

Architects of Equality: The Women Who Shaped the Indian Constitution

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Abstract: Architects of Equality

This paper explores the often-overlooked yet foundational role of the fifteen women members of India's Constituent Assembly (1946–1950) in drafting the Indian Constitution. While historical accounts frequently centre on the male “Founding Fathers,” the women members—including figures like Hansa Mehta, Dakshayani Velayudhan, and Ammu Swaminathan—were crucial architects of the country's commitment to social revolution and radical equality.

The study argues that their contributions transcended narrow gender concerns, profoundly shaping the Constitution's core principles of democracy, secularism, and social justice. Through rigorous analysis of the Constituent Assembly Debates (CAD), this research highlights their successful advocacy for universal adult franchise, their insistence on gender-neutral language in the Fundamental Right to Equality (Article 15), their powerful stands against caste discrimination (Article 17), and their push for socio-economic rights within the Directive Principles of State Policy.

Ultimately, these women were instrumental in embedding an inclusive national vision into the supreme law, transforming the Constitution from a mere legal framework into a charter of progressive social change. Their legacy is critical to understanding the true, multifaceted origins of modern Indian polity.

KEY WORDS: Founding Mothers, Constituent Assembly, sovereign, discrimination, Directive Principles, democracy, Architects, Uniform Civil Code, Secularism, Charter, Minority

Introduction: Architects of Equality

The Indian Constitution, adopted in 1950, stands as the world's most comprehensive constitutional democracy, not merely a legal document, but a social revolution committed to dismantling millennia of hierarchy and establishing radical equality. “As Achyut Chetan has shown in his book *“Founding Mothers of the Indian Republic”*, the women members of the Constituent Assembly formed a distinct group in that august body, spoke in a distinct feminist parlance, and shared a conastitutional vision of justice to such an extent that they can collectively be called the ‘mothers’ of the Indian Constitution.”¹ Yet, the narrative of its creation often focuses predominantly on the male “Founding Fathers,” obscuring the critical and tenacious contributions of the women who ensured this document lived up to its promise of “We, the People.”

¹ Chetan, A. (2023). *Founding mothers of the Indian Republic: Gender politics of the framing of the Constitution*. Cambridge University Press.

“CJI Gavai called India’s Constitution a “quiet revolution” for empowering the marginalised and ensuring equality, drawing on his own Dalit experience.”²

“Indian democracy was constituted after a long struggle for self-determination, which ultimately culminated in the making of a constitution for independent India.”³The Constituent Assembly (1946–1950) faced the monumental task of drafting the supreme law for a newly independent, diverse, and fractured nation. Of the nearly 300 members entrusted with this duty, only fifteen were women. This numerical disparity immediately highlights the political and social hurdles they overcame to participate in this seminal process. Their presence was not tokenistic; it was transformative.

This paper argues that the contributions of the fifteen women members of the Constituent Assembly were foundational, extending beyond gender-specific issues to shape key tenets of Indian democracy, secularism, and social justice, ensuring the document reflected a genuinely inclusive national vision.

To substantiate this argument, this study will primarily analyse the specific debates and interventions of the women members, notably Hansa Mehta, Dakshayani Velayudhan, and Ammu Swaminathan, as recorded in the Constituent Assembly Debates (CAD) volumes.

The subsequent sections of this paper will first examine the political context and diverse backgrounds of these fifteen ‘Architects.’ It will then proceed to analyse their specific interventions in the debates on Fundamental Rights and Social Justice, followed by an assessment of their role in defining the structure of the Indian State and the Directive Principles. The final section will highlight individual impact before concluding with an assessment of their enduring legacy in modern Indian polity.

I: The Landscape of the Constituent Assembly

1.1 Historical Context and the Setting

The Constituent Assembly of India, which convened from December 1946 to January 1950, was tasked with framing the Constitution for a newly sovereign nation. This period was marked by extraordinary tension: the trauma of Partition, the integration of princely states, the legacy of British colonial law, and the simultaneous effort to create a democratic and unified republic out of unparalleled diversity. The Assembly was not just a legal body; it was a political crucible where competing ideologies about India’s future—secularism versus religion, centralisation versus federalism, and social revolution versus preservation of tradition—were intensely debated.

1.2 The ‘Forgotten 15’: A Unique Minority

Against this backdrop, the presence of fifteen women members was a radical statement in itself. In a body dominated by veteran male politicians, lawyers, and freedom fighters, this small group represented the aspirations of half the nation. Their inclusion signalled an immediate, non-negotiable commitment to gender equality in the new republic.

² *The Hindu* reporter. (2025, June 12). Constitution is a “quiet revolution”: CJI Gavai at Oxford Union. *The Hindu*. <https://www.thehindu.com/news/...>

³ Alisha Dhingra, 2022. “Gender Discourses and the Making of the Indian Constitution,” *Indian Journal of Gender Studies*, Centre for Women’s Development Studies, vol. 29(1), pages 33-54, February.

The fifteen women members were:

1. Ammu Swaminathan
2. Dakshayani Velayudhan
3. Durgabai Deshmukh
4. Hansa Mehta
5. Kamla Chaudhry
6. Leela Roy (Resigned)
7. Malati Choudhury
8. Purnima Banerjee
9. Rajkumari Amrit Kaur
10. Renuka Ray
11. Sarojini Naidu
12. Sucheta Kriplani
13. Vijayalakshmi Pandit (Did not attend sessions after the initial period)
14. Begum Aizaz Rasul (The only Muslim woman member)
15. Annie Mascarene

1.3 Diverse Backgrounds and Political Pedigrees

The strength of these women lay in their diverse and often formidable backgrounds, which equipped them to advocate across a wide range of issues:

Freedom Fighters and Politicians: Many, like Sucheta Kriplani and Sarojini Naidu, were prominent figures in the independence movement, bringing deep political experience.

Social Reformers and Activists: Figures like Durgabai Deshmukh and Rajkumari Amrit Kaur were dedicated to social causes, particularly education and public health, linking constitutional provisions directly to societal upliftment.

Champions of Women's Rights: Hansa Mehta was a key voice in global women's rights, famously advocating at the UN for the phrase "All men are born free and equal" to be changed to "All human beings are born free and equal."⁴

Voices of the Marginalised: Dakshayani Velayudhan was the first and only Dalit woman member, bringing an essential perspective on caste discrimination and untouchability that was critical to the drafting of Article 17. She advocates "A Constituent Assembly not only frames a constitution, but also gives the people a new framework of life."⁵

1.4 Challenges and Impact

As a collective minority, the women faced the challenge of having their voices heard on matters beyond what were stereotypically considered "women's issues." However, their strategic interventions in the Constituent Assembly Debates (CAD) demonstrate they were not confined. They acted as a powerful, cohesive, moral force, ensuring that the grand ideals of liberty and equality were translated into concrete, legally enforceable articles, effectively functioning as the conscience of the Assembly on issues of social justice and inclusion.

⁴ Adami, R. (2018). Women and the Universal Declaration of Human Rights: A Brief Retrospective on Women's Inclusion in the UDHR.,

⁵ Constituent Assembly of India. (1946, December 19). *Constituent Assembly debates* (Vol. 1). Lok Sabha Secretariat. <https://loksabha.nic.in/debates/cadebatefiles/cadvol1.pdf>

II: Key Contributions to Fundamental Rights and Social Justice

The women members of the Constituent Assembly were pivotal in ensuring that the Constitution's core, particularly the chapters on Fundamental Rights and the Directive Principles, was infused with principles of radical social equality and justice. Their interventions were strategic, aimed at transforming legal equality into a lived reality.

2.1 Advocacy for Universal Adult Franchise

One of their most immediate and successful demands was for universal adult franchise, meaning the right to vote for every citizen over 21 (now 18) regardless of gender, property, or education. This was a revolutionary concept globally and a non-negotiable term for the women.

Significance: While some male members favoured restricting the vote based on property or literacy, the women, recognising that political power was the key to social change, successfully pushed for its immediate, unconditional adoption. Their firm stand cemented India's status as a pioneer in adopting universal suffrage at its inception.

2.2 The Right to Equality (Articles 14 & 15)

The women's group was instrumental in ensuring that the guarantee of equality was gender-neutral and comprehensive, pushing to dismantle patriarchy and discrimination enshrined in social norms.

Hansa Mehta's Role: As a member of the Sub-Committee on Fundamental Rights, Hansa Mehta fought for the inclusion of strong provisions against sex-based discrimination. Her efforts ensured that Article 15, which prohibits discrimination, explicitly includes "sex" alongside religion, race, caste, and place of birth.⁶

Beyond Public Sphere: The women's insistence helped ensure that equality was not limited to public employment but addressed social issues, laying the groundwork for future legal reforms concerning family and property laws.

2.3 Abolition of Untouchability (Article 17)

The most compelling voice for the marginalised belonged to Dakshayani Velayudhan, the first and only Dalit woman member. Her arguments were crucial in reinforcing the scope of Article 17, which abolishes 'Untouchability.'

Radical Position: Velayudhan argued that merely making untouchability punishable was insufficient; the Constitution needed to create a society where the practice could not persist. She pushed for clauses that made the prohibition absolute and comprehensive, criticising any provision that seemed to suggest a continuation of caste-based practices, even in a diluted form. Her demands highlighted the interconnection between gender oppression and caste oppression.

2.4 Personal Law and Uniform Civil Code (UCC)

The debates around the Uniform Civil Code (Article 44 in the DPSP) saw women members advocate for the ultimate goal of social cohesion and equality in family laws, even while acknowledging the complex political reality of its immediate implementation.

Progressive Stance: Members like Ammu Swaminathan and Renuka Ray strongly supported the principle of a UCC, seeing it as essential for consolidating national unity and ensuring gender parity in

⁶ India. Constituent Assembly. (1948, November 29). *Constituent Assembly Debates (CAD)*, Vol. VII (Draft Article 9, now Article 15).

matters of marriage, divorce, and inheritance, which had been traditionally governed by diverse and often patriarchal religious laws. They viewed constitutional reform as the only means to liberate women from antiquated social structures.

III: Shaping the Structure of the Indian State

The contributions of the women members extended beyond the sphere of individual rights to critically influence the foundational structure and guiding principles of the Indian State itself, ensuring its governance was secular, inclusive, and socially responsible.

3.1 Debate on Secularism and Minority Rights

The women members played a vital role in the debates that defined India's secular character, especially during discussions concerning minority representation and religious freedom.

Begum Aizaz Rasul's Stand: As the only Muslim woman member, Begum Aizaz Rasul took a highly progressive and unifying stance. She was instrumental in advocating for the abolition of reserved seats for religious minorities in the legislature. She said that "I feel, Sir, that it is a self-destructive weapon which separates the minorities from the majority for all time. It is a self-destructive weapon which the British Government introduced in this country and which it has now done away with."⁷ She argued that separate electorates and reservations were divisive, weakening the concept of a unified nation and hindering the growth of a genuinely secular democracy. Her position emphasised that true democracy must be achieved through fair, non-communal representation and competition.

Renuka Ray's View: Women like Renuka Ray also contributed to cementing the secular foundation by ensuring that religious freedoms were constitutionally guaranteed but were subject to public order, morality, and health, thus preventing religious practice from overriding the state's social reform agenda.

3.2 Directive Principles of State Policy (DPSP)

The Directive Principles of State Policy, enshrined in Part IV of the Constitution, outline the broad socio-economic vision that the State is expected to pursue in order to build a just and equitable society. Women members of the Constituent Assembly played a significant and often under-recognised role in shaping this vision. They were instrumental in ensuring that issues such as poverty alleviation, labour welfare, and social justice—especially as they affected women and marginalised groups—were firmly embedded within this section.

Commitment to Socio-Economic Equality:

These women leaders forcefully argued that political independence would be incomplete without social and economic justice. Their advocacy helped lay the foundations of India's welfare state by securing the inclusion of progressive principles, including:

- **Equal Pay for Equal Work (Article 39(d)):** They pressed for constitutional recognition of the principle that men and women performing the same work should receive equal remuneration. This provision challenged entrenched gender discrimination in wages and affirmed the State's responsibility to promote economic equality and fairness in employment.
- **Maternity Relief and Humane Working Conditions (Article 42):** Recognising the dual roles often performed by women as workers and caregivers, they ensured that the Constitution directed the State to provide just and humane conditions of work and maternity relief. This provision acknowledged the

⁷ India. Constituent Assembly. (1949, May 26). *Constituent Assembly Debates (CAD)*, Vol. VIII. (Debate on the Report of the Advisory Committee on Minority Rights).

biological and social realities of motherhood and underscored the State's obligation to protect the health, dignity, and economic security of working women.

Through these contributions, women members ensured that the Directive Principles reflected not only abstract ideals but also concrete commitments to improving the everyday lives of women and advancing substantive equality in Indian society.

Child Welfare: They advocated for policies aimed at protecting the health and tender age of children and ensuring opportunities for them to develop in a healthy manner (Article 39(f)).

3.3 Strengthening the Federal Structure and Governance

The women members demonstrated a commitment to constitutionalism and institutional integrity by participating in debates regarding the overall machinery of the government.

- **Judiciary and Governance:** Durgabai Deshmukh, a seasoned legal mind and social worker, provided valuable input on strengthening the judiciary and administrative machinery, focusing on ensuring the effective implementation of the constitutional goals. She said, "I hope and pray that the Implementation of this Constitution will be such as to enhance the prestige of our motherland and make her a dynamic force that will bring together all nations of the world within the orbit of an enduring peace."⁸
- **Commitment to Stability:** Through their general participation in debates on the powers of the President, the role of the Governor, and the structure of Parliament, they consistently upheld the need for a strong, stable, yet responsive federal structure capable of executing the transformative social mandate of the Constitution.

IV: Individual Impact and Eloquence in the CAD

While operating as a cohesive group, the women of the Constituent Assembly were also powerful individuals whose eloquence, personal experiences, and legal acumen led to critical interventions that are preserved in the Constituent Assembly Debates (CAD). Their contributions often served to elevate the moral and ethical standards of the discussions.

4.1 Dakshayani Velayudhan: The Voice Against Entrenched Casteism

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Dakshayani Velayudhan was one of the most remarkable members of the Constituent Assembly and the only Dalit woman in the body. Coming from the Pulaya community of Kerala—historically subjected to severe caste-based discrimination and untouchability—her very presence in the Assembly symbolised a powerful challenge to India's deeply entrenched caste hierarchies.

She consistently used her voice to argue for a Constitution grounded in social justice, dignity, and equality. Having personally experienced the humiliations of caste oppression, Dakshayani spoke with moral authority on the need to eradicate untouchability and dismantle systemic discrimination. She strongly supported the inclusion of provisions that later became Article 17 of the Constitution, which abolishes untouchability and forbids its practice in any form. For her, political freedom from British rule would be meaningless without social freedom from caste-based subjugation.

At the same time, Dakshayani emphasised that social transformation required not only legal safeguards but also a change in social attitudes. She advocated for equality before the law, access to education, and opportunities for marginalised communities as essential steps toward true democracy. While she

⁸ Rajya Sabha Secretariat. (2012, April). *Selected speeches of women members of the Constituent Assembly*. Rajya Sabha Secretariat. https://cms.raiyasabha.nic.in/UploadedFiles/ElectronicPublications/Selected%20Women%20Speech_Final.pdf

supported protective measures for Scheduled Castes, she also expressed faith in the transformative power of constitutional morality and education to break caste barriers.

Dakshayani Velayudhan's contributions were marked by dignity, restraint, and a firm belief in democratic principles. She did not frame her arguments in anger, but in a deep commitment to justice and national unity. Through her interventions, she ensured that the Constitution addressed not only political governance but also the urgent need to confront and dismantle caste oppression at its roots. "She argued for an "Independent Socialist Indian Republic," believing that only such a Republic could provide "freedom and equality of status to the Harijans."⁹

4.2 Hansa Mehta: Insisting on Global Human Rights Standards

Hansa Mehta was a prominent member of the Constituent Assembly who played a vital role in ensuring that India's constitutional framework reflected universal human rights principles and gender equality. A distinguished educationist, reformer, and freedom fighter, she believed that independent India should align itself with the highest global standards of justice, liberty, and equality.

One of her most significant contributions was her insistence on gender-neutral language in constitutional provisions. She strongly opposed formulations that treated women as a separate or weaker category in need of special protection without equal rights. Instead, she advocated for equal citizenship and non-discrimination based on sex, helping shape provisions such as Article 15, which prohibits discrimination by the State on grounds including sex. Her stance on women's rights shows that she favoured formal equality — equality of status and opportunity — rather than protective or special quotas.¹⁰

Her commitment to global human rights standards was also evident in her international work. As a member of the United Nations Commission on Human Rights, Hansa Mehta played a historic role in shaping the Universal Declaration of Human Rights (UDHR). She was instrumental in changing the wording of Article 1 of the UDHR from "All men are born free and equal" to "All human beings are born free and equal," ensuring that the language was inclusive and truly universal. This intervention reflected her deep conviction that rights must be framed in a way that explicitly includes women.

In the Constituent Assembly, she emphasised that India, as a newly independent nation, had the opportunity to set a progressive example for the world. She argued that the Constitution should not merely reflect existing social conditions but should actively transform them by upholding human dignity, equality, and freedom for all citizens.

Through her advocacy, Hansa Mehta ensured that India's Constitution was not only rooted in national aspirations but also aligned with broader global human rights ideals, reinforcing the principle that equality and dignity are universal and indivisible.

4.3 Ammu Swaminathan: The Constitution as a Charter of Pride

Ammu Swaminathan delivered one of the most powerful and moving closing speeches in the Assembly, defending the final draft of the Constitution as a proud achievement of the Indian people.

- **Impassioned Defence:** At a time when the Constitution was facing criticism for being too long or too "un-Indian," she spoke passionately, declaring: "People abroad are asking, what has India done? I hope that some of us will live to see that the Constitution becomes a real stronghold for

⁹ PACT. (2023, March 8). *Dakshayani Velayudhan – Sole Dalit Woman Constituent Assembly Member*.

<https://pactproject.net/2023/03/08/dakshayani-velayudhan-sole-dalit-woman-constituent-assembly-member/>

¹⁰ Poddar, U. (2021, March 25). *Women in Constituent Assembly: The many hats of Hansa Mehta*. Lawctopus.

<https://www.lawctopus.com/women-in-cad-v/>

human rights, and it will be worked towards establishing a real democracy, so that there will be happiness and prosperity for everyone in India.”¹¹

- Focus on the Common Citizen: Her eloquence focused on the transformative effect the Constitution would have on the common person, particularly women, whom she stated would no longer be marginalised but would stand as equal citizens.

4.4 Others: Targeted and Specific Interventions

Other women made critical, focused contributions:

1. Durgabai Deshmukh: A distinguished lawyer, she offered critical insights on shaping the judiciary and emphasised the importance of independent legal systems to uphold the newly established rights.
2. Purnima Banerjee: She strongly opposed the inclusion of the provision for Preventive Detention in the Fundamental Rights chapter, arguing that it violated the spirit of liberty that the Constitution aimed to establish. Her opposition reflected a deep commitment to civil liberties.

In sum, the eloquence and focused arguments of these women ensured that key constitutional provisions were not just technically sound but morally and socially transformative, leaving an indelible mark on the character of the Indian Republic.

Summary of Findings: A Legacy of Inclusion

The analysis confirms that the fifteen women members of the Constituent Assembly were not merely symbolic figures but active and essential participants who profoundly shaped India’s supreme law. Their interventions, detailed across the Constituent Assembly Debates (CAD), demonstrate a consistent commitment to embedding principles of equality, social justice, and inclusion into the Constitution’s core.

They fought successfully for the radical measure of Universal Adult Franchise, insisted on gender-neutral language in Article 15 (Right to Equality), championed the absolute abolition of caste discrimination (Article 17) alongside Dakshayani Velayudhan, and ensured the State’s responsibility for socio-economic welfare through the Directive Principles (e.g., maternity relief and equal pay). Furthermore, figures like Begum Aizaz Rasul contributed to defining the nation’s secular and unified character by arguing against reserved religious seats.

Revisit Paper: Architects of Equality Confirmed

The evidence strongly supports the paper that these women’s contributions were foundational and transformative, extending well beyond narrowly defined “women’s issues” to influence the fundamental nature of the Indian State. They operated as the conscience of the Assembly, forcing their colleagues to confront the implications of the constitutional ideals for the most marginalised and ensuring that the final document was truly a blueprint for an egalitarian republic. They were, unequivocally, the Architects of Equality.

Enduring Legacy and Contemporary Relevance

The work of these women remains vital today. The constitutional bedrock they helped lay supports contemporary legal and political battles for gender equality, caste justice, and human rights.

The principles they championed are directly relevant to ongoing debates, such as the push for the Uniform Civil Code (UCC), which was a goal they articulated decades ago.

¹¹ Rajya Sabha Secretariat. (2012, April). *Selected speeches of women members of the Constituent Assembly*. Rajya Sabha Secretariat. https://cms.raijyasabha.nic.in/UploadedFiles/ElectronicPublications/Selected%20Women%20Speech_Final.pdf

Their successful fight for adult suffrage and equality continues to inspire movements for increased political representation of women in Parliament and state assemblies.

Concluding Thought

To fully appreciate the transformative nature of the Indian Constitution is to recognise the courage, foresight, and tenacity of the women who drafted it. Their legacy serves as a reminder that constitutional democracy is a continuous project, reliant on the persistent voices of those who advocate for a more inclusive and just society.

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