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Development”**

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Dr. Ambedkar's Concept of Minorities and its Relevance

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Abstract:

Dr. B.R. Ambedkar, as a theorist of political structures embodying modern India, emphasized minority rights as an important safeguard of social and political justice in democracy. In the memorandum submitted to the Constituent assembly titled 'States and Minorities', Dr. Ambedkar gave a peculiar conception of 'minorities' in the Indian context. This particular conception lifts the base of the term minority from solely religious identity-based discrimination and makes socio-economic-political discrimination and resource deprivation the defining factor. Defined thus, the scope of the term widens. More importantly, it presents a theoretical hindrance and challenge to religious identity based majoritarian politics prone to emergence in democracy. It creates a basis for an intra-community political alliance of people for justice, representation and power-sharing. Hence, this paper explores the meaning and implications of the conception of the 'minority' given by Dr. Ambedkar in the Indian context vis-à-vis liberal conception of the term prevalent in democratic theory. It proposes that reviving the former in the public-political discourse can contribute to the narrative against majoritarian politics.

Keywords: Minority, Majoritarianism, Democracy, Rights, Dalit rights, Dr. B. R. Ambedkar

Introduction:

Majoritarianism presents a challenge to democratic ethic in democracies of the world. It is explicit or dormant depending on the democratic trajectory of the country. The persecution of Jews in Germany under democratically elected regime led by Hitler was the worst possible manifestation of it. Thus, minority rights, duly emphasized by the United Nations, are not decorative provisions but lie at the core of democratic structure. This paper aims to explore the contours of Dr. Ambedkar's concept of 'minority' that he envisaged in the context of India and its implications for democracy in India. It tries to contextualize Dr. Ambedkar's concept in the established meanings of the term in liberal theory and in Indian polity. In the first part, the paper elaborates the conception of minority rights for the United Nations and in the thought of liberal thinker Will Kymlicka. Then it illustrates the concept as read by Dr. B. R. Ambedkar and its outcome for the majoritarian politics in India. It elaborates the implications for Indian democracy. In the end, it tries to connect these threads and present a reading of what Dr.

Ambedkar's concept of minority would have meant for majoritarianism in India.

The Concept of Minority:

The United Nations definition of minority underlines the 'sharing common characteristics of culture, religion or language, or a combination of any of these' - coupled with the numerical criterion of being less than half in the population of a State (Concept of a minority: mandate definition, n.d.). Common cultural characteristics shared by a group become the defining factor here. Minority rights are considered as conditions of or leading to cultural diversity, peace, security and stability of society and development. The plight of Dalits in India does not necessarily seem to be represented in the genesis of minority rights presented by the United Nations framework.

The concept of minority rights is placed in the Western democratic tradition in the crux of opposition between liberal individualism and communitarianism. Minority rights feature as cultural rights of communities in this debate. Minority rights in the liberal context become rights of recognition for ethnic minorities or indigenous communities. Liberal theory is critiqued for its lack of emphasis on group as against individual rights.

Will Kymlicka, a leading theorist of multiculturalism, defines minority rights within liberal framework as group rights in multicultural societies (Kumar, 2013). He upheld culture as an anchor to individual and hence liable for protection within liberal democratic framework. He shows that individual rights and group rights are not in opposition to each other; that recognising special group rights does not violate the liberal principles of equality and universality (Kumar, 2013). He focuses the condition of aboriginal people, linguistic minorities and immigrant groups. He views minority group rights from the perspective of addressing the problems of hierarchies and ethnic conflicts and violence. His insistence that group rights do not merely not violate the liberal framework but may in fact be essential for the realization of freedom and equality in the liberal sense creates a sound theoretical basis for provision of minority/group rights within liberal democracies. Though this argument in Kymlicka concerns with cultural group rights, the same can be extended for upholding group rights of other sections on other parameters, especially of social discrimination and exploitation.

Kymlicka defines different rights for different categories of minorities, depending on the condition of the accruing of minority status. Kymlicka perceives minority rights as cultural rights. The way he defines 'societal culture' and spells out its role in the lives of human beings becomes the anchor of his argument in favour of minority rights. Societal culture is territorially based and has a basis of language, it is not fully independent (autonomous). Cultures create meaningful ways of living life and provide "a range of options for fulfilling human life". This argument by Kymlicka is akin to Dr. Ambedkar's treatment of the question of the rights of cultural (religious and linguistic) minorities. He stresses that either a

prominent national minority should secede into a separate nation-state or be guaranteed the right to retain its cultural distinction on an equal footing to the majority culture. Having a cultural minority stripped of its cultural rights and given a secondary status to, is dangerous for national security and stability. (Yadav, 2004)

Will Kymlicka's argument 'renewed the debate of individual versus group rights' (Kumar, 2013). In India, the question of group versus individual rights was not the central debate in the foundation liberal discourse during the national struggle. Sudipta Kaviraj (2010) argues that the liberal emphasis on individuality and individuation was thin in the national discourse as compared with the group identity whether in the context of claim of social justice and eradication of historical wrong, or political power sharing as communities. Kaviraj argues that liberalism was not a prominent strand in the formative political history of India. Hence the debate around minority rights in India did not play in the framework of group versus individual rights. It played out in the context of, first, nature and content of Indian nationalism, springing from different imaginations and related definitions of Indian nation; second, arrangement of political power in reference to share of constituent communities; third, the opposition between progressive social reform and personal laws as part of right to religion.

'The liberal theory has a different context and meaning in India.' (Kumar, 2013).

Dr. Ambedkar's reading of minority rights: Dr. Ambedkar was a strong upholder of minority rights. He stressed on their central place in the democratic design that India was to adopt after Independence. Dr. Ambedkar very strongly refuted this equation between democracy and majority rule. He says that majority rule is not something 'sacred' but something that is 'tolerated' in democracy. This expression changes our understanding of democracy and the place of majority rule in it in a radical way. Dr. Ambedkar further says that democracy as majority rule is more problematic in countries like India where majorities are not shaped around issues but they are born – they are 'permanent majorities' (Yadav, 2004).

'Ambedkar was the first major theoretician in India who argued that consideration for the disadvantaged should be the constitutive basis of the state'. (Rodrigues cited Kumar, 2003). (He also insisted that rights given by the State have no meaning unless they are accepted as such by the society.)

Dr. Ambedkar in his 'States and Minorities' proposes and advocates that Scheduled Castes are Minorities. He argues: 'Separation in religion is not the only test of a minority. Nor is it a good and efficient test. Social discrimination (emphasis added) constitutes the real test for determining whether a social group is or is not a minority.' (Ambedkar, 1947). There is social separation within religion. (He then concedes that Mahatma Gandhi also considered Scheduled Castes to be the 'only real minority' (Gandhi cited in Ambedkar, 1947) in India. He reminds us of the fact that separate electorates (in British period) for religious minorities are also on account of social discrimination and not on account of their religious identity. He demonstrates with

examples that political rights do not create mental separation among communities. When Dr. B. R Ambedkar designates scheduled castes in India as minorities, the characteristic of different and shared culture isn't the basis of the definition but the fact of historical and prevalent discrimination and persecution is. Minority rights aren't a mere guard against suppression of culture but a protection against structural repression too.

Dr. Ambedkar's conception of Dalits as a minority presents an understanding of the condition of depressed classes in India that is not the established understanding of the condition of the said classes, even within the framework of liberal democracy which upholds the concept of 'rights. It is a condition which it was not accepted is there and was sought to be wished away. Dr. Ambedkar saw it as a distinct class within Hindu fold not simply as a matter of identity but due to the structural exploitation and exclusion that was sanctioned through religion and practiced as a well concretised power structure.

Dr. Ambedkar's conception of minority can be ascertained from the rights of minorities that he enlists in the memorandum 'States and Minorities'. Traditional and potential non-participation in political power, practice of social discrimination and unjust social and official treatment (tyranny) become identifiers of wrong against minorities against which the protection is due.

He says representation carved out of majority shall be allotted among minorities 'equally or in inverse proportion to' their '(1) economic status, (2) social status and (3) educational advance'. Here, Economic, social and educational deprivation become the characteristics associated with conditions of minorities that need to be remedied and hence inspire their rights. Provision for representation in services and provision for education also indicate the kind of justice that 'minorities' need to be ensured.

The concept of separate electorates that he insists is also based on this conception of 'minority', where 'denial of political power' to a population is the basis of defining 'community' and not the religious identity. Dr. Ambedkar doesn't see separate electorates is something that would create rift between Dalits and Hindus – he treats them as two unconnected things. This concept of minority makes the majority community to acknowledge the rights of sections within itself and thus acknowledge the historical and structural injustice within its fold. It makes them accountable and as a religious community bound to the justice as envisaged by the State.

When Dr. Ambedkar uses the term 'communal majority', he does not mean largest religious majority but numerical majority with hold on social, political, economic, educational and official resources. This changes the whole perspective of looking towards minority rights.

Majority rule should mean 'nothing more than a decision of the majority to which the minority has reconciled itself' (Ambedkar, 1947). He feared that parliamentary system of government would be a permanent rule of communal majority

with no safeguards for representation of the interests of minorities. The insistence that minority should have only the share (of representation) proportionate to their share in the population is not just sans logic, it means the majority's desire to remain permanent majority. Minorities need to be given 'effective representation', not nominal one, so that they can be real shareholders in the decision-making power. This proposition creates a structure of majority rule and minorities' place in it which is not of hesitant and insufficient accommodation but substantial and just arrangement of power.

Caste is a special phenomenon. The burden of its gruesome manifestations for the former Untouchables can be known only by those who experience it. Hence it calls for special provision where the justice cannot be handed down but, representation and presence in the political decision-making power should be guaranteed and the safeguards as to this power and presence is not taken away are put in place. Scheduled Castes are 'minorities' because of the unusual circumstances of their exploitation and subjugation. The basis of their minority status is not the same as cultural minorities.

Minority rights and majoritarianism:

Defining minority rights in terms solely of religious rights creates conducive conditions for permanent and vindictive majoritarianism. It enables a narrative of history that can capitalise on political conflicts of earlier times – a re-narration by imposing current conceptions of division on divisions in historical periods. The historical narrative thus invented is in actuality an imposition of numerical calculations based on the present-day definitions of majority-minority on history. Defining majority/minority in solely ethnic/religious/linguistic terms – while essential for protection of cultural rights and enabling harmonious living amongst communities – potentially strengthens permanent political divisions based on primordial identities which becomes antithetical to secular credentials of democracy. The existence of such political divisions and the calculations attached to it do not allow for upholding protection of and respect for the cultural distinction (rights) of minorities. Majoritarian politics claims its legitimacy by either claiming majority identity as national identity or by portraying cultural distinction of minority as breach of national unity (read homogeneity) and a threat – hence, a claim for undermining minority rights. Thus, an important characteristic of secularism becomes (breeds with itself) the ground for undermining it. Thus, it becomes useful to give some consideration to the particular conception of 'minority rights.

Though the idea of liberal democracy admits rights of minorities and fundamental rights of citizens as integral characteristics of democracy, its emphasis on political equality as the primary characteristic causes to turn democracy predominantly into majority rule. [The conception of democracy that rose through Indian struggle for independence and modern Indian political thought – more prominently theorisation by Dr. Ambedkar, but not only him – has social and economic democracy as the core, definitional characteristic of democracy. This forwarding of economic and social

content along with political equality reduces the role of majority rule as defining characteristic of democracy in India.] It can be said that Dr. Ambedkar interprets rights of minorities as part of the broader idea of social and economic democracy and not merely as group rights of ethnic communities. He does not undermine the necessity of special protection to cultural minorities against persecution and subjugation. [Discussion of Dr. Ambedkar's view and insistence on rights of cultural minorities is not in the purview of this paper. Dr. Ambedkar considered rights of cultural minorities to be 'absolute' and non-dependent on status of minority rights in any other country.] But he does not limit the necessity of special protection to the cultural minorities only. He does not juxtapose the rights of one minority against the other. He states that the share in political resources for different minorities is to come from the share of 'largest communal majority' (Ambedkar, 1947). Dr. Ambedkar thought it 'necessary to reduce a huge communal majority to reasonable dimensions' (Ambedkar, 1947). Dr. Ambedkar upheld the rights of social minorities against the pressure of Hindu majoritarianism (Kumar, 2013).

The implications of majoritarianism for democracy:

Democracy, especially in the India after the decline of procedural dimensions of democracy after the 1970s (Kaviraj, 2011), is equated with majoritarian rule. Kaviraj calls it referendum. The rise of majoritarian communalism in India has been widely and variously explained by scholars through different analytical frameworks. It has been associated with the anomalies that entered Indian democracy when the so-called distinction between democratic politics and society collapsed (Bardhan, 1998). It is also said that absence of pedagogical role that the freedom movement played allowed the rise of non-modernist ways of social behaviour (Kaviraj, 2011). Kaviraj (2011) attributes it to the hermeneutical absence of modern thought among section of the population that became main political actors in Indian democracy after successful democratization. These interpretations consider the communal division in 'society' to be innate; they do not distinguish greatly between caste and communal politics in terms of their geneses and outcomes.

Palshikar (2022) has indicated that the majoritarian tendencies in India have increased in the present. "As per a political survey conducted in 2014-15, it was revealed that close to 16 percent of the people wanted a strong leader who could speak for them and operate without electoral constraints and in 2019, the number rose to almost 40 percent." ('Populism and majoritarianism a threat for the democratic country: Prof. Palshikar', 4 July, 2019). He also explains the link between majoritarianism and democratic distortion (Palshikar, 2022). Majoritarianism creates distortions not just in democratic functioning but refutes and threatens the liberal ethic itself (Palshikar, 1 January, 2023).

The rise of Bharatiya Janata Party indicates the connection between electoral considerations and majoritarian politics. Kaviraj (2011:178) points out that Hinduism is a 'quasi-political' entity. It was shaped itself with political objectives in mind (as shown

by discounting of religious ethics in the name of religion in the arena of politics.) The entity enables large coalition-making.

Conclusion:

Dr. Ambedkar presents what the rightful span of minority rights should be in order for them to be meaningful and real. He says that being subjected to majority rule, the minorities must be the ones to decide the scope of their representational rights, not the majority. It is not just about granting representation and rights to the minorities but also about cutting down and limiting the power of the majority so that it is not in a position to overpower democratic limits and rule without effective (not nominal) consent. Dr. Ambedkar reminds us that in India, nationalism has come to be equated with ‘Divine Right of the Majority’ to rule (Ambedkar, 1947). Upholding the rights of Scheduled Castes as also rights of minorities in the public discourse and acknowledging the scope and force of minority rights that Dr. Ambedkar insisted on would have created a regime with power-sharing as the basic principle and with principled breaks on tendency toward majoritarianism. This framework, when translated in the maps of politics would create strong anti-majoritarian political ethic of society. Majoritarianism is a danger not only to the dignified living of the minorities but to democracy itself. Dr. Ambedkar happens to underline this definitional characteristic of democratic regime.

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