

## **CHAPTER-1**

**Concept of justice in Western and Indian  
thought-Role of morality**

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Justice is a name to which every 'knee' will bow. It is the most primitive of ideas known to mankind and the most fundamental concern in human history. Primarily, it is based on reason but at the same time it is an article of faith. It is the end of which all intellectual pursuits are the means. Justice, though being considered to be individual virtue but social in its application with certain obligations, rights and duties. Justice is grounded not only in morality and religion, but also in law and Constitutional order. It generally depicts a well-ordered society or State where the responsibility of the State is to ensure justice to all sections of people.

#### **The Concept of Justice in the West: -**

Justice is a very complex one and difficult to put in a composite formula once and for all. It is really very difficult to give a precise definition of justice. Yet, it is necessary to get the meaning of justice. The word 'Justice' is adopted from Latin word 'justitia' formed on 'Justus' meaning just. The word 'justice' connotes the notion of 'joining' as in the Latin 'jungere' or Greek 'Zeugnunai'. The original Indo-European root was 'yug' as in English 'yoke'. The Romans still used the word 'Jus' in the general sense of a bond or tie as in Jus amicitiae, that is, bond of friendship. Generally, justice means 'joining' and 'fitting together'. It is not only joining or fitting together of persons, but also of principles. Justice is seen when it joins and knits together the claims of the principle of Liberty with those of the principle of Equality, and both with those of the principle of Fraternity or Co-operation. It adjusts them to one another in a right order of their relations. <sup>1</sup>

The doctrine of the Greek philosopher Pythagoreans stressed that "every citizen should have his special place assigned to him in a just social order". To Socrates, justice is the interest of the weaker i.e. the governed and not of the stronger i.e. the sovereign. It is natural and internal and also represents the right condition of human soul. Plato regarded 'Justice' as the true principle of social life. His famous work '*The Republic*' is called 'a treaties concerning justice'.<sup>2</sup> To Plato, "Justice is the virtue of the soul. It is a part of human virtue and the bond which joins men together in states.

It is an identical quality which makes man good and which makes him social”.<sup>3</sup> In the views of Plato, justice resides in the state and is to be identified with complete virtue which is composed of four elements i.e. wisdom, courage, temperance i.e. self-control and justice. Hence, Platonic justice consists in “the will to concentrate on one’s own sphere of duty, and not to meddle with the sphere of others; and its habitation, therefore, is in the heart of every citizen who does his duty in his appointed place”.<sup>4</sup> Thus, Plato regards justice as the name of that kind of life where every individual does his own work for which he is fitted by the very elements of his soul. Aristotle in his *Politics*, Book-1, views Justice as the bond of men in states, for the administration of justice, which is the determination of what is just, is the principle of order in political society.<sup>5</sup> He believes that justice is the very essence of the state, and that no polity can endure for a long time unless it is founded on a right scheme of justice. He regards “Justice as a complete virtue”. Aristotle’s *Politics*, Book III, expresses that a state exists for the sake of good life, and not for the sake of life only.<sup>6</sup> It is the name of that great moral virtue and excellence of character which is so essential for dealing with social and public relations. It promotes the interest of another. To Aristotle, justice is an equality of proportion between persons and ‘things’ assigned to them.<sup>7</sup> Aristotle believed that the purpose of the state was not to extend its dominion or enrich its people, but to widen knowledge, promote virtue, and secure justice to all.<sup>8</sup> The Greek philosopher’s views on justice were based on the harmonious working of the community and the well-being of the citizens of the City-State.

The Stoic philosophers of Rome believe in the principles of natural law, natural equality and the state as natural to man. They hold the view that by natural law ‘all men are born free’ and that ‘all men are equal in natural rights’.<sup>9</sup> Hence, the idea of justice is derived from the Stoic conception of ‘nature’. To Cicero, “true law is right reasoning agreement with nature; it is of universal application, unchanging and everlasting”.<sup>10</sup> There exist, in short, behind all laws and customs of men, a supreme and permanent law to which all else must conform if there is to be justice in the state. For Cicero, “Justice is an intrinsic good”. All men, possessing equal rights, were destined by nature to be ruled by universal principle.<sup>11</sup>

However, in the medieval period, ‘justice’ meant some total of virtue. The New Testament declares that the object of the state is justice and because the notion of justice is sacred, any institutions which deal out justice are also sacred. The New

Testament viewed the Government as a divine institution, and deriving its authority from God. The state existed to maintain justice. And the Christian doctrine views that government is necessary for proper human development.<sup>12</sup> Later St. Augustine in his great work *De Civitas Dei* (the City of God) also mentioned that Justice and Peace are the cardinal virtues of the city of God. He emphatically declares that it is justice alone which holds a society, ethically together, and no justice can be imagined in a society, where men are seeking only paltry interests and have no grasp upon eternal values. He has conceived peace in terms of justice, and justice, according to him, is another name of the 'right relation of man and God'. Without justice there can be no peace, because where there is no justice there can be no Jus (law). Hence, justice to St. Augustine is conformity to order and respect for duties arising out of this order.<sup>13</sup> Moreover, St. Thomas Aquinas also provided sound basis of justice in 13<sup>th</sup> Century medieval political thought of Europe. He defines justice, "as the fixed and perpetual will to give to everyone his own rights".<sup>14</sup> This definition of St. Thomas is in close conformity with the Aristotelian principle of distributive justice. He pointed out two kinds of justices, namely, (a) natural and (b) positive. Natural justice is established "when one gives so much that he may receive back precisely the same". Positive justice is established when popular custom or an order of the king requires that two things shall be regarded as equal. He also recognises written human laws have as the very source of rights and justice.<sup>15</sup>

In England the quest for justice first marked with the passing of 'The Magna Carta' or *The Great Charter* on the 15<sup>th</sup> June, 1215. It is regarded as the key stone of English liberty. Clause 40 of this Charter proclaimed, "To no man will we sell, no man will we deny or delay, right or justice".<sup>16</sup> The Legal framework for Social justice emerged in England during 1559 and 1664. New laws were enforced for the interests of the poor by Justice of Peace under the guidance of the Privy Council.<sup>17</sup>

In Seventeenth century the concept of justice is propounded by the English philosopher John Locke (1632-1704), the father of philosophical liberalism, a great champion of the rights of men. J. Locke holds the view that man is a moral and a social animal. And under the law of nature all men were equal and possessed equal natural rights (right to life, liberty and property). In his *Two Treaties of Civil Government* (1689), he says:

All men are naturally in a state of equality, wherein all the Power and Jurisdiction is reciprocal, no one having more than another; there being nothing more evident than the creatures of the same Species and Rank, promiscuously born to all the same Advantages of Nature ....The Natural Liberty of man is to be free from any Superior Power on Earth, and not to be the Will or Legislative authority of Man, but to have only the Law of Nature for his Rule.<sup>18</sup>

It is obvious from the above that 'every individual counts as one and is, morally, equal of every other; that he has rights which belong to him simply as a human being. Locke argued that every man in the State of Nature is entitled to perfect freedom; each man derives his natural rights to life, liberty and property and it is obvious that no man can interfere with the life, liberty and property of other man.<sup>19</sup> According to Locke, property of the state to be judged on the anvil of individual's right to life, liberty and property. Hence, his theory is called *Proprietarian Theory of Justice*. In eighteenth century, the English Utilitarian School of Thought also propounded the theory of justice called '*Utilitarian Concept of Justice*'. The intellectual leader of English Utilitarianism was Jeremy Bentham (1748-1832); with a scientific bent of mind he repudiated the whole natural law and natural rights doctrine. Bentham himself elaborated the Principle of utility in his *Principles of Morals and Legislation* (1789). To him, justice is the greatest happiness (pleasure) to the greatest number. The end and aim of a Legislator should be the happiness of the people. In matters of Legislation, General Utility should be his guiding principle. The science of legislation consists, therefore, in determining what makes for the good of the particular community whose interests are at stake.<sup>20</sup> In nineteenth Century another English Utilitarian philosopher John Stuart Mill (1806-1873), also regarded justice as the 'greatest good for greatest number'. But he modified the somewhat narrow and rigid principles of Utilitarianism. In *Utilitarianism* (1863), he rebelled against the selfish idea of each individual devoting himself to a deliberate attempt to secure his own happiness, and pointed out that directly aiming at pleasure may fail to secure it. J.S. Mill, therefore, laid stress upon the idea that every individual should aim to promote the general happiness. Justice and altruism should be its main basis. To Mill, social well-being was the end of government; the fostering of virtue and intelligence was the test of its success.<sup>21</sup> Undoubtedly, the Utilitarian theory of justice gives prior importance to the collective good or common welfare of the community. It connotes

justice as welfare. In other words it is majoritarian view of justice. However, Dr. Ambedkar supported Bentham's science of legislation, i.e., censorial jurisprudence, adult suffrage, Parliamentary democracy and freedom of Press and expression; but he was not agree with Bentham's theory of utility; which believes in the idea of the 'greatest happiness of the greatest number'. Generally this principle ignores the interests of the least advantaged; this may be the reason for which Ambedkar was critical to Benthamite principle of utility, while Ambedkar founds his theory on the welfares of the Untouchables. Ambedkar's views of justice, primarily distributive justice is to bring unequal to equal level and give favoured treatments to those who are underprivileged in a society. In twentieth century modern liberal theorist like John Rawls also rejected the principle of utility on the grounds that it subordinates an individual claim to justice to social calculus. Moreover, Rawls theory of distributive justice is many ways similar to Ambedkar's concept of distributive justice.

The Marxist view of justice integrates the idea of justice with the doctrine of class war. Marx perceived that in socialism, the ownership of the means of production by the whole people will have abolished exploitation. In this stage, a kind of equality will prevail, because everyone will receive as much as his own labour has created. But this is still, as Marx said, a "bourgeois right", since it permits consumption only "according to the work performed". Its principle is, "From each according to his ability, to each according to his work". Social Classes at this stage are disappearing and with them the need for repression, so that the state is in process of withering away. The abolition of capitalism will be accompanied by a great expansion of production and this, Lenin expected, as socialists have usually expected, would bring with it a change in human nature. "A person not like the present man in the street," with habits such that an occasional unsocial individual will be restrained as easily and as spontaneously as civilized people part two fighters. Finally humanity will be prepared for true communalism, in which a classless society, with no need for repression, can realise full justice and equality, a society capable of living by the principle, "From each according to his ability, to each according to his needs."<sup>22</sup> Thus in the Socialist Society (Communist countries), the wages of the workers are determined by the utility of their work and the distribution of consumer goods is done according to the needs of the people. 'Each according to his ability and each

according to his needs' is the concept of law and justice governed by Marxist philosophy.

Dr. Ambedkar had made a comparison between Marxism and Buddhism in '*Buddha or Karl Marx*'. He points out that the Marxian creed was propounded sometime in the middle of the nineteenth century. Since then it has been subjected to much criticism. As a result of this criticism much of the ideological structure raised by Karl Marx has broken to pieces. There is hardly any doubt that Marxist claim that his socialism was inevitable has been completely disproved. The dictatorship of the Proletariat was first established in 1917 in one country after a period of something like seventy years after the publication of his *Das Capital* the gospel of socialism. Even when the Communism-which is another name for the dictatorship of the Proletariat-came to Russia, it had come with human efforts. There was a revolution with lot of violence and blood-shed, before it could step into Russia. The rest of the world is still waiting for coming of the Proletariat Dictatorship. Nobody now accepts the economic interpretation of history as the only explanation of history. Nobody accepts that the proletariat has been progressively pauperised. And the same is true about his other premises. However, he does not deny the importance of Marxism. What remains of the Karl Marx is a residue of fire, small but still very important. The residue in my view consists of four items:

- (i) The function of philosophy is to reconstruct the world and not to waste its time in explaining the origin of the world.
- (ii) That there is a conflict of interest between class and class.
- (iii) That private ownership of property brings power to one class and sorrow to another through exploitation.
- (iv) That it is necessary for the good of society that the sorrow be removed by the abolition of private property.<sup>23</sup>

In the views of Ambedkar, the means of bringing about communism which the Buddha propounded were quite definite. The means can be divided into three parts. Part I consisted in observing the Pancha Silas. The Enlightenment gave birth to a new gospel which contains the key to the solution of the problem which was haunting him. The foundation of the new Gospel is the fact that the world was full of misery and unhappiness and this fact to be regarded as the first and foremost in any scheme of

salvation. The Buddha recognized this fact as the starting point of his Gospel. To remove this misery and unhappiness was the aim and object of his Gospel and to serve any useful purpose. And the Buddha found that there could be two causes of this misery. A part of the misery and unhappiness of man was the result of his own conduct. To remove his cause of misery he preached the practice of Pancha Sila. The Pancha Sila comprised the following observations:

(1) To abstain from destroying or causing destruction of any living thing; (2) Abstain from stealing i.e. acquiring or keeping by fraud or violence, the property of another; (3) Abstain from telling untruth; (4) Abstain from lust; (5) Abstain from intoxicating drinks. A part of misery and unhappiness in the world, according to the Buddha, was the result of man's inequality towards man. To remove the man's inequality towards man the Buddha had prescribed the Noble Eight-Fold Path. The aim of the Noble Eight-fold Path is to establish on earth the kingdom of righteousness, and thereby to banish sorrow and unhappiness from the face of the world.<sup>24</sup>

According to Ambedkar, the third part of the Gospel is the doctrine of Nibbana. The doctrine of Nibbana is an integral part of the doctrine of the Noble Eight-Fold Path. Without Nibbana the realization of the Noble Eight-Fold Path cannot be accomplished. Moreover, the doctrine of Nibbana also tells the difficulties in the ways to the realization of the Eight-Fold Path. In the views of Ambedkar, the chief of these difficulties are ten in number. The Buddha called them the Ten Asavas, Fetters or Hindrances. The doctrine of the Noble Eight-Fold Path tells what disposition of the mind which a person should sedulously cultivate. The doctrine of Nibbana tells of the temptation or hindrance which a person should earnestly overcome if he wishes to trade along with the Noble Eight-Fold Path. The Fourth Part of the new Gospel is the doctrine of Paramitas. The doctrine of Paramitas inculcates the practice of ten virtues in one's daily life. It is clear that the means adopted by the Buddha were to convert a man by changing his moral disposition to follow the path voluntarily. The means adopted by the communist are equally clear, short and swift. They are (a) Violence and (b) Dictatorship of the Proletariat. The communists claim that these are only two means to establish communism. Nothing short of it will suffice to continue the new system.<sup>25</sup>

Unlike, Gandhi, Ambedkar was not completely against violence. He says there are many people who seem to shiver at the very thought of it. But this is only a sentiment. Violence cannot be altogether dispensed with. Even in non-communist countries a murderer is hanged. Non-communist countries go to war with non-communist countries. Millions of people are killed. Is this no violence? If a murderer can be killed, because he has killed a citizen, if a soldier can be killed in a war because he belongs to a hostile nation, why cannot a property owner be killed if his ownership leads to misery for the rest of humanity? There is no reason to make an exception in favour of the property owner, why one should regard private property as sacrosanct. The Buddha was against violence. But he was also in favour of justice and where justice required he permitted the use of force. This is well illustrated in his dialogue with Sinha Senapati, the Commander-in chief-of Vaishali. Buddha's Ahimsa was not as absolute as the Ahimsa preached by Mahavir the founder of Jainism. He would have allowed force only as energy. The Communist preaches Ahimsa as an absolute principle. To this the Buddha was deadly opposed. As to Dictatorship the Buddha would have none of it. He was born a democrat and he died a democrat. He was a thorough equalitarian. The end of Dictatorship is to make the evolution a permanent revolution. This is a valuable end. But can the communists say that in achieving this end they have no destroyed other valuable ends? Dictatorship is also defined as absence of liberty or absence of Parliamentary Government. Both interpretations are not quite clear. There is no liberty even when there is Parliamentary Government. For law means want of liberty. The difference between Dictatorship and Parliamentary Government lies in this. In Parliamentary government every citizen has a right to criticize the restraint on liberty imposed by the Government. In Parliamentary Government you have a duty and a right; the duty to obey the law and right to criticize it. In Dictatorship you have only duty to obey and no right to criticize it.<sup>26</sup>

Ambedkar says that the Communists themselves admit that their theory of the state as a permanent dictatorship is a weakness in their political philosophy. They hold the opinion that the state will ultimately wither away. There are two questions which they have to answer. When will it wither away? What will take the place of the state when it withers away? To the first question they can give no definite time. Dictatorship for a short period may be good and welcome to make democracy safe.

Did not Asoka set an example? He practised violence against Kalinga. But thereafter he renounced violence completely. If our victors today disarm their victims but also disarm themselves then there would be peace all over the world. The Communists have given no satisfactory answer to the question what would take the place of the state when it withers away. Will it be succeeded by Anarchy? If so the building up of the Communist state is an useless effort. If it cannot be sustained except by force and if it results in anarchy then the force holding it together is withdrawn what good is the Communist state. To Ambedkar the only thing which could sustain it after force is withdrawn is religion. But to the communists religion is anathema. Their hatred to religion is so deep seated that they will not even discriminate between religions which are helpful to Communism and religions which are not.<sup>27</sup>

Nevertheless, Dr. Ambedkar, argued that the Russians are proud of their Communism. But they forget that the wonder of all wonders is that the Buddha established Communism so far as the Sangh was concerned without dictatorship. Though it was a Communism of very small scale but it was communism without dictatorship a miracle which Lenin failed to do. The Buddha's method was different. His method was to change the mind of man: to alter his disposition: so that whatever man does, he does it voluntarily without the use of force or compulsion. His main means to alter the disposition of man was his Dhamma and the constant preaching of his Dhamma. Buddha's way was not to force people to do what they did not like to do although it was good for them. His way was to alter the disposition of men so that they would do voluntarily what they would not otherwise do. Man must grow mentally as well as spiritually. Society has been aiming to lay a new foundation was summarised by the French Revolution in three words, Fraternity, Liberty, and Equality. The French Revolution was welcomed because of his slogan. It failed to produce equality. We welcome the Russian Revolution because it aims to produce equality. But it cannot be too much emphasized that in producing equality society cannot afford to sacrifice fraternity or liberty. Equality will be of no value without fraternity or liberty. It seems that the three can co-exist only if one follows the way of the Buddha.<sup>28</sup>

In the twentieth century, John Rawls in his famous work, *A theory of justice* (1971) puts forward fairness as the criterion by which to distinguish the just policy from unjust. In his theory of justice, Rawls explicitly rejects Utilitarian reasoning but

came closer to idealism of Emmanuel Kant. He adapts the idea of a Social Contract (agreement) about justice. Rawls proposes that you imagine yourself to be in a hypothetical situation behind “a veil of ignorance” as to your own concrete, personal, individual interests. You are to choose rule of justice as if you don’t know for sure what your own situation in the next society is going to be: whether you will be advantaged or disadvantaged, rich or poor, weak or powerful, smart or slow and so on. In this “original position” what fundamental rules would you want to put into your social contract and subsequently have reflected in your constitution? Because of your uncertainty, he argues, you will want to make sure that the rules will prevent you from being treated too severely if you should turn out to be one of the less advantaged persons in your society.<sup>29</sup> According to Rawls, ‘the principles of justice are the principle that free and rational person concerned to further own interests would accept in an initial position of equality as defining the fundamental terms of their association’. He proposed that all primary social goods-liberty and opportunity, income and wealth and the bases of self-respect- *are to be distributed equally unless* (emphasis added) an unequal distribution of any or all these good is to be of advantage to the least favoured. He has given two principles of justice:

1. Each person is to have an equal right to the most extensive total system of equal basic liberties compatible with a similar system of liberties for all. Rawls is very specific about which liberties would be included on his list:

The basic liberties of citizens are, roughly speaking, political liberty (the right to vote and to be eligible for public office) together with freedom of speech and assembly; liberty of conscience and freedom of thought; freedom of the person along with the right to hold (personal) property; and freedom from arbitrary arrest and seizure as defined by the rule of law.<sup>30</sup>

2. Social and economic inequalities are to be arranged so that they are both:

- (a) To the greatest benefit of the least advantaged, consistent with the just savings principles, and
  - (b) Attached to offices and positions open to all under conditions of fair equality opportunity<sup>31</sup>
- Thus, J.Rawls’s theory of justice is Contractarian theory of Justice which is based on a government called Constitutional democracy.

The concept of social justice has different implications at the hands of negative liberals who take it as antithetical to the principle of equality of opportunities. Its best affirmation can be seen in the views of F.A Hayek who holds: For in such a system in which each is allowed to use his knowledge for his own purpose, the concept of social justice is empty and meaningless, because in it nobody's will can determine the relative incomes of the different people, or prevent that they be partly dependent on accident. Social Justice can be given a meaning only in a directed or 'command' economy (such as an army) in which the individuals are ordered what to do and any particular conception of social justice could be realised only in such a centrally directed system."<sup>32</sup> The idea of equality of opportunity cuts across the principle of justice despite the fact that it looks quite attractive. But once it "is extended beyond the facilities which for other reasons have to be provided by government, it becomes a wholly illusory ideal and any attempt concretely to realise is apt to produce a nightmare."<sup>33</sup>

On the other hand, Robert Nozick in his work '*Anarchy, State and Utopia*' advances the argument of 'minimum night-watchman state'- a state limited to protecting persons against murder, assault, theft, fraud and so forth. Historical principles hold that past circumstances or actions of people can create differential entitlements or different deserts to things. The distribution of rewards should conform to particular standards. As such, no one has a right to a minimum of welfare because to grant it would necessitate unjustified taxation of the deserving for the sake of giving rewards to the undeserving. He claims it as his broader conception of liberty which may be harmonized with the principle of equality and justice (rather social justice) if the principle of desert is properly honoured. It is based on the touchstone of 'enablements' that would certainly lead to different results, for then persons whose taxes are increased to make up for the loss of public revenue resulting from the tax advantage given to farmers would be deprived of their liberty. A stricter version of property rights, according to which all taxation constitutes an invasion of liberty, would lead to the same result."<sup>34</sup>

In the words of Dias, Justice has a five-fold task to achieve: (1) just allocation of benefits and burdens; (2) prevention of abuses of power; (3) prevention of abuses of liberty; (4) just decision of disputes; and (5) adaptation to change."<sup>35</sup> Roscoe Pound is right in the view that no matter what precise form the decisional component may

take, the search for justice will remain of primary importance, at least in democracies. Its goal will always be to establish an ideal relationship among men, based upon their reasonable, civilized expectations and a maximum of “free individual self-assertion”, as well as an ideal relationship between man and the state. Without justice as a fundamental objective, social control through law would rest essentially upon the sterile grounds of pure authority. Justice means the existence of ideal relations among men and between men and the state.

### **Concept of Justice in Indian Thought:**

In the ancient Hindu works of political thought we can mark that political matters are treated as a part of human activities which are integrally connected with the issues of human destiny and moral and spiritual values. The ancient Hindu *Dharmasaras* express that ‘do your duty and do not expect the result’. In ancient India, Justice was equal to Dharma and adhering and upholding justice was to uphold Dharma which speaks of the eternal values of peace and tranquility in society. The concept of *Dharma* is very wide and comprehensive; it is quite unique as there is no English equivalent for the word *Dharma*. Among its various meanings, there is a sense in which Dharma stood for harmonious relation in society. Dharma means truth and righteousness and it integrated civil, moral and spiritual values and supplied the basic impetus for human development towards higher perfection.

However, the practices of Varnashrama developed with the advent of the Aryans in Bharatvarsa. The Aryans, who came to India from a foreign land subjugated and displaced the original inhabitants of India and designated them with opprobrious terms such as ‘Sudra’ and the ‘Ati-Sudras’(Antyajas or Chandalas) means Untouchables.<sup>36</sup> The teeming millions of the Shudas and the Ati-Shudas, are the sons of the soil but degenerated by the victor Aryabrahmans as dirty and worthless. These autochthons, according to the epigraphic, archeological and documentary historical evidences, were not worthless, non-human beings.<sup>37</sup> They were the most advanced people of the casteless developed civilization of Harppa and Mahenjodaro. The pre-Aryan Indian society was a class society. Gradually the Aryans transformed the class society into a closed caste society (Varnas). In ancient Varnashrama society people were classified into four Varnas-Brahmins, Kshatriyas, Vaishyas and Shudras; and man’s life was also divided into four stages-Bramacharya, Grbahastha, Vanaprastha and Sannyasa. The Brahmins were assigned the task of teaching and learning, the

Kshatriyas were to maintain law and order, the Vaishyas were to cultivate lands and to carry on trades and business; and the Shudras were for the manual work and to serve the above three classes. This social order was divinely ordained and each individual was born in a particular Varna according to its past Karmas. It is said to have been founded on Guna-Karma of each person. It is inherent in human nature. This is the Triguna (Sattva, Raj and Tamas) theory of Kapil.<sup>38</sup>

The *Manusmriti* is primarily a book on Hindu social relations. And Manu accepts the authenticity of the Vedic sacrificial cult. He was very much emphatic on the performance of social duties. He says, he who is faithful and acts according to the injunctions of the Shastras can inflict punishment with justice. To Manu, moral-self restraint is essential for using *Danda* (coercion or punishment). According to him, *Danda* has been created for the sake of the King who is the son of God. The *Danda* is the protector of all creatures and is formed of the glory of Brahman.<sup>39</sup> Kautilay in his *Arthasastra* used the term '*Danda*' in the sense of coercion or punishment. *Danda*, to him, is a power and authority of the King to do justice by punishing the offenders. He further says:

Dandaniti deals with the means of preservation and acquisition of dialects, Vedas and Varta. Dandaniti aids the Vedas because it prescribes ways and means to regulate the four Castes and the four Orders which are the integral part of the Vedic view of life and culture.<sup>40</sup>

The Hindu notion of Dharma deals with Varnadharma or Caste justice. In the notion of Varnadharma or Varnashram- the four Castes and four Orders, all with their assigned specific tasks and duties-makes the problem of the extent to which a good citizen can be a good man meaningless. According to the Varnashrama theory each man is to pursue the task assigned to him in accordance with his particular Castes and particular order in life. A king, so long as he is true to his duties as prescribed by Vedas and elaborated by the Smrites, is a good man.<sup>41</sup>

In India, justice has been enclosed within the concept of *Dharma*. *Dharma* refers specifically to moral function of rewarding good and punishing the evil. The word Dharma corresponds to the concept of laws. It acquires several meanings. Specifically *Dharma* becomes the sum total of pious duties. The four commandments, together with five injunctions, form the core of Aryan ethics.<sup>42</sup> In the *Brihadaranyaka*

*Upanishad* which supplements *Satapatha Brahman*, we find that supremacy of *Dharma* over mere physical or military strength-*Kshatra*. In the *Upanishad*, the notion of *Dharma* was clearly elaborated:

The Brahman has created the most excellent *Dharma*. *Dharma* is the force of force or power of power. There is nothing higher than *Dharma*. Henceforth even a weak man rules a stronger person with the help of *Dharma*, as with (the help of) a King. This *Dharma* is (equivalent to) truth. Hence if a man speaks truth they say he speaks the *Dharma* and if he speaks the *Dharma* they say he speaks the truth.<sup>43</sup>

Thus, *Dharma* is the *Kshatra* of the *Kshatra* which means *Dharma* is superior to *Kshatra*. It is the highest principle since with its help even a physically weak person can wield authority over a more powerful one.

By equating the idea of truth and *Dharma* the passage quoted above marks a further step in the moralization of the notion of *Dharma*. In the *Mundakopanishad*, truth has been definitely conceived to be a moral category. This incorporation of a moral content in the concept of truth is a symbol of the progressive evolution of ethical ideas. It indicates that reality itself was now conceived in moral and ethical terms. Kautilay in his *Arthashastra* used the word *Dharma* in the sense of social duty as well as moral and civil law based on truth. To Kautilay, an accomplished King must be devoted to *Dharma*. The King has to obey the customary and sacred laws of the land. He is called the promulgator of *Dharma*. The King can punish and fine the transgressor of *Dharma*. And the righteous performance of his duties ensures heaven for him. In the views of Kautilay, if a King does not adhere to the moral code, he is bound to suffer a collapse.<sup>44</sup> In other word, though the King was supreme in his State, but he was not above *Dharma*. The King should adhere to his own *Dharma* and should be more careful to see that all the Varnas also are faithful to their Dharmas. Undeniably, Kautilyan *Dharma* adheres to the principle of 'might is right', as the insistence on maintaining the caste structure which is beneficial to the Brahmin-Kshatriya combine. In the caste hierarchy the Shudras (the idea of Chandalas and the practice of Untouchability was in vogue at the time of Kautilya) were reduced to the status of slave, and what was worse, the caste structure was attached to the occupational division of labour.<sup>45</sup> Thus the ancient Hindu thinkers like Kautilya and

Manu used Dharma and Danda as a means of justice and maintenance of Varnadharma and strict adherence to caste rules were justice to them.

In the Vedic notion of law or ordinance the concept of *Dharma* assumed two meanings; (1) it became identified with a moral view or an ethic of virtue; (2) it became identified with the particular social duties of the various Castes and Orders. In the *Upanishads* the *Dharmas* of the four Orders are explicitly stated and are implicit so far as Dharmas of the castes are concerned. In the *Upanishads* both of these meanings are found. Hence we shall find that later writers put greater emphasis on the one or on the other aspect of Dharma although the idea that performance of one's duties is a moral task and that moral life is equal to doing one's duties is always present.<sup>46</sup>

The *Bhagawat Gita* is the classic defence of warfare for the preservation of *Dharma*. The *Gita* provides elaborate discussion of the relationship of Dharma and violence. It is evident from the story of Mahabharata that Arjuna, the hero of Pandavas, is affected by a sense of deep grief and remorse at having to fight his own kith and kin for the sake of mere gains and political acquisitions. To pacify his feelings of grief and terror, Krishna, who is supposed to be the incarnation of God Vishnu in Hindu tradition, puts forward various arguments to support warfare for the maintenance of Dharma. Krishna appealed to Arjuna to take the bow and fight, on the very pragmatic grounds of the attainment of concrete results in this life and heaven after death. He is very emphatic in asserting that if Arjuna comes out victorious he would gain prestige and enjoys the earth but even if he did not win he would enjoy the blessings of heaven because he would die while performing his duty or Dharma.<sup>47</sup> He also says that if Arjuna would not fight he would lose his prestige and the loss of honour for a distinguished person would be a greater evil than death.<sup>48</sup> "Even if it may be easier to follow the occupation of another Varna yet to follow the occupation one's own Varna is more meritorious, although one may not be able to do it quite efficiently. There is bliss in following the occupation of one's own Varna, even if death were to result in performing it; but to follow the occupation of another Varna is risky".<sup>49</sup> Therefore Krishna says:

Besides, even if you consider your own duty, you ought not to falter, because there is nothing more meritorious to a Kshatriya than warfare enjoined by duty. And O Partha this war, which is indeed a door of heaven, found open

without effort, falls to the lot of only those Kshatriyas who are fortune. But, if you will not carry on his (for you) righteous warfare, then you will have to abandon your duty and lost your honour, and incurred sin.<sup>50</sup>

In Bhagawat Gita Krishna further says:

Oh, Arjuna, whenever this religion of duties and occupations (i.e. this religion of Chaturvarna) declines, and then I myself will come to birth to punish those who are responsible for its downfall and to restore it.<sup>51</sup>

Thus, according to Gita, performance of one's duties leads to no sin and warfare being a part of the duty of the Kshatriya is absolutely a moral duty. This view clearly shows that according to the Gita the notion of one's duty or Dharma is equivalent to Caste and not to rational duty.<sup>52</sup> Thus, Dharma acquires the meaning of what is just and customary in conduct. In Hindu jurisprudence the terms law and justice are used interchangeably and there is no separation between 'law' and 'religion'. Dharma was a scheme of regulation with its countless norms and precepts. It involved the body, mind, intellect and soul and there was the inevitable mixing up of secular and secular and spiritual matters with those that are purely ethical and legal. It includes the strong conviction of right doing and right living. In this social order where Dharma reigned supreme, doing one's duty was considered as the most important thing to sustain the social order. The sense of duty fostered the process of rhythmic advance towards progress and prosperity. Duty was not a tyrant, but a symbol of dignity to be discharged with affirmative joy. This realization assured in the Dharmasastras brought about a co-ordination of conduct adapted to different conditions, status and stations of life. The Hindu Dharma and its ancient legal system supported the four Varnas and the Caste system. The glaring inequalities and dehumanization based on the hierarchical caste system with its graded disabilities from birth and humiliating and degrading occupations assigned to certain designated low castes to be followed by them till their birth, was the greatest bane of Hindu society.<sup>53</sup> However, the epics, the Puranas, the Dharmasastrs and the Gita are not categorically clear about the caste-system. Sometimes it is taken to be hereditarily while at other places guna and Karma are taken to be the basis of caste division. This ambiguity however becomes less marked in the Manusamhita, where transgressions of caste duties are offences that require severe punishment. Here, also, the king as the political head comes out as wielding power in such matters.

On the other hand Buddha's Dhamma was a means to establish a just society. In Buddha's theory there was no space for Danda and he stressed much on Dhamma alone. His justice was anti-Varnadharma and anti-Caste. For him everyone, irrespective of caste, creed and sex, had the right to association, the right to freedom of speech and expression. His justice was an embodiment of human freedom. However, Buddhist justice was a non-religious socio-political concept, which struck at the root of Brahminical hegemony and the hierarchical division of Society.<sup>54</sup> Moreover, the Buddhist concept of justice is based on non-violence and equality; in contrast to the Hindu concept of dandaniti which is essentially a coercive method. And the Buddhist Sangha, way of life, operated purely on the basis of norms and moral principles devoid of physical violence. Dr. Ambedkar explains that in Buddhist concept of justice, there was no division of society into different Varnas and Castes as per the Chaturvarna of Hinduism. The Buddhist idea of justice is sought through righteous conduct of all individuals based on the principles of 'Panchsheel', and it can be affected by the Bhikkhu Sangha and a republican system of government. The reciprocal duties are prescribed for both the laymen and the Bhikkhus. The laymen have to minister to the Bhikkhus by showing affection and regard for their right action, speech and thoughts. On the other hand, the Bhikkhus have to show their affection for the laymen by restraining them from evil course of action, by showing right path and teaching them the righteous ways and the significance of Panchsheel of Buddha.<sup>55</sup>

Jainism endeavors to seek social harmony through righteous conduct of the individual. Jainism also prescribes certain Silas (right way of good conduct) for all the members of society. To Jainism justice is a matter of good conduct, respect for human beings and kindness to all beings. That is why they teach the people the significance of non-violence (Ahimsa) in life. The practice of Ahimsa inculcates in man a spirit of love and compassion to all human beings. Guru Nanak, the founder of Sikhism, propounded justice by criticizing caste and untouchability. To Kabir, caste and untouchability lowered down the dignity of human beings. Nanak and Kabir were the protagonists of social unity and harmony through mutual understanding and co-operation. Although they believed in God, yet emphasized the need of restoring the Shudras and Untouchables a dignified place in the society; because the oneness of God demands that all human beings must live as brothers guided by the feeling of

love and justice; therefore both Nanak and Kabir claimed equality and dignity for the weak and the lower section of the Indian society.<sup>56</sup>

The social process of Modern India began with Renaissance which infused in man an urge for freedom, democracy and humanism. The empirical man undertook socio-political reform movements. Gradually different movements were emerged against authoritarianism, feudalism, divinity of the Varnas and Shastras, and against the tyranny of caste. The social outlook of man began to change. With the advent of British new laws, educational system, judicial system, bureaucracy, and democratic practices were introduced in India. The doors of education and employment administration were opened to the Shudras and Untouchables, who were the victims of social discrimination and injustice of Hinduism. The introduction of equality before law by the British was a landmark in social history of India. In nineteenth century, the concept of justice was added to the spirit of patriotism and nationalism. India got political freedom in 1947 and new India framed its Constitution incorporating socio-political and economic justice as its principal goal.<sup>57</sup> Dr. Ambedkar rejected the theories of justice as conceived and given by *Varna Vyavastha* of Hinduism, Plato's theory of justice, Aristotelian order, Nietzschean thought, Divine law, Medieval outlook, Marx's proletariat socialism and Gandhi's Sarvodaya society. In his opinion, the *Varna Vyavastha* of Hinduism or Plato's scheme of social classification does not satisfy the norms of social justice because none of these are framed with an interest in common man. They are interested in society as an organic whole. The centre of their interest lies in a particular class only, and their social philosophies uphold the superiority of one class, of the Brahmins in Varna system, the Philosopher king in Plato's scheme of justice, the upper elements in Aristotelian order; the superman in Nietzschean thought.<sup>58</sup>

For Ambedkar, the *Varna* system does not recognize the ideals of liberty, equality and fraternity. Rather it promotes social inequality and advocates a deliberate debasement of human personality. It contains no economic security of those who are below the rank of the Brahmins. It has established a hierarchical character in Hindu society and it believes in an official doctrine of 'social inequality'. That is why Ambedkar rejected the entire philosophy of Hindu *Varnashram Dharma*. It opposes all that which contributes to and constitutes the essence of social justice.<sup>59</sup> For the same reasons, as Ambedkar thought, Plato's theory of justice, too, failed to deliver

any good to the public interest. Plato's scheme of justice proved not only wrong, but also superficial, because Plato knew little about the intricacies of human nature.<sup>60</sup> That is why Plato's theory of justice received the most scathing attack at the hand of Karl Popper, who in his book *The Open Society and its Enemies* (1945), criticised that Plato's holism is a variant of totalitarianism which is totally opposed to the democratic values of freedom and equality. He accuses Plato for establishing a regimented, hierarchical, static and unequal society where an individual counts so long as he contributes to the social whole. Dr. Ambedkar draws his views primarily from Buddhism; the similarity with Popper's view is striking.

Dr. Ambedkar regarded the principle of justice as a compendious which included most of the principle of what has become the foundation of a moral order. In fact Justice has always evoked ideas of equality, of proportion, of 'compensation'. Equity signifies equality. If all men are equal, then they are of the same essence and their common essence entitles them to the same fundamental Rights and equal liberty. In another word in a hierarchical society 'if all communities are to be brought to the level of equality, then the only remedy is to adopt the principle of inequality and to give favoured treatment to those who are below the level'.<sup>61</sup> In a nutshell, justice is simply another name for liberty, equality and fraternity as far as Ambedkar was concerned.<sup>62</sup> He wanted a society based on 'liberty, Equality and Fraternity'. All his political and philosophical ideas were inspired from the teachings of the Buddha, Kabir and Mahatma Phule whom he considered as his 'Gurus', revered teachers. He made it clear that the words, liberty, equality, fraternity have not been borrowed from the French Revolution but from the teaching of his master, the Buddha. Late in his life Ambedkar had embraced Buddhism. But this was not an impulsive decision; rather it was the inevitable outcome of his deep study of the irrational features that he found in Hinduism. He did not fail to note the lack of unanimity in interpretation of the castes among the four Vedas. While Sama-Veda does not incorporate this doctrine at all, the other two Vedas do not support this doctrine as enunciated in the Rig-Veda, in toto. In the caste scheme, the Shudra is the worst sufferer. He does not acquire wealth because the castes above him are supposed to provide him substance. Nor can he possess arms for the Kshatriya is there to protect him. He does not need knowledge for the knowledge of the Brahmin will work for him in case of need. But Ambedkar raises the pertinent questions in this context. He asks, if these classes refuse to support the

Shudra, or combine to keep him down, what safeguard is there in the system to avoid this injustice? He is not against interdependence which is essential for society. But he is against a system that makes one class totally dependent on others for self-preservation. This is unjust and against human dignity.

Ambedkar's concept of justice means a mode of life which is expected to give every man his right place in society. The right place, however, does not mean the social status based on one's birth but one's worth that determined his position in society. As the Chief Architect of India's Constitution, he got it shaped clearly on the values of justice, liberty, equality fraternity and dignity of man. The Preamble of the Constitution of India, since its inception on 26<sup>th</sup> January, 1950, has been invoking the spirit of India's people of all castes, creeds and communities to secure to all its citizens 'justice, social, economic and political; Liberty of thought, expression, belief, faith and worship; Equality of status and opportunity; and promote among them all. And fraternity assuring the dignity of the individual and the unity of the Nation'.

The Preamble to our Constitution stresses the need of a 'just social order' in India. The Constitution has well authorized the State and its three organs: Legislature, Executive and Judiciary, to effect and maintain a social order in which all citizens could get all kinds of justice without any discrimination based on caste, creed and community. Justice, as laid down by the Preamble and equality are relative terms, depending upon each other. The Constitution guarantees to all citizens' justice in three spheres of life namely, social, economic and political; without these equality is meaningless, and democracy cannot be successful.

Apart from all sorts of age old social evils, social justice requires abolition of inequalities between man and man which result from inequalities of wealth and opportunity, race, caste, religion and titles. Fundamental Rights and Directive Principles of the State policy contain several provisions for providing social and economic justice to the masses in general. Attainment of the ideal of socio-economic equality is the basis of the guiding principles of social welfare and common good. Dr. Ambedkar was eager to make India into a social democratic country. We must not be content with mere political democracy. He observed, "We must make our political democracy a social democracy as well. Political democracy cannot last unless there lies at the base of it social democracy. What does social democracy means? It means a way of life which recognises liberty, equality and fraternity as the principles of life.

These principles of liberty, equality and fraternity are not to be treated as separate items in a trinity. They form a union of trinity in the sense that to divorce one from the other is to defeat the very purpose of democracy".<sup>63</sup> His vision was social democracy based on the value system of liberty, equality and liberty.

### **Role of Religion and Morality:**

Religion in India was not a dogma, but a working hypothesis of human conduct adapted to different stages of spiritual development and different conditions of life. The object of religion was to help an all round development of life and its sphere extended not merely to this life, but to the life hereafter. The broad understanding of human relations under his scheme led to harmony by reconciling conflicting claims, social and the individual, as well as the real and the ideal. There was thus a harmonious blending of religion and morals and that was called Dharma.<sup>64</sup> Ancient Hindu writers and philosophers attempt to discuss problems of politics and administration as interlinked with the intimate problem of human origins and cosmic process. Since the Vedic times to twentieth century till (Mahatma Gandhi), Hindu thinkers, writers and political philosopher have debated upon the problem of the relative superiority of spiritual and physical powers. They are greatly concerned with the problem of salvation. The individual person was a complex of the body and the soul. The body signified physical powers and the soul stood for spiritual powers.

S.Radhakrishnan views Hindu religion is not bound up with a creed or a book, a prophet or a founder but is persistent search for truth on the basis of a continuously renewed experience. This outlook, according to him is consistent with democracy since it assured full freedom to every individual to seek the truth in his own way. It combines the cosmopolitanism of the eighteenth century and the rationalism of the nineteenth century, since it allows every branch of the human family to find security and self-realization in the larger life of mankind.<sup>65</sup> For him, religion is social cement, a way in which men express their aspirations and find solace for their frustrations. Religion should be a powerful stimulus to promote social progress and universal brotherhood. The modern Indian Vedantian thinker views religion is not an individual's personal affair. It has a social bearing. It is the foundation of social life. According to Raja Ram Mohan Roy, "the practical expression of faith in God lies in ethical conduct and in promoting the union of hearts with mutual love."<sup>66</sup>

According to Mahatma Gandhi, “religion which takes no account of practical affairs and does not help to solve them is no religion”. So he believes that politics cannot be divorced from religion. Religion is permanent element in human nature. He adds religion should pervade every one of our actions. But by religion he means a belief in ordered moral government of the universe and not sectarianism.<sup>67</sup> To Gandhi, true religion implied an emphasis on the moral values of man as spirit. As soon as the moral basis was lost one ceased to be religious. All religions are founded on the same moral laws. His ethical religion is made up of laws which bind men all over the world.<sup>68</sup> But the fundamental basis of Gandhism is the concept of God an omnipresent fundamental spiritual reality; an all-embracing living lights, which could be called Sachidanada or Brahman or Rama or simply Truth, God is a ‘self-existent all-knowing living force which inheres every other force known to the world. He viewed the only weapon of the Satyagrahas as God. God signifies an unchanging and living law. The God or Truth is the final reality and the Omnicompitent being. Gandhi was a strong advocate of the strenuous activism and energism of the Gita. The Gandhian theory of ethical absolutism can be traced to the Vedic concept of the Rita- the doctrine that there are all-encompassing, cosmic and moral ordinance which governs both man and God.<sup>69</sup> It is obvious that Gandhi is a theologian in his view of justice. A major problem for this account is, of course, the fact that it realize on an external source-God. It is not acceptable to a realist like Ambedkar, who does not believe in any such divine plan.

Though Gandhi campaigned for eradication of Untouchability, yet he was a staunch follower of the *Sanatan Dharma*, the eternal orthodox Hindu religion. In his *Young India*, he sought to defend certain aspects of the Caste system. He clarifies:

I believe that caste has saved Hinduism from disintegration. But like every other institution it has suffered from excrescences. I consider the four divisions alone to be fundamental, natural and essential. The innumerable sub-castes are sometimes a convenience, often hindrance. The sooner there is fusion the better. But I am certainly against any attempt at destroying the fundamental divisions. The caste system is not based on inequality, there is no question of inferiority, and any question arising out elsewhere should undoubtedly be checked...one of my correspondents suggests that we should abolish the caste system but adopt the class system of Europe-meaning thereby I suppose that the idea of heredity in caste should be ejected. I am

inclined to think that the law of heredity is an eternal law and any attempt to alter that law must lead us, as it has before led, to utter confusion. I can see very great use in considering a Brahmin to be always a Brahmin throughout his life. If he does not behave himself like a Brahmin, he will naturally cease to command the respect that is due to the real Brahmin. If the Hindus believe, as they must believe, in reincarnation, transmigration, they must know that nature will, without any possibility of mistake, adjust the balance by degrading a Brahmin, if he misbehaves himself, by reincarnating him in a lower division, and translating one who lives the life of a Brahmin in his present incarnation to Brahminhood in his next.

Interdinking, interdining, intermarrying, I hold, are not essential for the promotion of the spirit of democracy. We shall ever have to seek unity in diversity, and I decline to consider it a sin for a man not to drink or eat with anybody and everybody.<sup>70</sup>

Moreover, Gandhi's vindication of Caste system and Varna Vyavastha is clear from his Patrika 'Harijan', he claimed, caste has nothing to do with religion. It is a custom whose origin is not known and do not need to know for the satisfaction of my spiritual hunger. But I do not know that it is harmful both to spiritual and national growth. The law of *Varna Ashram* teaches us that we have each one of us to earn our bread by following the ancestral calling. It defines not our rights but our duties. In this system no one is to be called too low and none is too high. All are good, lawful, and absolutely equal in status. The callings of a Brahmin-spiritual teacher-and a scavenger are equal, and their performance carries equal merit before God. Both were entitled to their livelihood and no more.<sup>71</sup> However, Gandhi strongly advocated the Caste system. He believes that Caste creates a moral and social cohesiveness in society and there is no need of its abolition because abolition of caste system leads to the downfall of Hinduism.

Ambedkar gave a strong challenge to Gandhi in his Annihilation of Caste where he raised the following concerns:

- (1) That Caste has ruined the Hindus.
- (2) The reorganization of the Hindu society on the basis of Chaturvarna is impossible because the Varna Vyavastha is like a leaky pot or like man running at the nose.

- (3) The reorganization of the Hindu society on the basis of Chaturvarna is harmful because its effect will deny the opportunity of masses to acquire knowledge.
- (4) The Hindu society must be reorganized on a religious basis recognizing the principles of liberty, equality, and fraternity.
- (5) To achieve this object the sense of religious sanctity behind Caste and Varna must be destroyed and
- (6) The sanctity of Caste and Varna can be destroyed only by discarding the divine authority of the Shastras.<sup>72</sup>

Unlike, Gandhi, Ambedkar suggested that, to attain a society based on liberty, equality, and fraternity, the institution of caste must be destroyed.

### **Dr.Ambedkar on religion and morality:**

In the context of our discussion of Dr.Ambedkar's views on morality, especially justice, we have to remember that the primary concern is distributive justice or especially in a society which is caste-based. Questions of justice may also arise between quite independent human beings, who are not bound by any society or any collaborative arrangement.<sup>73</sup> Similarly, if we have a conception of a certain structure as essential for human potentiality in its fullness in our theory of justice then the structure itself remain beyond criticism. This would be the argument advanced by the proponent of caste-society which Ambedkar denies. He is more an atomist who believes that our full range of human potentials we already possesses as individuals. The aims of associations and institutions are to allow making our capacities fulfilled.

Dr.Ambedkar as a humanist does not believe either in the superiority of social order or in the superiority of individual; society exists in the individual or the individual cannot live without society. He believes in an integrated view of man and society. Man apart from society is unconceivable and society apart from man is impossible. Man is the cause of social relations. Man is not for social relations, but social elations are for man and, therefore the social relations should be based on the common rules of morality in order to serve all men, in all circumstances and at all times. Therefore, Ambedkar had envisaged a society where there would be no caste, no inequality, no superiority, no inferiority, no suppression, and no exploitation, all

persons are equal. To him, the new society should be reorganized on the basis of Liberty, Equality and Fraternity.<sup>74</sup> To Ambedkar, it is true that men are not equals – physically and mentally. Some are robust, others are weaklings. Some have more intelligence, other have less. Some are more capable of doing thing and others are not, some are by birth, well-to-do and others are poor. All men differ in many respects. They have to enter into that which Darwin calls, ‘the struggle for existence and survival of the fittest’. But Ambedkar asked: are the fittest or the supermen the best from the view point of society? It might have been true in old days; but today what the society wants is not fittest, but the best. The best is he who practices the ideals of liberty, equality and fraternity. Thus, Dr.Ambedkar has called for a new social order by destroying the *Chaturvarnya*. To this end he had denied authority of the Vedas and Shastras, since they deny reason and morality as he understands these. Nothing but the destruction of the religion of the Shrutis and Smritis will achieve the welfare of the people. This new social order will be built on the ruins of the *Chaturvarnya*.

Dr.Ambedkar was very much rationalist about the religion. And he never thought of that religion is opium and it is antithetic to human progress; rather he feels it necessary for the betterment of humanity. In 1936, in his *Annihilation of Caste*, he said, “While I condemned a Religion of rules, I must not be understood to hold the opinion that there is no necessity for a religion. On the contrary, I agree with Edmond Burke when he says that “True religion is the foundation of society, the basis of which all true Civil Government rests, both their sanction”.<sup>75</sup> In the views of Ambedkar, religion is a driving force for human activities. He remarked, “Man cannot live by bread alone, he has a mind which needs food for thought”. He also added that ‘religion instills hope in man and drives him to activity’.<sup>76</sup> Dr.Ambedkar held that religion is for the services of man and man is not for religion. But slavery in the name of religion is anti-thesis to religious society. As he wrote:

Religion is an influence or force suffused through the life of each individual moulding his character, determining his actions and reactions, his likes and dislikes. These likes and dislikes, actions and reactions are not institutions which can be lopped off. They are forces and influences which can be dealt with by controlling them or counteracting them.<sup>77</sup>

To Ambedkar, the conception of religion was never fixed. And it has varied from time to time. This is because religion has passed through many stages. In his view,

religion has undergone four stages: (1) personal salvation of man's soul; (2) human brotherhood based on moral rules governing the conduct of human beings toward each other; (3) men worshiped those personalities who satisfied the wants of their lives; and (4) worshiping of a person who performed miracles.<sup>78</sup>

Dr. Ambedkar believes that religion is necessary for mankind. When religion ends society would perish too. After all no government can safeguard and discipline the mankind as religion can. Religion must mainly be a matter of principles only. It cannot be a matter of rules. The moment it degenerates into rules it ceases to be religion, as it kills responsibility, which is the essence of a truly religious act.<sup>79</sup> According to Ambedkar, 'religion must be judged by social standards, based on social ethics'.<sup>80</sup> However, he linked religion with the social well-being of the people. He wanted to have a religion in the sense of 'spiritual principles' truly 'universal', applicable to all countries and to all races.<sup>81</sup> In his views, religion can help to produce justice within a community. Religion in narrow sense cannot produce justice between communities. The call of nation and the call of community have proved more powerful than the call of religion for justice.<sup>82</sup> Babasaheb Ambedkar has identified four characteristics of religion:

1. Religion in the sense of morality must, remain the governing principles in every society.
2. Religion if it is to function must be in accord with reason which is merely another name for science.
3. Its moral code must recognise the fundamental tenets of liberty, equality and fraternity. Unless a religion recognises these three fundamental principles of social life, religion will be doomed.
4. Religion must not sanctify or ennoble.<sup>83</sup>

### **The nature of true religion in the opinion of Ambedkar:**

Ambedkar regards Buddhism as a true and just religion. To him, Buddhism is a religion par excellence, since it embodies the principles that are conducive for individual and social well-being. Distinguishing religion from the creed of Buddha, he said:

- (a) Religion is necessary for a free society.

- (b) Religion must relate to facts of life and not to theories and speculations about God, or Soul or Heaven or Earth.
- (c) Man and morality must be the centre of religion. If not religion is a cruel superstition.
- (d) The function of religion is to reconstruct the world and to make it happy and not to explain its origin or its end.
- (e) It is not enough for morality to be the ideal of life. Since there is no God it must become the law of life.
- (f) It is obvious that like Gandhi, and more than Gandhi, Ambedkar considered morality to be the mark of true religion.

### **What is not religion:**

In the opinion of Dr. Ambedkar the followings are not criteria of religion.

- (a) It is wrong to make God the centre of religion
- (b) It is wrong to make salvation of the soul the centre of religion.
- (c) It is wrong to make animal sacrifice to be the centre of religion.
- (d) Real religion lives in the heart of man and not in the Shastras. <sup>84</sup>

However, he argued:

The religion which discriminates between two followers is partial and religion which treats cores of its adherents worse than dogs and criminals and inflicts upon them insufferable disabilities is no religion at all. Religion is not the appellation for such an unjust order. Religion and slavery are incompatible. <sup>85</sup>

He further added that the religion which does not recognise a human being as human beings is a curse. The religion in which the touch of animals is permitted but the touch of a human being pollutes is not a religion but the mockery of a religion. The religion which prevents some classes from education forbids them to accumulate wealth and to bear arms is not a religion but tyranny. The religion which compels the ignorant to remain ignorant and the poor to remain poor does not deserve to be called a religion. <sup>86</sup> Therefore, Ambedkar argued:

If Hindu religion is to be their religion, it must become a social equality. If the Hindu religion is to be the religion of social equality, then an amendment of its code to provide temple entry is not enough. What is required is to purge it of the doctrine of Chaturvarnya. This is the root cause of all inequality and the parents of the caste system and Untouchability which are other form of social inequality.<sup>87</sup>

He expressed his view on equality and morality which depicts his desire to be virtuous in life:

If morality is required then equality is also required. Equality is the main principle of public morality. To apply the principle of equality in political, religious, social and economic sphere means structuring the society on the basis of morality.<sup>88</sup>

If morality is required then equality is also required. Equality is the main principle of public morality. To apply the principle of equality in political, religious, social and economic sphere means structuring the society on the basis of morality.<sup>89</sup> Dr.Ambedkar views that the true gospel of Hinduism is contained in the *Manu Smriti*, *Vedas* and in the *Bhagawat Gita*. He presented that the *Manu Smriti* is a Book of Laws and not a code of ethics and the philosophy of Hinduism is only legal philosophy not the moral philosophy. He holds the view that in Hinduism there is no distinction between legal philosophy and moral philosophy. In Hinduism there is no distinction between the legal and the moral, the legal being also the moral. To support his statement he has given several evidences. He noted that the meaning of the word *Dharma* occurs in the Rig Veda 58 times with six different senses. These were as follows:

1. Ancient Custom
2. Laws
3. Any arrangement which maintains law and order in society.
4. The course of nature
5. The quality of a substance and
6. Duty of good and evil.

It will thus be seen that from the very beginning the word *Dharma* in Hinduism has a two fold connotation. It means both law and morality. That is one reason why in the philosophy of Hinduism there can be no distinction between legal philosophy and moral philosophy.<sup>90</sup> However, while he is right in noting the wideness of meaning of 'dharma', it would be an oversimplification if we take 'law' in its corresponding western sense. When in the Vedas 'Rta' e.g, is taken to be the order upholding the universe it involves a sense of law that is both moral and metaphysical but in no way, customary or man-made. However, such a view has been contested by some dissident schools of Indian philosophy, like the Carvakes, who in fact, unlike Ambedkar, contest the objectivity of morality too.

This is not to say that the Hindus have no code of morality. To be sure they have. But it is very pertinent to ask the nature and character of conduct which the Hindu code of ethics declares to be moral. To have an idea of the nature of conduct which the Hindu thinks moral, it is better to recognise that there are three levels of conduct which must be distinguished.

- (1) Conduct arising from instincts and fundamental needs
- (2) Conduct regulated by standards of society and
- (3) Conduct regulated by individual conscience.

Conduct on the first level, we do not call moral conduct. It is of course not necessarily immoral; it is merely unmoral. It is governed by forces not as moral in purpose but as valuable in result. The forces are biological or sociological or psychological. These have purpose, such as to satisfy hunger, or to forge a weapon against an enemy. But the end is one set up by our physical or instinctive nature. So long as this is merely accepted as an inevitable end and not compared with others, valued, and chosen, it is not properly moral.

Conduct on the second level is no doubt social. Wherever groups of men are living there are certain ways of acting which are common to the group—"folkways". There are approved ways of acting, common to a group and handed down from generation to generation. Such approved ways of acting are called the mores or the morals of the group. They imply the judgement of the group that they are to be followed. The welfare of the group is regarded as in some sense imbedded in them. It becomes the duty of the individual to follow them and if any one acts contrary to them

he is made to feel the group's disapproval. We cannot strictly speaking call the conduct moral. Because the end is accepted as a standard of 'good' this is prescribed by society. If it had spoken of a moral conduct it is only because it conforms to the mores or the morals of the Society. It may be called customary morality.

Conduct on the third level is conduct which alone is truly and completely moral. That is because in it the individual recognize the right or chooses the good, and freely devotes himself heartily to its fulfillment. He does not merely accept what is inevitable or follow what is approved by society. He values and chooses the end and becomes personally responsible. This is reflective morality. <sup>91</sup>

Thus, Dr.Ambedkar raised the question "On what level does Hindu morality stand"? Obviously it is not on the third level. This means that a Hindu is social but not moral in the strict sense of the term. A Hindu takes no responsibility for the ends he serves. He is a willing tool in the hands of his society, content to follow. He is not a free agent, and not afraid to differ. His notions of sin give remarkable proof of his unmoral character. Institutes of Vishnu give a list of sins which are divided into nine Classes:-

1. Deadly sins-*Atipataka*. These are certain forms of incest, to be atoned for only by burning.
2. Great sins-*Mahapataka*. These are killing a Brahman, drinking spirituous liquor, stealing the gold of a Brahman, connection with a Guru's wife; also social intercourse with those guilty of such sins.
3. Minor sins of a similar character-*Anupataka*. These include the killing of certain other classes of persons, giving false evidence and killing a friend, stealing lands or deposits of a Brahman, certain forms of incest or adultery.
4. Minor sins-*Uupapataka*. Sins of false statement, neglect of certain religious duties, adultery, unlawful occupation, offences connected with marrying before an elder brother etc., not paying one's debts to the Gods and manes, atheism etc.
5. Sins effecting loss of caste-*Jatibramsakara*. Causing bodily pain to a Brahman, smelling things which should not be smelt, dishonest dealing, and certain unnatural crimes.

6. Sins which degrade to a mixed caste-*Samkarikarana*. Killing domestic or wild animals.
7. Sins which render one unworthy to receive alms-*Apatrikarana*. Receiving presents and alms from despicable, trade, money-lending, lying, serving a Shudra.
8. Sins causing defilement- *Aalavaha*. Killing birds, amphibious animals and aquatic animals, worms and insects; eating nutmegs or other plants similar in their effects to intoxicating liquors.
9. Miscellaneous sins-*Prakirnaka*. Those not already mentioned.<sup>92</sup>

This list of sins is not exhaustive but it is long enough and illustrative enough to give us the idea which underlies the Hindu notion of sin. In the first place it connotes the fall of man from a prescribed form of conduct.

In the second place it means to be defiled, to become unclean. This is the root meaning of the term Patak.it means Patana (falling away) and it means Asowcha (being rendered unclean). In either case sin according to Hindu notion is a disease of the soul. In the first sense it is merely breach of a rule of external conduct. In the other sense it is a defilement of the body to be cleaned and purified by both or by pilgrimage or by sacrificial offering. But it is never the spiritual defilement which is associated with the harbouring of the evil thoughts and purposes. Of course, these involve debates that involve the intricacies of the Indian philosophical issues which we shall not go into details. The concept of dharma is closely related to the concept of moksa-the final liberation of the self. While the Atman itself, is never truly speaking defiled, performance of dharma, in accordance with one's real nature, involves judgment, which comes close to considerations of conscience. It also involves the guna theory about sattva, rajas and tamas that determine both one's nature and accordingly one's dharma. Obviously, such essentialism was not acceptable to Ambedkar.

To Dr.Ambedkar, the morality of the Hindu is purely social. This means that the level of his morality is purely traditional and customary. Dr.Ambedkar also mentioned two evils of customary moralities.

In the first place there is no surety that it will always be charged with sincerity and purity of motive. When morality penetrates to the deepest springs of purposes and

feeling in the individual that pretense will cease to find a place in human behaviour. In the second place customary morality is an anchor and a drag. It holds up the average man and holds back the man who forges ahead. Customary morality is only another name for moral stagnation. This is true of all cases where morality is only customary morality. But the customary morality of the Hindus has an added evil feature which is peculiar to it. Customary morality is a matter of meritorious conduct. This meritorious conduct is good from the public point of view. But in Hinduism the meritorious conduct is not concerned with the worship of God or the general good of the community. Meritorious conduct in Hinduism is concerned with giving of presents and honour to the Brahmins. Thus, Hindu ethics is worship of the Superman (Brahmin).<sup>93</sup>

In the words of Ambedkar, Hinduism is religion which is not founded on morality. Whatever morality Hinduism has it is not an integral part of it. It is not imbedded in religion. It is a separate force which is sustained by social necessities and not by injunction of Hindu religion. The religion of the Buddha is morality. It is embedded in religion. Buddhist religion is nothing if not morality. It is true that in Buddhism there is no God. In place of God there is morality. What God is to other religions morality is to Buddhism?<sup>94</sup> In the views of Ambedkar, inequality is the official gospel of Hinduism. The doctrine of *Chaturvarna* is the concrete embodiment of this gospel of inequality. But on the other hand Buddha stood for equality. Dr.B.R.Ambedkar propounded a most revolutionary meaning of the word “*Dhamma*”. The Vedic meaning of the word “*Dharma*” did not connote morality in any sense of the word. The ‘*Dharma*’ as enunciated by the Brahmins and as propounded in the *Purvamimansa* of Jamini meant nothing more than the performances of certain *Karmas* or to use terminology of the Roman-religion observances. Dharma to Brahmins meant keeping up of observances. i.e. *Yagans*, and sacrifices to Gods. This was the essence of the Bramhanic or Vedic Religion. It had nothing to do with morality. Morality is the essence of Dhamma. Without it here is no Dhamma. And morality in Dhamma arises from the direct necessity for man to love man.<sup>95</sup>

The word *Dhamma* as used by the Buddha had nothing to do with rituals or observances. In fact he repudiated the *Yagas* and *Yagans* as being essence of religion. In place of *Karma* he substituted morality as the essence of *Dhamma*. Dhamma is righteousness’, which means right relation between man and man in all spheres of

life. Although the word Dhamma was used by the Bramhanic teachers as well as by the Buddha, the content of both is radically and fundamentally different. In fact, it might be stated that the Buddha was the first teacher in the world who made morality the essence and foundation of religion. Even Krishna as may be seen from *Bhagavat Gita* was not able to extricate himself from the old conception of religion being equivalent of rituals and observances. Many people seem to be lured by the doctrine of *Nishkama Karma* other wise called *Anasaktiyoga* preached by Krishna in the *Bhagavat Gita*. It is taken to mean in the Boy Scout sense of doing good without the expectation of reward. What Krishna condemned in the Bhagvat Geeta was *Kamy Karmas*. He did not condemn *Niskama Karmas*. On the other hand he extolled them. The point to be bone in mind is, even for Krishna religion did not consist of morality. This interpretation of the *Nishkam Karma* is a complete misunderstanding of what it really means. The word Karma in the phrase Nishkam Karma does not mean action in the generic sense of the word Karma meaning 'deed'. It is used in the original sense in which it is used by the Brahmins and Jaimini.<sup>96</sup> In his '*Buddha and the Future of His religion*', Dr.Ambedkar says, Nobody is able to say for certain what the Bhagavat Gita teaches. But this much is beyond question that the *Bhagavat Gita* also upholds the doctrine of *Chaturvarna*. In fact it appears that this was the main purpose for which it was written. Krishna says that he as God, created the system of *Chaturvarna* and he constructed it on the basis of the theory of *Guna-Karma*- which means that he prescribed the status and occupation of every individual in accordance with his innate *Gunas* (qualities). The originality of Krishna lies in applying it to justify the Chaturvarna<sup>97</sup> By comparing between Hinduism and Buddhism, Babasaheb Ambedkar maintained that:

- (i) Society must have either the sanction of law or the sanction of morality to hold it together. Without morality society is sure to go to pieces. In all societies, law plays a very small part. It is intended to keep the minority within the range of social discipline. The majority is left and has to be let to sustain its social life by the postulates and sanction of morality. Religion in the sense of morality, must therefore, remain the governing principle in every society.
- (ii) Religion as defined in the first propositions must be in accordance with science. Religion is bound to lose its respect and therefore becomes the subject of ridicule and thereby not merely loses its force as a governing principle of

life, but might in course of time disintegrate and lapse, if it is not in accord with science. In other words, religion if it is to function must be in accord with reason which is merely another name for science.

- (iii) Religion as a code of social morality must also stand together another test. It is not enough for religion to consist of a moral code, but its moral code must recognise the fundamental tenets of liberty, equality and fraternity. Unless a religion recognises these three fundamental principles of social life, it will be doomed.
- (iv) Religion must not sanctify or ennoble poverty. Renunciation of riches by those who have it may be a blessed state, but poverty can never be. To declare poverty to be a blessed state is to pervert religion, to perpetuate vice and crime, to consent to make earth a living hell.<sup>98</sup>

With regard to the relation of morality to God and religion, Dr. Ambedkar had his own view, and he did not agree to the idea that Morality was an outcome of the belief in God or it was an integral part of religion. According to Dr. Ambedkar, though the relation between God and morality was not quite integral, the relation between religion and morality was. As a matter of actual fact, morality has little place in Religion, because today Religion in general has come to connote nothing but belief in God, belief in soul, worship of God, curing of erring Soul, propitiating God by prayers, ceremonies sacrifices etc. In fact, morality in theistic religions is not effective, for the main things in them, according to Ambedkar, are the prayers, worship, rituals, ceremonies and sacrifices.<sup>99</sup> From another point of view as Dr. Ambedkar observed, “both religion and morality are connected with the same elemental facts of human existence—namely life, death, birth and marriage. Religion consecrates these life processes while morality furnishes rules for their preservation. Religion in consecrating the elemental facts and processes of life came to consecrate also the rules laid down by Society for their preservation. Looked at from this point of view, it is easily explained why the bond between Religion and Morality took place. It is more intimate and more natural than the bond between Religion and God.”<sup>100</sup>

In Dr. Ambedkar’s point of view, morality comes in only wherein man comes in relation to man, and if a religion does not believe in the existence of God, Morality takes its place as we see in the Buddha’s Dhamma. “In Dhamma, there is no place for

prayers, pilgrimages, rituals, ceremonies or sacrifices. Morality is the essence of *Dhamma*. Without it, there is no *Dhamma*. Morality in *Dhamma* arises from the direct necessity for man to love man. It does not require the sanction of God. It is not to please God that man has to be moral. It is for his own good that man has to love man.”<sup>101</sup> It is evident that Dr. Ambedkar linked non-theistic religion like Buddhism with morality as an integral part of it. We may note here that Buddhism in the literal sense of Buddha’s teaching is not a religion at all. It is essentially moral and social in its message. It was only later in the followers of Buddha that gradually Buddha came to be considered as a God-head. The beliefs in God, prayer to God or acceptance of the Religious Sastras are usually taken to be the central marks of religion. All of these have been left out in Buddha’s concept of *Dhamma*. However, *Dhamma* as an objective moral order was accepted by him.

Babasaheb Ambedkar recognises religion as a social force that cannot be ignored. Besides, religion stands for a scheme of divine governance in most religions like Hinduism. Regarding the relevance of the religion of Hinduism, Ambedkar had applied the test of justice and test of utility to judge it. What is Ambedkar’s test of Justice and Utility? It consists in the ideas of Liberty, Equality and Fraternity, a trinity of great Principles. Hinduism, as Ambedkar understood it, do not recognise and practice these ideals. On the contrary, he found all these ideals in the Buddhist *Dhamma*. He examined the basic tenets of Hindu Social Order and found them inimical to social utility and individual justice. To Dr. Ambedkar, “Hinduism is inimical to equality, antagonistic to liberty and opposed to fraternity”.<sup>102</sup> Thus, he says:

As long as there is no purity of mind, wrong doing and the utter disregard of morals would continue in every day life; and as long as man does not know how to behave with man and create barriers between man and man, India can never be prosperous. To end all these troubles, India must embrace Buddhism which is the only religion based upon ethical principles and teaches how to work for the good and well-being of the common man.<sup>103</sup>

However, Dr. Ambedkar’s philosophy rests on the following premises:

- (1) Religion is necessary for man and society to manage the secular and moral affairs of mankind; but to hold the view that all religions are equally true and good is to cherish a wrong belief.
- (2) Most of the existing Religions are theistic and metaphysical; but to maintain that God is an essential element of a Religion is also to nourish a mistaken faith.
- (3) Religions wish to develop the social systems of their own choice to bring men together in peace and progress; but to bestow divine governance over them is to prevent the growth of an open society.
- (4) Religion must preserve their Text-Books for guiding the people in right direction; but to believe in their infallibility and divine authority is to mar the growth of free inquiry and critical reason.
- (5) The external soul is unknown and unseen, a mere metaphysical speculation and to say that an individual's aim of life is to achieve its salvation (Moksha) is to escape the social responsibility bestowed on him as a member of the society.
- (6) That all Religions develop some sorts of prayers and pilgrimage rituals and ceremonies, as religious duties for men, are simply certain appendages to a Religion; but the most integral part of a Religion is the morality it professes for the welfare of mankind.
- (7) The centre of Religion is Man, and the base is Morality, the aim is the secular welfare of Mankind, and the mean is the righteous conduct embedded in social responsibility that all human beings owe towards their fellow-beings living in a human society; and
- (8) The test of Justice and Utility must be applied to judge the relevance of a Religion, and that consists in the trinity ideal of Liberty, Equality and Fraternity to effect the necessary change in its social norms of cruel and tyrannical nature.<sup>104</sup>

To Dr.Ambedkar, Dhamma (morality) is the foundation of a civilized social life. Unless the government accepts Dhamma as its corner-stone, the society may either disintegrate or succumb to dictatorship of one kind or the other. And in both the cases

liberty of the individual would be the first causality. Equality between man and man would be impossible under a dictatorship because dictatorship rests on the negation of the principle of equality.<sup>105</sup>

Babasaheb Ambedkar's ethical standard was closely connected with the full development of human personality by practicing the ideals of Karuna and Mairi, which are liberty, equality and fraternity. He did not entertain a theistic ethics, because he ruled out the possibility of being moral under the fear of God. He did not believe the Brahman is reality, and therefore, he rejected the Vedantic view of moral philosophy. He was opposed to Shankara-Vedanta, because Shankara considered this world to be an illusion. Ambedkar's ethical viewpoint was highly influenced by Buddha's idea of Nirvana. Nirvana means to know oneself and to attain supreme peace; it does not mean self-salvation by going to a heavenly abode. He analyzed Nirvana in two senses: individually, it is the spiritual joy as a result of good thoughts and good deeds; and socially, it inspires the enlightened persons for the service of mankind. This forms the supreme goal of human life in Ambedkar's ethical philosophy. Dr. Ambedkar always kept in mind the existing human situation that represented the whole world of circumstances in which man's determination to keep up to the road to peace of Nirvana, is supreme. There is no other world to seek and maintain. Therefore, Ambedkar did not look to any other world than the present one for making a moral habitation for human beings. The present is the only world which can be made a better one for all inhabitants.<sup>106</sup> Dr. Ambedkar views that the distorted understanding of the physical world could be rectified by the methods of reason itself, acting on social reality requires a different anchor, that of morality or ethics. Morality is not a set of fixed canons, but is open to rational inquiry and moral dilemmas are subject to rational scrutiny and evaluation. The foundations of morality lie in justice, and justice in turn involves upholding the liberty and equality of the human person and extending to him the bond of the community. The person is the bearer of a body of rights i.e. claims socially warranted. Claims to culture and community are tenable only to the extent to which they embody these rights. Initially, Ambedkar saw these features as characteristic of the modern world but later attributed them to Buddhism.

Dr. Ambedkar acknowledged the power of religion and upheld its need, but there is no place in his religion for God and the transcendent. He subscribed to a secular religion, moving away from established religions geared towards the sacred vis-à-vis

the profane. His writings reveal a deep sensitivity to religion, much before his enchantment with Buddhism. He felt that since human beings are part of this world, the primary role of religion is to safeguard the moral domain. Religion deploys sentiments, feelings and culture to secure the moral domain and make it universal. Although he acknowledged that religion may make other claims, he saw only moral characteristics as appropriate to any religion.<sup>107</sup>

Dr. Ambedkar's attitude towards religion remained ambivalent. While he was suspicious of beliefs in a personal God and revelation, he felt that a religion in a secular society is a prerequisite for any enduring and collective pursuit of a good life. He felt that it elevates baser orientations, providing a better perspective to resolve conflict and interests. It upholds altruism, making people reach out to others, binding people in solidarity and concern. It nurtures, cares, is oriented towards service, militates against exploitation, injustice and wrongdoing and teaches respect for others.<sup>108</sup>

To sum up, Ambedkar believes that the religion which is not based on truth, on justice and on strong principles, does not last long. With the passage of time it deteriorates and ultimately fades away. His main emphasis was on the equal treatment of all human beings on the principles of law, religion and morality. He realised the importance of religion on its social implications not on the ground of theology. He believes that the spiritual transformation of man is the only cure for social and political evils in Indian society. He protested against a religion which makes man or certain individuals subservient to social divinity and theistic allurements. He offered a philosophy, which was quite practical and nothing related to the heavenly world. His moral and spiritual world rests not on any well-formulated metaphysical postulates; but on an extension of his love and sympathy for the suffering man. As a firm believer in an egalitarian and democratic socio-political system, Ambedkar was convinced that such an order can be ordained by the ideals of justice, equality, liberty and fraternity. Ambedkar's concept of justice is nothing but social humanism which he envisioned for the well-beings of all citizens of India. Ambedkar's view reminds us that the debate over the priority of two codes—religion and morality has concerned many western thinkers. Durkheim, for example, had described religious life as the concentrated expression of the whole collective life. Similarly, Tönnies held that the mores of a group gradually became reinforced by the religious sanction, involving

awe and reverence associated with suprasocial sanction. Religion as a comparatively more conservative force as compared to morality often comes into conflict with it. The modern humanist, like Ambedkar, is in favour of religion only in so far as instead of dividing people, it works as a force of human bonding and tolerance. For such flexibility, morality has to be the central core of religion.

## References

1. Barker Ernest, Principles of Social and Political Theory, Oxford University Press, London, 1951, pp.168-69.
2. Barker Ernest, Greek Political Theory-Plato and His Predecessor, Methuen and Co.Ltd. London,, 1967, p.153.
3. Foster M.B, Master of Political Thought, vol-1, Oxford University Press, Calcutta, 1975, p.45.
4. Barker Ernest, Political Thoughts of Plato and Aristotle, New York, Putnam, 1906, p.116.
5. Foster M.B, Master of Political Thought, vol-1, op cit., p.127.
6. Ibid, pp.129-152.
7. Singh Sukhbir, A History of Political Thought,vol-1, Rastogi & Company ,Merrut,1987, pp.173-174.
8. Wanlass Lawrence C, Gettell's History of Political Thought, George Allen &Unwin Ltd, London,1961, p.68.
9. Ibid, p.82.
10. Ibid, p.85.
11. Ibid, pp.85-87.
12. Ibid, p.98.
13. Sabine G.H, A History of political Theory, George G. Harrap & Co.Ltd, London, 1964, p.171.
14. Singh Sukhbir, History of Political Thought, op cit., p-311/ Summa Theologica. II, 2, 60, 5.
15. Ibid., pp.311.
16. Kapur A.C, Select Constitutions, S.Chand & Co. Delhi, 1968, pp.26-27.
17. Ibid, pp-62-63.
18. Jones T.W, Master of Political Thought, vol-2, Oxford University Press, Calcutta, 1975.

19. Ibid, pp.157-169.
20. Jones T.W, Master of Political Thought, vol-2, op cit., p.369.
21. Wanlass Lawrence C, Gettell's History of Political Thought, op cit., p.318.
22. G.H.Sabine, A History Political Theory, op. cit., pp.853-854.
23. Moon Vasant,ed, Dr.Babasaheb Ambedkar, Writings and Speeches, Education Department, Government of Maharastra, Bombay, vol-3, 1987, p.444.
24. Ibid., pp.447-8.
25. Ibid., pp.448-450.
26. Ibid., pp.450-453.
27. Ibid., pp.459-460.
28. Ibid., pp.461-2.
29. Rawls, J, A theory of Justice, Oxford University Press, Oxford, London, 1972,p.11-26
30. Ibid, p.62.
31. Ibid., pp.60- 61.
32. Hayek, Law, Legislation and Liberty, Chicago University Press, Chicago, 1976, Vol-2, p.69.
33. Ibid, p.85.
34. Nozick Robert, Anarchy, State and Utopia, Basic Books, New York, 1974, pp.167-164.
35. Dias R.W.M, Jurisprudence, Butterworths, London, 1985, p.68.
36. Phule, Jotirao Govindao, Slavery, Education Department, Government of Maharashtra, Bombay, 1991, Vol-1, Preface, XXX.
37. Rigveda, 10/22/8, 10/10/1-5; Source materials of Babasaheb Ambedkar, p.19.
38. Jatava D.R, B.R.Ambedkar, Study in Society and Politics, National Publishing House, Jaipur, 1998, p.105.
39. Varma V.P, Studies in Hindu Political Thought and its Metaphysical Foundation, Motilal BanarasiDass, Delhi, 1974, pp.104-106.

40. Ibid, pp.92-93.
41. Ibid., pp.154-157.
42. Gajendagadkar P.B, ed, Law, Liberty and Social Justice, Asia Publishing House, London, 1967, pp.17-20,.
43. Verma V.P, Studies in Hindu Political Thought and its Metaphysical Foundation, op. cit, p.118. Brihadaranyaka Upanishad I, 4. 14.
44. Ibid., pp.119-129.
45. Moon Vasant,ed, Dr.Babasaheb Ambedkar, Writings and Speeches, op., cit, vol-7, pp.337-339; Illaiah Kancha, God as Political Philosopher: A Buddha's Challenge to Brahmanism, Samya, Kolkata,2004 p.103.
46. Verma V.P, Studies in Hindu Political Thought and its Metaphysical Foundation, op. cit, pp.121.
47. Bhagawat Geeta, ii, 37.
48. Bhagawat Geeta, ii, 36, ii, 32.
49. Geeta, ii.35; Moon Vasant, ed, Dr.Babasaheb Ambedkar, Writings and Speeches, op., cit,vol-3, p. 80.
50. Bhagawat Geeta., ii,-31 33.
51. Bhagawat Geeta, IV, 7-8; Vol-3,p.81.
52. Verma V.P, Studies in Hindu Political Thought and its Metaphysical Foundation, op cit p.168.
53. Venugopal P, Social Justice and Reservation, Emerald Publishers, Chennai, 1998, pp.10-11.
54. Illaiah Kancha, God as Political Philosopher: A Buddha's Challenge to Brahmanism, op.cit, p.218.
55. Ambedkar B.R, Dr.Babasaheb Ambedkar, Writings and Speeches, Education Department, Government of Maharashtra, Bombay, vol-11, 1992, pp.439-467.
56. Jatava D. R, B.R. Ambedkar, Study in Society and Politics, National Publishing House, Jaipur, 1998, pp.107-108.
57. Ibid, pp.109-10.

58. Jatava D. R, B.R. Ambedkar, Study in Society and Politics, op cit., p.115.
59. Moon Vasant, ed, Dr.Babasaheb Ambedkar, Writings and Speeches, Education Department, Government of Maharastra, Bombay, vol-3, 1987, pp.25-92.
60. Ambedkar B.R, Annihilation of Caste, Bheem Patrika Publications, Jalandhar, 1995, pp.43-44).
61. Moon Vasant, ed, Dr.Babasaheb Ambedkar, Writings and Speeches, vol-2, 1982, op. cit., p.42.
62. Moon Vasant, ed, Dr.Babasaheb Ambedkar, Writings and Speeches, vol-3, op.cit., pp.24-5.
63. Moon Vasant, ed, Dr.Babasaheb Ambedkar, Writings and Speeches, Education Department, Government of Maharasra, Bombay, vol-13, 1994, pp.1216 / Speech delivered in he Constituent Assembly of India, on the eve of the adaptation of the Constitution, 25 November 1949.
64. Venugopal P, Social Justice and Reservation, Emerald Publishers, Chennai, 1998, p.11.
65. Radhakrishna S, The Hindu views of life, George Allen & Unwin Ltd, 1949, London, p.58-59.
66. Singh Iqbal, Rammohan Roy, Asia Publishing House, Bombay, 1958, vol-1 p.28.
67. Bose Nirmal Kumar, Selection from Gandhi, Navajivan Publish House, Ahemedabad, 1957, p.225.
68. Verma V.P, Modern Indian Political Thought, Lakshmi Narain Agarwal, Agra, 1980, p.346.
69. Ibid, pp.344-45.
70. The Caste system, Young India,8Dec.1920,The collected works of Mahatma Gandhi,Vol XIX, Ahemedabad, Navajivan Trust,1966, pp.83-85.
71. Gandhi Mahatma, Harijan, July 18, 1936; B.R.Ambedkar,Annihilation of case, p.107.
72. Ibid., p.107.

73. Taylor, Charles, Philosophy and the Human Sciences: Philosophical Papers, Cambridge University Press, Cambridge, 1985, p.289.
74. Ambedkar B.R, Annihilation of Caste, op cit., p.107.
75. Ibid., p.76.
76. Keer Dhananjay, Dr.Ambedkar, Life and Mission, Popular Prakashan, Bombay, 2003, p.58.
77. Ambedkar B.R, Mr. Gandhi and the Emancipation of Untouchables, Bheem Patrika Publications, Jullundur, 1942, p.43,
78. Kuber W.N, Ambedkar, A critical Study, People's Publishing House, New Delhi, 2001,p.70/ Keer Dhananjay, Dr.Ambedkar, Life and Mission, op. cit., p.449.
79. Moon Vasant, ed, Dr.Babasaheb Ambedkar, Writings and Speeches, Education Department, Government of Maharashtra, Bombay, Vol-1, 1979, p.75.
80. Ambedkar B.R, Annihilation of Caste, op.cit., p.25.
81. Ibid, p.71.
82. Moon Vasant, ed, Dr.Babasaheb Ambedkar, Writings and Speeches, Education Department, Government of Maharashtra, Bombay, Vol-5, 1989, p.398.
83. Kadam K.N, The Meaning of the Ambedkarite Conversion to Buddhism and Other Essays, Popular Prakashan Private Ltd, Mumbai, 1997, pp.20-21.
84. Moon Vasant, ed, Dr.Babasaheb Ambedkar, Writings and Speeches, vol-3, op.cit. p.442.
85. Ibid.p.92.
86. Das Bhagwan, ed, Thus Spoke Ambedkar, vol-4, Ambedkar Sahitya Prakashan, Bangalore, 1979, pp.61-62.
87. Keer Dhananjay, Dr.Ambedkar, Life and Mission, op. cit., pp.229-230.
88. Moon Vasant, ed, Dr.Babasaheb Ambedkar, Writings and Speeches, Vol-2, 1982, op.cit.,pp.248-249.
89. Ibid., pp.248-49.

90. Moon Vasant, ed, Dr.Babasaheb Ambedkar, Writings and Speeches, vol-3, op.cit, p.82.
91. Ibid., pp.82.
92. Ibid., p.83.
93. Ibid. pp.83-84.
94. Ahir D.C, Dr.Ambedkar's Vision of Dhamma, An Assessment, B.R.Publishing Corporation, Delhi, 1998, p.7.
95. Ambedkar B.R, Dr.Babasaheb Ambedkar, Writings and Speeches, Education Department, Government of Maharashtra, Bombay, Vol-11 1992,pp.322-323.
96. Ibid, pp.99-100.
97. Narake Hari,ed, Dr.Babasaheb Ambedkar, Writings and Speeches, Higher Education Department, Government of Maharashtra, vol-17, part-2, 2003, pp.100-102.
98. Ibid., p.104.
99. Ambedkar B.R, Dr.Babasaheb Ambedkar, Writings and Speeches, Vol-11, op.cit. p.322.
100. Moon Vasant, ed, Dr.Babasaheb Ambedkar, Writings and Speeches, vol-3, op.cit, p.12.
101. Ambedkar B.R, Dr.Babasaheb Ambedkar, Writings and Speeches, Vol-11, op.cit. pp.322-323.
102. Moon Vasant, ed, Dr.Babasaheb Ambedkar, Writings and Speeches, vol-3, op.cit, pp.23-66).
103. Moon Vasant, ed, Dr.Babasaheb Ambedkar, Writings and Speeches, Vol-1, op.cit., p.374. Source Material on Babasaheb Ambedkar and the Movement of Untouchables, vol-1, 1982,p.374.
104. Jatava D.R 'Dr. Ambedkar's philosophy of religion' in Ambedkar and social justice, Vol-II, Published by Government of India, New Delhi, pp.92-93.
105. Lokhande G.S, Bhimrao Ramji Ambedkar, A Study in Social Democracy, Intellectual Publishing House, New Delhi,1982, p.252.

106. Jatava D.R, B.R. Ambedkar, Unique and Versatile, Blumoon Books, New Delhi, 1998, pp.101- 102.
107. Rodrigues V, The Essential Writings Of B.R.Ambedkar, Oxford University Press, New Delhi, 2002, p.19.
108. Moon Vasant, ed, Dr.Babasaheb Ambedkar, Writings and Speeches, vol-3, op.cit, pp.3-92.