



## Constitutional democracy and caste: Ambedkar's unfinished project

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### Abstract

The Constitution of India establishes a constitutional democracy founded on liberty, equality, and fraternity. However, the persistence of caste-based inequality raises serious questions about whether these constitutional ideals have been realised in practice. Dr. B. R. Ambedkar, the chief architect of the Constitution, consistently warned that political democracy without social democracy would remain fragile and incomplete. He viewed caste as the greatest obstacle to equality and fraternity in Indian society.

This paper examines the relationship between constitutional democracy and caste from an advocate's perspective. It analyses Ambedkar's writings and Constituent Assembly debates alongside landmark Supreme Court judgments to evaluate how the Indian judiciary has responded to caste-based injustice. Particular emphasis is placed on *State of Madras v. Champakam Dorairajan*, which reflects early judicial resistance to caste-based affirmative action, and *Indra Sawhney v. Union of India* (the Mandal Commission case), which represents a turning point in judicial recognition of social backwardness.

The paper argues that while constitutional mechanisms and judicial decisions have acknowledged caste realities, they have simultaneously imposed limitations that restrict transformative social change. As a result, constitutional democracy in India exists more fully in form than in substance. Ambedkar's vision of a society based on social equality and dignity remains an unfinished constitutional project.

**Keywords:** Constitutional democracy, caste system, social justice, ambedkar, reservation, supreme court of india

### Introduction

The Indian Constitution is not merely a legal document but a transformative instrument intended to reconstruct a deeply unequal society. It guarantees equality before law, prohibits discrimination, and empowers the State to adopt affirmative measures for historically oppressed communities. Despite these constitutional commitments, caste continues to influence access to education, employment, and social dignity.

Dr. B. R. Ambedkar believed that democracy must extend beyond political institutions and must transform social relations. From an advocate's perspective, the continuing relevance of caste discrimination reveals a disconnect between constitutional promises and social reality. This paper examines whether constitutional democracy in India has succeeded in fulfilling Ambedkar's vision.

### Ambedkar's Understanding Of Caste And Democracy

Ambedkar regarded caste as a system of "graded inequality," where social status is determined by birth and reinforced through social customs. In *Annihilation of Caste*, he argued that caste destroys fraternity and makes social equality impossible.

During the Constituent Assembly debates, Ambedkar warned that India was entering a phase where political equality would coexist with social and economic inequality. On 25 November 1949, he cautioned that ignoring this contradiction would endanger democracy itself.

For Ambedkar, democracy was a moral concept rooted in social equality. Law, in his view, was a necessary but insufficient tool unless supported by social reform.

### Constitutional Framework Addressing Caste

The Constitution provides a detailed framework to address caste-based inequality. Article 14 guarantees equality before

law. Article 15 prohibits discrimination on grounds of caste while permitting special provisions for socially and educationally backward classes. Article 16(4) enables reservation in public employment for backward classes not adequately represented.

Article 17 abolishes untouchability, and the Directive Principles of State Policy, particularly Articles 38 and 46, direct the State to promote social justice and protect weaker sections.

Despite these provisions, judicial interpretation has played a decisive role in shaping the scope and limits of social justice.

### Early Judicial Resistance: State of Madras v. Champakam Dorairajan (1951) <sup>[3]</sup>

The tension between formal equality and social justice emerged early in constitutional jurisprudence. In *State of Madras v. Champakam Dorairajan (1951)* <sup>[3]</sup>, the Supreme Court examined the validity of caste-based reservations in educational institutions under a communal Government Order issued by the State of Madras.

A seven-judge Constitution Bench, speaking through Justice S. R. Das, struck down the reservation policy. The Court held that Fundamental Rights under Article 15(1) were enforceable rights and that Directive Principles could not override Fundamental Rights, even if they aimed at achieving social justice.

The judgment adopted a strictly formal interpretation of equality, viewing caste-based reservation as discrimination rather than a corrective measure. From an advocate's perspective, the Court failed to account for historical and structural disadvantage and treated unequal groups as if they were similarly placed.

Although constitutionally correct within the original text, the judgment ignored the social realities highlighted by Ambedkar. The case demonstrated that constitutional text alone was insufficient to secure social democracy.

The political response was swift. The First Constitutional Amendment, 1951, inserted Article 15(4), expressly empowering the State to make special provisions for backward classes. This amendment marked a constitutional shift from formal equality to substantive equality, reinforcing Ambedkar's belief that constitutional democracy must evolve continuously.

### **Judiciary And Social Justice: Transition Towards Substantive Equality**

After Champakam, the judiciary gradually moved towards recognising social realities. While equality remained a constitutional value, the Court began to accept that differential treatment was necessary to correct historical injustice. This transition reached its most significant articulation in the Mandal Commission case.

### **Indra Sawhney v. Union of India (1992): The Mandal Commission Case**

The most important judgment on caste and reservation is *Indra Sawhney v. Union of India* (1992–93). The case arose from the implementation of the Mandal Commission recommendations, which proposed 27 per cent reservation for Other Backward Classes (OBCs) in Central Government services.

The case was decided by a nine-judge Constitution Bench. The majority judgment was delivered by Justice B. P. Jeevan Reddy, with Chief Justice M. N. Venkatachaliah and Justices A. M. Ahmadi, M. M. Punchhi, and Kuldip Singh concurring. Separate opinions were delivered by Justice P. B. Sawant, Justice Kuldip Singh, and Justice Sahai.

### **Caste As Social Backwardness**

The Court held that caste could be a valid basis for identifying socially backward classes. Justice Jeevan Reddy acknowledged that in Indian society, caste is a primary source of social backwardness. The argument that backwardness should be purely economic was rejected.

This recognition closely aligns with Ambedkar's understanding of caste as a social disability rather than an economic condition.

### **Substantive Equality**

The Court embraced substantive equality, holding that treating unequals equally would perpetuate injustice. Reservation was recognised as a constitutional tool to achieve real equality, not as an exception to equality.

### **The 50 Per Cent Ceiling**

The Court imposed a general 50 per cent ceiling on reservations, reasoning that excessive reservation would undermine equality and administrative efficiency. From an advocate's viewpoint, this limit is judicially created and not expressly found in the Constitution. While intended to maintain balance, it restricts deeper social transformation.

### **Creamy Layer Doctrine**

The introduction of the creamy layer doctrine excluded economically advanced members of OBCs from reservation

benefits. Justice Jeevan Reddy justified this to ensure benefits reached the truly backward.

However, Ambedkar consistently argued that economic advancement does not remove caste stigma. This doctrine shifts the focus away from social discrimination toward economic status, diluting Ambedkar's vision.

### **Advocate's Critique**

Indra Sawhney represents recognition with restraint. The Court acknowledged caste injustice but imposed limits that regulate the extent of reform. This cautious judicial approach supports Ambedkar's concern that social democracy would not be fully realised through law alone.

### **Subsequent Judicial Developments**

Later decisions such as *M. Nagaraj v. Union of India* (2006)<sup>[5]</sup>, *Jarnail Singh v. Lachhmi Narain Gupta* (2018)<sup>[6]</sup>, and *Jan Hit Abhiyan v. Union of India* (2022)<sup>[7]</sup> reflect continued judicial control over affirmative action. These cases impose conditions and evidentiary requirements that make social justice contingent rather than absolute.

### **Ambedkar's Unfinished Project**

Ambedkar viewed the Constitution as a means to achieve a social revolution. Despite constitutional safeguards and judicial recognition, caste continues to determine social position. From an advocate's experience, constitutional democracy in India functions more strongly in form than in substance.

The persistence of caste hierarchy demonstrates that Ambedkar's project of social democracy remains unfinished.

### **Conclusion**

India has successfully established political democracy, but social democracy remains incomplete. Judicial decisions have acknowledged caste-based injustice but have also restrained transformative change through imposed limitations.

Until caste ceases to shape social and economic life, constitutional democracy will remain an aspiration rather than a reality. Ambedkar's warning continues to echo, demanding renewed constitutional and moral commitment.

### **References**

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