

Constitution in the Classroom #4.3:

Worksheet on Ban on Slaughter

1. The Constituent Assembly debated issues around placing a ban on Cow Slaughter with respect to Article 48 of the Constitution of India, 1950. Identify the date (s) on which the Constituent Assembly debated Article 48. Note them down.
2. Identify 3 members of the Constituent Assembly who were involved in the debate. Find out their backgrounds.
3. Was there a mention of 'cow' or 'cattle' in Indian constitutional thinking prior to the constitution making process?
4. *"Another interlocutor in the debate, Prof. Shibban Lal Saksena, member from the United Provinces (general) was far more unequivocal in his recognition of the difficulty of separating the religious aspects of cow protection from the economic aspects. Further, he found it difficult to see why, if the ethic of cow protection was based of a religious argument, it could not be enacted as law."* ("Negotiating the 'Sacred' Cow: Cow Slaughter and the Regulation of Difference in India", Shraddha Chigateri)
Is the author's account of Shibban Lal Saxena invoking 'religion' in his speech during the debate around cow slaughter true? Note down arguments made by him.
5. *'The value of dung is much more than even the famous "Kohinoor" diamond'*, the Supreme Court stated referring to submissions made by Gujarat Government in *State Of Gujarat v. Mirzapur Moti Kureshi Kassab* [Appeal (civil) 4937-4940 of 1998].
More recently, Mr. Mohan Bhagwat, RSS chief, argues for total ban on cow slaughter in India citing 'desi' cow's utility, including the usefulness of its urine and dung. ("RSS seeks national ban on cow killing", The Hindu, published on 9th April 2017).

Did any member (s) argue for ban on cow slaughter claiming how 'useful' cows are?

6. Syed Muhammad Saadulla made an intervention in the debate around cow slaughter in the Assembly where he seemed to have a 'suspicion'. What suspicion did he have? Read his entire speech and note down arguments made.
7. In what way was 'Pakistan' invoked in the debate around cow slaughter in the Constituent Assembly? Which member brought this up? Read the entire speech of the member and note down arguments made.
8. How did Das Bhargava invoke Ambedkar in his speech around cow slaughter? Read the entire speech and note down arguments made. You are now aware of the different rationales put forth for the inclusion of a provision that bans cow slaughter in the Indian Constitution. Carefully look at the text of Article 48 of the Constitution. Which rationale seems to have won out?