CHAPTER 2
AMBEDKAR ON MINORITIES AND SOCIAL JUSTICE

Introduction

Social justice is of central concern to Ambedkar. This becomes evident for anyone who is acquainted with his life and work. The principle argument of this paper is that Ambedkar’s thought on minorities is a result of this central concern for social justice. In fact, for him, Justice precedes everything else including Democracy (as a form of government), well aware as he was of Rousseau’s paradox: “for a democracy to promote justice, it must already be just.” His belonging to a unique minority makes him extremely sensitive to domination, oppression, injustice and other problems of minorities in a society; and in a Democratic setup. He was sensitive to both cultural and structural difference in society. Apart from these, he was extremely sensitive to issues relating to self-respect and self-esteem. In other words, issues relating to humiliation, as it happens to individuals and groups in society, done by society was extremely important for him. Ambedkar’s understanding of Justice goes beyond distributive notions of justice. A just society is also a non-humiliating society. Ambedkar employs terms like social and economic inequalities for the same. However, importantly, his view of the issue is not based on a sentiment of belonging to a minority but relies on principles that are intrinsic to democracy. In other words, his view is principled, not a sectarian tendency. Like John Rawls, a theorist of social justice, he is concerned with the ’basic structure’ of society, and stands for purging it of all inequalities that are detrimental to democracy. Ambedkar writes, “It needs no argument to show that the political structure rests on the social structure. Indeed, the social structure has a profound effect on the political structure. It

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1 Ambedkar would disagree with Avashai Margalit that a just society is not necessarily a non-humiliating society, and instead include non-humiliation as an essential aspect of a just society. In other words, a just society and a decent society are synonymous terms for Ambedkar. In fact, a civilized society, as Margalit uses the term, is a society where its members do not humiliate other members, can also be included in Ambedkar’s understanding of a just society. For understanding issues of just, decent and civilized society. See Avashai Margalit, The Decent Society (trans. Naomi Goldblum) (Cambridge, MA: Harvard University Press, 1996).
may modify it in its working. It may nullify it or it may even make a mockery of it.”

Though in this context, Ambedkar refers to the caste system in India, economic structure
can also be included.

The most important point that has to be kept in mind when understanding his conception
of democracy is its normativity, which means, it is based on political values. Merely
looking at it as a form of government without its principle values is unacceptable and can
be a source for tyranny of all kinds. Next, democracy in its essential meaning is inclusive
and deliberative. He writes, “In other words, it does not exclude any individual or a group
form participating in the political process and sharing in the social benefits of the
society.” As I. M. Young writes, “a democratic decision is normatively legitimate only if
all those affected by it are included in the process of discussion and decision making.”

But democracy as a form of government can exclude some groups by virtue of them
being a minority. He strongly believed that a proper handling of minorities and their
rights is the true test of a democratic state and society. For this reason, he fought with his
contemporaries for a ‘substantive equality’ rather than just ‘formal equality’, meaning
that minorities be given more weightage than their numerical strength, in ‘inverse
proportion’ to the strength of the majority. His memorandum titled ‘States and
Minorities’ is a document that brings out this aspect clearly. There is a need to
understand his idea of minorities more closely; and, since the aim of this chapter is to
explicate this aspect of Ambedkar’s thought, we shall discuss this at length later in this
chapter.

Democracy is thus linked to justice. But, what is justice for Ambedkar? In short, for him,
“Justice is simply another name for liberty, equality and fraternity.”

In his most popular
writing Annihilation of Caste, he writes, “If you ask me, my ideal would be a society
based on Liberty, Equality and Fraternity.”

Even, when advocating a ‘new doctrinal
basis’ for a Religion, he says that the basis “will be in consonance with liberty, Equality

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4 BAWS (Philosophy of Hinduism), Vol. 3, p. 25.
5 BAWS (Annihilation of Caste), Vol. 1, p. 57.
and Fraternity, in short, with Democracy.” In this sense, Ambedkar is committed to Democracy and its principle values.

Democracy (Parliamentary) though in principle is desirable, has its own limitations. He talks at length in his writings about these inadequacies and how to eradicate them. These inadequacies reflect the inadequacies in society, and they are of two types: the social and the economic. Democracy cannot be effective where there are social and economic inequalities in society. People with economic power also gain social status and, further, can misuse the democratic setup to their own selfish ends. In other words, as Young comments, “in the real world some people and groups have significantly greater ability to use democratic process for their own ends, while others are excluded or marginalized.”

And “our democratic polity discussions do not occur under conditions free of unequal power and control over resources. In actually existing democracies there tends to be a reinforcing circle between social and economic inequality and political inequality that enables the powerful to use formally democratic processes to perpetuate injustice or preserve privilege.” In order to realize Democratic values, Ambedkar argues, a society should be purged of social and economic inequalities, and establishing a culture that is conducive to Democratic values. Social and Economic inequalities, he argued, are the greatest threats to the proper functioning of Democracy.

Social Justice here means the eradication of inequalities of all kinds; and achieving equality, so that every citizen could enjoy liberty – equally. In this sense, Ambedkar is not just committed to ‘political democracy’, as it was commonly understood in his times but, was also strongly committed to economic and social democracy. His fight for the Hindu Code Bill can be sighted as an example of his commitment to social democracy, while the directive principles of state policy, Valerian Rodrigues argues, can be seen as an example for economic democracy. Without social democracy, he believed, political democracy was meaningless to the large populace in India: particularly to the ‘scheduled castes’. In fact, he considered political democracy would be a bane rather than a boon to

6 Ibid., p.77.
7 Young, n. 3, p. 17.
8 Ibid.
this minority without social democracy. But, that does not mean he did not want ‘political democracy’, in fact he wanted it, but in a manner that it trickles down to the lowest levels of the society. For achieving Social Justice through democratic means, he advocates social reform, and criticised those who advocate political reform without the former. Therefore, social reform precedes political reform for Ambedkar; further, political reform can help in enhancing social reform. We will pursue this argument in detail, later in the chapter in the section titled ‘Social Reform.’ Here, we will concentrate on what he means by social reform; and his objections to both conservative and socialist understanding of social reform. Since, he disagrees with Marxists on their mode of bringing social change, the only option left is through democratic and constitutional means.

As the primary aim of this chapter is to understand Ambedkar’s conception of minority, and to understand the problems and safeguards that are needed to protect them. We shall look at this issue in the section titled, ‘Minorities and Rights.’ Ambedkar argues that the way it is commonly understood as to who is a minority is seriously flawed. Numerical strength alone does not determine a minority; the actual social and political weight must be taken into consideration when determining a minority and the subsequent safeguards must be given in accordance. And importantly, he demands sensitiveness to the cultural context in understanding the predicament of minorities.

The other important aspect that determines his conception of minority is his belonging to a special minority group, which is unique to India called the scheduled castes or ex-untouchables. As we saw in the previous chapter, Dalits face and exist in a culture that is antithetical to their essence as human beings. Ambedkar argues that any talk of freedom for this people is meaningless without addressing the problem of cultural context in which this minority exists. In this aspect, no major Indian political figure’s thought is so strongly related to his life than that of Ambedkar. It does not, however, imply that Ambedkar is concerned only about the untouchables. He view emerges from his vision about a democratic society; the values that it should embody, and its possible realization in India.
This chapter demonstrates that these aspects are essential for understanding Ambedkar's political thought, particularly its implications to his thought on the minority issue and the minority debate. We shall begin by looking at the background in which Ambedkar's thought emerges. To look at his specific thought on minority issues, we must examine his general political philosophy. We will look at the specific measures that are needed to protect different types of minorities, and Ambedkar's justification for these measures. Thus, it aims at getting a coherent picture of his thought on minority issues in general, and particularly, the issue as it exists in India. To begin with, we will discuss his understanding of Democracy, and Social Justice, and how the latter becomes an important aspect of the former.

**Democracy and Justice**

As we have seen, democracy and it principle values of Liberty, Equality and Fraternity are the essentials in Ambedkar's conception of Social Justice. While endorsing Democracy, quite ahead of his times, he offers a very insightful critique of Parliamentary Democracy. He begins by making a distinction between Democracy as an ideology and Democracy as a form of government. Democracy as an ideology he believes is the best representative of social justice. But, as a form of government (organizationally), it needs a thorough overhauling; to be an effective instrument for social justice. He wrote extensively, explaining the true character of Democracy, and how measures must be taken to see that the principle values of democracy are upheld. Interestingly, though he writes keeping the Indian context in mind, his arguments are not just valid to the Indian context, where exist serious economic and social inequalities, but also to global context, where there are societies that are deeply entrenched in unjust social hierarchies. The statement that follows is testimony to this particular aspect of Ambedkar's thought. He believed post-colonial or Third World nations must not repeat the same blunder that the First World nations did with their Democracies. He writes,

“The government of human society has undergone some very significant changes. There was a time when the government of human society had taken the form of autocracy by Despotic Sovereigns. This was replaced after a long and bloody struggle by a system of government known as parliamentary democracy. It was felt that this was the last word in
the framework of government. It was believed to bring about the millennium in which every human being will have the right to liberty, property and pursuit of happiness. And there were good grounds for such high hopes. In parliamentary democracy there is the legislature, to replace the voice, of the people there is the executive which is subordinate to the legislature and the executive there is the judiciary to control both and keep them both within prescribed bounds. Parliamentary democracy has all the marks of a popular government, a government of the people, by the people and for the people. It is therefore a matter of some surprise that there has been a revolt against it in Italy, in Germany, in Russia and in Spain, and there are very few countries in which there has not been discontent against parliamentary democracy. Why should there be this discontent and dissatisfaction against parliamentary democracy? It is a question worth considering.

There is no country in which the urgency of considering this parliamentary democracy. There is a great need of someone with sufficient courage to tell Indians: "beware of parliamentary democracy, it is not the best product as it appears to be".9

One of the central arguments of this statement is that democracy though it replaces despotism and gives the people the right to have a voice in the government through its separation of powers; has, not satisfied the people. Many revolts against governments around the world are a clear evidence of discontent against parliamentary democracy. He then goes on to suggest measures that can be taken to make democracy effective and meaningful. Before going on to understand the reasons for the discontent that Ambedkar believes, we need to have a deeper understanding of his notion of democracy.

Democracy for Ambedkar is normatively based on the three political values of liberty, equality and fraternity. It is largely based on deliberative model rather than aggregative model.10 The aggregative model "interprets democracy as a process of aggregating the preferences of citizens in choosing public officials and policies. The goal of democratic decision-making is to decide what leaders, rules, and policies will best correspond to the most widely and strongly held preferences."11 A deliberative democracy is also inclusive. By inclusive, here, is meant that every member of society or a group must have an equal share in the decision-making process. Notice the phrase "conjoint communicated experience" in the following quote, where the stress is on communication and experience as a part of democratic process. It is another way of implying a sense of community.

10 Here, the distinction that Young makes between aggregative and deliberative models of democracy is used. See Young, n. 3, p. 19.
11 Young, Ibid.
Echoing Dewey,\textsuperscript{12} Ambedkar writes, "Democracy is not merely a form of government. It is primarily a mode of associated living, of conjoint communicated experience. It is essentially an attitude of respect and reverence towards fellowmen."\textsuperscript{13} He calls this "social endosmosis." Prioritizing the value of Fraternity, he writes,

"an ideal society should be mobile, should be full of channels for conveying a change taking place in one part to other parts. In an ideal society there should be many interests consciously communicated and shared. There should be varied and free points of contact with other modes of association. In other words, there should be social endosmosis. This is fraternity, which is only another name for democracy."

Here again, in the above quote, Ambedkar repeats an ideal society as "interests consciously communicated and shared." In this sense, it can be argued that Ambedkar was heading for a kind of ‘deliberative democracy’ that modern day political thinkers like Jurgen Habermas and others talk about. Emphasizing the same, he comments, "Democracy is un-realizable without freedom of political discussion. A right to vote gives a man no real part in controlling government unless he is free to form his own opinion about his vote, to hear what others have to say about the issue, and to persuade others to adopt his opinion."

And Fraternity,

"... is the name for the disposition of an individual to treat men as the object of reverence and live and the desire to be in unity with his fellow beings. This statement is well expressed by Paul when he said 'of one blood are all nation of men. There is neither Jew nor Greek, neither bond nor free, neither male nor female; for yet are all one in Christ Jesus.' Equally well was it expressed when the pilgrim fathers on their landing at Plymouth said: 'we are knit together as a body in the most sacred covenant of the lord...by virtue of which we hold ourselves tied all care of each other's good and of the whole' these statements are of the essence of fraternity. Fraternity strengthens socialites and gives to each individual a stronger personal interest in practically consulting the welfare of others. It leads him to identify his feelings more and more with their good, or at least with an even greater degree of practical consideration for it. With a disposition to fraternity he comes as through instructively to be conscious of himself as being one who of course pays a regard to others. The good of others becomes to him a thing naturally to

\textsuperscript{12} Richard J. Bernstein commenting on Dewey writes, “Democracy for Dewey was not primarily a set of institutions, formal procedures, or even legal guarantees. It is the culture and practice of democracy in day-to-day life that Dewey stresses. Democracy is a reflective faith in the capacity of all human beings for intelligent judgment, deliberation, and action if proper conditions are furnished.” See Richard J. Bernstein, \textit{On Democracy: The Task before Us}, Philosophical Profiles (Cambridge: Polity Press, 1986), p. 261.

\textsuperscript{13} BAWS (Annihilation of Caste), Vol. 1, p. 57.

\textsuperscript{14} \textit{Ibid.}
and necessarily to be attended to like any of the physical conditions of our existence. Where people do not feel that entireness of sympathy with all others, concordance in the general direction of their conduct is impossible. For a person in whom social feeling is not developed cannot but bring himself to think of the rest of his fellow-beings as rivals struggling with him for the means of happiness whom he must endeavor to defeat in order that he may succeed in himself.  

Important, here to note is that Ambedkar employs three terms to explain fraternity: conjoined communicated experience; associated living; and social endosmosis. Rodrigues points out that 'Fraternity' 'was seen by him as a call for 'community.'  

'Associated living' and 'social endosmosis' are technical terms for the sense of community. Fellow feeling, thus, towards another rather than seeing this other as a threat to one's interest is fraternity. This fraternity is the basis of a community. Ambedkar writes,

"Men live in a community by virtue of the things they have in common. What they must have in common in order to form a community are aims, beliefs, aspirations, knowledge, a common understanding; or to use the language of the sociologists, they must be like-minded. But how do they come to have these things in common or how do they become like-minded? Certainly, not by sharing with another as one would do in the case of a piece of cake. To cultivate an attitude similar to others or to be like-minded with others is to be in communication with them or to participate in their activity. Persons do not become like-minded by merely living in physical proximity, any more than they cease to be like-minded by being distant from each other. Participation in a group is the only way of being like-minded with the group. Each group tends to create its own distinctive type of like-mindedness, but where there are more groups than one to be brought into political union, there would be conflict among the differently like-minded. And so long as the groups remain isolated the conflict is bound to continue and prevent the harmony of action. It is the isolation of groups that is the chief evil. Where the groups allow of endosmosis they cease to be the evil. For endosmosis among the groups makes possible a re-socialization of one socialized attitudes. In place of old, it creates a new like-mindedness, which is representative of the interests, aims, and aspirations of all the various groups concerned. Like-mindedness is essential for a harmonious life, social or political and, as has just been shown, it depends upon the extent of communication, participation or endosmosis."

In this comment, we notice how Ambedkar argues social endosmosis or like-mindedness as the basis of a community. This notion of community is dynamic. As he believes, endosmosis among different groups can re-socialize the once socialized into newer socialization. Communities, therefore, are not static entities but dynamic, where newer conditions generate newer communities from older ones. Also, notice the stress on communication and participation. He argues that group differences can be reduced or

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15 BAWS, Vol. 1, p. 98.
16 Rodrigues, n. 9, p. 21.
17 BAWS (Evidence before the Southborough Committee), Vol. 1, p. 249.
eliminated by bringing groups together and by improving communication and participation between them. This is a very important point that Ambedkar offers to modern day political theorists who emphasize difference and equality, and are in search of an ‘overlapping consensus’ for different types of groups. For Ambedkar, as we argued in the first chapter, ‘difference and equality’ are not always compatible, particularly, in a society where difference is laden with hierarchy, domination and oppression. Ambedkar cannot be called a communitarian, because he had a stronger belief in the human agency than communitarians, and he would agree with the liberal view that the self is prior to its ends. His idea of community is closer to Dewey than that of modern day communitarians. Ambedkar’s last important work *Buddha and his Dhamma*, among other important values, is based on this value of fraternity and community. Ambedkar shared with Dewey the notion that democracy as a method is of ‘collective problem solving.’ Now this sense of fellow feeling can exist or emerge only when each individual in a society is a social equal to others. If a society is deeply entrenched in hierarchies of various kinds then it is not possible to attain social endosmosis. Thus, of the three values, the value of fraternity is most important for Ambedkar.

Like David Miller, Ambedkar argues, “that only the sense of commonality provided by nationality can support the trust and mutual respect necessary for deliberation.” And Ambedkar will agree with Charles Taylor that democracy and a strong common agency are internally linked. Nationalism, thus can enhance solidarity, or fraternity among groups, thereby strengthening democracy, and promoting social justice. There is a need to look at the national question more closely. Nationalism, for Ambedkar, can be both an enhancer of democracy and social justice; and at the same time, a dangerous ideology that can destroy democracy, by misusing the democratic setup. Ambedkar’s understanding on the national question is critical and insightful. This needs to be discussed at length, and will be dealt with in the following chapter. Later in the chapter, we will see how and why, according to Ambedkar, many democracies have given rise to dictatorships. The latter values of equality and liberty are needed for the former. At the

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18 Young, n. 3, p. 41.
same time, there should be freedom for each to pursue his or her goals, of course not in contradiction to societies or other individual interests but in coordination with others. He strongly believed that while in a state of domination and oppression this social endosmosis is badly damaged, at the same time it can give rise to conditions that can develop solidarity among the oppressed allowing them to fight the dominant. As a result, freedom becomes the essential prerequisite for the development of social endosmosis. In another interesting comment, Ambedkar says,

"It will be granted that each kind of association, as it is an educative environment exercises a formative influence on the active dispositions of its members. Consequently, what one is as a person is what one is as associated with others. A government for the people, but not by the people, is sure to educate some into masters and others into subjects; because it is by the reflex effects of association that one can feel and measure the growth of personality. The growth of personality is the highest aim of society. Social arrangement must secure free initiative and opportunity to every individual to assume any role he is capable of assuming provided it is socially desirable. A new rule is a renewal and growth of personality. But when an association — and a government is after all an association such that in it every role cannot be assumed by all, it tends to develop the personality of the few at the cost of the many — a result scrupulously to be avoided in the interest of democracy. To be specific, it is not enough to be electors only. It is necessary to be the law makers; otherwise who can be law-makers will be masters of those who can only be electors." 20

In this comment, we come across the most important value that Ambedkar believes a society should strive for: 'growth of individual personality.' It is possibly only when the individual has the freedom to secure the 'role he is capable of' and is at the same time socially desirable. A society based on hierarchies or a caste society develops the 'personality of few at the cost of the many,' hence is undemocratic. This is a very insightful critique of the caste system both in its ideal and real form that Ambedkar provides. Hence, social arrangement must be made to 'secure free initiative and opportunity' for every individual in society. The other important point he makes is that the liberty to pursue one's vocation must be available to every one equally. Equality of liberty, consequently, is important for the development of personality of each and every individual. In the next section, we will look at the values of liberty and equality, and at how they are interdependent.

Liberty

While commenting on Ambedkar's notion of liberty, Valerian Rodrigues writes that, "his notion of liberty is avowedly that of the T. H. Green kind." It has both negative and positive aspects to it. Ambedkar calls the negative aspect of liberty 'civil liberty,’ and 'political liberty' connotes the positive aspect. First, let us look at what he as to say regarding 'civil liberty'.

He writes,

"(1) liberty of movement which is another name for freedom from arrest without due process of law. (2) Liberty of speech (which of course includes liberty of thought, liberty of reading, writing and discussion) and (3) liberty of action. The first kind of liberty is of course fundamental. Not only fundamental it is also most essential. About its value, there can be no manner of doubt."21

It is clear that liberty of speech, movement, thought, reading/writing and action are freedoms used in the negative sense of lacking constraints. These values are 'of course fundamental,' and 'essential' for an individual, but as it is accepted by many theorists today that persons who lack resources also lack the capability to enjoy these freedoms. On the contrary, people with resources benefit from such liberties than by the deprived ones. Civil liberty, thus, is only liberty in the formal sense. Most constitutions, though they have enshrined this in the form of fundamental rights do not ensure that the individual can enjoy these rights. Ambedkar writes,

"Anyone who studies the working of the system of social economy based on private enterprise and pursuit of personal gain will realize how it undermines, if it does not actually violate, the last two premises on which Democracy rests. How many have to relinquish their constitutional rights in order to gain their living? How many have to subject themselves to be governed by private employers?"

Next, talking about the unemployed, he asks

"whether what are called fundamental rights are of any value to them. If a person who is unemployed is offered a choice between a job of some sort, with some sort of wages, with no fixed hours of labour and with an interdict on joining a union and the exercise of his right of freedom of speech, association, religion, etc., can there be any doubt as to

21 Ibid., p. 98.
what his choice will be. How can it be otherwise? The fear of starvation, the fear of losing a house, the fear of losing savings if any, the fear of being compelled to take children away from school, the fear of having to be a burden on public charity, the fear of having to be burned or buried at public cost are factors too strong to permit a man to stand out for his fundamental rights. The unemployed are thus compelled to relinquish their fundamental rights for the sake of securing the privilege to work and to subsist.  

This comment of his, clearly states that basic economic necessities compel people to relinquish their rights. Lack of basic needs like food, clothing and shelter along with other needs, result in the emergence of fears that can cripple an individual in fighting for his or her rights is obvious. Interestingly, in this comment, Ambedkar talks about fears: fear of being burned or buried at public cost; fear of being a burden on public charity. All fears, using Joel Feinberg’s terminology come under the category of 'internal constraints.' These constraints both external and internal can be great impediments for individuals to fight for their liberties. And the employed are not in any better position. Ambedkar writes,  

"What about those who are employed? Constitutional lawyers assume that the enactment of fundamental rights is enough to safeguard their liberty and that nothing more is called for. They argue that where the state refrains from intervention in private affairs – economic and social – the residue is liberty. What is necessary is to make the residue as large as possible and state intervention as small as possible. It is true that where the state refrains from intervention what remains is liberty. But this does not dispose the matter. One more question remains to be answered. To whom and for whom is liberty? Obviously this liberty is liberty to the landlords to increase the rents, for capitalists to increase hours of work and reduce wages. This must be so. It cannot be otherwise. For in an economic system employing armies of workers, producing goods en masse at regular intervals someone must make rules so that workers will work, the wheels of industry run on. If the state does not do it, the private employer will. Life otherwise will become impossible. In other words what I called liberty from the control of the state is another name for the dictatorship of the private employer."  

In this statement, Ambedkar reiterates his point of how in a formal or nominal recognition of liberty through fundamental rights, it is capitalists and feudal landlords who actually benefit rather than the needy. Hence, he pleads to the constitution framers that they acknowledge this fact beyond merely safeguarding liberty through fundamental rights. Later in this chapter we will look at this issue in detail. As of now, we can move  

22 Ibid.  
24 BAWS (States and Minorities), Vol. 1, p. 410.
ahead by saying that civil liberty gives liberty only in the formal sense or, as political theorists say, in the negative sense. Hence, there is a need to go beyond this negative liberty and ensure positive liberty that takes this human predicament into account. What is this positive liberty? What does it mean to Ambedkar?

Ambedkar call this ‘positive liberty’ as ‘political liberty’. Commenting on ‘political liberty’ he writes,

“a kind of liberty, which may be called freedom of opinion is important for many reasons. It is a necessary condition of all progress intellectual, moral, political, and social. Where it does not exist the status quo becomes stereotyped and all originality even the most necessary is discouraged. Liberty of action means doing what one likes to do. It is not enough that liberty of action means doing what one likes to do. It is not enough that liberty of action should be formal. It must be real. So understood, liberty of action means effective power to do specific things. There is no freedom where there are no means of taking advantage of it. Real liberty of action exists only where exploitation has been annihilated, where no suppression of one class by another exists, where there is no unemployment no poverty and where a person is free from the fear of losing his job, his home and his food as a consequence of his action. Political liberty consists in the right of the individual to share in the framing of laws and in making and unmaking of governments. Governments are instituted for securing to men certain unalienable rights such as life, liberty and pursuit of happiness. Government must, therefore, derive its powers from those whose rights it is charged with the duty to protect. This is what is meant when it is said that the existence, power and authority of the government must be derived from the consent of the governed. Political liberty is really a deduction from the principle of human personality and equality. For it implies that all political authority is derived from the principle that the people are capable of directing and controlling their public as well as private lives to ends determined by themselves and by none else.”

In the above important statement, Ambedkar explains the sort of liberty he stands for. He interprets liberty in the positive sense as ‘effective power to do specific things’ and liberty cannot exist where there is exploitation and suppression of one class by another. Importantly, for Ambedkar domination is lack of freedom. Hence, political liberty consists in having the means to fight domination of all kinds, not just class domination. As Phillip Pettit argues, freedom means freedom from domination. And lastly political liberty “consists in the right of the individual to share in the framing of laws and in making and unmaking of governments.” This is the crux of Ambedkar’s notion of liberty; it is a strongly positive liberty. This positive understanding of liberty, it is important to remember, in order to understand his stand on minorities. He wants minorities to have enough power to be effective in the making and unmaking of governments; governments

that threaten their interests. He writes, “Political power is the most precious thing in the life of a community, especially if its position is constantly being challenged. Political power is the only means by which it can sustain its position.”

While, disagreeing with Casteists on liberty, he writes,

“Few object to liberty in the sense of a right to free movement, in the sense of a right to property, tools and materials as being necessary for earning a living to keep the body of life and limb. There is no objection to liberty in the sense of right to property, tools and materials as being necessary for earning a living to keep the body in due state of health. Why not allow liberty to benefit by an effective and competent use of a person’s power? The supporters of caste who would allow liberty in the sense of life, limb and property, would not readily consent to liberty in this sense, inasmuch as it involves liberty to choose one’s profession. But to object to this kind of liberty is to perpetuate slavery. For slavery does not merely mean a legalized form of subjection. It means a state of society in which some men are forced to accept from others the purposes, which control their conduct.”

From the above quote, we can deduce his notion of liberty, from his comment on liberty as consisting of freedom of movement, right to property, tools and materials and others; and from his objection to defenders of caste, and indirectly from his comment on slavery. Slavery is a condition where “some men are forced to accept from others the purposes, which control their conduct;” and “liberty is the benefit by an effective and competent use of person’s power.” Here, again, we can notice, without getting into the distinction of negative and positive notions of liberty that Ambedkar argues liberty is the right to live, according to one’s conception of good life or the “competent use of person’s power.” And by objection to supporters of caste, here, does not mean he does not endorse rights like those to property, freedom of movement, or good health as a freedom, but without the freedom of choice to live, according to one’s ‘conception of good life’ and abilities, the previous liberties are meaningless.

26 BAWS, Vol. 8, p. 342.
Equality

Ambedkar differs from others in the Indian political context for stressing on 'substantive equality' rather than 'formal equality'. The existence of natural and social inequalities is a fact of human societies. And after great political struggle, mankind has realized in the 'basal equality' of all human beings. Equality, he writes,

“...This has been obviously been is the most contentious part of the slogan of the French Revolution. The objections may be sound to equality and one may have to admit that all men are not equal. But what of that? Equality may be a fiction but nonetheless one must accept it as the governing principle. A man's power is dependent upon (1) physical heredity, (2) social inheritance or endowment in the form of parental care, education, accumulation of scientific knowledge, everything which enables him to be more efficient than the savage, and finally, (3) on his own efforts. In all these three aspects, men are undoubtedly unequal. But the question is, shall we treat them as unequal because they are unequal? This is a question which the opponents of equality must answer.”

The first point that Ambedkar makes is the fact of Human Diversity. As Amartya Sen says, “Human beings differ from each other in many different ways. We have different external characteristics and circumstances. We begin life with different endowments of inherited wealth and liabilities. We live in different natural environments—some more hostile than others. The societies and the communities to which we belong offer very different opportunities as to what we can or cannot do. The epidemiological factors in the region in which we live can profoundly affect our health and well-being.” In points (2) and (3) Ambedkar makes the distinction between endowment and ambition. He then continues to say how equality, if taken formally, can result in unjust selection of the privileged, instead of the able. Therefore equality, for him, in a more substantive sense, is to make people or groups “equal as far as possible,” at the very start of the race. Herein, lies in an embryonic form, the argument for differential treatment to realize equality in its true substantive sense. Ambedkar writes,

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30 Will Kymlicka while criticizing Rawls writes, “We have two sources of deviation from the ideal of an ambition-sensitive, endowment-insensitive distribution. We want people's fate to be determined by the choices they make from a fair and equitable starting point. But the idea of an equal starting point includes not only an unachievable compensation for unequal endowment, but also an unachievable knowledge of future events.” See Will Kymlicka, Contemporary Political Theory: An Introduction (Oxford: Clarendon Press, 1990) p. 83.
“From the standpoint of the individual itmaybe just to treat men unequal so far as their efforts are unequal. It may be desirable to give as much incentive as possible in the full development of everyone’s powers. But what would happen if men were treated unequally as they are, so as they are, in the first two respects? It is obvious that those individuals also in whose favor there is birth, education, family name, business connection and inherited wealth would be selected in the race. But selection under such circumstances would not be selection of the able. It would be the selection of the privileged. The reason therefore, which forces that in the third respect we would treat men unequally demands that in the first two respects we should treat men as equally as possible. On the other hand, it can be urged that if it is good for the social body to get the most out of its members, it can get most out of them only by making them equal as far as possible at the very start of the race. That is one reason why we cannot escape equality.”

Next, he gives a third reason why equality is important. Although Ambedkar believes that equality is “glaringly fallacious,” (in the formal sense) but overall with practical considerations, it needs to be valued. He writes,

“But there is another reason why we must accept equality. A statesman is concerned with vast numbers of people. He has neither the time nor the knowledge to draw fine distinctions and to treat each equitably i.e. according to need or according to capacity. However desirable or reasonable an equitable treatment of men may be, humanity is not capable of assortment and classification. The statesman, therefore, must follow some rough and ready rule and that rough and ready rule is to treat men alike not because they are alike but because classification and assortment is impossible. The doctrine of equality is glaringly fallacious but taking all in all it is the only way a statesman can proceed in politics which is severely practical affair and which demands a severely practical test.”

From the above important statement, we come across one of the important insights in Ambedkar’s thought on equality. In another of his other writings, he uses the word ‘Equity’ to make himself clear. He writes,

“The principle of justice is a compendious one and includes most of the other principles which have become the foundation of a moral order. Justice has always evoked ideas of equality, of proportion of ‘compensation.’ Equity signifies equality. Rules and regulation, rights and righteousness are concerned with equality in value. If all men are equal, all men are of the same essence and the common essence entitled them to the same fundamental rights and to equal liberty.”

31 BAWS, Vol. 1, p. 58.
32 Ibid.
From the last line of the quote, where he ends by saying 'equal liberty,' we notice that liberty of every individual is to be secured equally because they are all of the same or common essence. Herein, Ambedkar links Liberty with Equality, and believes that Equality and Liberty are complementary values rather than contesting values. There has been a long standing argument posed by libertarians that the value of equality contradicts the value of liberty. Contemporary political theorists like Dworkin, Sen and others challenge this argument by arguing that liberty cannot be realized without the value of equality. Since libertarians are committed to the liberty of every citizen equally, in a society where there is lack of equality in terms of social and economic status, their power of exercising liberty also becomes unequal. Sen, commenting on the relationship between Equality and Liberty writes, “the belief that liberty is important cannot, thus, be in conflict with the view that it is important that the social arrangements be devised to promote equality of liberties that people have.” He then goes on to say, “Liberty is among the possible fields of application of equality and equality is among the possible patterns of distribution of liberty.”

The important question that modern day political theorists ask is: equality of what? Prominent among them are Sen, Dworkin, G. A. Cohen and Rawls. Sen argues in equality of capabilities; Dworkin for equality of resources; Cohen for equality of opportunities and Rawls of primary goods. Ambedkar does not pose the question, ‘equality of what?’ in the same way, as these modern liberal thinkers ask; though he strongly stands for political equality; equality of consideration; equality of respect; and equality of dignity. Since equality of resources is not easily achievable, though desirable, at least the state or institution of social justice should ensure ‘equality of opportunity. Another important characteristic of Ambedkar’s notion of Equality is its ant-Nietzschean position.

Commenting on Nietzsche, he writes, “Nietzsche’s philosophy had become identified with will to power, violence, denial of spiritual values, superman and the sacrifice,
servility and debasement of the common man,” 37 and “Nietzsche was genuinely interested in creating a new race of men which will be a race of supermen as compared with the existing race of men.”38

In his last major work, Buddha and His Dhamma, while commenting on the central principles of Buddha’s Saddhamma, which promotes Equality between men, Ambedkar summarizes:

“1. Men are born unequal.  
2. Some are robust, other are weaklings.  
3. Some have more intelligence, others have less or none.  
4. Some have more capacity, other have less.  
5. Some are well to do, others are poor.  
6. All have to enter into what is called the struggle for existence.  
7. In the struggle for existence, inequality is the rule of the game; the weakest will always go to the wall.  
8. Should this rule of inequality be allowed to be the rule of life?  
9. Some answer in the affirmative on the ground that it results in the survival of the fittest.  
10. The question however is: is the fittest the best from the point of view of society.  
11. No one can give a positive answer.  
12. It is because of this doubt that religion preaches equality. For equality, may help the best to survive even though the best may not be the fittest.” 39

Ambedkar’s notion of equality can be characterized anti-Nietzschean due to the challenge it poses to the notion that the fittest or strong should rule over the unfit or weak. This is evident from the last point defending equality. In other words, he rejects all kinds of hierarchical distinctions like elitism, ableism, meritocracy, racism, casteism, etc., where the doctrine that only the able, fittest, strongest, or those of fair color, birth in a particular class or caste have a right to enjoy the social benefits, at the cost of others. He believed the weak have an equal right to exist and flourish along with the strong. The strong, also, have a duty to protect the weak. His morality is derived from this value. This is a very important ingredient in his conception of equality. And this goes into all other concepts of his, such as democracy, social justice, fraternity.

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37 BAWS (Philosophy of Hinduism), p. 74.  
38 Ibid, p. 76.  
39 BAWS, Vol. 11, p. 308.
For this reason, Ambedkar's notion of equality is based on substantive equality rather than formal or basal equality. It means, Equity or differential treatment is necessary to promote equality between, both individuals and groups. In a state of inequality, even liberty as a value cannot be realized. Some enjoy liberty at the cost of others. Ambedkar’s argument in this context is that modern day democracies accept and claim that they stand for political equality, but this kind of formal equality does no good to the large multitude of people, because social and economic inequalities obstruct people in realizing political equality.

To conclude, in this section, we began by looking at what Ambedkar means by democracy, and what are its political values. We have seen that these political values - liberty, equality and fraternity – are deeply linked to each other and are nothing but other names for justice, which in turn means democracy for Ambedkar. We have, also thereby, established that there is a normative side to democracy, that of promoting social justice. Social justice and democracy, as a result, are synonymous terms for Ambedkar. Democracy is not just a form of government but a way of life; an associated life. It is inclusive and deliberative in its nature. It is the best possible form of government to fight oppression and domination and other kinds of injustice; strives to provide the ‘basic arrangements and opportunities’ that can promote liberty, whereby the personality of an individual is developed – developed for all and equally, not the development of few at the cost of many. Having seen what democracy stands for normatively, we will now move on to what its defects are, and why it has been rejected by many countries all over the world.

40 In our time, Ronald Dworkin endorses this view. He writes, "I defend a particular conception of liberalism. The conception – liberal equality – insists that liberty, equality, and community are not three distinct and often conflicting political virtues, as other political theories on both the left and right of liberalism declare, but complementary aspects of a single political vision, so that we cannot secure or even understand any one of these three political ideals independently of the others." See Ronald Dworkin, Sovereign Virtue: The Theory and Practice of Equality (Cambridge: Harvard University Press, 2000), p. 237.


**Pitfalls of Democracy**

For Ambedkar, Democracy, though good as an ideology, as a form of government, has serious flaws. His main argument in this respect is that all the flaws of democracy can be rectified by keeping in mind both the actual social conditions and the democratic ideal. For this reason he undertakes pains to explain what democracy stands for normatively, and the logic that guides its 'form of government.' We have seen in the previous section as to what are the values that democracy seeks to promote. Here, we will see in this section the answers to the questions: what are its major pitfalls as a form of government? How do these pitfalls emerge? And, how can they be avoided? We will begin by asking the question Ambedkar asks in the beginning of the previous section. Why have democracies failed in the world?

Let us start with a comment by Ambedkar himself. He writes,

"Why has parliamentary democracy failed? In the country of the dictators it has failed because it is a machine whose movements are very slow. It delays swift action. In a parliamentary democracy the executive may be held up by the legislature which may refuse to pass the laws which the executive wants and if it is not held up by the legislature it may, be held up by the judiciary which may declare the laws as illegal. Parliamentary democracy gives no free hand to dictatorship and that is why it became a discredited institutions in countries like Italy, Spain and Germany which readily welcomed dictatorships. If dictatorships alone were against parliamentary democracy, it would not have mattered at all. Their testimony against parliamentary democracy would be welcomed for the reason that it can be an effective check upon dictatorship. But unfortunately there is a great deal of discontent against democracy even in countries where peoples are opposed to dictatorships. That is the most regrettable fact about parliamentary democracy. This is the most regrettable because parliamentary democracy has not been at a standstill. It has progressed in three directions. It began with equality of political rights in the form of equal suffrage. There are very few countries having parliamentary democracy which have not adult suffrage. It has progressed by expanding the notion of equality of political rights to equality of social and economic opportunity. It has recognized that the state cannot be held at bay by corporations which are anti-social in their purpose. With all this, there is immense discontent against parliamentary democracy even in countries pledged to democracies. The reasons for discontent in such countries must obviously be different from those assigned by the dictator countries... But it can be said in general terms that the discontent against parliamentary democracy is due to the realization that it has failed to assure to the masses the right to liberty, property or the pursuit of happiness. If this is true, it is important to know the causes which have brought about this failure. The causes for this failure may be found either in wrong ideology or wrong organization or in both. I think the causes are to be found in both."

In the above comment, Ambedkar points out that in many parts of the globe, democracy has given rise to dictatorships to which it was supposed to be an alternative. Even if it has not given space to dictatorship, there is still a general discontent about Democracy all around. (Here we are referring to political situation at the time Ambedkar). He also acknowledges, importantly, that democracy has progressed in ‘three directions’ – one, of equal political rights or adult suffrage; two, of equality of opportunity; and three, the need for state intervention to eliminate ‘corporations that are anti-social’. This progress for Ambedkar is an important achievement, and it must be retained. But coming back to the causes of failure, he identifies that cause in both ideology and structure of democracy. We will move on to what exactly are the causes, according to him. He writes,

"Of the erroneous ideologies which have been responsible for the failure of parliamentary democracy, I have no doubt that the idea of freedom of contract is one of them. The idea became sanctified and was upheld in the name of liberty. Parliamentary democracy took no notice of economic inequalities and did not care to examine the result of freedom of contact on the parties to the contract, in spite of the fact that they were unequal in their bargaining power. It did not mind if the freedom of contract gave the strong the opportunity to defraud the weak. The result is that parliamentary democracy in standing out as a protagonist of liberty has continuously added to the economic wrongs of the poor, the downtrodden and the disinherited class."

The ‘erroneous ideology’ is the ‘idea of freedom of contract’ and its ignorance of the ‘economic inequalities’ of parties in the contract. We have seen in the previous section that inequalities in economic power will result in inequality in bargaining or political power. The result is only ‘formal equality’ not ‘substantive equality.’ And this goes against the interest of the downtrodden or disinherited classes, as a result, obstructing the realization of true democracy. Commenting on the next flaw in its ideology he writes,

"The second wrong ideology which has vitiates parliamentary democracy is the failure to realize that political democracy cannot succeed where there is no social and economic democracy. Some may question this proposition. To those who are disposed to question it, I will ask a counter-question. Why did parliamentary democracy collapse so easily in Italy, Germany and Russia? Why did it not collapse so easily in England and the U.S.A.? To my mind there is only one answer. It is that there was a greater degree of economic and social democracy in the latter countries than existed in the former. Social democracy and economic democracy are the tissues and the fiber of a political democracy. The tougher the tissue and the fiber, the greater the strength of the body. Democracy is another name for equality. Parliamentary democracy developed a passion for liberty. It

never made even a nodding acquaintance with equality. It has failed to realize the significance of equality and is not even endeavor to strike a balance between liberty and equality, with the result that liberty swallowed equality and has made democracy a name and a farce.”

The second flaw of parliamentary democracy is that it is not supported by social and economic democracy, and argues that social and economic democracy is “the tissue and fiber of a political democracy,” without which democracy is bound to fail. He believes that England and the United States have more social and economic democracy compared to Italy, Germany and Russia. Hence, England and America are less prone to the emergence of dictatorships. Democracy gained regard in world history for its adherent support and promise of equality. But, it has failed to realize the value of equality and not even attempted to strike a balance between equality and liberty. In the previous section, we have seen how equality and liberty are mutually dependent political values; and, as to how one cannot be realized without the other. Therefore, for Ambedkar democracy without equality (social and economic) is a farce. We have looked at what are its flaws as an ideology, we will now move on to its structural flaws, as a form of government. He identifies the existence of ‘class’ as the serious hindrance to proper democratic process. He writes,

“I have referred to the wrong ideologies which in my judgement have been responsible for the failure of parliamentary democracy. But I am equally certain that more than bad ideology it is bad organization which has been responsible for the failure of democracy. All political societies get divided into two classes – the rulers and the ruled. This is an evil. If the evil stopped here it would not matter much. But the unfortunate part of it is that the division becomes so stereotyped and stratified that rulers are always drawn from the ruling class and the class that is ruled never becomes the ruling class. This happens because generally people do not care to see that they govern themselves they are content to establish a government and leave it to govern them. This explains why parliamentary democracy has never been a government of the people and why it has been in reality and a government of a hereditary subject class by a hereditary ruling class. It is this vicious organization of political life which has made parliamentary democracy such a dismal failure. It is because of this that parliamentary democracy has not fulfilled the hope it held out to the common man of ensuring to him liberty, property and pursuit of happiness.”

On Social Reform

43 Ibid., p. 447.
44 Ibid.
Now the question emerges: how does one achieve a society where these political values can be realized. As stated, these political values of equality and liberty are not realizable when there are glaring inequalities in society. Social reform is required to achieve social justice. Ambedkar would call it the need for socialism. But Ambedkar differs with those who called themselves socialists or Marxists. If we compare him with Marxists in relation to socialism, unlike Marxists he does not stridently object to private property; objects to bringing social change through dictatorial and violent means; he does not believe in "economic determinism." Criticizing the "economism" of socialists, he writes,

"The socialists of India following their fellows in Europe are seeking to apply the economic interpretation of history in the fact of India. They propounded that man is an economic creature, that his activities and aspiration are bound by economic facts, that property is the only source of power. They, therefore, preach that political and social reforms are but gigantic illusions and that economic reform by equalization of property must have precedence over every other kind of reform. One may contend that economic motive is not the only motive by which man is actuated. That economic power is the only kind of power no student of human society can accept."

Like Antonio Gramsci, Ambedkar argues that any move for social change has to deal with both the economic and social problems. If we use the Gramscian distinction of base and superstructure, the problem has to be addressed both at the level of economic base and, at the same time, the level of superstructure. The basic economic relations of a society form the economic base and the other non-economic civil structures like church, educational institutions, and other institutions where the ideology of the dominant groups are propagated, constitute the superstructure of society. Commenting on the role of non-economic factors that have an influence in society, he writes,

"That the social status of an individual by itself often becomes a source of power and authority is made clear by the sway which the Mahatmas have held over the common man. Why do millionaires in India obey penniless Sadus and fakirs? Why do million of paupers in India sell their trifling trinkets which constitute their only wealth and go to Banaras and Mecca? That religion is the source of power is illustrated by the history of

45 BAWS, Vol. I, p. 44.
46 This is not to say that Ambedkar’s thought is totally similar to that of Gramsci’s. For example, Ambedkar does not share with Marxists, like Gramsci, the same radical critique of capitalism or private property. He defends private property and enterprise.
47 We are also not going into the issue of whether caste becomes a part of the base or superstructure. This issue will be examined later.
India where the priest holds a sway over the common man often greater than the magistrate and where every thing even such thing or strikes and election, so easily take a religious turn and can so easily be given a religious twist.48

Then, in order to show the power of religion on man, he narrates the case of ancient Rome, where the Patricians decided the Plebeians leaders because of their hold on religion. He writes,

"the question is why did they fail in getting a strong plebeian to officiate as their counsel? The answer in this question reveals the dominion which religions exercises over the minds of men. It was an accepted creed of the whole Roman populas that no official could enter upon the duties of his office unless the Oracle of Delphi declared that he was acceptable to the Goddess. The priests who were in charge of the temple of the Goddess of Delphi were all Patricians. Whenever therefore the Plebeians elected a counsel who was known to be a strong party man opposed to the patricians of "communal to use the term that is current in India, the oracle invariably declared that he was not acceptable to the Goddess. This is how the plebeians were cheated out of their rights. But what is worthy of note is that the plebeians were permitted themselves to be thus cheated because they too like the Patricians, held firmly the belief that the approval of the Goddess and a condition precedent to the taking charge by an official of his duties and the election by the people was not enough. If the plebeians had contended that election was enough and that the approval by the goddess was not necessary, they would have derived the fullest benefit from the political right, which they had obtained. But they did not. They agreed to elect another, less suitable to themselves but more suitable to goddess, which in fact was more suitable to patricians.49

For Ambedkar, religion plays a vital role in maintaining dominance of a particular group or groups over the other groups in a society. A Democratic system, therefore, has to be sensitive to this kind of dominance in addition to that of economic dominance, in determining who is a minority, or an oppressed group in a political setup. He, thus, disagrees with socialists on 'economism,' the view that only economic factors determine modes of dominance. As stated earlier, he rejects 'economic determinism,' according to which, all 'relations of production' change is possible only with change in 'modes of production.' In other words, using the base and superstructure distinction, only a change in the economic base can effect a change in the superstructure. We have already seen that he rejects the view that only the base matters, but holds instead that religion as an element of superstructure is equally important in maintaining dominance. In fact, it is a

48 BAWS, Vol. 1, p. 44.
49 Ibid., p. 45.
vicious circle, one reinforcing the other. Economic determinism, according to him, is an argument that does not give any space for human intervention in historical change.

Unaware of the famous statement of “The Eighteenth Brumaire of Louis Bonaparte” by Marx, he criticises Marx and socialists for undermining the role of human agency in human history. He identifies three views presented on subject of historical change; Augustinian, Marxist and that of Buckle. Criticizing Marx for not acknowledging the role of man in historical change, Ambedkar writes,

“There are those who assert that however great a man may be, he is a creature of time—time called him forth, time did everything, he did nothing. Those who hold this view, in my judgment, wrongly interpret history. There have been three different views on the causes of historical changes. We have had the Augustinian theory of history, according to which history is only an unfolding of a divine plan in which mankind is to continue through war and suffering until that divine plan is completed at the day of judgment. There is Buckle who held that history was made by geography and physics. Karl Marx propounded a third view. According to him, history was the result of economic forces. None of these three would admit that history is the biography of great men. Indeed, they deny man any place in the making of history. No one except theologian accepts the Augustinian theory of history. As to Buckle and Marx, while there is truth in what they say, their views do not represent the whole truth. They are quite wrong in holding that impersonal forces are everything and that man is no factor in the making of history that impersonal forces are a determining factor cannot be denied. But that the effect of impersonal forces depends on man must also be admitted. Flint may not exist anywhere. But, where it exists, it does exist; it needs man to strike flint against flint to make fire. Seeds may not be found everywhere. But where they do exist, it needs man to ground it to powder and make it a delectable and nutritious paste and thereby lay the foundation of agriculture. There are many areas devoid of metals. But where they do exist, it needs a man to make instruments and machines which are the basis of civilization and culture.”

As Ambedkar states, man with his creations and labor is the basis of culture and civilization. He, therefore, believes in the role of the human agency in historical and social change. Though he disagrees with socialists on the above points, he strongly argues the need for socialism. Else, the alternative is dictatorship. While dictatorship, can bring social change it will end up in perpetuating domination by taking away liberty. He asks,

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50 In “The Eighteenth Brumaire,” Marx comments, “Men make their own history, but they do not make it just as they please; they do not make it under circumstances chosen by themselves, but under circumstances directly encountered, given and transmitted from the past.” See Karl Marx, The Eighteenth Brumaire (Moscow: Progress Publishers), p. 10.
51 BAWS (Ranade, Gandhi and Jinnah), Vol. 1, p. 212.

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"What is the alternative? The alternative is dictatorship. There is no doubt the Dictatorship can give the permanence which the state socialism requires as an essential condition for its fructification. There is however one fact against dictatorship which must be faced. Those who believe in individual freedom strongly object to the dictatorship and insist upon 'parliamentary Democracy' as a proper form of government for a free society." 52

The only alternative, therefore, to bring social change or socialism is through parliamentary means. Democracy, Ambedkar writes, is "a form of government and a method of government whereby revolutionary changes in the economic and social life of the people are brought about without bloodshed." 53 It means to bring socialism from above. The need for 'state socialism' through democracy thus arises. Ambedkar like his contemporary liberals did not consider state as a 'necessary evil', but, rather, saw it as a great instrument that can induce social change in a society. He opts for state socialism. He explains it clearly in this popular quote by him:

"The soul of democracy is the doctrine of one man, one value. Unfortunately, Democracy has attempted to give effect to this doctrine only so far as the political structure is concerned by adopting the rule of one man, one vote which is supposed to translate into fact the doctrine of one man, one value. It has left the economic structure to take the shape given to it by those who are in a position to mould it. This has happened because constitutional lawyers have been dominated by the antiquated conception that all that is necessary for a perfect constitution for democracy was to frame a constitutional law, which would make government responsible to the people, and to prevent tyranny of the people by the government. Consequently, almost all laws of constitution that relate to countries, which are called democratic stop with adult suffrage and fundamental right. They have never advanced to the conception that the constitutional law of democracy must go beyond adult suffrage and fundamental rights. In other words, old time constitutional lawyers believed that the scope and function of constitutional laws was to prescribe the shape and form of the political structure of society. They never realized that it was equally essential to prescribe the shape and form of the economic structure of society, if democracy is to live up to its principle – one man, one value. Time has come to take a bold step and define both the economic structure as well as the political structure of society by the law of the constitution. All countries like India, which are latecomers in the field of constitution-making, should not copy the faults of other countries. They should profit by the experience of their predecessors." 54

In the first part of his comment, he argues just formal recognition of equality by introduction of fundamental rights in the constitution is not enough, and can also become a sham, if 'substantive equality' is not guaranteed in the constitution itself. Hence, in the second part of the comment, he advises constitutional lawyers about the need to take a

54 BAWS (States and minorities), Vol. 1, p. 412.
bold step and go beyond 'formal' recognition of equal rights by shaping the economic structure of a society. All countries which are latecomers must learn from their predecessors' experience and shape the economic and political structure of the society by the law of the constitution. Richard Bellamy commenting on Noberto Bobbio for a similar view writes "this involves not only the democratization of society, but the socialization of democracy as well." When looking at Ambedkar's understanding of minority issue this important aspect must be kept in mind. Now, we move on to what Ambedkar means by Democracy as a form of government? How is it better than other forms of government?

**Democracy and Minorities**

Ambedkar, emphasizing the principle feature of democracy writes, "Democracy means that nobody has any perpetual authority to rule, but the rule is subject to sanction by the people and can be challenged in the house itself." The first principle feature is that it prevents anyone from holding on to power perpetually and absolutely. And the second important feature is that the sanction of the people is needed to gain power to rule. The reason being that permanence of authority corrupts those in power and turns them into despots. He says,

"As has been well said, if in any state there is a body of men who possess unlimited political power, those over whom they rule can never be free. For, the one assured result of historical investigation is the lesson that uncontrolled power is invariably poisonous to those who possess it. They are always tempted to impose their canon of good upon others, and in the end, they assume that the good of the community depends upon the continuance of their power. Liberty always demands a limitation of political authority..." 

Therefore, Democracy limits the power of political authority temporally by conducting elections periodically. Ambedkar calls periodical election as a form of vetoing system. At the same time, it gives the people the power to have the final say in deciding on who ought to have political power. In order to know what the will of people is, regarding to

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56 BAWS (Pakistan and Partition of Indian), Vol. 8, p. 108.
whom the power to rule goes, it adopts the ‘rule of majority’ as its principle device. This device of finding out the will of the people needs to be properly interpreted, Ambedkar warns, or else it ends up in the ‘tyranny of the majority.’ Now we come to what Ambedkar points out as the organizational defects of democracy. In this context, he writes,

“The second principle is that, as a king has no divine right to rule, so also a majority has no divine right to rule. Majority rule is tolerated only because it is for a limited period and subject to the right to have it changed and secondly because it is a rule of a political majority, i.e., majority which has submitted itself to the suffrage of a minority and not a communal majority. If such is the limited scope of authority permissible to a political majority over a political minority, how can a minority of one community be placed under the perpetual subjection of a majority of another community? To allow a majority of one community to rule a minority of another community without requiring the majority to submit itself to the suffrage of the minority, especially when the minority demands it, is to enact a perversion of democratic principle and to show callous disregard for the safety and security of the Hindu minorities.”

Many political theorists have commented on this problem in democracy. Ambedkar’s writing reflects and incorporates some of the insights given by these classical theorists on this subject, and attempts to move beyond, theoretically. At the same time, he aims to situate the problem in the Indian context. These thinkers, though, identified the problem that this ‘rule of majority,’ can turn into ‘Mobocracy’. Where, politicians can gain power by wooing the masses by professing lofty ideals, and by promising to fulfill insatiable demands. They did not talk or worry about it turning in communal majority. Most theorists on this issue are concerned with the ethical problems of the notion of ‘majority will.’ Ambedkar identifies and adds, importantly, that this rule can be easily turned in to the advantage of a communal majority. In the above quote, while commenting on the problem of Hindu minorities in a Muslim constituency, he writes, “to allow a majority of one community to rule a minority of another community without requiring the majority to submit itself to the suffrage of the minority, especially when the minority demands it, is to enact a perversion of democratic principle.” In the earlier section on democracy and social justice, we have seen that for Ambedkar democracy and nationalism are internally linked. But, with this device of ‘rule of majority,’ the communal majority can set

57 Ibid.
nationalist agenda in a way that can marginalize minorities. Writing on the way the Hindu majority has appropriated nationalist agenda he says,

"Unfortunately, for the minorities in India, Indian nationalism has developed a new doctrine which may be called the divine rights of the majority to rule the minorities according to the wishes of the majority. Any claim for the sharing of power by the minority is called communalism while the monopolizing of the whole power by the majority is called nationalism. Guided by such a political philosophy the majority is not prepared to allow the minorities to share political power nor is it willing to respect any convention made in that behalf ..." 58

In an earlier comment, we come across the distinction of political and communal majority/minority. This distinction of Ambedkar's deserves a closer look, as it clarifies much confusion that exists around this principle.

Communal Majority and Political Majority

Commenting on the distinction between the two kinds of majorities, Ambedkar writes,

"People who rely upon majority rule forget the fact that majorities are of two sorts: (1) Communal majority and (2) Political majority.

A political majority is changeable in its class composition. A political majority grows. A communal majority is born. The admission to a political majority is open. The door to a communal majority is closed. The politics of a political majority are free to all to make and unmake. The politics of a communal majority are made by its own members born in it." 59

Let us begin by looking at what is a communal majority. A communal majority is a group or population that constitutes the majority by sheer strength in numbers against a smaller group in a country. It is a group by virtue of its members belonging to a particular creed or religion. Conversely groups, which are in smaller number and belonging to different faiths, will be called communal minorities. For Ambedkar the Hindus, in the Indian context, constitute the communal majority. Muslims, Christians, Jains, Parses and other religious minorities comprise the communal minorities. In the case of Pakistan, it is the Hindus who constitute the communal minority and Muslims are the communal majority.

58 Ibid.
59 BAWS (Thoughts on Linguistic States), Vol. 1, p. 169.
The next feature of a communal majority/minority is that it is a permanent entity, except under special circumstances like mass conversion, religious movements and major other historical changes. But, if we see it, keeping a limited time frame work in mind for a political system, it is a permanent category. Hence, Ambedkar calls it 'the permanent majority'. It is permanent in another sense because it is born not made. The membership into the group is mostly by birth and not by conversion. For example, the Parsis do not entertain conversion to their religion. As stated, for Ambedkar, the biggest threat to democracy is the existence of the communal majority and its conversion into the political majority. We will now look as what he means by a political majority.

By political majority, Ambedkar refers to that majority which emerges through electoral procedures. Comparing it with communal majority, he writes,

"A political majority is not a fixed or a permanent majority. It is a majority, which is always made, unmade and remade. A communal majority is a permanent majority fixed in its attitude. One can destroy it, but one cannot transform it. If there is so much objection to a political majority, how very fatal must be the objection to a communal majority?" 60

The first characteristic of a political majority compared to that of communal majority is its impermanence. A political majority is not permanent – the majority in a parliament keeps changing according to the political will of the electorate. As stated above, democracy adopts the representative (electoral) form of government above all, to avoid any permanent authority. It is a form of vetoing system, to check constantly that those in power do not appropriate state structures and misuse them for personal or political gains. In this sense, a communal majority by being a permanent majority has the serious danger of becoming a 'tyranny of the majority.' It imposes it will on minorities in the name of Democracy. Thus is un-democratic. A political majority is relative while a communal majority is an absolute entity. In a democracy, only a political majority is allowed to rule over a political minority not a communal majority over a communal minority. Sometimes, Ambedkar calls this political majority a relative majority. In a situation, where there is the possibility of a majority community taking advantage of the system by turning itself in to a 'communal majority,'

60 BAWS, Vol. 1, p. 422.
Ambedkar argues, special constitutional measures are needed to protect minorities. In such cases, a minority must first be identified and then special political measures must be taken, so that the minority has adequate representation along with the majority. Before going into the issue, we need to look at Ambedkar’s basic understanding as to what is a minority. How is it to be identified?

**What is a Minority?**

Ambedkar stands unique in his position as to what constitutes a minority. He rejects the simplistic notion of ‘numerical minority,’ and argues for a more comprehensive and realistic understanding of the issue. He writes,

> “I do not accept the principle that in all circumstances every minority must be confined to its population ratio. A minority may be so small that is population ratio may give a representation which may be wholly inadequate for the purpose of its protection. It may be a representation which may be of no consequence at all.”

61

The notion of the minority is much more than an understanding as a ‘smaller socially defined group.’ Ambedkar also rejects the view that identifies a minority by its creed. He comments,

> “Separation of religion is not the only test of a minority. Nor is it a good and efficient test. Social discrimination constitutes the real test of determining whether a social group is or is not a minority. Even Mr. Gandhi thought it logical and practical to adopt this test in preference to that of religious separation.”

62

After rejecting both the numerical and religious distinction as the only criteria for determining a minority, Ambedkar proposes that the actual political weight that a group possesses in social and political context must be assessed, and then determined as to who is a minority. In fact, he adds on another criteria to the existing criteria, that of the principle of political weightage. He says,

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61 BAWS (Dr. Ambedkar at the Round Table Conferences), Vol. 2, p. 533.
"If therefore, you want to protect a minority adequately and really then in certain circumstances the principle of weightage will have to be conceded. But the distribution of weightage must be subject to some uniform and intelligible principle. In our opinion weightage should be conceded because a minority is weak, either in numbers, or because its social standing is low, or its educational standing is backwards as compared with others or because its economic strength is not sufficient to place it on a fighting par with other communities."

As is evident from the above quote, the principle of weightage, which is both intelligible and uniform, entails, a minority must be identified either by its numbers, or its social standing, or its educational standing; or sometimes the economic strength in relation to other communities must be assessed and then identified. In this context, it is important to say that Ambedkar stands unique in bringing his concept of 'social justice' to the issue of minorities. As we have seen in an earlier section, social and economic inequalities disable a group or individuals from taking advantage of the democratic setup. That does not mean that religious difference is not important, but whether this feature of the group truly makes them insignificant or excludes the group from the decision making process in the 'real politic' is important. Therefore, through the principle of weightage, 'social justice' becomes an essential ingredient in his conception of a minority. Adding this 'principle of weightage' includes many marginalized groups, along with religious and cultural groups in the category of minority.

Ambedkar, therefore, identifies many types of minorities by differentiating between linguistic, cultural, religious, historically subjugated and oppressed groups like Blacks, Untouchables and Tribal populations. If we look at his writings, Ambedkar recognizes three types of minorities: 1. Religious and Cultural minorities, 2. Socially discriminated and oppressed groups, 3. Tribal populations. Religious groups like Jews, Parsees, Christians and other immigrants come under the first category. In the socially discriminated groups come Blacks, Dalits, women, etc. These groups might not necessarily be numerically weak but suffer social discriminations like racism, untouchability and sexism; these groups have no social standing in comparison with the dominant groups even in a democratic setup. As a result they are unable to take any major advantage of the system. For example, women in a particular society might be more in proportion to men in

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63 BAWS (Communal Deadlock and Way to Solve It), Vol. 1, p. 374.
numbers, but in the political aspect of power sharing, and of decision making they might be a minority. This important aspect was not well recognized by Ambedkar’s contemporaries. In this sense, though these groups have achieved formal equality with the establishment of fundamental rights, they face ‘inner exclusion’ due to structural inequalities that exist in society. Hence, any solution to the problem of minorities must take into consideration the social status of the group and its relationship with other groups, both political and cultural.

The multiplicity and complexity of the issue of minorities is largely recognized in the modern-day political discourse on minorities. However, the distinctive nature of the minorities like Untouchables is still mostly unrecognized. Ambedkar was also sensitive to structural and cultural differences. These cultural and structural differences among different minorities in the real *politis* of the society must be taken into consideration and then adequate constitutional protection must be secured in accordance to their particular needs of the community. Therefore, he strongly rejects a homogeneous or a formal treatment for all minorities. Instead, he argues for differential treatment for different minorities. Here, the principle of formal equality is replaced by a substantive equality. Ambedkar, being perceptive and ahead of his times, argues that constitutions should move beyond the notion of formal equality and go for a substantive equality.

Criticizing, those who stop with just a formal representation of minorities, he writes,

"Equal treatment of all the minorities is the matter of representation is only a part of the problem of the representation of minorities. To determine a satisfactory quantitative measure for the distribution of seats is another and a more important part of the problem. But this is a most controversial question. Of the two opposing theories, one is that the representation of a minority should aim at a strict proportion to its population. The other theory which is strongly held by the minorities is that such representation must be adequate. I do not think that the arithmetical theory of representation can be agreed to. If the legislative council was a zoo or a museum wherein a certain number of each species was to be kept, such a theory of minority representation would have been tolerable. But it must be recognized that the legislative council is not a zoo or a museum. It is a battleground for the acquisition of rights, the destruction of privileges and the prevention of injustice. Viewed in this light a minority may find that its representation is in full measure of its population yet it is so small that in every attempt it makes to safeguard or improve its position against the onslaught of a hostile majority it is badly beaten. Unless the representation of minorities is intended to provide political fun the theory of

64 See Taylor, n.19.
representation according to population must be conceded to them by way of weightage.\textsuperscript{65}

In this statement, we notice that Ambedkar objects to an arithmetical theory of representation. As, he writes, the legislature is not a zoo or museum where there is the need to give representation to minorities only formally, but instead it is "a battleground for the acquisition of rights, the destruction of privileges and the prevention of injustice." Here, again, we notice how his concern for social justice goes into his conception of minority and how minorities must have representation keep this concern in mind. Adopting this principle of equity rather than 'formal equality,' he says that representation of minorities is not for "political fun" and urges going beyond representation according to population and for a representation by way of weightage. But now the question emerges, if there different types of minorities and with different weights how should representation be accorded.

We now come across another dimension to Ambedkar conception of minority: that of take the diminishing the weight of a majority by reducing the representation of a majority and redistributing it to a minority in accordance to weightage of a minority. But the weightage must be accorded to a minority based on principle that is "intelligent and reasonable." He writes,

"To recognize the necessity of weightage is no doubt important. But what is even of greater importance is to recognize that this weightage must be measured out to the minorities on some principle that is both intelligent and reasonable."\textsuperscript{66}

Ambedkar then proposes the principle of "adequacy of representation." He writes,

"For it must be recognized that the minorities under the pretext of seeking adequate protection are prone to make demands which must be characterized as preposterous. To avoid this we must define what we mean by adequacy of representation."\textsuperscript{67}

Explaining, what this 'adequacy of Representation' is he writes,

\textsuperscript{65} BAWS (Simon Commission), Vol. 2, p. 362.
\textsuperscript{66} Ibid.
\textsuperscript{67} Ibid.
"No doubt adequacy is not capable of exact definition, but its indefiniteness will be considerably narrowed if we keep before our minds certain broad considerations. First of all, a distinction must be made in the matter of minority representation between adequacy on the one hand and supremacy on the other. By supremacy, I mean such a magnitude of representation as would make the minority a dictator. By adequacy of representation as would make it worth the while of any party from the majority to seek an alliance with the minority. Where a party is compelled to seek an alliance with a minority, the minority is undoubtedly in the position of a dictator. On the other hand, where a party is only drawn to seek an alliance with the minority, the minority is only adequately represented. The first thing, therefore, that should be kept in mind in the matter of the allotment of seats to minorities is to avoid both the extremes — inadequacy as well as supremacy." 68

As Ambedkar explains clearly, a minority should not be given a magnitude of representation such that it can dictate terms to the majority. He calls this phenomenon as the "supremacy of representation." At the same time, giving only formal representation to minority, where the party from the majority need not seek alliance without the support of minority, or can form a majority in the assembly all by itself is inadequate representation. Even if a party of the majority is able to form a government with the support of smallest minority then the minority is inadequately protected. The other possibility is that a party of the majority forms an alliance with the party of the strongest minority going against the interest of other smaller minorities, in this case too the smaller minorities are under- or inadequately represented. However, when the party from the majority is not compelled but finds it is worthwhile to seek an alliance with the minority party then the representation is adequate. After warning how to avoid both extremes, Ambedkar then moves on to propose a rule of representation based on this principle of adequacy. He writes,

"These extremes can in my opinion be avoided if we adopt the rule that minority representation shall, in the main, be so regulated that the number of seats to which a minority is entitled will be a figure which will be the ratio of its population to the total seats multiplied by some factor which is greater than one and less than two." 69

This principle goes beyond proportional representation, by taking the ratio of the population, and by multiplying it with a factor that is "greater than one and less than two." But this rule still leaves a lot of room for vagueness. It leaves out the nature and power of the minority. The minority may be numerically large but socially it might be weak and has more needs to be taken care off. Consequently, it needs more protection

68 Ibid.
69 Ibid.
and support. Here, Ambedkar brings in the needs for differential treatment to minorities that are socially and economically weak. Clarifying on the principle, he continues,

"It still leaves unsettled and vague with what this multiplier should vary. My suggestion is that it should vary with the needs of the particular minority concerned. By this method we arrive at a principle for measuring out the weightage to minorities which is both intelligible and reasonable. For the needs of a minority are capable of more or less exact ascertainment. There will be general agreement that the needs of a minority for political protection are commensurate with the power it has to protect itself in the social struggle. That power obviously depends upon the educational and economic status of the minorities. The higher the educational and economic status of minority the lesser is the need for that minority of being politically protected. On the other hand, the lower the educational and economic status of a minority, the greater will be the need for its political protection."

Here again, he restates his concern for social justice and for differential treatment by arguing that groups that are educationally and economically strong tend to benefit more than groups that are backward in this regard. Hence, any theory of representation must acknowledge this fact and respond accordingly by giving more political protection. In short, the weaker the political status of a group the more the need for protection and the more the weightage it needs in representation.

Using a 'maximin principle' for distribution of weightage, Ambedkar himself summarizes his principles of representation clearly in an address delivered in Bombay, titled "Communal deadlock and a way to solve it". He says,

"I may now proceed to state the principles on which this distribution has been made. They are:

1. Majority rule is untenable in theory and unjustifiable in practice. A majority community may be conceded a relative majority of representation but it can never claim an absolute majority.

2. The relative majority of representation given to a majority community in the legislature should not be so large as to enable the majority to establish its rule with the help of the smallest minorities.

3. The distribution of seats should be so made that a combination of the majority and one of the major minorities should not give the combine such a majority as to make them impervious to the interest of the minorities.

4. The distribution of seats should be so made that if all the minorities combine they could, without depending on the majority, form a government of their own.

70 Ibid.
5. The weightage taken from the majority should be distributed among the minorities in inverse proportion to their social standing, economic position and educational condition so that a minority which is large and which has a better social, educational and economic standing gets a lesser amount of weightage than a minority whose numbers are less and whose educational, economic and social position is inferior to that of the others. 71

Though, these principles of his are self-explanatory, it is worthwhile to summarize what they mean. The first principle criticises the misuse of the democratic principle of 'rule of majority' and demands restriction on the communal majority so that it does not convert itself into a political majority, and thereby, into an absolute majority. We have already seen that for Ambedkar the existence of absolute power in any person or group is fundamentally in conflict with the spirit of Democracy. The next two rules are explanatory in nature, regarding the possible combination as to how a majority with the support of both small and major minority parties can gain power ignoring the interests of other minorities. With the help of a small minority the majority party can block the strongest minority party and sometime quite the opposite can take place – the majority party can align with strongest minority party impeding the smaller minorities.

Both the fourth and fifth rules talk about distributing the weightage so that the party of the majority community can be kept at bay if the minority parties decide to combine. In the fifth rule particularly, the 'maximin principle rule applies' where the least advantaged party of minority must be given more priority or weightage in an 'inverse order,' must be conceded. The most disadvantaged minority can be easily identified, if we take in the social and economic status of the group. Not the group which is numerically a minority but socially a dominant group. These principles are based on the argument of Ambedkar that in a democracy the minority has an equal moral right to rule or power along with the majority group. Just formal or nominal representation in the system is antithetical to the spirit of democracy. In addition, the notion of minority must be enlarged to all those groups which cannot benefit from the system, with only a formal recognition in the constitution.

Social justice, therefore, becomes an essential part to the minority issue. In this sense, the notion of democracy that Ambedkar demands is inclusive; and the inclusion must be proper or adequate where the minorities have an equal or substantive say in the democratic setup. But that is not end of the matter, the issue of separate or joint electorate has to be resolved.

Applying his principle of political weightage, Ambedkar argues that Dalits constitute the real minority of the country. As he argues, they are the most disadvantaged group in this country, and, therefore, demands immediate and highest protection as a minority. This topic needs a fuller discussion, thus, it will be discussed in the following chapter where we will look at his views on the status of minorities in India. As of now, we will stick to his views on the nature of electorate and reservation of seats which can be applied to the problem of minorities; generally. His demand for separate electorate instead of joint electorate and reservations for Dalits is well known. Ambedkar defended, unto the last, separate electorates for Dalits and gives interesting and powerful arguments for defending his case. But, on some other occasions, he also talks about the merits of a joint electorate. These arguments, thus, need a closer look.

Talking about the nature of electorates, Ambedkar writes, “Joint electorate or separate electorate is a matter of machinery for achieving a given purpose. It is not a matter of principle.” The next question that immediately emerges is what this purpose is. He continues, “The purpose is to enable a minority to select candidates to the legislature who will be real and not nominal representation of the minority.” Here, again, the emphasis on substantive rather than formal or nominal representation is evident. This purpose, in turn, is based on the principle of substantive rather than formal representation. After stating the purpose, he moves on to talk about the merits of a separate electorate, and comments,

“While separate electorate gives an absolute guarantee to the minority, that is representatives will be no other except those who enjoy its confidence, a system of joint

72 BAWS, Vol. 1, p. 374
73 Ibid.
electorates which will give equal protection to the minorities should not be overlooked."

This comment needs a fuller discussion, because for Ambedkar the choice between separate and a joint electorate is not based on the purpose of achieving a substantive representation. The choice depends on the nature of the minority and the political context in which it is situated. If it is an economically and socially disadvantaged minority, as the Dalits, for example, it requires a separate electorate. In some other cases, like a small minority in comparison to the majority, here too separate representation is needed. He writes,

"A joint electorate for a small minority and a vast majority is bound to result in a disaster to the minority. A candidate put up by the minority cannot be successful even if the whole minority were solidly behind him. Even if a seat is reserved for a minority, a majority can always pick up a person belonging to the minority and get him elected... The result is that the representative of the minority to the reserved seat instead of being a champion of the minorities is really a slave of the majority"

If the minority is not so small and has social and economic strength, then a joint electorate can serve the need better. Ambedkar writes,

"The system of joint electorates is to be preferred to that of communal electorates. At any rate, this must be said with certainty that a minority has a larger advantage under joint electorates than it does under a system of separate electorates. With separate electorates, the minority gets its own quota and no more. The rest of the house owes no allegiance to it and it is therefore not influenced by the desire to meet the wishes of the minority."

Commenting on this aspect, I. M. Young also points out that a reserved system of electorate or a separate electorate can limit a minority to its own quota and, as a consequence, leaving the majority its larger share, intact. This can ghettoize the minorities without having any say in the political process. She writes,

"reserving seats for a particular group can tend to freeze both the identity of that group and its relationship with other groups in the polity. Some more fluid procedure is desirable for adapting to changing social relations. At the same time, reserving the seats can tend to freeze the specially represented group members out of the additional representational opportunities in other contested seats. Thus the specially represented group may be isolated and marginalized at the representational level."

74 Ibid.
75 BAWS, Vol. 5. p. 347.
76 Ibid.
77 Young, n. 3, pp. 149-50.
Sometimes, Ambedkar prescribes a "four-member constituency, with a right to the minorities to have a double vote and requiring a minimum percentage of minority votes."\(^{78}\)

As we have seen, for Ambedkar the system of electorates, has nothing to do with the religious or the communal nexus. It is nothing but a mechanism to enable a minority to return its own representative to the legislature. And, the other important point that Ambedkar makes on this issue is that, "being a mechanism for the protection of a minority it follows that whether the electorate should be joint or separate must be left to be determined by the minority."\(^{79}\) As each particular minority is different with its own, particular characteristics and relations with other communities, this particularity must be taken into consideration in determining what type of electorate it needs, and the best group to decide is the group itself. In this sense, Ambedkar is sensitive to both cultural and structural difference. At the same time, it is democratic to emphasize that the minority group ultimately, holds the choice; not the majority community. On the contrary, Ambedkar objects to the same right being accorded to a majority. For, he believes, it goes against the principles of democracy. He writes,

"A majority community has no right to demand separate electorates. The reason is simple. A right by a majority community to demand separate electorates is tantamount to a right to establish the government of the majority community over the minority community without the consent of the minority. This is contrary to the well-established doctrine of democracy that government must be with the consent of the governed. No such evil consequence is entitled to determine the nature of electorates suited to its interests, because there is no possibility of the minority being placed in a position to govern the majority."\(^{80}\)

Since, there is no possibility of a minority being in a position to govern the majority, there is no need for any protection for the majority. The majority community cannot, thus, demand separate electorates. The need for separate electorates only emerges when a group is in a precarious position in relation to the dominant group. Thus, the system of electorates is only a device for protection of minorities not the majorities in a democratic system. He writes,

\(^{78}\) BAWS, Vol. 1, p. 374.  
\(^{79}\) BAWS, Vol. 1, p. 424.  
\(^{80}\) Ibid.
"The system of electorates being a devise for the protection of the minority, the issue whether the electoral system should be the joint electorate or separate electorate must be left to the wishes for the minority. If it is large enough to influence the majority it will choose joint electorates. If it is too small for the purpose, it will prefer separate electorates for fear of being submerged." 81

Hence, the ability of the minority to influence the majority or its relation with it is the crucial factor that must be considered. And the majority, "being in a position to rule can have no voice in the determination of the system of electorates. If the minority wants joint electorates, the majority must submit itself to joint electorates. If the minority decides to have separate electorates for itself the majority cannot refuse to grant them. In other words, the majority must look to the decision of the minority and abide by it." The minority, for Ambedkar, does not just decide but it is mandatory for the majority to accept it. In this sense, for Ambedkar a communal minority is on par or equal to a communal majority; and this is the true spirit and philosophy of democracy. But, a political minority must obey the decision of the political majority, if it is not going against the fundamental values that democracy stands for.

Conclusion

This chapter’s principle aim was to delineate and explicate the basic theoretical ideas and values that Ambedkar’s thought stands on and show how from these theoretical assumptions his thought on minorities emerges. The most important characteristic values that Ambedkar’s thought stands on is Social justice, and he argues that Democracy is the best possible means to achieve this. In fact, for him, Democracy is another name for Social justice. Further, social justice, for him, means not denying any individual or group from enjoying the social benefits of being in a society. We have seen that, for Ambedkar, the principle political values of Liberty and Equality are deeply linked; and how they both together strengthen Fraternity. Talking about Fraternity as social endosmosis; as conjoined communicative experience; as an associated living; as the sense of community,

81 Ibid.
we notice that it becomes the basic ingredient that can strengthen society. We also see
that Democracy, for Ambedkar, is not merely a form of government but a ‘way of life.’

While understanding his notions of Liberty and Equality we noticed that Ambedkar
understands these values not in a formal sense but in a more substantial manner. By
substantial manner we mean how these values are actually realized in a society and not
just verbalizing them in constitutions. Importantly, in the section on liberty, we came
across the distinction of civil and political liberty, where civil liberty connotes formal
liberty, and as liberty interpreted in the negative sense. A liberty interpreted in the
negative sense talks of liberty as ‘lack of constraints.’ While political liberty must be
interpreted in the positive sense, of giving the individuals or groups the proper political
means to fight for their liberties and rights. We have seen that for Ambedkar access to
political power is an important right that democracy gives to an individual or group. In
this sense, a minority group in a democracy must have political power on par with the
majority group. This is Ambedkar’s basic argument. In the section, on Equality, equality
being an important political value for democracy, is guaranteed only formally as ‘equality
before law, or equal accesses to law.’ But the existence of social and economic
inequalities can discriminate and deny groups or individual this equality in the substantial
sense. Equality, therefore, Ambedkar argues, means equity in its true sense, where
different individuals or groups are not treated in a similar manner but differentially.
Ambedkar argues for differential treatment to realize the political value of equality.
Hence, there is the need for ensuring equality in society in the more substantive sense.
We have also seen that, Ambedkar acknowledges diversity in humans, both naturally and
socially. Some are naturally strong and some weak, some come from a better educational
and cultural background some not. His version of equality is strongly against the
Nietzschean belief that only the strong or culturally superior have a right to exist or
perpetuate. He believed a society based on fraternity must be accommodative to both
strong and weak. Democracy is a realization of this ideal.

Having seen this ideal of democracy, we moved onto examining the pitfalls of
democracy; and how democratic states have given rise to dictatorships in many European
countries. Here, we noticed that Ambedkar blames Democracy for wrongly assuming the equality of the contracting parties in a ‘social contract’. In the next chapter, we will see how this inequality of contract becomes a big obstacle in nationalist projects. Inequality of groups, Ambedkar argues, can create a nationalism that is undemocratic to minorities. When discussing Fraternity, we saw that it is another term for a sense of community, and which can be further extended to the sense of a nation, which Ambedkar believes is good for democracy and social justice. But, when the parties of contract to this nationalist project are unequal, this nationalist project will be deeply biased towards the majority, against the interest of minorities. Later in the chapter, we have seen that, by minorities, he means all those groups that are structurally disadvantaged in both cultural and economical terms. In this sense, religious groups, social disadvantaged groups, are all unequal partners to the contract – in this case, the nationalist project.

Later we moved on to the pitfalls of democracy as a form of government. Here, we come across the much misunderstood and debated view of democracy as the ‘rule of majority’. This, Ambedkar argues, is the basic rule of democracy and it must be valued but, it can also be a source of great menace to democracy, and the spirit of democracy. Since, this rule gives the majority the right to rule over the minority over a limited period, the majority community or a communal majority can easily take advantage of this and perpetuate its dominance. Here, we come across the distinction between political and communal majority, a democracy stands for political majority, not the latter. Ambedkar argues, there should be enough and effective safeguards to protect the minority, where there is a chance that the communal majority can take advantage of this rule of the majority.

After discussing these two major drawbacks of democracy, we moved on to understanding how Ambedkar perceives social change and through what means it can be brought about. Here, we have seen Ambedkar’s disagreement with Marxists on social change, on their thrust on ‘economism,’ and how Ambedkar, like Gramsci, believes that both economic and cultural factors must be addressed for any true social change. At the same time, since he values democracy unlike the Marxists, he believes social change can only be brought about through democratic means. But we have seen Ambedkar agrees
with Marxists on the need for socialism. Since dictatorship too, undemocratic though it is, can bring about social change, the only democratic option left for socialism is through constitutional means. And he believes constitutions can be great vehicles for social change.

While suggesting how constitutions can be a potent source for social change, Ambedkar talks about moving beyond enshrining the political values of values of equality, liberty and fraternity in the constitutions only formally. Most constitutions of the world with their ‘fundamental rights’ guarantee these values by ignoring the actual social and economic inequalities in society. We have seen how, for Ambedkar, these social and economic inequalities can be serious impediments to the realization of these values; how, the unemployed or economically weaker sections of the society have to constantly compromise their rights to sustain themselves or acquire basic needs; how liberty, as a value, can only be enjoyed only by those who have economic security. Since societies are deeply structured in various ways; constitutions must acknowledge this fact and strive to eradicate these inequalities. In this sense Ambedkar supports ‘state socialism’ within a democratic structure.

Having this background understanding of Ambedkar’s political thought, we moved to the issue of protecting the interests of minority in a democratic state. Democracy is a better alternative to other forms of government because it avoids the dictatorship of any particular group or class. But with its ‘rule of majority’ it can bring back this dictatorship by giving power to a particular majority community. Ambedkar speaks at length of what the true purpose of democracy, and of how the ‘rule of majority’ can lead to democracy becoming a sham. In order to avoid this, he first takes the task of explaining what democracy means; and based on this understanding he demands safeguards against the misuse of this rule.

Importantly, we have seen Ambedkar enlarges the meaning of the term minority, to include those groups that are socially and economically disadvantaged, thereby, including his concern for social justice in the issue. The safeguard that must be given to a minority depends on the status of that minority in the society. A minority, as he argues, must be determined not by its numerical strength only but by the political weight it carries in a
political setup. This insight of his, this chapter argues, is a very important contribution to the debate on the issue of minorities. The next important suggestion he offers has to do with the way minorities must be protected by taking the weight from the majority and distribution the weight among the minorities to balance the power structure among groups. This weight needs to be distributed within minorities in an order.

Applying the 'maximin rule' where the least advantaged group gets the top priority, according to him, is the only way to ensure democracy as a vehicle for social justice, demanding thus, differential treatment for minorities. Subsequently, we moved on to the issue of joint or separate electorates. Here, we observed the sole reason for demanding separate electorates is to protect minorities, and here again, Ambedkar argues the political weightage of the minority must be taken into consideration when determining joint or separate electorates. And, importantly, the minority should be given the choice to choose the option. In this chapter, saw that Ambedkar’s thought is based on the realization that formal recognition of rights are no good, and any serious political theorist or constitutionalist who is committed to democracy must acknowledge the social conditions in which individuals and groups dwell and argue for rights and safeguard in accordance.

We have not yet discussed, in detail, Ambedkar’s thought on minorities in the Indian context; of how, untouchables constitute a minority and what their particularities are. We have also not discussed his thoughts on nationalism, particularly Indian nationalism and the place of different minorities in this project. There is also a need to discuss his understanding of social reform and social change in detail. The issue of minorities from the cultural perspective, too remains to be examined. All of these issues will be dealt in the next chapter. We can conclude this chapter, by saying that for Ambedkar the concern for minorities is a direct result of his commitment to democracy and social justice. Commitment to social justice compels him to argue that we should move from just a formal manner to a more substantive way of dealing with the rights of the people.