each one of us.

13. Political justice is one of the fronts in which we can look back with a degree of satisfaction. The continuing empowerment of the marginalised sections of the society is a testimony to the manner in which political justice has been successfully achieved.
14. The ultimate goal of any democracy is the empowerment of the individual, irrespective of his economic, religious or social standing. This may appear to be a utopian dream for many, but the strength of a system lies in its capacity to ceaselessly work for its accomplishment. We owe ourselves to create a system in which access to politics is not limited to a privileged few but an average Indian also feels empowered enough to contribute. We have achieved this in some measure though. Some of our finest public figures have had humble beginnings and demonstrate how perseverance and determination triumph adversity.
15. Economic development is vital to good governance. We cannot distribute the wealth which we do not possess and therefore production of wealth must necessarily be one of the predominant objectives of state policy. However, this again must be imbued with the principle of equality with which there can be no compromise.
16. An egalitarian society can only be created when growth is inclusive. It is important to ensure that there is justice and equality of opportunity and the state does not create conditions in which the privileged few gain at the cost of the multitudes who suffer endemic poverty. A sustainable society can only be based on the principles of egalitarianism.
17. Ladies and Gentlemen, the wisdom of the founding fathers in creating a quasi-federal structure despite providing for Westminster form of democracy requires to be recognized. We have achieved a significant degree of federalism, the living proof

of this success being the political reality that aspirations of regional parties are finding a due place in government formation at the Centre.

18. The Constitutional machinery of dispute resolution is a measure of last resort. Adjudicative resolution of complex federal problems is never satisfactory. There is no substitute for statesmanship and good sense. Problems of governance reflected in disputes of these kinds must be resolved by rising above partisan political interest in a spirit of nationalism and in true adherence to the principles that democracy is about sharing and sharing alike.
19. Ladies and Gentlemen, India is not high on the world governance index. Though today India is the third largest economy in PPP terms, it is ranked very low in Regulatory Quality and Control of Corruption index. This would need to change. We cannot achieve true progress unless the governance improves. Not one section is responsible for the ills. The society on the whole has to reset its moral compass.
20. Ladies and Gentlemen, amongst the institutions which occupy in public perception a pride of place, is the Indian judiciary. True to the dream of the founding fathers, the judiciary is fiercely independent and has always acted as a check upon any Constitutional aberration.
21. Of late, the judiciary has been perceived to have assumed an expanded role. Some of this is the inevitable consequence of the innovative interpretation of rights, civil and political, enshrined in the Constitution. As is inevitable, the Courts at times are perceived as having strayed into areas which are best left to the executive government or to the policy makers in the legislature. The separation of powers is a Constitutional feature over which

there has never been any doubt, and should be respected at all times.

22. We are having this liberty in order to reform our social system, which is full of inequality, discrimination and other things, which conflict with our fundamental rights.”

Thank you.