Chapter-V

The Relation between Democracy and Nationalism in Ambedkar

Ambedkar’s notion of a democratic nation and nationalism appears to be quite unprecedented on Indian subcontinent in colonial era. The genesis of both the terms ‘Democracy’ and ‘Nation’ lies in Europe and the rest of the world have imported them as per their needs and suitability. But European society unlike Indian society was never in the trap of socially ascriptive hierarchy (Caste division) and therefore, in spite of the early emergence of a plethora of theories in Europe on “Democracy” and “Nationalism”, the caste question was never included. European and even American theories of democracy and nationalism dealt with only those questions of primordial identities which their societies were faced with, for instance, race, religion, minority rights and so on rather than caste. The whole question of caste as a socio-political problem remained specific to India for which Europe and America had no answer at least in colonial period.

Gandhi took up the Caste Question in the reformist and status quoist manner by conserving the Varna system and the Congress socialists suppressed the question itself by not regarding it worth discussing and instead preferred to discuss and govern through rather refined European ideologies. Congress nationalism therefore could be recriminated of neglecting this question persistently. It was in the backdrop of this escapist attitude of Congress nationalism that an alternative subalternist political nationalism was born in Ambedkar. Ambedkar took up this question from social below and elevated it to political high by linking this social question of caste with the political question of democracy and nationalism. Such an effort to prioritize society over polity and then linking them together was unprecedented in India before Ambedkar. Gandhi can be said to have made such an effort but his approach was obscure and primitive as it ended up in anarchy wherein society would self-sufficiently continue without any need for state.

To elaborate further, in the political realm, Ambedkar’s nationalism begins with the French revolutionary spirit of ‘Liberty’, ‘Equality’ and ‘Fraternity’. But he extends his national spirit beyond the political realm down to the larger social realm and takes pain to reconcile the two distinct realms within the limits of the democratic structure. In the social realm he takes inspiration from the Lord Buddha to explain the optimum of liberty and equality. Using his own terminology, he defines law in terms of having a place only as a safeguard against the breaches of liberty and equality rather than as a guarantee for breaches of liberty and equality.\(^1\) In his own conceptual perspective of socially-inclusive nationalism, he takes ‘social-change’ as the sole means to meet this end and thus be seen as a champion of neglected humanity.\(^2\)
Democracy – an Ideal for Nationalism:

Ambedkar believes that for the success of machinery and modern civilization or for rational economic relationship, democracy is essential. A society, which does not believe in democracy, may be indifferent to rational human relationships. He thinks that a non-democratic society may well content itself with a life of ‘leisure and culture’ for the few and a life of ‘toil and drudgery’ for the many; but a democratic society must assure a life of leisure and culture to each one of its citizens so that they may live a life of happiness, peace and prosperity.

In the same breath what bothers Ambedkar as the greatest hurdle on the way to democracy is the widening of the gulf between the ‘learned’ and ‘ignorant class’ and ‘leisure’ and ‘laboring class’. These are what he calls as ‘national class distinctions’ that can not be obliterated root and branch. Ambedkar’s emphasis on the rational basis of economic relationship involves the two fundamental concepts: the concept of ‘state-socialism’ and the concept of ‘constitutional law and parliamentary democracy’.

Debates on Democracy and its Genealogy:

Democracy has been at the center of all academic debates and political activities ever since Lockeian days and till date it is very difficult to find anyone who disagrees with democracy. Indeed, politicians from the extreme left to the extreme right insist that the politics that they support is democratic in character and hence the term itself has become quite confusing. At the end of the cold war, Fukuyama’s much-hyped “End of History” celebrates the victory of liberal democracy and gives the impression as if ‘democracy’ were always monopolized by the Liberals. But contrarily, Liberals only reluctantly converted to democracy in the nineteenth century, and then only on the assumption that extending the franchise would not undermine the rights of property. Interestingly, it has been argued that the term should be abandoned, and Crick has taken the view that politics needs to be defended against democracy not because he is opposed to the idea, but because he is in favor of clarity and precision against vagueness and ambiguity. Democracy, he comments, is perhaps ‘the most promiscuous word in the world of public affairs’ (1982: 56). Bernard Shaw once devoted an entire play – The Apple Cart – to the so-called problem. The play tackled the ambiguities of democracy with such flair that it was banned by a nervous Weimar Republic in the 1920s; and in a witty preface Shaw complained that democracy seemed to be everywhere and nowhere.

What makes democracy so confusing is that it is a concept subject to almost universal acclaim. But this was not always the case. In the seventeenth century, nobody holding any status would have called themselves a democrat. As far as landowners, merchants, lawyers and clergymen were concerned – people of ‘substance’ – democracy was a term of abuse, a bad thing. Even in the nineteenth century, social liberals such as J. S. Mill felt it necessary to defend liberty against democracy. It is only after World War I that democracy becomes a respectable term (Hoffman and Graham: 2007: 106).
Weldon, the linguistic analyst, has argued that ‘democracy’, ‘capitalism’ and ‘liberalism’ are all alternative names for the same thing (1953: 86). But this view has been challenged by a number of theorists. They note that historically liberals were not democrats, even if they were attacked as democrats by conservative critics of liberalism. John Locke, for instance, took it for granted that those who could vote were men, merchants and landowners, and the question of universal suffrage (even for men only) is not even raised in his Two Treatises of Government. In the same vein, Madison, one of the founders of the US Constitution, had spoken in the Federalist Papers of democracies as ‘incompatible with personal security or the rights of property’, and John Jay, one of the authors of the famous Papers, declared that the ‘people who own the country should govern it’ (Hoffman, 1988: 135). De Tocqueville might describe Jefferson, author of the Declaration of the Independence (1787) as ‘the greatest democrat ever to spring from American democracy’ (1966: 249), but in fact Jefferson was a liberal who took the view that voters should be male farmers who owned property.

The argument between the liberals and the liberals-turned-democrats was over whether the male poor would use their rights to strip the rich of their wealth, or whether they would leave decision making to the middle rank – whom James Mill described as the class in society which gives to science, art and legislation their most ‘distinguished ornaments’ and is the chief source of all that is ‘refined and exalted in human nature’. Both sides of the argument agreed that the business of government is the business of the rich (Hoffman, 1988: 167). The question of exclusion becomes more subtle as liberals become more enthusiastic about the idea of democracy. T. H. Green and Leonard Hobhouse, two British social liberals, both supported the idea that women as well as men should have the voting right. But Green could still take it for granted that men were the head of the family, and Hobhouse argued that women should stay at home and mind the children (ibid, 180). Both J.S. Mill and de Tocqueville raised the problem of democracy as a ‘tyranny of the majority’. These writers were pioneers, for sure, in deliberating upon the question how a government representing the majority should be prevented from crushing a minority? Crick endorses what has been called a ‘paradox of freedom’ – a situation in which an elected leader acts tyrannically towards particular individuals or groups. To escape from such situations, new liberals like Hobhouse argued that checks should be placed upon the British House of Commons to restrain ‘a large and headstrong majority’ (ibid, 181).

Towards the end of World War II the concept of democracy was redefined, in order to bring it into line, so it was emphatically argued, with practical realities. Joseph Schumpeter, an Austrian economist and socialist, led the way, contending that the notion of democracy must be stripped of its moral qualities. There is nothing about the democracy that makes it desirable. It may be that in authoritarian systems – Schumpeter gives the example of the religious settlement under the military dictatorship of Napoleon I – the wishes of the people are more fully realized than under a democracy (1947: 256).

In Schumpeter’s view, democracy is simply a ‘political method’. It is an arrangement for reaching political decisions: it is not an end in itself. Since all governments ‘discriminate’ against some section of the population (in no political system are children allowed to
vote, for example), discrimination as such is not undemocratic. It all depends upon how
the demos or the people are defined. Schumpeter admits that in contemporary liberal
societies all adults should have the right to vote, but this does not mean that they will use
this right or participate more directly in the political process. In fact, he argues that it is a
good idea if the mass of the population do not participate, since the masses are too
irrational, emotional, parochial and ‘primitive’ to make good decisions. The typical
citizen, he argues, yields to prejudice, impulse and what Schumpeter calls ‘dark urges’
(1947: 262). It is the politicians, who raise the issues that determine people’s lives, and
who decide these issues. A democracy is more realistically defined as ‘political method’
through which politicians are elected by means of a competitive vote. The people do not
rule: their role is to elect those who do. Democracy is a system of elected and competing
elites. The 1950s saw a number of studies which argued that politics is a remote, alien
and unrewarding activity best left to a relatively small number of professional activists.
The model of elitist democracy, as it has sometimes been called, argued the case for a
democracy with low participation.

But sooner than later, the view of “Low Participation” came under an all round attack by
the participatory democrats arguing that low participation undermines democracy. In his
*Life and Times of Liberal Democracy* Macpherson sets about constructing a participatory
model, arguing that somehow participatory democrats have to break the vicious circle
between an apathy which leads to inequality (as the poor and vulnerable lose out), and
inequality that generates apathy (as the poor and vulnerable feel impotent and irrelevant).
Macpherson’s argument is an interesting one, as he takes the view that one needs to start
with people as they are. Participatory democrats began to redefine, in broader terms,
participation and democracy above the level of franchise. They began to ponder over
other forms of participation in a democracy, for instance, even the person who does not
vote may join, say, Amnesty International or Greenpeace in Britain. There is an argument
for increasing the number of people who vote in parliamentary elections or what they call
‘compulsory voting’ which is also regarded as extension of universal franchise. Simultaneously, some bring our attention to democratic participation at different levels
and in different ways. The large numbers of people who turned out to protest against the
war with Iraq in London and other places showed that a lack of concern with politics can
be exaggerated, and the rise of what are usually called the New Social Movements –
single issue organizations concerned with peace, the environment, rights of women, etc. –
indicate that there is increasing participation, even if some of this participation seems
unconventional in character.

**Representational and Direct Democracy:**

Ever since Rousseau questioned the validity and legitimacy of representational
democracy and championed the cause of direct democracy, political scientists began to
deliberate upon the idea whether we should have a choice between representative
democracy and direct democracy or strike an intermediary blend between them.
Rousseau, in a famous passage in *the Social Contract*, argues the case for direct
involvement, passionately insisting that to be represented is to give up – to alienate –
powers that individuals alone can rightfully exercise. Deputies are acceptable since they are merely the agents of the people. Representation, to Rousseau, is an odious modern idea that involves a form of slavery – a negation of will, one’s capacity to exert influence. For Rousseau, democracy was the way by which citizens could achieve freedom. By freedom, he did not mean the absence of constraints on the individual’s pursuit of self-interest. Instead, he articulated a positive notion of freedom. Individuals are free only when they participate directly, actively and continuously in shaping the life of the community, especially in the making of laws. For him law-making was an exercise of sovereignty – which can not be transferred or represented by anyone else – and an expression of the will of the people. In sum, for Rousseau, participation was essential for the self-development of the individual and democracy was a means of individual development, but not the pursuit of selfish-interests. Rousseau’s position, however, has generally been regarded as untenable. The most befitting reply to this comes from one of Rousseau’s own contemporary critic; Edmund Burke who argues that representatives simply act in what they see (in their infinite wisdom) is the real interest of their constituents. This inverts the Rousseau’s view that representation is necessarily alienation. Those who have neither the time nor resources to make laws directly need to authorize others to do so, on behalf of others. So what we have now is a more balanced idea that only through a combination of the direct and the indirect – hands-on participation and representation – can democratic autonomy be maximized.

The Relational Argument:

Relational argument with regard to democracy has developed as a criticism of ‘tyranny of majority’ thesis. One of the assumptions relational argument has, is that majorities cannot repress minorities unless their rule expresses itself in the form of the state. Crick argues that the problem is not with majority rule; it is with the state as how can we reconcile democracy with an institution claiming a monopoly of legitimate force?

Besides, the idea of ‘tyranny of majority’ assumes that individuals are completely separate from one another, so that it is possible for one section of the population (the majority) to be free while their opponents (the minority) are oppressed. But this argument is only defensible if we draw a sharp (and non-relational) line between the self and the other. If we embrace a relational approach, then the freedom of each individual depends upon the freedom of the other. As the Zimbabwean greeting puts it, I have slept well, if you have slept well: we may be separate people, but we are also related. It is impossible, so goes the argument, for a majority to oppress a minority, without oppressing itself.

On Deliberative Democracy:

In the recent debates on democratic theories, an important shift has taken place from ‘vote-centric’ to ‘talk-centric’ theories of democracy. It is increasingly accepted that this ‘aggregative’ or ‘vote-centric’ conception of democracy cannot fulfil norms of democratic legitimacy. For one thing, Kymlicka notes, since preferences are assumed to
be formed independently of and prior to the political process, it provides no opportunity for citizens to try to persuade others of the merits of their views, or the legitimacy of their claims (Kymlicka, 2002, 290). Similarly, it provides no opportunity for citizens to distinguish claims based on self-interest, prejudice, ignorance or fleeting whims from those grounded in principles of justice or fundamental needs. There is in fact no public dimension to the process at all. While citizens may need to physically leave their homes to go to the ballot box, the aggregative vote-centric model does not expect or encourage citizens to meet in public to discuss and debate their reasons for the claims they make. As a result, the outcome of the aggregative model has only the thinnest veneer of legitimacy. It provides a mechanism for determining winners and losers, but no mechanism for developing a consensus, or shaping public opinion, or even formulating an honorable compromise (Ibid.).

The idea of deliberative democracy claims to address the concern of those citizens who believe that their claims are based on fundamental principles of justice, yet who are outvoted in an aggregative democracy. These citizens have not been offered any reason for believing that they are mistaken about the justice of their claims. They have had no opportunity to persuade others of this claim, or to be persuaded by others that they are mistaken. They have simply been outnumbered. Many studies have shown that citizens will accept the legitimacy of collective decisions that go against them, but only if they think their arguments and reasons have been given a fair hearing, and that others have taken seriously what they have to say. But if there is no room for such a fair hearing, then people will question the legitimacy of decisions. This is particularly true for people belonging to a marginalized minority group, who know in advance that they have little hope of winning a majority vote. They may in effect be permanently excluded from exercising any real power within the system (Kymlicka, 2002, 291).

To overcome these shortcomings of the vote-centric approach, democratic theorists are increasingly focusing on the processes of deliberation and opinion formation that precede voting. Theorists have shifted their attention from what goes on in the voting booth to what goes on in the public deliberations of civil society. John Dryzek, one of the founders of this new model of democracy, calls this the ‘deliberative turn’ in democratic theory, which he dates to around 1990, although he himself prefers the term ‘discursive democracy’ to ‘deliberative democracy’ (Dryzek, 2000). A more deliberative democracy would, it is hoped, bring several benefits for society at large as well as for individuals and groups within society. The collective benefits for society would include better decisions, since the decision-making process would draw forth the otherwise unarticulated knowledge and insights of citizens, and since citizens would test and discard those assumptions or beliefs which were found in public debate to be wrong or sighted or otherwise indefensible. It would also lead to greater unity and solidarity (Kymlicka, 2002: 291).

Moreover, the very fact that people share the experience of deliberating in common provides a tangible bond that connects citizens and encourages greater mutual understanding and empathy. In a deliberative democracy, we would seek to change other people’s behavior only through non-coercive discussion of their claims, rather than
through manipulation, indoctrination, propaganda, deception, or threats. This is a sign of mutual respect (Dryzek, 2000: 2), or indeed of civic friendship (Blattberg 2000). For most deliberative democrats, however, the idea of universal consensus is at best a happy but occasional by-product of deliberation, not its presupposition or goal – deliberating about the differences is not the same as eliminating the differences. This seems clear from the recent advances made by groups such as gays and lesbians, the differently-abled people, or indigenous peoples who form a miniscule minority. Their empowerment has largely come through participating in a public debate that has transformed the pre-existing assumptions held by members of the larger society about what is right and fair for these groups. If democracy is to help promote justice for these groups, rather than leaving them subject to the ‘tyranny of the majority’ (or the indifference and neglect of the majority), then democracy will have to be more deliberative. As a result, a wide range of theorists – liberals, communitarians, critical theorists, feminists, multiculturalists – have identified the need for greater deliberation as one of the key priorities for modern democracies (Kymlicka, 2002).

Contriving Ambedkar’s Theory of Democracy:

Before adding his neology to the concept of ‘Democracy’, Ambedkar puts forth two already prevailing views of ‘Democracy’; one view is that ‘Democracy’ is a form of government. According to this view, where the government is chosen by the people that is where government is a representative government, there is ‘Democracy’. According to this view ‘Democracy’ is just synonymous with representative government which means adult suffrage and periodical elections. According to another view a democracy is more than a form of government. It is a form of the organization of society. There are two essential conditions, which characterize a democratically constituted society. First is the absence of stratification of society into classes. The second is a social habit on the part of individuals and groups, which is ready for continuous readjustment or recognition of reciprocity of interests. As to the first, there can be no doubt, Ambedkar mentions, that it is the most essential condition of ‘Democracy’. The second condition is equally necessary for a democratically constituted society. The results of this lack of reciprocity of interests among groups and individuals produce anti-democratic structures and negate the very purpose of ‘Democracy’.

Judging both the views of ‘Democracy’, Ambedkar states that there is no doubt that the first one is very superficial if not erroneous. There cannot be democratic government unless the society for which it functions is democratic in its form and structure. Ambedkar believes that those who hold that democracy need be no more than a mere matter of elections make three mistakes. One mistake they make is to believe that government is something which is quite distinct and separate from society. While as a matter of fact government is not something which is distinct and separate from society; government is one of the many institutions which society rears and to which it assigns the function of carrying out some of the duties which are necessary for collective social life.
The second mistake they make, Ambedkar believes, lies in their failure to realize that a
government is to reflect the ultimate purposes, aims, objects and wishes of society and
this can happen only where the society in which the government is rooted is democratic.
If society is not democratic, government can never be; where society is divided into two
classes governing and the governed, the government is bound to be the government of the
governing class. The third mistake they make is to forget that whether government would
be good or bad, democratic or undemocratic depends to a large extent upon the
instrumentalities particularly the civil-service on which everywhere government has to
depend for administering the law. It all depends upon the social milieu in which civil-
servants are nurtured. If the social milieu is undemocratic, the government is bound to be
undemocratic. There is another possible mistake which is responsible for the view that for
democracy to function it is enough to have a democratic form of government. To realize
this mistake, cites Ambedkar, it is necessary to have some idea of what is meant by good
government. Responding to the same, he asserts that good government means good laws
and good administration. This is the essence of good government. Now there cannot be
good government in this sense if those who are invested with ruling power seek the
advantage of their own class instead of the advantage of the whole people or downtrodden.4

On the way to examine the ideal form of democracy, Ambedkar lays considerable stress
upon individual subjective morality. He argues further that whether the democratic form
of government results in good-will would depend upon the disposition of the individuals
composing society. If the mental disposition of the individuals is democratic then the
democratic form of government can be expected to result in good government. If not,
democratic form of government may easily become a dangerous form of government.
Ambedkar begins to look for the necessity of the individual bent-of-mind to be healthy
enough to practice political democracy on the one hand and at the same time availability
of the proper social milieu to shape the individual psyche in its classless form. Thereafter
he strives to link the individual psyche to that of social milieu in a fashion so as to verify
that the democratic attitude of mind is the conditional end-product of the prerequisite
socialization of the individual in a democratic society. Democratic society is, therefore, a
prerequisite of a democratic government. Democratic governments have toppled down
largely due to the fact that the society for which they were set up was not democratic. To
quote Prof. Rodrigues in this respect, “He did not reconcile the tension between
democracy and law and in his exposition, the domain of reason and morals are often in
contention with that of law. Ideally, of course, he envisaged a democracy informed by
law and a law characterized by sensitivity to democracy. At the same time he looked to a
system of law which upheld reason and morality, though he saw reason and morality as
far too feeble to ensure social bonds without the authoritative dictates expressed in law.
Religion, according to him, could play a major role in lightening the task of law.
Ambedkar’s views on constitutional democracy were reflected in his relations with
Gandhi and Nehru on the issues of untouchability and the Hindu Code Bill respectively

On the evening of October 27, 1951, after inaugurating the election campaign at
Jalandhar, Dr. Ambedkar had addressed a special session of the “Political Scientists
Parliament” of the D.A.V. College. Speaking on the occasion he sounded a note of warning that if Parliamentary Democracy fails in this country – and it is bound to fail because of the attitude of the party in power – rebellion, anarchy and communism will be the only result. Then the fate of this country will be doomed. Speaking at length he cited many rules about Parliamentary Procedure – elaborating, “That at one time India had parliamentary institutions and that there are innumerable references in our literature to prove that Parliamentary System of Government was not unknown to us – that Parliamentary Government means negation of hereditary rule. No person can claim to be a hereditary ruler. Whosoever wants to rule must be elected by the people from time to time. He must obtain approval of the people. Hereditary rule has no sanction in the Parliamentary System of Government”.

Again adding to the same, he continues, “Secondly, any law, any measure applicable to the public life of the people must be based on the advice of the people chosen by the people. No single individual can presume the authority that he knows everything, that he can make the laws and carry the Government. The laws are to be made by the representatives of the people in the Parliament. They are the people who can advise the man in whose name the law is proclaimed. Thirdly, Parliamentary System of Government means that at a stated period those who want to advise the Head of the State must have the confidence of the people in themselves renewed”.

Further he continues, “One important thing in the Parliamentary Democracy is that people should know the other side if there are two sides to a question. Hence a functional opposition is required. Opposition is the key to a free political life. No democracy can do without it. Britain and Canada, the two exponents of Parliamentary System of Government recognize this important fact and in both countries the leader of the Opposition is paid salary by the Government. They regard the Opposition as an essential thing. People of these countries believe that the Opposition should be as much alive as the Government. The Government may suppress the facts; the Government may have only one-sided propaganda. The people have made provision against this eventuality in these two countries. A free and fair election is the other pillar on which Parliamentary Democracy rests. Free and fair elections are necessary for the transfer of power from one section of the community to the other in a peaceful manner and without any bloodshed. People must be left to themselves to choose those whom they want to send to the Legislatures” (Nanak Chand Rattu, 1997).

Critiquing Parliamentary Democracy:

Although broadly Ambedkar was a believer in ‘Democracy’, he never blindly submitted either to the ideology of Western Liberal Democracy or to the Fabian socialism or even to the totalitarian idea of Marxism, but chose on the contrary to scrutinize each of these ideologies in order to carve out a theory of ‘Democracy’ which would fit perfectly into Indian socio-political structure. He critically argues that Western writers on democracy believed that what was necessary for the realization of the ideal of democracy, viz. government of the people, by the people and for the people, was the establishment of
universal adult suffrage. Adult suffrage could produce government of the people in the logical sense of the phrase, i.e. in contrast to the government of a king, but it could not by itself be said to bring about a democratic government in the sense of government by the people and for the people.\footnote{5}

Ambedkar criticized the views of Western writers on politics regarding democracy and self-government. He said: "(i) They omit to take into account the incontestable fact that in every country there is a governing class. (ii) They fail to realize that the resistance of a governing class is inconsistent with democracy and self-government. (iii) Self-government and democracy become real when the governing class loses its power to capture the power to govern. (iv) The governing class may be so well entrenched that the servile classes will need other safeguards besides adult suffrage to achieve the same end. (v) Social outlook and social philosophy of the governing class is not taken into account."\footnote{6}

According to him, parliamentary democracy meant "One man, one vote". It was also meant that every government should be on the anvil both in its daily affairs and also at the end of a certain period when the voters and the electorate would be given an opportunity to assess the work done by the government.\footnote{7} According to Ambedkar, democracy always changed its form. Indian democracy was quite different from American democracy. Even in the same country the democracy was not always the same. English democracy before and after 1688 was different. He stressed the point that democracy always changed in purpose also. He defined democracy as "a form and method of government whereby revolutionary changes in the economic and social life of the people are brought about without bloodshed".\footnote{8} He summarized the conditions precedent to the successful working of democracy. They were as follows: (i) there should not be glaring inequalities in society, i.e. privileges for one class; (ii) the existence of an opposition; (iii) equality in law and administration; (iv) observance of constitutional morality; (v) no tyranny of the majority; (vi) moral order of society; and (vii) public conscience.

Defining democracy as a "mode of associated living", he held that the roots of democracy were to be found in social relationship, in terms of the associated life between the people who formed the society. Poverty, illiteracy and caste distinctions were the positive dangers to democracy.\footnote{9} In his conception of democracy there should not be any class structure in society, because "in a class structure there is on the one hand tyranny, vanity, pride, arrogance, greed, selfishness, and on the other insecurity, poverty, degradation, loss of liberty, self-reliance, independence, dignity and self-respect".\footnote{10} He regarded democracy in its practical aspect as the social organization of the people in the sense that the people included all members of society. The main concern of his life was to make democracy safe for the common man and for the good of his country. He regarded that the democratic principles of life, liberty and pursuit of happiness were essentials in human life. He gave prime importance to human rights.\footnote{11} He was keen that every member of society must share in exercising them. He was of opinion that there should not be any kind of discrimination in the exercise of human rights, because it would be a negation of social and political democracy. He attached more importance to the freedom to form
associations in various fields of life. For that he sought help of a constitutional system, because he regarded that there was no freedom without constitutional government. According to him, such institutions were the very soul of freedom and democracy.\textsuperscript{12}

To Ambedkar, socially-sensitive democracy involved two things: an attitude of mind, an attitude of respect and equality towards their fellows and a social organization free from rigid social barriers. To him, democracy was incompatible and inconsistent with isolation and exclusiveness resulting in the distinction between the privileged and unprivileged. He regarded democracy as both a social ideal and a political method.

According to him, liberal democracy rested on four premises: (a) the individual is an end in himself; (b) the individual has certain inalienable rights which must be guaranteed to him by the Constitution; (c) the individual shall not be required to relinquish any of his constitutional rights as a condition precedent to the receipt of a privilege; (d) the state shall not delegate powers to private persons to govern others.

Ambedkar regarded democracy as a way of life. It involved rational empiricism, emphasis on the individual, the instrumental nature of the state, voluntarism, the law behind the law, nobility of means, discussion and consent, absence of perpetual rule, and basic equality in all human relations. He held that a democratic way of life could be conceived without an ideal society. According to him, “An ideal society should be mobile, should be full of channels for conveying a change taking place in one part to other parts. In an ideal society there should be many interests consciously communicated and shared. In other words, there must be social endosmosis.”\textsuperscript{13}

Ambedkar was of the opinion that certain political rights alone did not constitute the basis of democracy. Sociability and morality were the important elements of his concept of democracy. The keynote of his concept of democracy as a way of life was the necessity for the participation of every human being in the formation of social, economic and political values that regulated the living men and kept them together. The fundamental elements of his concept of democracy, in short, were liberty, equality, fraternity, reason, human experience, the rule of law, natural rights and an emphasis on the individual in social relationships.

According to him, the following devices were essential to maintain democracy. (i) \textit{Constitutional methods}: He insisted on abandoning the bloody methods of revolution and the methods of civil disobedience, non-cooperation and Satyagraha. He regarded these methods as “grammar of anarchy”. (ii) \textit{Not to lay liberties at the feet of a great man}: To him, there was nothing wrong in being grateful to great men. He regarded bhakti in religion a road to the salvation of the soul. But in politics, bhakti or hero-worship was a sure road to degradation and to eventual dictatorship.\textsuperscript{14} (iii) \textit{Make a political democracy a social democracy}: political democracy could not last unless there lay at the base of it social democracy. To him, it meant a way of life which recognized liberty, equality and fraternity as the principles of life. They formed a union of trinity in the sense that to divorce one from the other was to defeat the very purpose of democracy. On the question of democracy, Ambedkar needs to be understood properly, especially with regard to the
delicate blend of popular customs and legal confines. Prof Rodrigues notes: “He (Ambedkar) was deeply sensitive to the interface between law on one hand, and customs and popular beliefs on the other. He felt that law was definitely influenced by customs and popular beliefs but stressed that customs may defend parochial interests, but may not uphold fairness, and may be based on their usefulness for the dominant classes. They may not be in tune with the demands of time nor in consonance with morality and reason. Ambedkar also admitted the possibility of customs having the upper hand over law when they begin to defend vested interests, but that with its emphasis on freedom and democracy, law could be placed in the service of the common good. On the other hand, customs, while promoting healthy pluralism, may give rise to a highly inequitable order. At the same time, he defers to pluralism, if it can uphold rights” (Rodrigues, 2002, 33). He said, “On the social plane, we have in India a society based on the principle of graded inequality. In politics we will have equality and in social and economic life we will have inequality.”

The Constitution of India has laid down the idea of economic democracy. To Ambedkar, the directive principles had a great value, for they laid down that “Our ideal is economic democracy”.

The success of democracy in India depended upon the satisfaction of the millions of people who were devoid of preliminaries of life. The discontent against parliamentary democracy was due to “the realization that it has failed to assure the masses the right to liberty, property or pursuit of happiness”. But unfortunately parliamentary democracy in India took no notice of economic inequalities and did not care to examine the result of the freedom of contract. It has failed to realize that it could not succeed where there was no social and economic democracy, because they were the tissue and fiber of political democracy. Ambedkar maintained that political societies were divided into two classes: the rulers and the ruled. Rulers were always drawn from the ruling class. This was why a political democracy could not become “a government of the people or by the people”. He warned that if democracy failed in this land, the result will be rebellion, anarchy and communism.

**Importance of Fraternity in a Democracy:**

Ambedkar extends his argument on democracy by adding the role of fraternity to it. He proceeds with the fact that democracy is not only more than a political machine but also more than a social-system. It is an attitude of mind or a philosophy of life. He shows that how some people equate democracy with equality and liberty without bothering about the more important question of what sustains equality and liberty. He disapproves of theorists who argue that it is the law of state which sustains equality and liberty. Whereas to Ambedkar, it is ‘fellow-feeling’ wherein lies the power of sustainability. And it is to this ‘fellow-feeling’ that the French Revolutionists called fraternity and to which more appropriately Buddha called “Maitree”. Without fraternity, liberty would destroy equality and equality would destroy liberty. If in democracy, one does not destroy
another, it is because at the base of both there is fraternity. Fraternity is, therefore, at the root of democracy.

But most importantly, Ambedkar inquires into the site wherein lies the root of fraternity without which democracy is not possible and comes up with his own discovery that beyond dispute it has its origin in “religion”. In examining the possibilities of the origin of democracy or its functioning successfully, he goes to the religion of the people and asks if it teaches fraternity or not. If it does, the chances for a democratic government are great; if it does not, the chances are poor. He allows other factors also to creep in to sustain democracy but fraternity is the very foundation without which there is nothing to build democracy on. Thereafter he applies this theory to the case of Hindu polity and suggests that Hinduism lacks this basic human element and this is why democracy failed to grow up in India.

**Fraternity in Hinduism:**

Ambedkar feels strongly that the Hindu religion does not teach fraternity. Instead it teaches division of society into classes or Varnas and the maintenance of separate class-consciousness. Above all, the Hindu social system is undemocratic not by accident, but it is designed to be undemocratic. Its division of society into Varnas and castes and of castes and outcastes are not theories but decrees. They are all barricades raised against democracy. From this it would appear that the doctrine of fraternity was unknown to the Hindu religious and philosophic thought. But such a conclusion, affirms Ambedkar, would not be warranted by the facts of history.

Hinduism offers two contradictory theories of its structure. One is ‘theory of Varna’ based on hierarchical inequality which is also in universal practice in India. Another is the doctrine of ‘Brahmaism’, which is largely hidden and confined to the texts only. Ambedkar brings to light the fact that this doctrine of Brahmaism has greater potentialities for producing social democracy than the Western idea of fraternity. This might appear strangely new even to the Hindus as they are not familiar with ‘Brahmaism’ as they are with ‘Brahamanism’ which are two separate ideological pillars of Hinduism. The essence of ‘Brahmaism’ is summed up by Ambedkar as follows:

(i) All this is Brahma.
(ii) Self is the same as Brahma. Therefore I am Brahma.
(iii) Self is the same as Brahma. Therefore you are also Brahma.

Ambedkar is of the opinion that most people know the distinction between the Vedanta and Brahmanism, but very few people know the distinction between Brahmaism and Vedanta, even the Hindus are not aware of it. But the distinction is noteworthy; while Brahmaism and Vedanta agree that Atman/self is the same as Brahma. But the two differ sharply in that Brahmaism does not treat the world as unreal, Vedanta does. This is the fundamental difference between the two. The essence of Brahmaism is that the world is real and the reality behind the world is Brahma. Everything therefore is the essence of
Brahma. Ambedkar scrutinizes the criticisms leveled against Brahmaism. It is said that Brahmaism is a piece of impudence. For a man to say "I am Brahma" is a kind of arrogance. The other criticism leveled against Brahmaism is the inability of man to know Brahma.

Ambedkar counters the criticism by saying that 'I am Brahma' may appear to be impudence, but it can also be an assertion of one’s worth. In a world where humanity suffers so much from an inferiority complex such an assertion on the part of man is to be welcomed. Democracy demands that each individual shall have every opportunity for realizing its worth. It also requires that each individual shall know that he is as good as everybody else. Those, who sneer at 'I am Brahma' as an impudent utterance, forget the other part of the Mahavakya, namely "Thou art also Brahma". Thus the criticism of selfish arrogance leveled against Brahmaism does not hold ground. This theory of Brahma has certain social implications which, to Ambedkar, have a tremendous value as a foundation for democracy. If all persons are parts of Brahma then all are equal and all must enjoy the same liberty which is what democracy means.

To support democracy, as Christians say, because we are all children of God, is a very weak foundation for democracy to rest on. That is why democracy is so shaky wherever it is made to rest on such a foundation. But to recognize and realize that you and I are parts of the same cosmic principle leaves room for no other theory of associated life except democracy. It does not merely preach democracy; it makes democracy an obligation of one and all. Ambedkar mocks at the western students of democracy who have spread the belief that democracy has stemmed either from Christianity or from Plato and that there is no other source of inspiration for democracy. But if they had known, Ambedkar exhibits his nationalism, that India too had developed the doctrine of Brahmaism, which furnishes a better foundation for democracy, they would not have been so dogmatic. India too must be admitted, he declares, to have made a contribution towards a theoretical foundation for democracy. But when it comes to praxis, he gets disappointed because in everyday customary practice Brahmaism has been without doubt overtaken by the force of Brahmanism. As to why Brahmaism failed to produce a new society, Ambedkar says, it is a great riddle... and regrettable truth that has carried no social effect and died in philosophy.  

Drawing a Flaw on Marxian Democracy:

Ambedkar himself confessed that he was inclined from his early days towards Buddhism but not without logical and empirical verification. But in spite of his spiritual inclination towards Buddhism, he was unintentionally drawn towards class radicalism in particular from early 1930s. Ambedkar’s thoughts on society and politics share many things in common with Marxist perspective although he differs sea-wide from the same in terms of the means to social change and spiritualism. Ambedkar’s criticism of communism begins with the contention that the social status of an individual by itself often becomes a source of power and authority is made clear by the sway which the Mahatmas have held over the common man. He asks further why do millionaires in India obey penniless Sadhus and
Fakirs...? Why do millions of paupers in India sell trifling trinkets, which constitute their only wealth and go to Benares and Mecca?

Answering himself, he explains that religion is the source of power is illustrated by the history of India where the priests hold a sway over the common man often greater than the magistrate. Ambedkar also takes, for instance, the case of ancient Rome to prove his hypothesis; the plebs had fought for a share in the Supreme Executive under the Roman Republic and had secured the appointment of a Plebian Consul elected by a separate electorate constituted by the Comitia Centuriata, which was an assembly of Plebians. They wanted a consul of their own because they felt that the Patrician Consuls used to discriminate against the Plebians in carrying on the administration. They had apparently obtained a great gain because under the Republican Constitution of Rome one consul had the power of vetoing an act of the other consul. But did they in fact gain anything...? The answer to this question must be in negative.

The Plebians could never get a Consul who could act as a strongman, independent of the Patrician Consul. As to how this happened, Ambedkar narrates, can be revealed in the then prevalent religious custom in Rome. It was an accepted creed of the whole Roman Populous that no official could enter upon the duties of his office unless the Oracle of Delphi declared that he was acceptable to the goddess. The priests who were in charge of the temple of the goddess of Delphi were all patricians. Whenever therefore the Plebians elected a Consul who was known to be a strong party man opposed to the Patricians, the Oracle invariably declared that he was not acceptable to the goddess. This is how the Plebians were cheated out of their rights. But what is worthy of note is that the Plebians permitted themselves to be thus cheated because they too, like Patricians, held firmly the belief that the approval of the goddess was a condition precedent to the taking charge by an official of his duties and that election by the people was not enough. They agreed to elect another less suitable to themselves but more suitable to the goddess which in fact meant more amenable to the Patricians.20

Ambedkar shows out of this Roman analogy that religion can be a source of power as great as money if not greater... Again he draws from this that religion, social-status, and property are all sources of power and authority, with which one man has to control the liberty of another. One is predominant at one stage; the other is predominant at another stage. On this ground, Ambedkar refutes the doctrine of economic interpretation of history and eventually the whole concept of economic-determination.

Another site where Ambedkar challenged Marxism is the idea that the industrial proletariat is the vanguard of total revolution. He held that this concept had no relevance to Indian society. Industrial workers were divided into various castes and the caste Hindu workers did not like to touch the untouchable industrial workers. The caste-system has created great divisions amongst industrial workers themselves. Under such conditions this is impossible for the working class to remain united.21 Dr. Ambedkar preferred to call Indian Communists as “a bunch of Brahmin boys” not interested in raising a voice against the inequality of caste-system.
Although on some grounds Ambedkar was influenced by the idea of ‘state-socialism’ as in his popular work ‘States and minorities’, he advocated the cause of nationalization. His suggestion in the above-mentioned article was that all basic industries and services, like life-insurance etc. should be nationalized. Along with this, he also suggested that even agriculture should be nationalized in Soviet fashion. Above all, he made it a point to note that the programme of ‘state-socialism’ should be incorporated into the constitution itself and constitutional provisions be made for nationalization. However again in his last speech “Buddha and Karl Marx” in 1956, at Kathmandu, Dr. Ambedkar said – “The means that the Communists wish to adopt, in order to bring about Communism, is violence and killing of the opponents. There lies the fundamental difference between Buddha and Karl Marx. The Buddha’s means of persuading people to adopt the right principles was by moral teaching. The doctrine claims love rather than power can conquer anything. The greatest thing that the Buddha has done is to tell the world that the world can not be reformed except by the reformation of the mind of the man and of the world”.22

Correlating Nationalism and Democracy:

According to Ambedkar, ‘nationalism’ in relation to a nation should be based on a strong feeling of social unity and in relation to ‘internationalism’, the human brotherhood. And such nationalism, fraught with the spirit of democracy, would not base itself upon a tyranny nor would it ever be a menace to any community and nation. There is a distinction between a community and a nation. Ambedkar quotes Sidgewick on the distinction between the two: ‘A community has a right to safeguard; a nation has a right to demand separation’.

In this regard, the subtle distinctions, to Ambedkar’s acumen, between ‘nationality’ and ‘nation’ must be noted down. While ‘nationality’ implies “consciousness of kin, awareness of the existence of that tie of kinship; ‘nationalism’ implies the desire for a separate national existence for those who are bound by this tie of kinship”. Nationalism, to Ambedkar, cannot exist without the feeling of nationality. However, nationality does not in all cases produce nationalism. Here Oneil Biswas finds two points worth mentioning: first, nationality is a dynamic expression of the desire to live as a nation; and secondly that there ought to be a territory which nationalism can occupy and make it a state and also a cultural home of the nation.23

Ambedkar also goes ahead to draw a line between the freedom of the country and freedom of the people and it is the latter which is more important of the two. Thus he takes pain to exhibit that without the freedom of the people, nationalism becomes a means of internal/domestic slavery, forced labor and organized tyranny for the poor and servile classes. According to him, “it is entirely wrong to concentrate all our attention on the political independence of our country, and to forget the far more serious problem of social and economic independence. It is suicidal to imagine that political independence necessarily means real all-sided freedom”.24
Ambedkar stressed the need for fighting against provincialism, linguism, casteism and communalism. Casteism operated in particular against nationalism and he asserts that casteism has killed public-spirit. It has destroyed the sense of public charity and made public opinion impossible, virtue has become caste-ridden, and morality caste-bound. To him, nationalism meant the negation of caste-spirit which was another name for deep-rooted communalism. But unfortunately in India nationalism took a new turn in terms of majority and minority rule with a vengeance so as to boss over the minorities. He exposed all kinds of hypocrisy and oppression in the name of religion and nationalism. Since India is not a nation but each caste is, the preamble to the constitution of India, starts with the expression, “We, the People of India”, some politicians objected to it in the Constituent Assembly debate and preferred “The Indian Nation”. Ambedkar replied to this by asking how people divided into several thousands of castes could be a nation. And he also warned that the sooner we realize that we are not as yet a nation in the social and psychological sense of the word, the better for us.

Apart from the socio-political aspects of nationalism, Ambedkar, being a realist in his approach, was very much aware of the fact that any nationalism based on social justice would remain a myth if not linked legally to constitutional forces. Keeping it in mind, Ambedkar took all the pains to translate his notion of social justice and nationalism into legal terminology. Justice K. Ramaswamy while probing into the legal aspects of nationalism likes to call Ambedkar a true democrat, a nationalist to the core and a patriot of highest order on various grounds. He was the author and principal actor to make the ‘Directive Principles’ as part of the constitutional scheme. When it was criticized that the directive principles could not be enforced in a court of law, and hence there would be no need to have them incorporated in the Constitution, Ambedkar answered that though they were not enforceable, the succeeding majority political party in Parliament or Legislative Assembly would be bound by them as an inbuilt part of their economic programme in the governance, despite their policy in its manifesto and are bound by the Constitution. Ambedkar, in his Constitutional schema of nationalism, undertook the task of strengthening the Executive in particular and the notion of ‘Integrated Bharat’ in general.

**Uniform Civil Code:**

Rising above the regional, linguistic and communal barriers in a true republican spirit, Ambedkar invents a democratic nationalism consisting of uniform civil code for India if it aspires nationhood. His views of Uniform Civil Code was radically different from his contemporaries including Nehru who in principles accepted Hindu Code Bill and Uniform Civil Code but in practice, failed to get the Bill passed at one go, in spite of being in Government with majority. Ambedkar on the other hand made it a point to add the word ‘fraternity’ in the Preamble to the Constitution in order to inculcate the sense of common brotherhood of all Indians, of Indians being one people; it is the principle which gives unity and solidarity to social life.

In the Constituent Assembly Debates, while speaking on the *Hindu Code Bill* he urged the Members to have a common code which would do away with unequal rules of Hindu
law scattered in immovable decisions of the High Courts and of the Privy Council, motley of seven different matters – Right of property of a deceased Hindu to both male and female, the order of succession to the different heirs of the property, the law of maintenance, marriage, divorce, adoption, minority and guardianship. With regard to inter-caste and inter-sub-caste marriages and adherence of monogamy, Ambedkar made it clear that monogamous marriage had been prevalent since the time of Kautilya and second marriage was permissible only in exceptional circumstances. About ninety percent of the people had customary divorce. Therefore, according to the new principles of inter-caste marriages, monogamy and introductions of divorce under the Hindu Code Bill were reasonable and just supported not only by the precedents but also by the world as a whole. Ambedkar notes that after it comes into operation, any two Hindus irrespective of caste and faith may solemnize marriage under the Hindu Marriage Act, 1955. Thus a Shudra can validly marry a Brahmin or a Rajput or a Sikh girl.

At the same time, he was also critical of Muslim Personal Law and tried his best to abolish it in favor of Uniform Civil Code. Ambedkar did not agree to the fact that Muslims had any immutable and uniform laws in India up to 1935. The Shariat Law did not apply to the North-West Frontier provinces. It followed the Hindu Law of succession and other matters so much so that in 1939 the Central Legislature had come into the field to abrogate the application of Hindu Law to the Muslims of North-West provinces and to apply Shariat Law to them. The same was true of Muslims in various parts of the United Provinces, Central Provinces and Bombay where Muslims were largely governed by the Hindu Law of succession. In North Malabar, the Murumakkathayam, a matriarchal law of succession applied commonly to both Hindus and Muslims. That was the reason that Muslim elites persuaded the British Government and ultimately the Shariat Act, 1937, was enacted. Ambedkar emphasized that in a secular state religion should not be allowed to govern all human activities and that Personal Laws should be divorced from religion.

To quote Ambedkar on Personal Laws, “If a saving clause were introduced into the Constitution it would disable the legislature in India from enacting any social measure whatsoever. The religious conceptions in this country are so vast that they cover every aspect of life from birth to death. There is nothing which is not religious and if Personal Law is to be saved, I am sure about it that in social matters we will come to a standstill. I do not think that it is possible to accept a position of that sort. In Europe, there is Christianity but Christianity does not mean that the Christians all over the world or in any part of Europe where they live shall have a uniform inheritance law. No such thing exists. I personally do not understand that religion should be given this vast expensive jurisdiction so as to cover the whole of life and to prevent the legislature from encroaching upon that field. After all, what we are having this liberty for? We are having this liberty in order to reform our social system, which is so full of inequities, so full of inequalities, discriminations and other things, which conflict with our fundamental rights. It is, therefore, quite impossible for anybody to conceive that the Personal Laws should be excluded from the jurisdiction of the state”. Thus Ambedkar believed that there is no legal bar in enacting a Uniform Civil Code by the Legislatures even if Article 35 is not adopted in the Constitution.
Nivedita Menon in her article ‘State/Gender/Community’ makes a comparative study of uniform civil code (which is reflective of state), gender and community. She is of the view that debates on UCC have been made to be confined to between secular state and religious communities at the expense of the very axis (i.e. gender) on which they move. The debate over the UCC, she rightly argues, is produced by the tension between two notions of rights in the Fundamental rights (Chapter III) of the constitution. The bearer of rights is both the individual, unmarked abstract citizen of liberal theory as well as the collectivity – that is, the universal as well as the particular. The former is the subject of Articles 14 to 24 which ensure the individual’s rights to equality and freedom and the latter of Articles 25 to 30 which protect religious freedom and the cultural and educational rights of minorities (Menon, Nivedita ‘State/Gender/Community, EPW, January 31, 1998, PE-3).

Taking a feminist perspective on the question of citizenship and uniform civil code, Nivedita Menon argues that citizenship is super homogenous identity which deprives a citizen of all of its distinguishing marks including that of sex and by this virtue this domain is no more inherently emancipatory than the domain of premodern ‘fuzzy boundaries’ (Menon borrows this phrase from Sudipta Kaviraj). Nivedita Menon seems to belong to that school of theorists who are not comfortable with the very idea of ‘nationalism’, ‘citizenship’ and ‘UCC’ and would prefer to abandon these ideas completely in favor of ‘community rights’ provided a community promises to deliver on the issue of ‘gender-equality’. She criticizes Partha Chatterjee for giving an absolutist authority to the community which virtually means “authority to the males of the given community to decide on behalf of females”. Partha Chatterjee surely gives clean chit not only to the patriarchal forces of the community but also to the ruling elites of the same community to decide on behalf of others and in the interests of themselves when he holds that a collective cultural right is in fact the ‘right not to offer a reason for being different’.

If we bring in Ambedkar’s notion of nationalism, citizenship and uniform civil code at this juncture, we would note that Ambedkar’s point of departure is also difference-based community rights but simultaneously he also takes care of the fact that these differential group-rights must be reconciled to the larger idea of citizenship and nationalism. Ambedkar was also largely concerned with the issue of social-reforms and if religious personal laws come on the way to social reforms, he would rather go for the social reforms even at the expense of personal laws. This is evident from the fact that on the question of Partition, Ambedkar was of the opinion that Muslims must be allowed to make a separate nation, not in so much because they have been a separate nation in India but chiefly because they want to become a separate nation and hence their will to become a separate nation must be respected.

Similarly an intermediary position between religious personal laws and uniform civil code has been taken by Madhu Kishwar who criticizes both Muslim fundamentalists who oppress their women in the name of minority community rights and Hindu fundamentalists who want to implement their anti-Muslim communal agenda in the pretext of uniform civil code. Madhu Kishwar calls this intermediary position as “Optional Civil Code”. This would mean that an optional but egalitarian common code
should be made available to any person on demand, no matter what community he or she may belong to. This would also mean that the state machinery is not made available for implementing any religious laws – Hindu, Muslim or Christian. Equal rights for women should be the underlying principle for such a code. The Muslim leadership, he argues, cannot legitimately oppose the right of voluntary choice. This also implies that the codified Hindu law as incorporated in the Hindu Marriage Act, the Hindu Succession Act and the Hindu Adoption and Guardianship Act will also cease to be administered by the secular courts. Those who wish to be governed by the Hindu, the Christian or the Muslim law will have to devise their own institutional arrangements for the purpose (Madhu Kishwar, Religion at the Service of Nationalism, 1998, 229-30).

He again argues that Hindu, Muslim, Christian or other personal religious laws should be a matter for the believers to accept without being enforced by the state. Enforcement of religious law should be a private matter, resting solely on the voluntary moral commitment of the parties involved. At the same time, the option of choosing a common code should always be available to all the concerned parties in any domestic dispute. For instance, if a man or a woman feels dissatisfied with the manner in which his/her community administered the personal law in his/her case, the person should be free to approach the civil courts and demand that the provisions of the egalitarian civil code be applicable in their case (Ibid.).

A Strong Center:

Dr. Ambedkar in his very first speech in the Constituent Assembly on 17 December 1946 had emphasized the need for creating a strong Center in order to ensure that India’s freedom was not jeopardized as had happened in the past on account of a weak central administration. His view was hailed by the Assembly and came later to be reflected in the Emergency Provisions of the Constitution. Undoubtedly the states are sovereign in normal times but by virtue of these provisions, the Center becomes all-powerful and assumes control over all affairs of the nation whenever a situation arises which poses a danger to the security of the state. In other words, once a Proclamation of Emergency is issued, the whole system of administration, which is basically federal in character, is transformed into a unitary system for all practical purposes. On 3 August 1949, Ambedkar suggested the insertion of a new Article, namely, “277-A”, which reads as follows: “It shall be the duty of the Union to protect every state against external aggression and internal disturbance and to ensure that the government of every state is carried on in accordance with the provisions of this constitution”.

Justifying the insertion of the new Article, he said: “some people might think that Article ‘277-A’ is merely a pious declaration that it ought not to be there. I think it is agreed that our Constitution, notwithstanding the many provisions which are contained in it whereby the Center has given powers to override the provinces, nonetheless is a Federal Constitution and when we say that the Constitution is a Federal Constitution, it means this that the provinces are as sovereign in their field which is left to them by the Constitution as the Center is in the field which is assigned to it. In other words, barring
the provisions, which permit the Center to override any legislation that may be passed by
the provinces, the provinces have a plenary authority to make any law for the peace,
order and good government of the province; really speaking, the intervention of the
Center must be deemed to be barred because that would be an invasion of the sovereign
authority of the province. That being a fundamental proposition of a Federal Constitution,
if the Center is to interfere in the administration of provincial affairs, it must be by and
under some obligation which the Constitution imposes on the Center. The invasion must
not be wanton, arbitrary and unauthorized by law”.

Concluding his debate, Ambedkar observed that similar clauses appeared under the
exemplary Federal states like those of American and Australian Federations. Responding
to the criticism that Center has been given the power to override the states, Ambedkar
held that these overriding powers do not constitute the normal features of the constitution.
Their use and operation are expressly confined to emergencies only, and this cannot be
ignored. It is on this ground that he upheld Article 355 and 356 which later came to be
known as ‘President’s Rule’ and which he thought was necessary to meet an exceptional
situation where breakdown of the Constitutional machinery occurs in a state. It is with
this mind that Ambedkar introduced, just 11 days before completion of the Constitution,
a new Article 365 in the Assembly.

Incompatibility of Parliamentary Democracy with State-Socialism:

On more than one occasion Ambedkar pointed out the limitation of parliamentary
democracy in ensuring economic equality to the masses. Ambedkar believed that there
was a close connection between individual liberty and the form of the economic structure
of society. In September 1943, posing the question why Parliamentary Democracy had
failed to benefit the poor, the laboring and downtrodden classes in ensuring them liberty,
property and pursuit of happiness, he identified two main causes which were either
related to wrong ideology or wrong organization or both. As regards ideology, he stated
that what ruined Parliamentary Democracy was the idea of ‘freedom of contract’.

The idea became sanctified and was upheld in the name of liberty. Parliamentary
Democracy took no notice of economic inequalities and did not care to examine the result
of ‘freedom of contract’ on the parties to the contract should they be unequal. It did not
mind if ‘freedom of contract’ gave the strong opportunity to defraud the weak. The result
was that parliamentary democracy, in starting out as a protagonist of liberty, has
continuously added to the economic wrongs of the poor, the downtrodden and
disinherited. Ambedkar, therefore, argued for a change in the very framework of
‘freedom of contract’. He suggested state ownership in agriculture, basic and key
industries and national insurance and their organization in a way that would lead to the
highest productivity and at the same time promote fair distribution of income.

The implementation of state-socialism was not, however, to be left to parliamentary
democracy, that is, to the legislature to bring it into being by the ordinary process of law.
Ambedkar argued that one essential condition for the success of the planned economy was that it must not be liable to suspension or abandonment; it must be permanent. Such permanence could not be given in a parliamentary democracy since the government would keep changing. The economic structure of the society to be modeled on state-socialism could not, therefore, be left to the exigencies of ordinary laws with a simple majority whose political future was never determined by the national cause. Political democracy was, therefore, unsuited for this purpose, which could be better served by ‘state-socialism’ by the law of the constitution, so that it remained beyond the reach of parliamentary majority to suspend, amend or abrogate it. Such constitutional enactment would enable the retention of both socialism and parliamentary democracy.

Thus it can easily be seen that Ambedkar remains unhesitant in ruling out any parliamentary democracy unless it is backed by permanent state-socialism and in Indian case he suggested that the programs for the poor and downtrodden classes of Indian society should be made central to the planning process. Ambedkar argued for industrialization as ‘the surest means to rescue the people from poverty’.

Individual-cum-Society Friendly State:

Ambedkar regards human rights as natural and inherent in the individual and holds that “the individual has certain inalienable rights” (States and Minorities, 1947). He builds his theory of social and political organization around his central concept of the individual and his rights. He speaks of state as based on a comprehensive social principle. The state exists not only to prevent injustice, tyranny and oppression but also to create such social and economic conditions that all men may be happy. In Ambedkar’s view, the individual, not the state, is the object of supreme value and the state is a human organization to promote the individual’s good. Ambedkar maintains that no government should violate the fundamental rights of man. For, some rights are so essential that no human society can be prosperous without them. From humanistic viewpoint, he is opposed to all kinds of discrimination in administration, even in private factories and commercial concerns, on the grounds of race, creed, and social status. He believes that society can do nothing without some organized power. He again insists that some kind of government is essential for maintaining peace and prosperity among men, particularly, when people fail to abide by law and order. Such is, to him, the mission of a good government. And in fact, without such quality, a true democratic society can not be established.

Similarly Ambedkar wants a good, moral government, to protect the rights of the people in all their legitimate functions. As regards the ‘Forms of Government’, Ambedkar favors Democracy, for he says “in anarchy and dictatorship, liberty is lost”. He realized that dictatorship and anarchy are both incompatible with individual’s liberty. For this reason, he feels the need of a sufficiently strong government under which the liberty would be well protected, and yet certain functional and Constitutional checks should be brought to bear upon the government so that the individual’s liberty is not jeopardized.
The solidarity and unity of society, according to Ambedkar, consists of 'the social need for protecting the best, having common rules of morality, and safeguarding the growth of the individual'. How far it becomes an actual state of society depends upon the efficient and proper functioning of government. He accords recognition to the democratic principle of rule by the majority (but not communal majority), while being conscious of the fact that the majority-rule may not necessarily be in the interest of the whole of the community, and on the contrary, may result into oppression of the individual or minorities. His main concern, therefore, is to safeguard the individual as against the tyranny of the majority. And this he aims to achieve not by taking away all power from the Government and reducing it to a nullity; but by formulating a scheme of 'checks and balances' on the lines of the American Constitution. Looked at from the above viewpoint, Ambedkar maintains that the will of the majority is essential for good governments, but it should necessarily provide concessions and considerations to the will of the minorities. (States and Minorities, 1947).

Linguistic Nationalism in Ambedkar:

Ambedkar, after a realistic analysis of the problem of linguism and its implications, arrived at some definite conclusions concerning the structure and organization of states, the component units of the Indian federation. Ambedkar firmly believes that in general, 'one state, one language' is a universal feature of almost every state – Germany, France, Italy, England, U.S.A etc., in the Western hemisphere. It is a general 'rule' and not a 'dogma' wherever there has been a departure from this rule; there has been a danger to the state. The danger of disintegration and degeneration is inherent in multilingual states. He says that India cannot escape this fate if it continues to be a conglomeration of mixed states. A multilingual state is thus unstable and a unilingual state is stable.

A state, Ambedkar says, is built on 'fellow-feeling'. It is a feeling of a 'corporate sentiment of oneness'. This is one reason why a linguistic state is so essential, viz, why a state should be unilingual. There are also two other reasons why the rule 'one state, one language' is necessary to Ambedkar. One, in democracy fellow-feeling is essential. Fellow-feeling in democracy is necessarily accompanied by opposition without which a democracy cannot work. But in a multilingual state, 'friction' (opposition) may be replaced by 'faction' and faction fights for leadership may bring as a result discrimination in administration. These factors are ever present in a mixed state and are incompatible with democracy.

The next reason as to why their rule be applied is that is the only solvent to racial and cultural conflicts. The different people speaking different languages when put together in a government are bound to go in different directions. Their racial and cultural interests are separate and there will be little possibility of peace between them. Therefore the mixed state is always a danger to both parties, for one may dominate the other and vice versa. Applying the same rule to Indian scenario, Ambedkar says that it would be better if India follows the road of linguistic states. However the major difficulty is that a linguistic state with its regional language may easily develop into an independent state.
Unfortunately, if this happens, India would be parceled out into a number of small states, as had happened in the medieval period. This may result into rivalry and warfare. If the whole country is divided into linguistic states, such a danger is almost certain.

This is why the better way out is, suggests Ambedkar, to provide that the regional language shall not be the official language of the state. He suggests that the official language of the whole nation should be Hindi. Otherwise, the creation of linguistic states may badly affect national unity, peace and prosperity. The formula of ‘one state, one language’ can unite the people. Two languages in a mixed state are sure to divide them. Again it is an ‘inexorable law’ that ‘culture is conserved by language’. And we wish to “unite and develop a common culture, it is the bounden duty of all Indians to own up Hindi as their language”.

Looking from this viewpoint, when Ambedkar talks of autonomy of regional cultures in the states formed on the linguistic basis and provides the unifying bond of a common national language for all the states of the Indian union, he becomes an exponent of unity in diversity. Ambedkar was always against regimentation of life and culture. His purpose, therefore, was to strengthen the social and cultural basis of Indian states with a strong feeling of nationalism. Here Ambedkar exhibits the true spirit of a nationalist when he holds: “Any Indian, who does not accept this proposal as a part and parcel of a linguistic state, has no right to be an Indian...he cannot be an Indian in the real sense except in a geographical sense...with regional languages as official languages and the dream to make India one united country, Indians first and Indians last will vanish.” Obviously, this indicates a deep realization, on the part of Ambedkar, of the need of national integration through one common language, viz., Hindi. People through one language can exchange their views and may get themselves united for common national purposes. But it is remarkable that Ambedkar’s nationalism is never incompatible with the principle that the state and government become intelligible concepts only in relation to the actual conditions of society.

**Formation of Political Parties:**

Ambedkar’s efforts to make a nation based on social amalgamation take a new turn when he chooses to institutionalize his ideas by founding a political party. He argued that political parties are essential for the working of democracy. They enable people of different opinions to agree upon some common principles, to work unitedly and secure political power by constitutional means. Dr. Ambedkar presented a descriptive and analytical definition of a political party, which said that: “A party is like an army. It must have the following characteristics – (i) A leader who is like a commander-in-chief, (ii) it must have an organization which includes (a) Membership, (b) A Ground Plan, and (c) Discipline, (iii) it must have principles and policy, (iv) it must have programs, (v) it must have strategies and tactics i.e. it must have a plan when to do what and how to reach its goal”.

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Having defined political party, Ambedkar goes ahead to delineate the significance of party system in parliamentary democracy and affirms that Parliamentary System of Government is much more than Government by discussion. There are two pillars on which the Parliamentary System of Government rests. Those are the fulcrums on which this mechanism works. Those two pillars are: (i) an opposition and (ii) free and fair elections. Ambedkar proclaims, “For the last 20 to 30 years we are acclimatized to one single political party. We have nearly forgotten the necessity and importance of Opposition for the fair working of Parliamentary Democracy. We are continuously told that Opposition is an evil. Here again we are forgetting what the past history has to teach to us. You know that there were “Nibandhkaras” to interpret the Vedas and Smritis. They used to begin their comments on Slokas and Sutras by stating firstly the “Purva-Paksha”, the one side of the question; they used to follow it up by giving the “Uttar Paksha”, the other side. By this they wanted to show us that the question raised was not an easy question; it is a question where there is dispute, discussion and doubt. Then they used to give what they termed as Adhi Karan where they used to criticize both the Pakshas. Finally they gave the “Siddhant” – their own decision. Herefrom, we can find that all our ancient teachers believed in two party system of Government” (Nanak Chand Rattu, ‘Last Few Years of Dr. Ambedkar’, 1997).

With these principles of a political party, Ambedkar was all set to found three significant political parties; one was named the “Independent Labor Party” in 1936 and the other was “Scheduled Castes Federation” in 1942 and lastly, the Republican Party of India in 1956. The making of ILP was formally declared on 15th August 1936, with Ambedkar himself as President and M.B. Samarath as its secretary. ILP was declared in the backdrop of Government of India Act, 1935, which envisaged representation for Indians in the Central and state legislatures on large scale. Dr. Ambedkar was prepared like others to contest elections to be held in 1937. It was the radical phase of Ambedkar when he got inclined towards Marxian class-politics. It was under the impression of class radicalism that he changed the name of his biweekly from ‘Bahishkrut Bharat’ to ‘Janata’. Janata began to feature lead articles with large headlines targeting the atrocities of capitalists and landlords.

Gail Omvedt characterizes ILP as “not a party with specific caste but rather one with a working-class identity. Its program, published in Janata, was a social democratic one, as advanced as any socialist program of the time. It accepted the ‘principle of state management and ownership of industry wherever it was in the interest of the people, and it promised to amend or alter any economic system that was unjust to any class or section of the people’. It promised to bring legislation to regulate the employment of factory workers, including fixing their work-hours, making payment of adequate wages and providing bonus and pension schemes. It also promised a general scheme of social insurance. It proposed legislation to protect agricultural tenants from the exactions and evictions by landlords in general”.

A close look at the programs of ILP makes us see the radical tendencies in Ambedkar as he declares also that there were two enemies of the working class in India: Brahmanism and Capitalism. To quote Ambedkar himself, “Really seen, there are only two castes in
the world; the first that of the rich, and the second that of the poor. This class is responsible for the destruction of all movements". By 1942, Ambedkar got disillusioned with Marxian radical terminology, and having dissolved ILP, went on to found another political organization, named Scheduled Castes Federation, in the aftermath of Cripps Mission to India. One of the reasons behind the formation of SCF was that Ambedkar failed to see the solidarity of the working class mainly because the caste factor had diseased this class to the degree of grave ruptures, caused by caste based discrimination within the toiling classes. This led Ambedkar to believe that in free India of the future the Hindus would enjoy freedom from the British and the Muslims would secure a separate nation but the scheduled castes were still to be under the clutches of the orthodox Hindus and landlords. With this mind, he convened a meeting of the leaders of the scheduled castes all over the country to discuss the formation of a national level political party at Delhi, on 30-31 March 1942. Thus SCF became the first national political party comprising exclusively of the scheduled castes. But SCF unlike its name threw its trust fully in the principle like all Indians are equal before the law and further that it will try to minimize the gulf between the higher classes and the lower classes.

In the last year of his life Ambedkar took another step to transform his political cum electoral position from SCF to a broader category of the ‘dispossessed’. With this mind he lays the foundation of the Republican Party of India which included apart from SCs, the Scheduled Tribes, Backward Classes and other minorities. In the later part of his life, Dr. Ambedkar realized that the SCF had no doubt created among the Scheduled Castes awakening for their rights and privileges, self respect, unity and strength, it had also raised a barricade between them and other classes and that old methods and outlook were incommensurable with the growing democratic consciousness of the Indian masses. Accordingly he enunciated new principles of cooperation with all, realizing further that after the independence the Federation had lost its identity and that a broad based political party was the immediate need of the hour. He, therefore, came out with the idea of dissolving the Federation and form another political party viz. ‘Republican Party of India’ to bring new blood into the politics.

The need to promote, formation and development of such a party organization – to work as an Opposition Party and to serve as basis for united political action – was engaging his attention from some time past. On November 25, 1951 speaking at a mammoth meeting of about two lakh people at Shivaji Park, Bombay, he had impressed upon them the need for an Opposition Party to build the nascent democracy in India and keep the Ruling Party in check. After a mature thought, in his last days, he unfolded his much awaited plan to the formation of the ‘Republican Party of India’ to bring new blood into the politics.

Searching for an Electoral Strategy:

The Independent Labor Party, as its name indicated, was not intended to be confined to Untouchables. As party President, Ambedkar now tried to set up himself as a leader of
the ‘laboring masses’. This shift was largely due to his need for an electoral strategy, as he had become aware that he had to widen his social base of support. But to what extent, could he, as Jaffrelot queries, carry through this strategy without excessively diluting the identity of his movement? It was indeed to avert this risk that he created in 1942 the SCF whose name reveals his concern to reorient his political activities towards Untouchables. These two parties, founded at an interval of six years, accurately reflected his dilemma: he was divided between the necessity, on the one hand, of representing Untouchables and, on the other hand, of widening his audience, not only for electoral purposes but also because ‘Untouchables’ were ‘workers’ too.45

The very day he formed the ILP, The Times of India published an article based on an interview with Ambedkar. Questioned on the name of his party, he replied: the word “Labor” was used instead of the words “Depressed Classes” because labor includes Depressed Classes as well (The Times of India, 15 August 1936). The party in its programme proposed a series of reforms to defend the interests of industrial workers and demanded greater vocational and technical educational opportunities. The ILP even campaigned in favor of appropriate legislation to protect the tenants of ‘the lower middle class’, among whom there were very few Untouchables. The question of reservations for the lower castes in the administration did not seem to be a priority objective, another indication of Ambedkar’s desire to deal with Untouchability in the broader framework of workers’ conditions. This new orientation did not reflect any Marxist influence. On the contrary, Ambedkar constantly criticized the Communists, whom he accused of exploiting the workers’ cause to advance their own career, an assessment which could be explained by the fact that the Communist movement was dominated by upper caste leaders.46 Ambedkar anyway considered Marxism to be of little utility in India; the caste system forbade the formation of antagonistic classes. In Annihilation of Caste, a text almost contemporaneous with the formation of the ILP, he underlined that the ‘Caste System is not merely division of labor. It is also a division of laborers’ (Ambedkar, Annihilation of Caste, 1935). The ILP, in this perspective, put forward candidates for the 1937 elections primarily because this event offered an occasion to strengthen the political consciousness of the masses and, of course, to give them true representatives.

The contradiction between the philosophy projected by the ILP and the speeches of Ambedkar justifying his rejection of Marxism is obvious: he claimed to represent workers in general yet he denied a real significance to class analysis and emphasized that caste remained the basic unit of society. This contradiction was evident from the results of the 1937 election. In the Bombay Presidency, the ILP fielded seventeen candidates, thirteen in the constituencies reserved for the Scheduled Castes where they recorded eleven victories and only four upper caste candidates in the general constituencies where it gained three seats. Ambedkar, who had acquired national renown since the Round Table Conferences and his clash with Gandhi, had wished to establish his party beyond the Bombay Presidency. But in the Central Provinces and in Bihar the party gained only three out of twenty seats reserved for the Untouchables.47 These results clearly indicated that, in spite of his efforts, the ILP remained a party of Untouchables centered in Maharashtra, where, incidentally, it owed the lion’s share of its success to Ambedkar’s own caste, the Mahars. Most ILP candidates belonged to this caste; on the list of the
candidates, there was only one Mang while the other non-Mahar was an Untouchable from Gujarat. The Chambhars, whose socio-economic development exceeded not only that of the Mangs but also of the Mahars, were hardly represented in the ranks of the party. For them, as for the Mangs, Ambedkar was a Mahar leader and his party represented his caste – not the workers.48

With ten seats in the Legislative Council of the Bombay Presidency, the ILP became the second party of opposition to the Congress in the Province, behind the Muslim League, and Ambedkar was naturally one of the ten elected members. His interventions in the Legislative Council in 1937-8 focused mostly on ameliorating workers’ socio-economic conditions. Ambedkar’s main objective in the Legislative Council was the abolition of the systems of Vatan and of Khoti. On September 17, 1937, he proposed a bill to abolish the Vatan system under which Mahars were subjugated, but without evicting them from the land which they then occupied as payment for services rendered to the village.49 Ambedkar also proposed a bill to abolish the Khoti system by which land tax was collected by an intermediary, the Khot. Charged by the state to raise taxes in rural areas, the Khot could not only keep a part of the revenue accruing, but often set himself up as a local ‘minor Rajah’. This process occurred all the more readily as the Khot was often a member of an upper caste. Ambedkar sought the abolition of this function in exchange for compensation which should not exceed 1 percent of the sums collected by the Khot in his domain.50

The Congress, which commanded a large majority in the Legislative Council, opposed this demand, arguing that the Revenue Minister had already planned for reform of the Khoti system. The ILP responded by launching a rural protest movement. It was supported by Untouchable activists as well as by Kunbis, many of whom suffered under the Khoti system. On January 12, 1938, 20,000 farmers from the districts of Thana, Kolaba, Ratnagiri, Satara and Nasik gathered at Bombay for a demonstration that was led by Ambedkar. Communist Party of India members also participated and Ambedkar’s speech on this occasion was laden with Marxist overtones: “Really seen, there are only two castes in the world – the first, that of the rich, and the second, that of the poor... Just as we have organized and come here today, so we must forget caste differences and religious differences to make our organization strong”.51 For the attention of his ‘Communist friends’, he added that in spite of his reservations about Marxist theories ‘in regard to the toilers’ class struggle, I feel the Communist philosophy to be closer to us’.52 A delegation led by Ambedkar obtained a meeting with the Congress Chief Minister of the Bombay Presidency, B.G. Kher, but nothing came of it. This was not the first disappointment associated with the Congress government which had come to power after the 1937 elections. Ten months after Ambedkar had first presented his private bill to abolish Khoti, no vote had been scheduled on the subject in the Legislative Council. It was a clear indication of Congress’ reluctance to incur the hostility of the property-owners, Marathas or Brahmins, who dominated the party. Ambedkar’s activism against the Vatan and Khoti systems tended to project him as the spokesman of those who suffered from the traditional socio-economic organization in the
villages – and more especially of his caste since the Mahars were the only vatandars among the untouchables. But he was eager to reach out to the urban workers too.

In 1935, he had formed a trade union for the municipality employees of Bombay, the Bombay Municipal Kamgar Sangh, which grew from 800 members in 1937 to 1,325 in 1938, thereby representing more than 5 per cent of the city’s municipal workers. In September 1938, Ambedkar protested against the Industrial Disputes Bill whose aim was to impose a conciliation procedure between employers and workers in dispute. The Congress government justified the measure by citing the growing number of strikes, whereas Ambedkar contested their analysis, emerging as the defender of the right to strike, a fundamental freedom which he did not wish to see curtailed at any rate. When communist circles mooted the idea of a one day general strike, he accepted the proposition with alacrity, and a Council of Action, in which both communists and ILP leaders cooperated, organized the protest.

The meeting of November 6, mainly organized by the ILP, attracted 80,000 participants. The strike, the following day, evoked a good response. At another meeting, attended by nearly 100,000 people, Ambedkar called for workers to take power by electing their own representatives in the existing legislative bodies – he therefore ruled out any revolutionary agenda. But this stand did not prevent him from sharing the platform with the communist leader, S.A Dange. The Industrial Disputes Bill was nevertheless passed easily in the Bombay Legislative Council and the agitation subsided. The ILP gradually established itself as a fully-fledged organization. In 1940 Ambedkar endowed it with a red flag, in the upper left corner of which were eleven stars symbolizing the eleven provinces of British India, a sign of the party’s pan-Indian ambitions. In fact, the ILP remained confined to the Bombay Presidency but put down roots there: the Bombay city branch had 4,000 members in 1938. Keer emphasizes that the organizational efforts of Ambedkar had their limits: “Ambedkar did not try to organize his political party on modern lines. He had no taste for individual organization. There were no regular annual conferences or general meetings of the organizations with which he was connected. Where and when he sat was the venue of conference and the time for decision. The President or the Secretary or the Working Committee had to fall in line with his arrangement...When he wanted his people to assemble under his banner, he simply gave them a clarion call, and the organization sprang up like the crop in the rainy season." But Jaffrelot does not agree with Keer on this and argues that Ambedkar’s poor organizational skills need to be seen in a more nuanced way. He had no little success in establishing the Samata Sainik Dal (‘the party of the fighters for equality’) in the 1930s. The Dal provided the ILP with activists for street or door to door agitations as well as muscle men to maintain order during demonstrations. The Dal’s uniform included Khaki shorts – probably in imitation of the RSS, its great rival in the field – and a red shirt but its flag was blue, the traditional color of Dalit politics since then. In Nagpur, Vasant Moon recalls that the Dal inculcated a quasi-military discipline among young Dalits. Local members met at sunrise and sunset as did the RSS members. However, Jaffrelot agrees that the ILP was not as well structured as the RSS and that Ambedkar did not pay enough attention to this issue. Besides this organizational shortcoming, Jaffrelot...
maintains, the ideological contradictions of the ILP, gradually became untenable. The party could hardly become the representative of all workers whereas it was based on a network of Dalit activists. Not surprisingly, several Kunbi sympathizers gradually distanced themselves from it. Even the poorest considered themselves to be of a naturally superior rank to Untouchables. The line adopted by the ILP thus turned out to be unviable and, in 1942, the party was replaced by the Scheduled Castes’ Federation.58

The Scheduled Caste’s Federation and Caste Politics:

Ambedkar founded the SCF in July, 1942 in order to signal, as the name of the organization suggests, a shift in the political strategy: the emphasis was again on caste. The immediate reason for this decision was the Cripps Mission formula, which was submitted in March 1942 to resolve India’s constitutional impasse. It proposed the election of a Constituent Assembly without taking into account any of the demands of Untouchables, whereas Muslims were virtually guaranteed the prospect of a separate state, Pakistan. Ambedkar was not prepared to see his community’s interests sacrificed in this manner: “it is quite obvious that the proposal for a Constituent Assembly is intended to win over the Congress, while the proposal for Pakistan is designed to win over the Muslim League. How do the proposals deal with the Depressed Classes? To put it shortly, they are bound hand and foot and handed over to the caste Hindus. They offer them nothing: stone instead of bread. For the Constituent Assembly is nothing but a betrayal of the Depressed Classes... If they are there, they cannot have a free, independent decisive vote. In the first place, the representative of the Depressed Classes will be in a hopeless minority. In the second place, all decisions of the Constituent Assembly are not required by a unanimous vote”.59

In reaction to Cripps’s proposal the All India Depressed Classes’ Conference met at Nagpur. It brought together 70,000 delegates from Punjab, the United Provinces, Bengal and Madras Presidency, but in even larger numbers from Bombay Presidency, the Central Provinces and Berar. The first resolution voted on this occasion demanded a separate electorate for Untouchables; the second sought the establishment of separate villages for Untouchables, ‘at a distance from the Hindu villages’; and the third announced the creation of the Scheduled Castes’ Federation (Zelliot, 1970). The creation of the SCF therefore reflected a new mood, a new sense of identity among Untouchables. The Scheduled Castes wished to be recognized as a minority in the same way as Muslims were, and, as a consequence, sought the benefit, not only of separate electorate, but also of separate territories. From 1926 onwards Ambedkar had suggested that Untouchables should settle new lands; and in 1929, he had even proposed surveying unoccupied but cultivable areas of Sind and of Indore state, whose Maharajah he was close to (Keer, 1981). The general guidelines set out in the Nagpur resolutions were clarified by the Executive Committee of the SCF in September 1944, meeting in Madras. One motion reiterated that ‘the Scheduled Castes are a distinct and separate element in the national life of India and that they are religious minority in a sense far more real than the Sikhs and Muslims can
be and within the meaning of the Cripps Proposals’. Another resolution stipulated that no Constitution would be deemed acceptable to the Scheduled Castes if it did not have their consent. This proposition was conditional on the fulfillment of several demands: a separate electorate, a guarantee of representation within the executive and a special form of taxation for their own villages. The notion of Dalit villages crystallized around the same time. In 1944 Ambedkar confided to Beverley Nicholas, a British officer: “In every village there is a tiny minority of Untouchables. I want to gather those minorities together and make them into majorities. This means a tremendous work of organization — transferring populations, building new villages. But we can do it, if only we are allowed [by the British]”.61

About the same time, in Madras, Ambedkar met E.V. Ramaswamy Naicker, known as Periyar, a leader of low caste Tamils, with whom he discussed the desirability of setting up ‘Dravidasthan’ — a separate Dravidian political entity in South India. It was, in its way, a variant of the territorial demand formulated by the SCF in the name of the Untouchables.62 Ambedkar also shared with Periyar a critique of the Justice Party, an anti-Brahman party which came to power in Madras in 1920. He blamed its leaders for having reintroduced certain features of the Sanskritisation process: “Instead of abandoning Brahminism, they had been holding on to the spirit of it as being the ideal they ought to reach. And their anger against Brahmins was that the Brahmins gave them only a second class degree... One defect in the political programme of the Non-Brahmin [Justice] party had been that the party made it its chief concern to secure a certain number of jobs for their young men [of the intermediate castes]. During the twenty years the Party had been in office, it forgot the 90 percent of the Non-Brahmins living in the villages”.63

Ambedkar rightly attributes the decline of the Justice Party to a form of careerism which led it to betray its natural constituency. This critique was in tune with Ambedkar’s reorientation towards a greater focus on Untouchables per se, a project of which the SCF was the spearhead. As he declared in Madras: “You should realize what our object is... It is not fighting for a few jobs or a few conveniences. It is the highest cause that we have ever cherished in our hearts. That is to see that we are recognized as the Governing community”.64 During a meeting organized by the Railway Employees’ Union in Madras, he declared in the same vein, according to some press reports, that: ‘without minimizing the importance of Trade Union, he would like to emphasize the importance of capturing political power’.65

The elections of 1945-46 were to reveal that the party still had a long way to go before achieving such ends. They had a dual purpose in that they were about renewing the provincial assemblies and endowing India with a Constituent Assembly. The SCF fared badly in both respects, gaining only two seats in the provincial assemblies, one in Bengal, the other in the Central Provinces and Berar. This setback partly reflected the voting system. In the primaries in which only Untouchables voted, the SCF gained more votes than the Congress in the Presidencies of Madras and Bombay and in the Central Provinces. But these good results could not translate into a commensurate number of seats because of the electoral system. The situation in the United Provinces was
especially revealing of the distortions inherent in the electoral system. There twenty seats were reserved for the Scheduled Castes, including four urban constituencies, which were the only ones the SCF contested. In the primaries, nine of the party’s candidates were successful as against four for Congress – but in the second round the latter won all the seats due to the support of non-Dalit voters. The most dramatic result occurred in Agra, where four SCF candidates polled 46.39 percent of valid votes as against to 27.1 percent for four Congress candidates.66

This state of affairs could only strengthen Ambedkar’s stance in favor of a separate electorate for the Untouchables. His only hope in this regard lay with the British. He went to England in late 1946 to present his views in this regard. In spite of pressing his demands, Ambedkar was not heard by the British, who considered that the failure of the SCF in the elections of 1945-6 did not endow it with the status of an important player, or even merit a particular role in the Constituent Assembly.67

In addition to the impact made by the electoral system, a much plausible explanation of the SCF’s defeat lay in the tiny number of candidates nominated by the party: it did not field any at all in 129 of the 151 seats reserved for Untouchables, reflecting its organizational weakness. As Bandyopadhyay tartly pointed out: “the Federation had no organizational machinery”.68 In fact, the general opinion of the scholars on Federation suggests that it had no network of party branches and only a handful of cadres. The party relied very heavily on Ambedkar who was unable to spend much time in campaigning given his other commitments as a member of the Viceroy’s government. Zelliot underlines that he was also preoccupied in writing What Congress and Gandhi have done to Untouchables,69 one more indication that he was unquestionably as much an intellectual as a politician – if not as much an organization man.

Besides, as Jaffrelot notes down, the SCF’s defeat was also due to the remarkable popularity of Congress, including among Untouchables, because of its dedication to the freedom movement. In contrast, Ambedkar was painted as being “ unpatriotic” for having joined the Viceroy’s government. At the local level, he was depicted as a ‘traitor’, as evident from the election campaign in Nagpur, for instance.70 The very modest rise in the influence of the SCF gradually encouraged Ambedkar to revisit the ILP’s strategy in order to win support beyond Untouchables, albeit in a very different manner.

From the SCF to the RPI:

The 1951-2 Election Manifesto of the SCF continued to emphasize the need for more equality and stressed the promotion of the backward ‘classes’ through education and reservations in the administration. It advocated also land reform measures which would benefit Untouchables and ‘Other Backward Classes’ (the ‘backwards’ other than Untouchables – especially Shudras – to which the Constitution of 1950 had just promised special assistance). While it focused on caste politics, the SCF did not overlook class. In its manifesto the party committed itself to fight ‘oppression and exploitation of man by man, of class by class and of nation by nation’.71 However, the discourse of caste was
counterbalanced not only by an interest in class but also by a universalism which Ambedkar borrowed from Enlightenment philosophers.

The elections of 1951-2 delivered no better a result than those of 1946. The SCF won only 2.3% of the valid votes and two seats in the Lok Sabha, one in Hyderabad and the other in Bombay Presidency where Ambedkar was defeated and where the performance of the party was far weaker than expected. Ambedkar drew three conclusions from this electoral setback. First, it reinforced his opposition to the reserved seats system. No longer did he imagine an India endowed with a system of separate electorates but, failing that, he preferred the abolition of reserved seats, which tended to isolate the Untouchable electorate and hampered efforts to tap the votes of other social groups. In August 1955, the Executive committee of the SCF passed a resolution asking for the annulment of the system of reserved seats.

Secondly, Ambedkar realized that the SCF, when it raised the political consciousness of Untouchables, tended also to cut them adrift from the rest of society. Hence in Nagpur, in October 1956, he argued in favor of forming a new party with a broader mandate and encouraged activists to work with the leaders of other communities. The third lesson he drew from these elections was precisely the absolute necessity of forming alliances with other social and political sectors. He resumed a dialogue with the socialists of the Praja Socialist Party and later with Ram Manohar Lohiya’s Socialist Party. In 1954, he stood in a by-election at Bhandera (Maharashtra) on the same ticket as Ashok Mehta, a socialist leader – Ambedkar stood for the reserved seat of this dual constituency and Mehta for the general one.

The RPI was to be the end-product of these cogitations. Although it was formally established only in October 1957, the Republican Party of India was conceived by Ambedkar a short while before his death in 1956, when he was concerned with the need to forge an alternative to the Communist Party, whose appeal to the Untouchable electorate he feared. As he declared in 1956, “Before I die, I must establish a definite political direction for my people. They have remained poor, oppressed and deprived, and because of that, now, a new consciousness and a new anger are growing among them. That is natural. But it is also natural that this type of community becomes attracted to Communism. I do not want my people to fall under the sway of the Communists”.

Ambedkar consulted various socialist leaders, among them socialists like Lohiya, P.K. Atre and S.M. Joshi, to seek their support for his plan to form a new political party. He named it the Republican Party of India by reference to both Lincoln’s American Republican Party and to the ‘republics’ of India’s Buddhist era. The name also reflected his desire to return to the philosophy of the Independent Labor Party. Ambedkar was apparently able to combine two sets of objectives to represent the low caste groups – mainly Untouchables – so as to broaden his party’s appeal to all impoverished sections of society. The RPI in fact projected a program in which the notion of caste faded away behind that of class, but with the aim of appearing as a federation of oppressed populations discriminated against because of their ascribed status, be they Dalits, OBCs or Tribals. In the manifesto that the SCF produced before the February 1957 elections, the party had already indicated that it was ‘prepared to change the name and call itself the
Backward Classes Federation so as to include both sections in a common organization. The RPI adopted a name which allowed him to accommodate these groups and even more. The RPI was to position itself between the defense of Untouchables alone on one side and a politics of class on the other, a delicate balancing act.

Jaffrelot underlines that the RPI had to establish itself as the spokesperson of social groups which were the victims of an oppression related to their status, in the Weberian sense of ‘status groups’, in this case the Tribes and the lower castes – classified among the Scheduled Castes and Other Backward Classes. In this manner it broadened its audience beyond the Untouchables without falling into the Marxist trap of class or the liberal myth of the individual citizen. This dilution of Dalit identity also allowed for alliances to be struck with other political parties. This objective was pursued within the framework of the campaign to redefine the state boundaries of the Indian Union according to linguistic criteria. At first Ambedkar had been hostile to the dismemberment of Bombay Province that such a reshaping of the Indian map would entail. From his point of view, the creation of Provinces speaking Gujarati, Marathi, Kannada, and Telugu could only strengthen the demographic (and, therefore, political) weight of the dominant castes. In Maharashtra, the Marathas would be the first beneficiaries of such a measure; they could in this way consolidate their hold over Untouchables. Yet the strength of linguistic regionalism was such in Maharashtra that Ambedkar helplessly or pragmatically joined the movement (Jaffrelot, 2005).

As party leader Ambedkar oscillated between two strategies. He tried first to attract not only Dalits but all kinds of workers by establishing the ILP. But the broad agenda of this party was hard to reconcile with the core Dalit ideology and sociology of Ambedkarism. Hence the launch of the SCF was an effort to hark back to the cause of the Untouchables. However, the scope of the party turned out to be too limited and therefore Ambedkar went back to the initial philosophy of the ILP in a different way: with the RPI he tried to set up an organization representing all those of low status, the Scheduled Castes, the Other Backward Classes and the Scheduled Tribes. The class option, as is underlined by J. Gokhale, was based on a reading of Untouchability in socio-economic terms which allows Untouchables to seek allies among other castes suffering from similar handicaps. Thus it can be witnessed that Ambedkar was not only a social reformer with a philosophical bent of mind but was also a remarkable statesman searching for an electoral strategy and changing his positions as per the demands of electoral politics. But, in Ambedkar, these components of electoral politics worked only as the indispensable means to serve the greater end of social emancipation through the agency of politics.

Reorganization of States:

Indian state has ever since colonial era faced with the problems of linguistic reorganization of states. Partition of Bengal in 1905-6 was probably the first political issue to have caused the first mass mobilization on Indian subcontinent. This was followed by a series of linguistic agitations to be culminated in 1950s when Indian
government was forced to appoint State Reorganization Commission (SRC) to study the issue of reorganization of States along linguistic lines. The Congress Party remained oscillating regarding this issue. At the Nagpur session in 1920, the Party under the leadership of Gandhi adopted the linguistic redistribution of provinces as a clear political objective and in the following year the Congress was reorganized along these lines. In 1927 the Congress adopted a resolution that “the time has come for the redistribution of provinces on a linguistic basis” and constituting Andhra, Utkal, Sind and Karnataka into separate provinces could make a beginning. Members supporting the resolution referred to the right of self-determination of the people speaking the same language, and bound by the same tradition and culture. However, the partition of the country and the riots immediately following it brought a change in the thinking of Congress leaders.

In the Constituent Assembly, on 27 November 1947, soon after partition, Prime Minister Nehru argued, “First things must come first, and the first thing is the security and stability of India”. This change is also reflected in the reports of the Dar Commission and the JVP Commission, which showed that the reconstitution of provinces solely on linguistic basis was no longer taken for granted. Between 1951 and 1953 the agitation for the formation of a separate state of Andhra became acute, and its formation in 1953 led to strident demands by people in other regions. There were demands for a Greater Gujarat, Maha Punjab, United Maharashtra, Maha Vidharbha, and a separate Karnataka etc., many of which conflicted with each other. In the backdrop of this, SRC was appointed and asked to submit its report. Discussing the seminal issue of linguistic reorganization the SRC initially pointed out its advantages. It was of the view that in a federal system each unit must be homogenous and in India, “language provides the only rational basis of for reconstructing the states, for it reflects the social and cultural pattern of living obtaining in well-defined regions of the country”. Each state could use its own language for purposes of administration and education. This would encourage the people’s participation in decision-making and welfare programmes, and all linguistic groups would gain “political and economic justice”. In contrast, in multilingual states, all the benefits of government policies would go to the majority community, creating animosities. The Commission argued that unilingual rather than composite states would be better, particularly as many states were already unilingual, and such a promise had already been made during the national movement.

At the same time, the SRC also emphasized the dangers inherent in unilingual states and suggested means to overcome them. Unilingual states could encourage exclusivism and weaken the unity of the nation, which was already fragile. The use of regional languages would mean lack of common language of administration and common educational standard. Even national planning would be vulnerable and maximum utilization of resources would not be possible leading to uneven economic development. The Commission also warned against the consequences of the notion of a ‘homeland’ for each language group, and overemphasis on state autonomy, which could lead to regional loyalties. Finally, the SRC recommended that the linguistic factor should not be deciding but the other factors, such as financial viability, size, etc., should also be considered, and each case separately considered on its own merit. When the evidence had been examined, the Commission recommended a redrawing of India’s political geography along lines,
which more or less coincided, with many of the linguistically based demands. On the basis of these factors, the Commission recommended the break-up of the three categories of states (A, B and C) and the creation of only two types, namely, states and union territories, the latter being centrally governed. While part A states provided the standard and were to be maintained with some changes, the other two categories would be integrated into the nearby part A states on the basis of language.

Sixteen states on the basis of language were to be formed, with the exception of the bilingual states of Bombay and Punjab, and all remaining minorities in them, linguistic or otherwise, were to be granted safeguards within the Constitution. The interval between the submission of the SRC’s report in December 1955 and the official demarcation of states on 1 November 1956, was marked by demands and counter-demands by various groups based upon the linguistic principle, which forced the government to modify some recommendations of the Commission. Thus the reorganization of the states as it was carried out in 1956 was in response to the strident and often violent and popular pressures of the time. Members of the Congress party in the states, particularly Maharashtra, Karnataka and Andhra, also were insistent and made representations before the SRC for linguistic reconstitution. Many and varied groups competed for recognition as units of the newly designed Union. While some felt that Nehru had bowed to pressures, others believed that he had bowed to democracy.

Ambedkar’s Views on Reorganization:

It has justifiably been believed that Ambedkar’s views regarding the reorganization of states along linguistic lines have been largely sidelined by the Nehruvian Government. His views were outlined in his Statement to the Linguistic Committee in 1948, in which although his primary focus was on the state of Maharashtra, general principles pertaining to all states were also outlined. In keeping with other political leaders of his time, Ambedkar agreed that the popular demand for linguistic states had to be recognized and examined. However, unlike the SRC, for him, the most important justification for reorganization on linguistic lines was the ‘definite political advantages’ that would accrue for the functioning of a democratic polity in India. Democracy would work better in linguistic provinces, rather than in mixed provinces, as social homogeneity, i.e., the position of a common language and culture would promote unity; whereas heterogeneity would result in division into hostile groups, and power would be used to promote the interests of a particular group which would then dominate the others.

A unilingual state would be more stable than a multilingual state, which he felt was also borne out by an examination of other states such as Germany, France or Italy, which are homogenous states with a single language. Based on this principle Ambedkar was critical of the retention of a mixed state of Bombay as advocated by the SRC. He pointed out that the intense enmity between Maharashtrians and Gujaratis or Andhrites and Tamilians was well known. Separate linguistic states would therefore remove cultural tension and strengthen democracy.
Ambedkar was nevertheless aware of the dangers inherent in the creation of linguistic states. First, a linguistic state with its own language could in time develop into an 'independent nationality' and India could become a 'medieval' society consisting of warring states. Second, within the states, castes are so distributed that in any given area one or two castes are dominant, and others are subservient to it. This subservience arises from their smaller numbers and economic dependence on the dominant castes as the latter own not only most of the land in the villages, but also businesses, jobs, etc., in the urban areas. This could happen, Ambedkar argued, for example, in Punjab where Jats, in Andhra Pradesh the Kammams and Reddys, in Karnataka the Lingayats and Vokkaligas, and in Maharashtra the Marathas are dominant. It would have important repercussions on the system of single-member constituencies adopted under the Constitution, as voting is always community based, and the candidate of the majority community would win due to support of sheer numbers, and not competence. Moreover, there is not only a hierarchical status system, but each caste has all the exclusiveness and pride, which a nation has, leading to a collection of “major and minor nations” on the subcontinent. With the creation of linguistic states, Ambedkar seems to be ambivalent, these rivalries would be sharpened, and the minorities would be crushed.\(^83\)

Ambedkar differentiated between a political majority that constantly undergoes change in a democratic system, and a communal majority, which remains fixed even in democratic societies.\(^84\) Ambedkar seems to use the vocabulary of a scientist in his observation that as the area of a state increases, the proportion of the minority to majority decreases, rendering the minority position precarious and providing opportunities for the majority to practice greater tyranny. He illustrated this with reference to Maharashtra where he pointed out the proportion of caste Hindus to Untouchables would be fourteen to one. The creation of smaller states would make the burden on the minorities much smaller enabling them to bear it and fight against it politically. To protect the minorities the Constitution would need to be amended to make provision for a system of plural-member constituencies with cumulative voting. Where Ambedkar disagreed with the SRC and leaders of the Congress was in advocating a number of ‘checks and balances’ which he felt would remove the dangers inherent in such a reconstruction.\(^85\)

He further argued that the official language of the entire country should be Hindi, and until it was accepted and learnt by all, English would continue. This was inevitable, he said, as separate regional languages would lead to the Center having to communicate with every state in a different language, and separate regional languages would divide people, leading to regionalism. Second, and more important, people speaking the same language did not need to be grouped into only one state, but there could be more than one state with the same language. The formula of ‘one state-one language’, he pointed out, was not be confused with that of ‘one language-one state’. The latter meant that all people speaking one language would be brought under one government, irrespective of area, population, and dissimilarity of conditions among the people. A related aspect highlighted by Ambedkar was that the SRC, by creating big states, had introduced a new political problem of North versus South. As one of the most suited means to remove the tension between the north and the south, Ambedkar suggested that the national capital
should be relocated from Delhi to Hyderabad which was not only far from the borders and hence easily defended but also this would make the south feel closer to it.  

Coexistence of Rights, Democracy and Socialism in a Good Society:

After dealing with Ambedkar’s ideas of rights, democracy and socialism, it remains the important task of this chapter to portray Ambedkar’s vision of an ideal society and the coexistence and mutual compatibility of rights, democracy and socialism in the same. As rightly said that ideological naming of Ambedkar is not an easy task primarily because he did not belong to the camp of philosophers/ideologues who would first of all exhibit their compartmentalized ideological belonging and thereafter approach to the real problems and issues and never compromise with their predetermined ideology in order to resolve the noted problems. Ambedkar on the contrary belonged to the camp of philosophers who would first go to the people to comprehend their basic problems and thereafter empirically theorize them across the predetermined ideologies. This probably might have been one reason for perpetual and restive silence of the academicians over Ambedkar, as the very world of academia was compartmentalized on academic lines, especially in the era of ideological polarization (cold-war era).

Ambedkar believed that a good society cannot but be democracy – a democracy informed with rights and socialism. As Prof. Rodrigues notes that in constructing the relation across them Ambedkar laid great stress on human agency and a strong state. The notion of rights, apart from democracy and socialism mentioned above, gets a significant place in Ambedkar’s project of political nationalism. Conceptually speaking, the doctrine of rights emerged in the seventeenth and eighteenth centuries through the idea of natural or God-given rights, particularly as used by social contract theorists. Rights thus developed remain primarily an expression of liberal individualism. However, the language of rights has come to be adopted by almost all political traditions and thinkers across the ideologies and nation-states. This reflects the fact that rights are the most convenient means of translating political commitments into principled claims. The most significant divisions over rights therefore focus not upon whether or not they exist, but upon which rights should be given priority and with what implications. Negative rights, for instance, have traditionally been supported by liberals, who see them as a means of defending the individual from arbitrary government, but have been attacked by socialists on the grounds that they may merely uphold private property and thus class inequality. Positive rights, on the other hand, are favored by socialists who wish to defend welfare provision and economic intervention, but are condemned by some liberals and supporters of the New Right because they breed (as per their claims) dependency and weaken self-reliance.

Thus it can be derived from a glance at the debates on ‘rights’ that absence of rights makes the happiness of individuals depend on the chance benevolence of the powers-that-be. The concept of rights, therefore, originates from the voice of protest against oppression perpetrated by the dominant groups in society. Rights are meant to safeguard the individual from the irresponsible and arbitrary use of power by the ruling class. As R.M. MacIver, in his Preface to Great Expressions of Human Rights (1951) has
remarkably observed: “Over most parts of the earth and throughout the major range of recorded history the masses of men have lived in a condition of misery and oppression. Nearly everywhere small dominating groups acquired the techniques of power and used them to keep in subjection their fellowmen... In every age the voice of protest has been heard. In every age the vision of human liberation has been glimpsed” (MacIver, 1951).

Ambedkar made no exception to these political traditions and avowal of rights is also central to his entire projects. He quotes the philosopher Jacques Maritain: “Human person is both a physical and spiritual microcosm; subsistent in an independent manner; more a whole than a part; while being a minute fragment of matter, he is at the same time a universe; image of God; belongs to the order of things naturally sacred”.88 Elaborating upon this Prof Rodrigues holds that the terms of association among such human beings have to be based on liberty, equality and fraternity in sequence which we find replete in his writings. Rodrigues in his work “Good Society: Rights, Democracy and Socialism” (2007) has emphasized primarily upon three most celebrated rights of the modern age – liberty, equality and fraternity – which Ambedkar was one of the greatest champions of in India not only in academic sense but also in his spirit of statesmanship.

Rights that embody liberty, equality and belonging cannot be endowed merely in a discrete way. While being separate they also constitute a unity. Ambedkar employs the metaphor of ‘Trinity’ – the three gods in one – to denote their net aggregate value. They form a union of trinity in the sense that to divorce one from another is to defeat the very purpose.89 Rodrigues quotes Ambedkar, “Without equality, liberty would produce the supremacy of the few over the many. Equality without liberty would kill individual initiative. Without fraternity, liberty and equality could not become a natural course of things. It would require a constable to enforce them.”90 Ambedkar inveighs against the Indian social order for being hostile to the fostering of these rights. The Indian social order, he thinks, is based on graded inequality embodying deference upwards and contempt downwards. Such a consciousness is not merely extremely regulative but is deeply internalized. Socio-economic relations are deeply stamped with it. Ambedkar is therefore often at a loss on how such a condition can be overcome. The constitutional and legal order and organized power of the state can provide a degree of support for the purpose. However, any long term transformation can come only through social arrangements, which embody these values. Therefore, such interventions as personal codes, education and eventually Buddhism seem so significant to Ambedkar (Rodrigues, 2007).

Refuting the suggestions by many scholars on Ambedkar that he was merely a hack doing the bidding of others as chairman of the drafting committee of the Constitution, Rodrigues maintains that the organization and presentation of the scheme and enumeration of rights was well developed by Ambedkar much earlier in several of his memoranda and representations submitted in earlier years. Ambedkar’s categorization and organization of rights trace an interesting trajectory. Their significance can be appreciated only by hindsight, particularly in terms of the contemporary debate in the UN for a about the different types of rights – civil and political, social and economic and right to community and environment, etc. Ambedkar acknowledges both individual rights and
group rights although group rights remain primarily ameliorative and protective and primacy is accorded to individual rights. Rights of equality have definite preference over other claims. Rights of liberty are much more qualified and a strong state is ensured. Ambedkar initially suggested incorporation of certain socialist principles as integral to fundamental rights and was against Article 31 upholding the right to private property. Thus the complex construction of rights embodied in the constitution and their affiliation to an egalitarian democratic order could not be realized, as the vision that infused this document was not widely shared.91

Thus it can be concluded that in spite of all the ambivalence present in Ambedkar's theory of rights, he never oscillated on the question of relevance and role of rights in the emancipation of the oppressed and untouchables on the one hand, and their role in the formation of homogenous civic-spirit on the other hand. Thus conceptually speaking, he obviously seems to disapprove the whole idea of “Negative Right” propounded by classical and neo-liberals and come much closer to the defense of socialists' concept of “Positive Right” wherein a sensible State is supposed to rush to the rescue of poor and oppressed. With Ambedkar's ideas of 'democracy' and 'socialism' dealt already above, it can be undoubtedly be deduced that Ambedkar's weltanschauung had internalized, more than anything, an idea of “Good Society” informed with elements of democracy, rights and socialism. This has been one reason why Ambedkar in the first breath seems to go closer to liberalism and in another breath to socialism and yet again to indigenous Buddhism. As all these ideologies, Ambedkar believed, are nothing but means to achieve the sacredly consensual end of good society.

Representation:

To represent means, in everyday language, to 'portray' or 'make present', as when a picture is said to represent a scene or a person. As a political principle, representation is a relationship through which an individual or group stands for, or acts on behalf of, a larger body of people. Representation differs from democracy in that, while the former acknowledges a distinction between government and the governed, the latter, at least in its classical sense, aspires to abolish this distinction and establish popular self-government. Representative democracy may nevertheless constitute a limited and indirect form of democratic rule, provided that representation links government and the governed in such a way that the people’s views are effectively articulated or their interests secured.

However, there is no single, agreed theory of representation. Andrew Heywood (2000) suggests that the term may have one of four sets of implications. First, a representative may be a trustee, a person who is vested with formal responsibility for another’s property or affairs. This was classically expressed by Edmund Burke (1729-97), who argued that representatives serve their constituents by thinking for themselves and using their own, mature judgment. Just opposed to this view was expressed by one of Burke's contemporaries, Rousseau, who asserted that people simply cannot be represented into a parliament. Second, a representative may be a delegate, a person who is chosen to act for another on the basis of clear guidance or instructions. Delegation implies acting as a
conduit conveying the views of others, without expressing one’s own views or opinions, for instance, sales representatives and ambassadors, etc. Third, a representative may be a person who carries out a mandate, in the sense that such people are obliged to carry out the promises upon which they fought an election. This theory implies that political parties rather than individual politicians are the principal agents of representations. Fourth, a representative may typify or resemble the group he or she claims to represent, usually coming from the group itself. This is embodied in the idea of a ‘representative cross-section’, and implies that a representative government or parliament would constitute a microcosm of the larger society, containing members drawn from all groups and sections in society, and in numbers that are proportional to the size of the groups in society at large.

Electoral reservation, like job reservations and educational assistance, is one of a series of measures used in India directed towards achieving greater equality of outcome across social groups. These are described by Marc Galanter, in his comprehensive survey of the legal basis of such measures, as ‘compensatory discrimination’, or outside the Indian context as ‘affirmative action’ (Galanter 1984). Such measures have been used when a perception exists that social attributes of a group hinder their ability to take certain opportunities, leading to an unequal outcome that requires redress. In terms of electoral politics, a growing literature on ‘group representation’ has examined the need to change the rules of electoral competition in order that the outcome, in terms of the social composition of the legislature, is more representative of certain social groups.

Anne Phillips presents the changing nature of the debate over representation as a conflict between what she terms the politics of presence and the politics of ideas. She writes: “Many of the current arguments over democracy revolve around what we might call demands for political presence; demands for the equal representation of women with men; demands for a more even-handed balance between the different ethnic groups that make up each society; demands for the political inclusion of groups that have come to see themselves as marginalized or silenced or excluded... The politics of ideas is being challenged by an alternative politics of presence” (Phillips 1995: 5). The politics of ideas here implies the Westminster system, although Hanna Pitkin (1967) describes numerous, often competing and sometimes overlapping, views about what the basis of a system of representation is (or should be). These differing views of representation were often motivated by group representation. Mill’s work on representation was motivated by a fear that the intelligent minority would be swamped under a majoritarian electoral system, and Burke rejected the idea that Irish Catholics could be represented without any group presence in the legislature (see Williams 1998: 33-50). Phillips echoes Pitkin’s criticism of any one dominant conception of representation, arguing that ‘while the politics of ideas is an inadequate vehicle for dealing with political exclusion there is little to be gained by simply switching to a politics of presence’ (Phillips 1995: 25).

However, this does not rule out measures such as electoral reservation, which maintain the main functions of a majoritarian electoral system, whilst appending a measure which changes the social composition of the legislature whilst having a minimal effect on the structure of party competition (McMillan 2005: 3). The growing acceptance of the idea of
group representation is seen in work emanating from North America, where the strong tradition of individualistic liberalism has previously set a high premium on any attempt to introduce ideas based around group rights. Three authors, Charles Beitz, Will Kymlicka and Melissa Williams, have recently attempted to face this challenge and each of them has come to surprisingly similar conclusions. Will Kymlicka sees historical discrimination as a justification for special treatment of certain groups: ‘the historical domination of some groups by other groups has left a trail of barriers and prejudices that makes it difficult for historically disadvantaged groups to participate effectively in the political process’ (1995: 141). However, a more complex reading of the internal homogeneity of groups, and how this relates to institutional structures, makes Kymlicka wary of rigid procedures for group representation, rejecting the notion of ‘mirror’ representation and suggesting that a threshold of representation for certain groups is necessary to prevent exclusion (1995: 146-7).

These theories of group representation share a common concern that legislative representation is an important, if not overriding, element of democratic representation. There is an acceptance that procedural democracy has struggled to cope with the question of group representation, particularly where there are groups that have faced a history of discrimination. Each of the authors are willing to accept piecemeal measures that seek to increase the level of group representation for certain groups, and although William notes that the structural effects of the FPTP (first-past-the-post) electoral system work against group representation, there is no guidance as to how to judge the success or failure of institutional innovations (McMillan 2005: 5). Criticism of preferential policies has come from Brian Barry (2001) who defends liberal proceduralism against the argument that concessions should be given to certain groups in the interest of maintaining a multicultural identity within society. He argues that identity should be sufficiently protected by universal freedoms, rather than by privileging certain groups within society and a focus on the special rights of particular groups acts as distraction to questions of socio-economic inequality. Even Thomas Sowell (1990) through a wide-ranging study has suggested the same conclusion.

The Question of Representation of the Oppressed in India:

Much of the justification for electoral reservation for Scheduled Castes and Scheduled Tribes relates to their socio-economic disadvantages, which have been seen both as a defining element of their separate group identity, and as a consequence of discrimination which necessitates political intervention. The question of the representation of the Depressed Classes emerged as a minor theme, but slowly became more important, intersecting, as it did, with the politics of mass mobilization, elite accommodation, and balancing of different interest groups in colonial India. Behind the issue of how to represent the Depressed Classes lay broader questions of how members of certain caste groups related to the wider society, their religious identity, and how they would align themselves if given the vote. Articulate leaders from the Depressed Classes, such as M.C. Rajah or B.R. Ambedkar, were able to take advantage of the influence available through the British system of consultation and the developing institutions, and challenged the
right of other leaders, including Gandhi, to speak for the interests of the Depressed Classes. The lack of coherence behind the system of representation being developed by the British, and its reliance on a rather abstract balancing of interests amongst commercial, religious, and other groups, provided opportunities for the leaders of groups to bargain over outcomes in a situation of great uncertainty. In these circumstances, the issue of political identity of the Depressed Classes was highly important, and also open to contestation. At this point, the central question concerned the issue of who could speak for the Untouchables. Ambedkar claimed that the Untouchables had specific interests which could only be articulated by members of their own community; without special measures the Untouchables would be marginalized and the legislative and governmental process distorted. Gandhi challenged this view, arguing that the Untouchables were best represented as part of the broader Indian society. He argued that special political measures for the Untouchables would accentuate and perpetuate social fragmentation. Whilst Ambedkar presented his views on the representation of Untouchable interests in terms of abstract argument, often channeled through reports and evidence to British government committees and conferences, Gandhi’s style was his own idiomatic blend of personalized campaigns, protests, and face-to-face negotiations. Thus the debate was couched not just in terms of a contrast of ideas, but also in a fascinating contrast of political idiom.92

Ambedkar’s Conceptualization and Application of Representation:

Beginning as a learned person to represent the Depressed Classes evolving as a leader as well, Ambedkar’s career spanning more than three decades (1919-1956), in India and abroad, enabled him to exercise a broad vision on representation in legislative, executive and in the services. For him, representation meant two things: representing opinions and representation of persons. In societies that cherish commonalities in terms of culture, religion, economy, etc., the institutionalization of representing opinions was possible. But, in multi-cultural societies, representation of opinions would not adequately fulfil the needs and interests of diverse groups. On the contrary, distortions of opinions in antagonistic terms can be expressed as manifested between Hindus and Muslims in India. In a society with majority and minority group’s personal representation alone could secure their interests. In a democracy, a government could not claim to be democratic when it was merely a government for the people. It had also to be a government by the people, the governed being eligible to partake in the state organs so that the lawmakers were not always the privileged few.93

The two possible modes for personal representation were: one, reserved constituencies especially for the minorities in a society with more or less congruity; and two, communal electorates for a society with diverse communities. Given the infructuous implications on personal representation resulting from the restricted franchise, Ambedkar argues for deferring qualification. That is not merely the underdeveloped regions vis-à-vis more developed regions should be given more weightage in franchise but the uneducated and poor as well. However, the logic of the physical majority usurping franchise is anti-democratic in his perception. It should rather be determined by the condition and
necessity reflected by the material and educational inadequacies of the population. Nomination, on the other hand, restricts the freedom of the representatives and retards their political education. Beyond electoral representation, Ambedkar theorized that representation in the offices of the state, i.e., in the administrative services, also formed an inalienable right of the citizens (BAWAS, Vol. 5, 287). For him representation in all its forms is not a gift; rather it is ‘self-determination’ of the groups, and cultures determined by the rights of the individuals (Ibid. Vol.1, 251). Ambedkar argued for communal representation through reserved seats according to the population of the Depressed Classes. Untouchability and its continued survival benefited caste Hindus. Only Depressed Classes, therefore, could represent their own interests and none else. When it was pointed out that such a system would perpetuate the social divisions, he argued, “those who uphold the divisions are the loudest in their expression of this argument”. Communal representation was a way of dissolving the social divisions. When the isolated castes interact with others on an equal footing, “resocialisation of the fossilized attitude occurs through cooperation and contact” (Ibid., 251-65). Ambedkar categorically argues that joint electorate or separate electorate should be considered according to the purpose of group interests and not as rigid principle. While recognizing the significance of separate, he is not oblivious of the relevance of joint electorate to protect the interests of the minorities equally.

Between 1930 and 1935, Ambedkar and Gandhi sought to assert their right to speak for the Untouchables, and present their best interests in the Constitutional negotiations which were instituted by the British rulers. Each sought to present his views in terms of both the rights of the Untouchables to be heard, and the broader interests of the Indian people. For Ambedkar, this tended to be in a context of a separate Untouchable community, of which he, as an Untouchable, had a special sympathy. Gandhi challenged both the distinctiveness of Untouchable claims as a homogenous community, and that only Untouchables could speak for Untouchables. Each sought to present an alternative picture about what the Untouchable community demand, if given a voice, and should demand, if that voice were correctly articulated. However, for both it was a question of interpretation, depending on how the British would react to such claims, and how the political structures established by the British would assert or distort the views of the Untouchables. But one remarkable difference between both was that while Gandhi was a romanticist in his approach towards Untouchables and relied heavily for the betterment of the Untouchables on the philanthropic goodwill of the upper caste Savarnas; Ambedkar was realist and legalist in his approach regarding the Dalit question as matter of constitutional rights and guarantee.

**Conclusion:**

This chapter deals with various aspects of democracy and in particular, Ambedkar’s ideas of democracy and also looks into the ways these ideas connect themselves with the forces of nationalism in Ambedkar’s world-view. Ambedkar was keen on not letting the idea of democracy flirt with Indian nation-in-the making. Ruling out the idea of Indian democracy being a mere political democracy, he argued that no democracy can sustain
itself longer without being deeply entrenched into society and no society can be a
democratic society unless the individuals, that constitute the society, have a democratic
bent of mind. Ambedkar, therefore, was keen on reconciling individual psyche with
social milieu and only on this foundation of happy marriage between the two; a nation
could be built up. To actualize such a notion of democracy, Ambedkar dwells upon the
element of fraternity as the balancing force between liberty and equality. Fraternity,
which he preferably calls ‘Maitree’, is not a shallow import from French revolution but
traced from indigenous Buddhist tradition. Even the spirit of republicanism, to
Ambedkar, was not unfamiliar with ancient India. Similarly, Ambedkar does away with
certain traditional structures like caste system and personal laws etc. which he regarded
as pernicious to the very idea of democracy.

Any endeavor to evaluate Ambedkar’s theory of democracy vis-à-vis the Western
theories of democracy would make it appear that he was not insomuch closer either to the
classical-individualist model of protective-democracy or to the developmental-elitist-
participatory model of J.S. Mill, or for that matter even to the socialist-Marxist model of
class-ridden democracy, as he seemed to the ‘deliberative democracy’. As far as the
model of protective democracy is concerned, Ambedkar’s first disagreement with it was
that unlike early Liberals, he was the champion of Strong and interventionist
State and did not put his trust on market to deliver justice. Another dissent Ambedkar had with
early Liberals was on the fact that they believed that individuals did not derive their
identity from a community and they were not bound to it by any sense of duty; whereas
Ambedkar did not discard the crucial role which community plays in the formation of
individual identity.

While Ambedkar does share with J. S. Mill the liberating element of participatory
democracy, he might have objections to the elitist element in Mill especially when he
advocates the plural voting for the educated. Finally, he would rule out the socialist-
Marxist model of democracy as well for its de-recognition of individuality or say,
individual psyche as well as for the spiritual reasons. In the last instance, Ambedkar
seems to hold on to the deliberative or discursive model of democracy wherein he would
begin with not only recognizing the difference but also positively enable the state to
practice the preferential treatment for the disadvantaged and minority groups. But this
idea of celebrating difference, to Ambedkar, does not go in conflict with creating a
national consensus across all sorts of groups. Thus it can be affirmed that in the last
instance Ambedkar’s theory of democracy gets reconciled with nationalism.


6. Ibid., pp. 300.


15. Ibid.

16. Ibid.


18. Ambedkar, Address to AITU Camp, Delhi, 17 September 1948.


22. Ibid., pp. 172-3.


24. The Times of India, Bombay, 21 March, 1940.


31. Ibid., pp.87.

32. Ambedkar’s address to the session of the All-India Scheduled Castes Federation, Bombay, May 6, 1945.


37. Ibid., pp. 11.

38. Ibid., pp. 12.

39. Ibid., pp. 12.


46. Ibid., pp.75.

47. Duncan, R.I. – “Levels, the Communication of Programmes and Sectional Strategies in Indian Politics”, (University of Sussex, 1979), pp. 214.


50. Ibid., pp.96.


52. Ibid., pp. 198.


57. Moon, V. – “Growing up Untouchable in India”, pp.66.


60. Ibid., pp. 353.


62. The Times of India, 24 Sept. 1944.

63. Cited in *The Hindu* (Madras), 26 September 1944.

64. Cited in The Liberator, 26 Sept. 1944.

65. Ibid., 24 Sept. 1944.


71. Ibid., pp. 84.

72. Duncan, J. –“Levels, the Communication of Programmes and Sectional Strategies in Indian Politics”, op. cit., pp.236.

73. Ibid., 226-7


76. Election Manifesto of the Scheduled Castes Federation, SCF. 1957, pp. 14 (Ambedkar papers, NMML, Section of microfilms, Reel no. 2.)


83. Ibid., pp. 203.


85. Published in Times of India, 23 April, 1953.


90. Ibid., pp. 146.

91. Ibid., pp. 148.

