
Ambedkar's Constitution and The Question of Lived Experience in India: An Analysis ¹

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India celebrated its 76th National Constitution Day on 26th November 2025. The Constitution of India has the distinction of being the lengthiest constitution of the world, currently having 448 articles, 25 parts and 12 schedules. The document contained, among other things, details of the Fundamental Rights and Fundamental Duties, Directive Principles of State Policy, working of the Legislature, Executive and Judiciary, both at the Union and the State level, etc. This detailed framework given in the constitution is one of the major reasons why, unlike many of the Third World countries, India never witnessed military rule since its independence in 1947. Despite these achievements, Indian society continued to be ridden by casteism, communalism, gender and class discrimination, etc. B.R. Ambedkar, writing back in 1945, argued that the future constitution of India should ensure to all its citizens the right to life, liberty and pursuit of happiness. This can be possible only when the constitution aims at establishing social and economic democracy based on the lived experience of the people of India, particularly the Scheduled Castes and the minorities. This work aims at exploring how Ambedkar tried to address the everyday social problems in India by proposing several provisions for inculcating in the constitution of independent India, many of which were not ratified by the Constituent Assembly.

Keywords: B. R. Ambedkar, constitutional morality, lived experience, minorities, scheduled castes.

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The Indian Constitution has a distinction of being the lengthiest written constitution in the world, currently having 448 articles, divided into 25 Parts and 12 Schedules. The constitution makers took 2 years, 11 months and 18 days to complete this lengthy document. The Constituent Assembly formally adopted the Constitution of India on 26th November, 1949, which, even today, is celebrated as the National Constitution Day, although it was enforced on 26th January, 1950. One of the major reasons behind India's successful journey as a democratic country lies in the fact that its constitution has provided clear guidelines regarding the functioning of the government and that it is impossible for any branch of government or any institution to go beyond its limits. This is why, unlike many of the Third World countries which attained independence during the mid-20th century, India never witnessed any kind of mass insurgency or military coup since its independence in 1947. Except a brief period of national emergency between 1975-77, elections in India have taken place on regular basis at the national, state and local level. All these are the clear evidences of the success of Indian democracy at the political level. However, the question remains whether the democracy can be reduced to voting and elections? What about the millions of people in India who are discriminated because of their caste, religion, gender, language, region, etc. in their everyday life? Dr. B.R. Ambedkar was the founder of All India Scheduled Castes Federation (AISCF) and later on became the Chairperson of the Drafting Committee of the Constituent Assembly of India. On behalf of the AISCF, he drafted a memorandum in 1945 and submitted to the Constituent Assembly. He published this memorandum with the title *State and Minorities: What are their Rights and how to Secure them in the Constitution of Free India* in 1947. In this memorandum, he advocated the idea that the independent Indian state shall ensure to all its subjects the right to life, liberty and pursuit of happiness. Unlike John Locke who advocated for the right to life, liberty and property, Ambedkar knew that the majority of the masses in India either have no or very small amount of property. Through this phrase, Ambedkar wanted to add a qualitative dimension to the rights of the citizens based on their lived experience. This qualitative dimension, for Ambedkar, shall be the guiding

principle for the branches of government in independent India. Most of the works on Ambedkar's idea of democracy revolves around either his ideas of social justice or his views on destruction of the caste system. However, there is hardly any work available which attempts to show how Ambedkar tried to broaden the scope of democracy by addressing the everyday problems of the society based on the lived experience of the majority of the people in India, particularly the Scheduled Castes and the minorities and this is the gap this paper intends to fill. The author has mainly relied on the content analysis of the primary sources, i.e., books and other documents written or prepared by Ambedkar himself as well as secondary sources which include books and journal articles written on Ambedkarite ideas and concepts for writing this research paper. It must be pointed out here that Ambedkar used the term 'United State of India' in the Memorandum of 1945. Also, Ambedkar, on many occasions, used the term 'depressed classes' to collectively refer to the minorities and the Scheduled Castes. Therefore, in this paper, the author shall also use these terms in a similar sense as it was used by Ambedkar.

Understanding Lived Experience

Before going into the details of Ambedkar's idea of everyday democracy, it is necessary to understand the idea of lived experience. The concept of lived experience is particularly a matter of debate among phenomenologists who try to study a phenomenon as they appear or are experienced in conscious awareness from a first-person perspective without relying on external explanations or preconceived theories about the real world. As Edmund Husserl (1997, p. 144)., widely considered to be the father of phenomenology, has pointed out,

Perception is not some empty 'having' of perceived things, but rather a flowing lived experience of subjective appearances synthetically uniting themselves in a consciousness of the self-same entity existing in this way or that" (1997, p. 144).

It is very much clear from the above quotation that phenomenologists give priority to the firsthand lived experiences, as against the practise of theorisation and

generalisation based on empirical data. Here, the idea of lived experience needs to be distinguished from experience. Sundar Sarukkai (Sarukkai, 2017, p. 36) an Ambedkarite philosopher, has provided an insightful contrast between the two. According to him, experience has mainly three distinct qualities. Firstly, all experiences can be replicated in terms of its materiality since there is no necessary connection between the experiencer and the experience. Secondly, the experiencer decides whether to be a part of an experience or not according to his/her own will. Thirdly, the experiencer can even modify his/her experience as per his/her requirements (2017, p. 34-35). Lived experience, on the other hand, does not possess any of these qualities. That is, neither the subject has a choice nor the capacity to leave or modify the experience, even if it is displeasing for him/her. There lies an indestructible relationship between the experiencer and the content of the experience. As Sarukkai has pointed out,

Lived experience is not about what there is but is about what there is not. Lived experience is not about the freedom of experience but about the lack of freedom in an experience (2017, p. 36).

Ambedkar tried to address the problems concerning the lived experience in the Indian society. It must be pointed out here that Ambedkar, in his works, primarily dealt with the lived experience of the minorities and the Scheduled Castes. One possible explanation behind this could be that the context in which Ambedkar wrote most of his works in the 1930s and 1940s when the politics in British India was mainly revolving around the question of representation of the Scheduled Castes and the minorities. He always wanted the separate electorate for the minorities and the Scheduled Castes. The Indian National Congress (from now, the Congress party), under Mahatma Gandhi, had no objection for separate electorate to the religious minorities but opposed strongly when Ambedkar wanted the same for the Scheduled Castes. This dispute finally culminated in the Poona Pact of 1932 in which Ambedkar had to give up his demand and settle for reserved seats for the Scheduled Castes. When he drafted the memorandum on behalf of the AISC, he proposed a number of safeguards for both these communities and tried to create a democratic space for all India by means of law.

Ambedkar on the Representation of Minorities

Ambedkar's primary concern for the minorities and the Scheduled Castes was to ensure their representation. As Shanum Tejani has pointed out, "For Ambedkar, the protection of the minority was the crux of how democracy could work in India, and how a set of shared political values could develop" (Tejani, 2013, p. 113). Rather than taking the population of different communities and deciding who constitutes the minorities in India, Ambedkar gave insightful criteria for a community to be considered a minority: (i) a community needs to be conscious about its distinct and discriminatory relationship with the majority community; (ii) the Constitution should guarantee equal civic rights, adult franchise, freedom of religion and prohibition of civic disabilities; (iii) any minority community willing to live under the constitutional order similar to that of the majority, should have guaranteed legal protection against discrimination by the majority and (iv) any vulnerable minority community shall have a special political representation, be in the form of reservation or the separate electorate (Chatterjee, 2018, p. 91). Following these criteria, Ambedkar argued that the untouchables are qualified for being treated as minorities while, small but wealthy and powerful communities are not entitled to claim the minority status. In other words, Ambedkar emphasised on the lived experience of different communities for being designated as a minority.

In Article II – Section III of *State and Minorities*, Ambedkar held that while the representatives of different minorities in the Cabinet shall be elected by members of each community in the Legislature by single transferable vote, the representatives of majority community in the Executive shall be elected by the whole House by single transferable vote (2021, p. 20). This clause was mainly aimed at ensuring that the majority shall neither have exclusive control over the government nor upon the legislature. In addition, an officer called the Superintendent of Minority Affairs, who shall be responsible for preparing an annual report on the treatment of minorities by the public as well as by the government, both Union and the State. This report shall be placed for discussion before the legislature, Union or the State (Ambedkar, 2021, p. 20–21). For the Scheduled Castes, Ambedkar argued that they shall have minimum

representation in the legislature and the executive. At the same time, efforts should be made to reduce the communal majority to reasonable dimensions should be carved out from the share of the majority and redistributed among all minority communities in inverse proportion to their economic position, social status and educational advancement. There shall be no representation of special interests (Ambedkar, 2021, p. 23). Ambedkar was also very critical of the system of nomination by the executive of the representatives from the minority communities. Without franchise rights, for Ambedkar, it is impossible to develop political consciousness among the vulnerable minorities. He, therefore, vehemently advocated the introduction of universal adult franchise. When questioned about the level of political consciousness of the masses in India by the Simon Commission in 1928, Ambedkar replied that the depressed classes shall exercise their franchise right in the most intelligent manner since they have experienced untouchability in each and every minute of their life from thousands of years and they are now aware that they are now conscious that gaining political power is the only solution to this problem (Chatterjee, 2018, p. 93). Ambedkar was also critical of the electoral arrangement brought about by the Poona Pact of 1932 on three grounds. Firstly, the proportion of representation of the Scheduled Castes had been fixed only after the share of the other communities had been taken out. Secondly, the weightage of representation of the Scheduled Castes had been fixed only after the weightage of the other communities had been allotted. Thirdly, the Scheduled Castes had been allotted seats only after seats had been allocated to special interests (Ambedkar, 2021, p. 51).

Ambedkar was of the view that what the minorities and the Scheduled Castes need is not just representation but effective representation, which is not possible through representation in proportion to their population. Proportional representation, according to Ambedkar, might be effective only where the minority population is large enough to secure its representation. However, this may not work in our country. In India, the quantum of representation of the majority needs to be reduced and distributed among the minorities on some intelligible principles so that the majority do not turn into

communal majority. Also, India has a huge diversity among the minorities as well. This is the reason why Ambedkar, even after signing the Poona Pact, remained a strong advocate of separate electorate for the Scheduled Castes in principle. For him, the basis for the allocation of separate electorate is not the difference of religion or culture but the social relationship between the majority and the minorities which is marked by social discrimination. But he stopped advocating this after the partition of the country. Ambedkar was very much concerned with the representation of the minorities and the Scheduled Castes. Criticising the conventional idea of political democracy, Ambedkar wanted to emphasise that a crucial tenet of democracy is the equality of participation and representation. But since caste and religious considerations are very strong in India, this can be achieved only by its imposition through Constitution and the law. This positive discrimination is necessary to protect the marginalised groups from the communal majority.

Ambedkar was also the staunch supporter of the linguistic reorganisation of the states which will better safeguard the linguistic minorities. He was of the view that this would create a kind of social homogeneity which in turn would make democracy work in a better manner. According to him, linguistic states would “make easy the way to democracy and to remove racial and cultural tension” (2017, p. 144-145). Citing examples of animosity between Gujaratis and Maharashtrians in Bombay and Tamils and Andhras in Madras, Ambedkar argued that multilingual states existed in India unnaturally and therefore, led to discrimination and partiality of one group at the hands of another group. Although he advocated for linguistically homogenous states even if that requires population transfer, Ambedkar was well aware of the fact that there will remain some kind of minorities in every state whose rights need to be safeguarded. He gave a couple of suggestions for this. Firstly, he argued that Indian union should have smaller states or administrative units. He had suggested to divide Uttar Pradesh, the largest state in India even today, into four states so that the administration shall run smoothly. For Ambedkar, in smaller states, the size of majority shall not be very large in relation to the minorities. Secondly, the Constitution shall ensure the representation

of the minorities in the legislature through reservation which shall be their biggest safeguard (Ambedkar, 2017, p. 168-169). This idea of linguistic reorganisation was later on recommended by the States Reorganisation Commission led by Justice Fazal Ali in 1956 but with some modifications. The Commission accepted that language should be the primary criteria for states reorganisation. This led to the abolition of the four-fold classification of the states under the original constitution. At the same time, the Commission tried to strike a balance between the language-based reorganisation of states on the one hand and the need for administrative efficiency, economic viability and national integration on the other hand. The Commission, however, refused to accept the idea of “one state one language” formula or the creation of linguistically homogenous state through population transfer. Most of the recommendations of the Commission were ratified by the 7th Constitutional Amendment Act of 1956.

Ambedkar on Socio-Economic Safeguards of the Minorities and the Scheduled Castes

Ambedkar was aware of the fact that only political representation will not be able to bring democracy in everyday life of the people of India. In addition to representation, the minorities and the Scheduled Castes need to acquire self-respect in society. He held that the government – both Union and the State – shall bear the financial responsibility of the education of the Scheduled Castes. This responsibility shall form the foremost priority while framing the Education Budget of both the Union and the State governments (2021, p.26-27). This demand was a part of the Clause 9 of the Poona Pact which guaranteed that an adequate amount shall be earmarked for the education of the Scheduled Castes. Ambedkar was also concerned about the economic exploitation of the minorities and the Scheduled Castes. He was highly critical of the two dominant strands of economic models, i.e., capitalism and socialism. Both these models, according to Ambedkar, were insufficient for addressing the problems of the depressed classes in India. He argues that a liberal democracy rests mainly on the premise that the individual is an end in himself having some inalienable rights. Neither the individual shall surrender any of his rights in lieu of any kind of privilege by the state nor the state shall delegate powers to private individuals to govern others

(2021, p.37-38). Ambedkar was of the view that the capitalist economic model undermines at least the last two ideals of liberal democracy. For him, those who are unemployed and live a life of continuous fear of losing a decent and respectful life are compelled to relinquish their Fundamental Rights for the sake of subsistence. Moreover, the supporters of capitalism argue for a minimal state intervention in the economic sphere which will maximise the liberty of the individual. But this liberty, Ambedkar believed, only belonged to the capitalist class who enjoy the liberty to increase the working hours and reduce the rate of wages. Therefore, wherever the state's refusal to intervene in the economic sphere leads to, what Ambedkar called, the "dictatorship of the private employer" (2021, p.38-39). Recently, Gopal Guru has also argued that the liberal democracy in India has somewhat failed to provide the language of self-esteem and self-respect for the Dalits (2011, p. 101). Regarding socialism, Ambedkar was strongly against the economic interpretation of history. He argued that, unlike Europe, property is not the only source of power in the Indian society. Religion, customs, traditions and particularly caste in the Indian context plays a vital in deciding the social authority. Ambedkar argued that most of the socialists and the Communists have mistakenly treated caste as a primordial identity which can be resolved by addressing the class related issues. Critiquing the famous base-superstructure metaphor, Ambedkar wrote,

The base is not the building. On the basis of economic relations, a building is erected of religious, social and political institutions. This building has just as much reality as the base. If we want to change the base, then first the building that has been constructed on it has to be knocked down. In the same way, if we want to change the economic relations of society, then first the existing social, political and other institutions will have to be destroyed" (Ambedkar, as cited in Omvedt, 2008, p. 83).

Ambedkar even held that, firstly, it is futile to think that the entire proletariat population in India shall come together and launch a revolution and, even if they do so then the socialists have to deal with the caste question once they are in power because caste system is not simply a division of labour, "*it is the division of labourers*" (Ambedkar,

2022, p. 20, *original*). As against both these models, Ambedkar came up with his own idea of state socialism. In Article II Section II Clause 4 of *State and Minorities*, Ambedkar proposed that the key industries shall be owned by the state. Those which are not the key industries but are basic industries shall be owned by the state and run either by the state directly or by the corporations established by the state. The state shall make it compulsory for every adult citizen to buy a life insurance policy appropriate according to his wages. The agriculture should be treated as the state-owned industry which shall divide the agricultural land into standard size farms and let out those farms to the group of families in villages. The farm shall be cultivated as a collective farm and the share shall be distributed among the tenants as per the directions issued by the government after the payment of charges properly leviable on the farm (Ambedkar, 2021, p. 18-19). The state shall allocate the land without distinction of caste or creed and there shall be no landlord. The state shall bear the expenditure of collective farms by the supply of water, manure, seeds, etc. In return, the state shall be entitled to receive a portion for land revenue, a portion to pay the debenture-holders and a portion to pay for the use of capital good supplied (Ambedkar, 2021, p. 18-19). Another proposal laid down by Ambedkar in the Memorandum of 1945 was related to New Land Settlements. As he wrote:

A perpetual war is going on every day in every village between the Hindus and the Untouchables.... It is a contest between the Hindus who are economically and socially strong and the Untouchables who are economically poor and numerically small.... But the chief weapon in the armoury of the Hindus is economic power which they possess over the poor Untouchables living in the village" (2021, p. 61).

Ambedkar, therefore, proposed for the establishment of a Settlement Commission which shall hold uncultivated lands belonging to the State in trust for Settlement of the Scheduled Castes in different villages (2021, p. 27). The Union government shall allot a budget of Rs. 5 crores for the Commission which shall have the power to purchase any land offered for sale and use it for the said scheme of settlement. For Ambedkar, these schemes were important because in Indian villages where

agriculture is the primary occupation, most of the untouchables are landless labourers who are dependent upon the upper caste Hindus for employment. The scheme will free the landless untouchables from the clutches of the landlords who, in most cases, come from the upper castes. In addition to these, Ambedkar was also concerned about the welfare of the people. He argued that certain facilities, like roads, transportation, law and order, etc. which are required, not by any particular individual, but the society at large. Therefore, the government should ensure these facilities for the citizens of its country, rather than letting the private players to provide these facilities. Welfare measures implemented through the use of public funds should not be simply a low-level public spending but must involve an intelligent and faithful use of every penny which can bring most benefit. He was of the view that a particular type of economic policy may lead to rapid growth while the same policy can prove to be a disaster in another context. Accordingly, public expenditure should strike a balance between specific objectives and available resources on the one hand and ensuring economy, efficiency and effectiveness in governance. While the government tries to fulfil the democratic demands of the people through its welfare policies, the allocation of the total amount for every democratic demand should be based on the economic wisdom and intelligent use of public fund (Ambirajan, 1999, p. 3283). This idea of welfarism is quite significant because rather than focusing on giving short term benefits or 'freebies', Ambedkar wanted to provide long term welfare to the people, particularly to the depressed classes. A careful application of these ideas can also reduce the fiscal deficit in contemporary India.

Ambedkar and the Idea of Constitutional Morality

After discussing elaborately on the question of political representation and socio-economic safeguards of the minorities and the Scheduled Castes, Ambedkar made it clear that the Constitution could only provide a legal framework but could not develop sentiments and attitudes which are essential for bringing about social change in India. In order to be effective in the everyday affairs of the citizens,

constitutional laws need strong foundation of constitutional morality. As he himself pointed out during the Constituent Assembly Debate

Constituent Morality is not a natural sentiment. It has to be cultivated. We must realise our people are yet to learn it. Democracy in India is only a top-dressing on an Indian soil, which is essentially undemocratic" (Ambedkar, as cited in Béteille, 2008, p. 36).

Ambedkar was highly sceptical about the undemocratic nature of the Indian society which, according to him, is the society of castes and communities. This is the reason why Ambedkar was in favour of a lengthy constitution having details on every possible aspect since India lacks democratic values at the socio-economic level. If one looks at the survival and working of the Indian Constitution in the last more than seven decades, he/she may argue that Ambedkar's scepticism has proved to be incorrect because India has successfully managed to safeguard its fabric of democracy since 1947. Although this is true, if we go deeper into the democratic practices in India, one can easily find that the success of Indian democracy lies in the populist strategies, and not in the constitutional values. Despite the fact that the populist leaders and the parties do not directly deny the constitutional procedures, they often try to override them in the name of the interest of 'the people'. Ambedkar was against this kind of politics of mobilisation after the enforcement of the Constitution since he had expected that in the absence of the democratic tradition rooted in the rule of law, populism shall triumph constitutional values. He explained his position in the following words:

It means that we must abandon the method of civil disobedience, non-cooperation and satyagraha. When there was no way left for constitutional methods for economic and social objectives, there was a great deal of justification for unconstitutional methods. But where constitutional methods are open, there can be no justification for these unconstitutional methods" (quoted in Béteille, 2008, p. 38).

Ambedkar had hoped that after the enforcement of the Constitution, the citizens of India shall learn constitutional morality, which has perhaps remained a far dream

even today. Democracy in India, in a way, has strengthened collective identities, which M.N. Srinivas has called 'horizontal mobilisation' of castes and communities (1962, p. 15). It must be pointed out here that Ambedkar was not against any kind of protest or civil disobedience movement. He wanted to emphasise on the transition from colonial rule to self-rule in the context of which the politics of protest or civil disobedience needs to be reshaped. Ambedkar argued that while during the colonial rule, people had limited scope to influence the rulers, after independence the means of being heard by the ruler are now available. For him, when constitutional means are available, extra-constitutional methods are no longer required. Moreover, according to Andre Béteille (2008, p. 41), the civil disobedience cannot be just about disobedience, it is also about civility. As he wrote,

The virtue of civility is an important component of constitutional morality. It calls for tolerance, restraint and mutual accommodation in public life. Civility is a moderating influence which acts against the extremes of ideological politics. It restrains the exercise of power by the powerful and restrains obstruction and violence by those who do not have power but who wish to have it" (Béteille, 2008, p. 42).

Ambedkar warned against the degeneration of this civility which will lead to anarchy. This morality is important in order to bring fraternity among the people without which, according to Ambedkar, democracy in India will never succeed. As he said in the Constituent Assembly in 1949,

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" (Ambedkar, as cited in Dréze, 2018, p. 126).

Ambedkar was well aware of the fact that the biggest problem for the depressed classes in India is the social isolationism forced upon them by the upper castes. This kind of social isolationism means "social segregation, social humiliation, social discrimination and social injustice" (quoted in Kapoor and Bhagavan, p. 135). Ambedkar argued that in order to come out of this social isolationism, the

minorities and the Dalits must develop a sense of kinship or fraternity to the extent that they could be treated as parts of the common whole. Ambedkar considered constitutional morality as the means to achieve this fraternity which is completely devoid of the spirit of caste. At this point, Ambedkar was highly influenced by his mentor John Dewey's idea of 'social endosmosis'. For Dewey, social endosmosis refers to shattering the hierarchy between the elites and the underprivileged. Ambedkar, taking cue from Dewey's notion, held that such kind of social fluidity can bring harmony to both political and everyday life (Stroud, 2023, p. 148).

Conclusion:

It must be pointed out here that Ambedkar's views on constitution and lived experience is not free from shortcomings. His views on minorities excluded the major chunk of the exploited masses, particularly the women. Though a strong advocate of women empowerment, one hardly finds any reference to the lived experience of being a woman. In addition, Ambedkar who is known for his rational and scientific arguments relied on the idealist notion of morality for achieving fraternity which is, for him, the basis of democracy. This moral basis may not have that kind of an appeal on the masses as against any populist policy which is capable of giving immediate benefit to him or her, be it a cash transfer scheme or any other kind of freebie. In fact, these freebies have created, what Ernesto Laclau (2005, p. 155) has called, *logics of difference* which has helped several governments across the globe to sustain power and pacify the anti-incumbency wave against them. Moreover, Ambedkar's recommendation for linguistically homogenous states or administrative units through large-scale population transfer does not sound feasible in a diverse country like India where hundreds or, perhaps, thousands of languages are spoken within every state. Despite these critical arguments, one should not overlook the fact that it was Ambedkar who was, perhaps, the first person in the Constituent Assembly to focus on the lived experience of the people of India. He not only broadened the idea of democracy but also advocated that marginalised groups should get a better share and respect in this democratic set

up. He was well aware of the fact that the idea of democracy as the “government of the people, by the people, for the people”, is not going to bring any significant change in the lives of the vulnerable masses of India. For Ambedkar, democracy was not just a form of government but a style of associated living based on mutual reverence, sympathy and cooperation towards fellow citizens. His emphasis on minority rights and representation, socio-economic safeguards for the marginalised groups and constitutional morality were the means through which he wanted to achieve these objectives. These conditions are necessary for the pursuit of happiness by all, particularly by the minorities and the Scheduled Castes. He did manage to include some of the ideas in the Part IV of the Constitution, i.e., in the Directive Principles of State Policy. But since these principles are not legally enforceable, their scope has remained limited. Thus, it can be said that Ambedkar wanted to bring a kind of a constitution and constitutional values in India which will govern the day-to-day affairs of its people.

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