

Revisiting Ambedkar: a critical outlook through the lens of social justice

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ABSTRACT

A look at the contemporary deep rooted social cultural and political issues facing India leads us to revisit the ideas of Ambedkar and to address the issues from his planning, policies and arguments. Ambedkar was not confined in the drafting of the Constitution; he was actively engaged in social and political reforms in order to liberate the Dalit and marginalized from their evil destiny and to promote them for participating in the main stream national life: he was a person whatever he thought in his personal life he propagated the same thing for public life particularly for Dalit and untouchables. Protecting the rights in the Constitution he emphasized on social empowerment of Dalit as he realized political and economic democracy cannot be fulfilled unless social democracy is achieved at the grassroots level of the society. For him, mere protection of constitutional rights is meaningless unless social fabric for Dalit empowerment is ensured. Apparently, his thought seems to be complex and distinct from the contemporary nationalist leaders but a critical observation shows that he was a rational and realist thinker who understood the problems of policy execution before policy framing. Behind the backdrop the present paper is an attempt to explore and examine his vision in the context of present-day society and politics.

Keywords: *Annihilation of Caste, Constitutional Morality, Empowerment, Protective Discrimination, Social Justice.*

In the construction of Post-Independent modern India Ambedkar (1891-1956) was a pioneering figure who not only contributed to the Dalit liberation rather he can be considered as the architecture of modern India. Though popularly he is known as a ‘Dalit icon’ but it is not only his identity, he was a foreign expert, alternative visionary of Modern India and a dedicated Human Rights lawyer. Being the chairman of Drafting Committee, he led the entire Constitution writing program and articulated the ideas of social justice in his policy, program and

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arguments. In the words of Pandit Jawaharlal Nehru, Ambedkar was “a symbol of revolt against all the oppressive features of Indian society”.

The Ambedkarian orientation of social justice is distinctly different from Nehru and Gandhi. While Nehru was engaged to dream for a modern state beyond caste, class and religious conflict Ambedkar visualized that this state would be an instrument in the hands of upper class to create a hegemony undermining the interest of the larger downtrodden people.

Rejecting the ideas of Gandhian *Varna* system Ambedkar argued that caste is the source of social discrimination and that is why it should be abolished completely (Annihilation of Caste, 1936). Having to find valid argument our responsibility is to create an equilibrium environment for all promoting human values and good conscience. In contrast to compensatory justice, where social and political milieu occupied by the higher caste people, a substantive idea of justice for comprehensive well-being of the people is required to be set up. The intensity of belief and action prevailing in the present day social and political discourse may differ from region to region but a holistic attitude from the part of the administration can address the problems in a durable manner. So, Ambedkar felt a constant fight within the system to ensure the interest of the depressed classes.

Justice through constitutional democracy

Ambedkar believed in constitutional democracy. For him, social and economic democracy was more important than political democracy, but it can be achieved only through constitutional democracy. In his view democracy is a ‘mode of associated living’. The social, economic and political values are reflected through the morals of constitutional democracy. And by establishing the principles of supremacy of the constitution, rule of law, fundamental rights and remedies the true spirit of constitutional democracy can be flourished.

He considered the context of state formation from two perspectives- (i) State is the instrument to combat the domination of upper caste Hindu. The majoritarian rule should not be imposed in such a way that undermines the interest of the depressed and oppressed section. (ii) To ensure the interest of backward classes through the state mechanism. In order to fulfill this purpose he advocated for reservation for the minorities in educational institutions and service sectors. By minorities, he meant to say that the people those who are weak and neglected Dalit especially the untouchables. To expedite the state formation process he proposed for several things – (i) to strengthen the position of Governor

so that he can protect the rights of the weaker section or to ensure the interest of the marginalized sections, if there is any anomaly from the majoritarian ruling dispensation; (ii) to form the constitutional committees addressing the various issues of the backward classes; (iii) introducing the proportional representation to ensure the representation of backward classes as he thought that in the uniform electoral domain the Dalit and untouchables would be wiped out. Most probably that is why he advocated for proportional representation. In this context Chandra Mawli (1990) ironically remarked that people in India will not only cast their votes, but vote their caste. That was the realization of Dr. Ambedkar in regard to uniform electoral system.

While the post-independence India is facing the problems of language and divided into binary division – Hindi and non-Hindi division Ambedkar was not against Hindi as national language in principle but his realization is pragmatic and unique. His apprehension was that the domination of Hindi may create a kind of division among the North and South; and as a result of this a large number of marginalized sections from the South would be deprived from the state system (Das, 1993). In order to minimize the dominance of Northern Hindi region he proposed for the division of great Northern states. In the small states the proportional imbalance between upper caste people and marginalized section would be minimized; according to him in this system it would be easier to control the upper caste domination. Realizing the essence of his thought in post-independent India the state reorganization was conducted and even today we follow the same spirit to reorganize any state. It is to be kept in mind that in a multilingual country like India no linguistic supremacy should be promoted keeping in view the national unity and integrity. Language can be considered as a mode of communication and it inherits the local sentiment and culture of the specific region.

Ensuring constitutionalism for promoting justice

In order to ensure the rights of the marginalized people Ambedkar advocated for a written integrated constitution. Though, his idea of constitutionalism is different to a great extent from the present form of constitution because he wanted political equality based on social and economic equality. As the chairman of drafting committee Ambedkar argued that unless and until the rights of the downtrodden and women are protected no society can go ahead. That is why he was in favour of constitutional reservation. He justified the cause of reservation as the positive discrimination to uphold the standard of marginalized people of the society.

Through various provisions of the Constitution Ambedkar's vision for social justice has been reflected. His vision of social justice is reflected in the following provisions:

- (i) Article 14-18 (equality, abolition of untouchability, anti-discrimination)
- (ii) Article 21 (ensuring the right to life, dignity and personal liberty)
- (iii) Article 46 (promotion of SC /ST Education and Economic interest).

To foster the goal of social empowerment Ambedkar advocated for the inclusion of several social and economic policies in the Directive Principles (Article-- 36-51); thus his ideas of social justice have been reflected in the directives of state formation. Austin (2024:66) observed that "By establishing these positive obligations of the state, the members of the Constituent Assembly made it the responsibility of future Indian Governments to find a middle way between individual liberty and the public good, between preserving the property and the privilege of the few and bestowing benefits on the many in order to liberate 'the powers of all men equally for contributions to the common good'."

He was aware about the deviation of the norms while promoting special provisions for the downtrodden and weaker sections and that is why he justified it by the notion of 'Protective discrimination'. Today we find the same arrangements in various segments of the society in order to uphold them in the main stream. So the notion of positive discrimination based on 'intelligible differentia' is well accepted in the present time.

No doubt is there, today, tribals and others marginalized sections are deprived and become vulnerable in the socio economic sector. It is not only the question of the empowerment of the marginalized section, rather it is an instrument of all round development of the marginalized and downtrodden people of our society, he argued. Though he advocated for the empowerment of common masses he vehemently opposed the introduction Panchayet system as he believed that through Panchayet the dominance of the upper caste people would be established. He is of the opinion that the village is, "a sink of localism, a den of ignorance, narrow- mindedness and communalism" (CAD, 1948).

He strongly argued to introduce Uniform Civil Code by which the social division, caste discrimination, social hierarchy would be abolished. In 1951 while the initiative to pass the Hindu Code Bill was taken in the Parliament he strongly supported but ultimately, he failed and to protest

it he resigned from the then Ministry. He was also against Article 370 for the special provision of Jammu & Kashmir. He is of the opinion that if Kashmir is the integral part of the nation the Government of India should possess the internal security, border and all other things to ensure all round development of the people of the region. Though, against his will Article-- 370 was inserted in the Constitution. Today, the essence of his argument is realized and by the Presidential order (2019) the provision of 370 has been made inoperative.

Promoting social democracy and justice

People can enjoy the true spirit of political democracy only when he lives in the environment of social democracy. By social democracy Ambedkar meant to say that a kind of environment where liberty, equality and fraternity will be assembled together. He was in favor of western parliamentary form of democracy where individual well-being and social well-being be ensured. He was suspicious about the majoritarian rule because he believed that in a majoritarian rule, the minority voice and interest can be suppressed and compromised. Ambedkar realized that without the abolition of caste system the complete state formation is not possible and this work is not satisfactorily done during the colonial regime. So after independence through a democratic state system the state formation should be done in such a way that it can be used as a tool to uphold the interest of the marginalized section.

In order to develop the condition of vulnerable section of the society he established the Peoples Education Society on July 8, 1945, in Mumbai. He believed that by empowering the untouchables a community would be developed who could led the untouchables. In a caste ridden society no upper caste people would lead the real progress of the untouchables. That is why he emphasized – a) To organize the untouchables and to make them conscious b) To apply to the British Government for the well-being of the vulnerable sections and c) To spread the education among the vulnerable and down trodden peoples of the society.

For promoting social justice for the marginalized section, he proposed various social reformation schemes for the marginalized sections:

- (i) ensuring the representation of untouchables in every stage of the society and administration. Later on he demanded for separate electorate for the untouchables and untouchables leaders to represent them.
- (ii) to spread the higher education among the Dalit and untouchables.

- (iii) promoting for a strong Central government to implement public welfare and duties.

For him social justice implies the right of choice that is their liberty to choose their education and occupation. Ambedkar pointed out some importance rights like right to life, right to move, right to personal property, right to religion for promoting social justice. Apart from these, he proposed few plans to ensure social justice, namely:

- (i) To stop the forced and unpaid labour to the upper caste Hindus.
- (ii) Right to enter into the temples.
- (iii) To give the permission for using the water from public pond, tank.
- (iv) Introducing the scholarship to spread the education among the backward classes.
- (v) To ensure services in military and police.
- (vi) To engage them in social and cultural activities.
- (vii) Ensuring the representation in various government committees.
- (viii) To reserve the seats in central and provincial legislature.
- (ix) A minimum wages for a healthy livelihood.

Realizing the bitter experience in his personal life and social animosity in caste, class, he wanted to throw out the deep-rooted caste system from the society. In his famous book 'Annihilation of Caste' (1936) he advocated to abolish the sub-caste system from the demographic profile. Besides, to remove the superstition, not-touchism and any other separatist tendencies he emphasized on social cohesion and inter-dining. He also supported the inter caste marriage; as he thought that because of these a blood relation would be established and by marital relationship a social fraternity would be created. Thus, the practice of caste division will be eradicated from the society. By criticizing the caste system Ambedkar actually wanted to protect the upper caste domination mainly the *Bramhincal* philosophy of Hinduism. It is in this context he viewed a difference from Gandhi. While Gandhi wanted to reform the caste system but Ambedkar wanted to remove it. For him the *Bramhincal* idea of Hinduism has made the backward class more backward and they have become the subject of exploitation to the upper caste. In 1948, Ambedkar argued in his book 'Mr. Gandhi and the Emancipation of the Untouchables' (1942) that Indian Varna system is against the social justice. The same line of argument is noticed in his next book 'Who were

the Shudras' (1946). His idea of social justice is basically against the discrimination based on birth and social division. So the greater nation building process is associated with the removal of social inequality and empowering the marginalized section; his life-long effort can be considered and evident towards this end. He also believed that education is the most powerful instrument of social change and for this purpose he founded People's Education Society (1945). His famous slogan was "Educate, Agitate, Organize". In this regard Zelliott (1992) observed that as the architect of Dalit social revolution Ambedkar promoted a social struggle to spread the self-consciousness, self-respect and dignity among the backward classes. Thus, a resistance of the oppressed will be emerged against the upper caste domination. Concluding the position of Ambedkar, Panikkar (2004) argued that the ideas of democracy and caste are conflicting with each other; while democracy talks about the inclusion of all; on other hand caste creates an environment of exclusion.

Justice through political and economic equality

Ambedkar visualized for a society equipped with equal opportunities in political and economic status ensuring the dignity and liberty of the individual. Upholding the universal adult franchise (Article 326) he intended to ensure '*one person, one vote, one value*'. He assumed that because of upper caste domination the people belonging to the lower rang of society may be victimized and underrepresented in the political sector and that is why he advocated for separate constituency for marginalized section. Finally, by incorporating the reservations provisions for Scheduled Castes and Scheduled Castes the issues were addressed.

The role of Ambedkar and his impact in Indian society and polity have been examined from different outlook by the scholars. His legacy in the electoral polity can be visible through the emergence of Bahujan and Dalit-Centric parties and caste based political mobilization. In order to mobilize the Dalit voters a symbolic presentation of Ambedkar and his vision is a regular phenomenon in Indian polity especially in the backward regions where people are somehow detached from the main stream.

Assessing the reflecting scenario Guru (1991) is of the opinion that, in recent times there is a trend of Hinduisation of Ambedkar where the significance of Ambedkar as a figure of Dalit liberation has been lost significantly.

Constitutional morality and social justice

In the Constitution Assembly speech while introducing the Draft (1948) Ambedkar emphasized on constitutional of morality as a tool for social justice. By bringing the phrase 'Constitutional of Morality' he intended to address the constitutional values which would uphold the security, dignity of the individual particularly the marginalized section of the society.

Enumerating the idea of constitutional morality, he wanted to bridge between political democracy and social democracy. He believed that political democracy cannot last without social and economic democracy. Thus, constitutional morality operates as checks and balances against caste oppression, social exclusion particularly the discrimination against untouchables. Thus, in the present time we see the value of constitutional morality in interpreting the constitution to safeguard the rights of the women and vulnerable.

However, Ambedkar in his lifetime was not satisfied with the implementation and execution of the constitution especially for protecting the rights of the marginals; it became a rhetorical lexicon confined in the provisions and articles. While Ambedkar realized that this Constitution has failed to ensure the progress of the society and to make the society free from casticism he became so frustrated that he remarked, "I have made the constitution but I am quite prepared to say that I shall be the first person to burn it out. I do not want it. It does not suit anybody" (K. Dhananjay, 1990).

In spite of being a modern man Ambedkar at his last phases of life attracted towards Buddhism and ultimately converted to Buddhist religion. It is not because of the great passion for Buddhist religion he chased for this religion; rather he was so frustrated about the so-called religion and that is why he was searching for an alternative. After a careful study of Islam, Sikhs, and Christian religion he concluded that none of these can be a real alternative of Hinduism. Though Islam is different from that of the Hinduism, but it is not completely free from Varna/ caste division. The social division between Altab and Asraf still is evident in Islam. In his book the 'The Buddha and his Dhamma' (1957) he argued that the qualities of Buddhist religion are rational and modern. It is completely made for this world, not for any supernatural salvation for which this earthly happiness is sacrificed. It does not believe in the existence of God and even Buddha himself is not considered as spiritual God. He is just a path finder to get read of the criticality of this world.

But question may arise why being a rational and modern man Ambedkar opted for a religion. To understand the perplexity of his position, if we go through the famous book of Max Weber 'Protestant Ethic and the Spirit of Capitalism' (2001) we can understand the tragedy of modern man. How a modern man because of his rationality and reason has been alienated from his own-self and has been detached from the mystery of this world. Without the mystery of this world how it is difficult to live, the modern man has realized. Perhaps because of this, keeping aside the uniqueness of reason and rationality and the call for modernity Dr. Ambedkar searched and opted for a religion which is based on reason and rationality but as a religion it presents a world of mystery.

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