



# Constitution and Constitutional Morality: A Pivot for Identity Assertion of Dalit Buddhists

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**Abstract:** The 2024 general elections, revolved around the central theme of saving the constitution, Constitution. Around the world, the Constitution is frequently referred to as the *Grundnorm*. Not only is the Indian constitution regarded as such, but it has also come to have an emotional significance in addition to a legal-rational one. For the marginalised caste groups of our nation, the drafting of the constitution signalled the beginning of the end of India's "untouchable" history, making it a crucial moment. It gave the marginalised people a glimmer of hope. As a result, the Indian Constitution is revered by the Dalit community, particularly the Buddhists of Maharashtra. Since the Constitution was drafted by Dr. Babasaheb Ambedkar, their cultural affinity to him also extends to the Constitution. Incidents such as the outcry following the Pravin Tarde incident in Maharashtra demonstrate how it has become an integral part of the Dalit life-world. The Indian constitution and constitutional morality hold a special place in their hearts and sense of self-expression. Their emotional and identity assertion has become attached to it. This paper, thus, discusses how the Indian Constitution has come to acquire a pivotal place in the politics of emotions of the Dalit Buddhist community in Maharashtra, especially in the context of the 2024 general elections.

**Keywords:** Constitution, Dalits, identity, assertion, emotions, elections, Maharashtra

## INTRODUCTION

The 2024 general elections were fought over the issue of 'protecting the Constitution', vehemently raised by the Opposition so much so that as per the Hindustan Times article, *Sale of Constitution's Copies Increase amid INDIA Bloc Campaign (2024)*, a publisher has seen a phenomenal increase in sales of the little copy of the Constitution that had come to represent the opposition INDIA bloc's campaign. For the first time, the Constitution of India, thus, occupied the centre stage in electoral politics. For the Dalit Buddhist community though, the Indian Constitution has been a thing of reverence for the past couple of decades right from its adoption. Undoubtedly, the drafting of the constitution was a watershed moment for the disadvantaged caste groups in the country as it marked the beginning of the end of 'untouchable' India. Speaking in an identitarian sense, for the Dalits it was a shift from the 'Manu Smriti' to the 'Bhim Smriti'.

On 2nd September 1953, in the Rajya Sabha, Dr B.R. Ambedkar said, "...Sir, my friends tell me that I have made the Constitution. But I am quite prepared to say that I shall be the first person to burn it out...", (Kashyap, 1996). However, he also believed that the Indian people would not be let down by the Constitution and that it would only fail if it fell into the hands of those who disrespect democracy. As Yengde (2019) has noted, today the Indian Constitution is held in such high regard by the Dalit community that it serves as the primary source of hope for them. Millions of people's lives have been positively altered by the Constitution. Besides, their emotional and identity assertion has become attached to it via Babasaheb Ambedkar. This paper thus discusses

the centrality of the Indian Constitution in the politics of emotions of the Dalit Buddhist community in Maharashtra.

## VISCERAL BOND WITH THE CONSTITUTION

The Constitution is commonly referred to as the *Grundnorm*, or fundamental norm, throughout the world (Khan, 2020). The Indian constitution is not only recognised as such, but it has also acquired an emotional significance beyond its legal and rational aspects. The Dalit-Buddhist community shares a visceral bond with Dr. Babasaheb Ambedkar that also extends to the Constitution. Born into the Mahar caste, which was regarded as an untouchable caste under the Hindu social hierarchy, Dr. Babasaheb Ambedkar converted to Buddhism in Nagpur on October 14, 1956, along with thousands of his caste-brethren, thereby, challenging the caste hierarchy and subsequent exploitation. It has been a matter of great pride for the Dalit-Buddhist community that a member of the community made the Constitution. He is most often lovingly referred to in public gatherings as *Mahamanav, Bhartiya Rajyaghataneche Shilpakar* (English translation: Super-human, Architect of the Indian Constitution). Gifting a copy of the Constitution to someone on their birthday or at a wedding has been a custom among Maharashtra's Dalit Buddhist population.

As Prasad (2015) argues, in common Dalit imagination, the Constitution of India is the antithesis of Manusmriti, whose laws controlled caste Hindu society, imposing indignities on Dalits. In contrast, the Constitution stands for self-respect to them. The fact that their community member has created it for their emancipation strengthens the cultural affinity and bond towards it. They assume the responsibility to defend it adhering to the spirit of constitutional morality. In recent times, in Maharashtra, the outrage over the Pravin Tarde incident demonstrated how it has grown into a vital component of the Dalit life-world. On the occasion of Ganesh Chaturthi, Tarde had placed a Ganesh idol in his home. From all four sides of the Ganesh idol, he had kept several books. A special seat was set aside for the idol of Ganesha, and the book of the Constitution of India was tucked underneath it (Urunkar, 2020). Following the release of this photo on social media, Tarde began to get calls, messages, and comments on social media sites, condemning this act. Following this, he apologised to the masses. This brought out how the Dalit Buddhist community is sensitive towards any affront to the Constitution and is inclined to defend it from assault through protests. Bhaskar (2024) quotes Yengde (2019), who has argued that the attributing of authorship of the Constitution to Dr. Babasaheb Ambedkar has been a "clever propaganda" propagated by the governing castes and the State which has gradually wiped aside 'Dalit radicalism'. Yengde (2019) asserts that the demand for the total liberation of Dalits is precluded by the "over-reliance" on the constitutional method "as a route to Dalit emancipation." Therefore, this visceral bond is at times exploited by the upper castes to their benefit and at the cost of the interests of the Dalit Buddhists.

## CONSTITUTION IN ICONOGRAPHY



Figure 1. Supparak Buddha Vihar, P.L. Lokhande Marg, Chembur (Source: Own photo)

Through the author's fieldwork in Dalit ghettos of Mumbai, namely, P.L.Lokhande Marg, Ramabai Nagar, Shell Colony and Matunga Labour Camp,<sup>1</sup> it was found that the Constitution has become a thing of reverence for Buddhists residing in the ghettos. In Figure 1, we can see that a replica of the Constitution of India has been installed next to the statue of the Buddha in the place of worship in Chembur. This highlights the paramount significance attached to it by the community and how it forms a part of their cultural assertion. Besides, as seen in Figure 2, Dr. Babasaheb Ambedkar is mostly shown holding a copy of the Constitution in hand. The statue of Dr B.R. Ambedkar, who grew up in a Mahar family belonging to lower castes, wearing a three-piece suit and clutching the constitution, has acquired symbolic value(Kedia, 2017).



Figure 2. Ambedkar Garden, Chembur (Source: 'Proud Chemburkar' on social media)

As Jaoul (2006) has noted, in many modern-day villages and slums across India, little blue statues of Ambedkar holding the Indian Constitution and dressed in a three-piece suit are a common sight. Often, the book is red-painted and has the words *Bharatiya Sanvidhan*(the "Indian Constitution") written in Devanagari script. The typical iconographic elements of the statue emphasise his role as the father of the Constitution. Jaoul (2006) further adds that it is noteworthy that Dalits have the Constitution a radical interpretation, even as it fits Ambedkar into a secular mould. He cites Pauline Mahar-Moller (1958) who has demonstrated in his study of a village in western Uttar Pradesh that the ex-Untouchables saw the Constitution as a new set of laws that superseded the "Hindu laws of caste." This shows that in usual iconography that has symbolic value for the Dalits, the Constitution has a pivotal place. It allows the Dalits to claim their rightful place in the Indian republic, thereby, asserting themselves.

## ROLE IN SUBALTERN COUNTER-PUBLICS

As Jaoul (2006) has argued, despite being labelled "communal" by their opponents, the Constitution is a very important document that makes it clear that the Dalit struggles are for the implementation of the laws that the country has solemnly adopted. This underlines the role of the Constitution in subaltern counter-publics.

Ali(2018) cites Eva-Maria Hardtmann (2009)who argues that "(the) subaltern counter publics...signal that they are parallel discursive arenas, where members of the subordinate social groups invent and circulate counter

<sup>1</sup> See Ahire, S. (2022). *Buddhist Assertion in the Neo-Liberal Economy: A Case Study of Mumbai* [University of Mumbai]. <http://hdl.handle.net/10603/485688> for details on Buddhist Assertion in Mumbai in the contemporary era.

discourses to formulate oppositional interpretations of their identities, interests and needs”. Hardtmann (2009) goes on to say that the Indian public sphere has traditionally been dominated by Brahminical and hegemonic forces, which have resulted in the marginalisation and exclusion of Dalits from mainstream media and the public domain. In order to challenge this hegemonic suppression, the Dalits asserted their identity and formed a counter-public. This is demonstrated by the countercultures that Dalits have developed through modern cultural practices, which have produced a discourse that exists in parallel to the mainstream.

The Constitution plays an important role in the subaltern counter-publics. It dismantles the idea of caste or religious hegemony. Further, it revives the liberal ethos underpinning the values of liberty, equality, justice and fraternity. It serves as a bulwark against the “Hindu Rashtra” idea of the far-right, which is in opposition to the idea of a plural India. As Vajpeyi (2019) argues, a constant attempt to appropriate the Tagorean “Idea of India” and reframe it as Savarkar’s “Hindu Rashtra” has been thwarted by the Constitution. These counter-republics oppose the hegemonic idea of “Hindutva” and aim for harmony between the multiple cultures of India.

Dalits gained a great deal of confidence from the Constitution. As Bhaskar (2021) has already noted, the Dalits had been celebrating November 26th, the day the Constitution was adopted, each year, even before the Government of India formally declared it to be “Constitution Day” in 2015. For several decades, the Dalits have been organising seminars and rallies, decorating the statues of Dr. B. R. Ambedkar, lighting up their homes, and wearing new clothes to celebrate Constitution Day in numerous Indian cities. In the Dalit struggle to protect the plural idea of India, assert their equality and fight against injustices lies the constitutional ethos and morality. Therefore, it plays a critical function in the formation of the subaltern counter-republics.

## **BABASAHEB’S CONSTITUTION OVER BALASAHEB AMBEDKAR**

In the 2024 general elections, ‘Save the Constitution’ was the rallying point. For the vast majority of Dalit-Bahujan people in India, the Constitution has come to symbolise empowerment. This group has always held the view that the Constitution is what has freed them from Indian society’s long history of discrimination based on caste (Ranjan, 2024). It granted the Dalits new rights as a result of Ambedkar’s efforts and contributions. Their empowerment has been made possible by the implementation of reservation and the abolition of untouchability. Besides, the guarantees of representation in legislatures and services gave them new opportunities to access power. Bhaskar (2021) argues that Dalits have, therefore, utilised the Indian Constitution as a means of reviving Ambedkar’s legacy, asserting their identity in public, and claiming their own dignity.

Khapre’s (2024) article shows respondents who say that Ambedkar is everything to us. How can we make a compromise on his Constitution? Thus, it should come as no surprise that when the opposition in the Lok Sabha election succeeded in turning the topic of “Constitution in danger” into the most talked-about topic among the public; the average Dalit voter felt that changing the Constitution would be a threat to her very existence. The Dalits in particular believed they would be deprived of their source of empowerment (Ranjan, 2024). A few leaders of the Bharatiya Janata Party (BJP) had even connected the saffron party’s goal of gaining over 400 seats to changing the Indian Constitution. Since the Constitution is a major source of empowerment for the SC and ST communities, they were alarmed by the remarks of such nature (Ahmed, 2024).

As the opposition parties effectively constructed a narrative about changing the constitution, the Dalit Bahujan electorate felt compelled to support them. To combat the Hindu right’s ascendancy to power, they were moved to fortify the opposition. As a result, the elections became bipolar, between the BJP and Congress, thereby, relegating the independent Dalit political parties to the backstage. Maharashtra experienced the same phenomenon. Being driven by a strong sense of duty to uphold the constitution, Dalit Buddhists sided with the Maha Vikas Aghadi (MVA). Prakash (Balasaheb) Ambedkar’s Vanchit Bahujan Aghadi (VBA) suffered a setback as a result. Simultaneously, the parallel narrative of Prakash Ambedkar’s political arrogance was also present which turned the voters towards the MVA. As these smaller outfits like VBA failed to make an impact, hence, the situation in the 2024 elections was different. It was in quite a contrast to the 2019 elections wherein the VBA and All India Majlis-E-Ittehadul Muslimeen (AIMIM) candidates had reduced the vote share of the Congress-NCP and aided the BJP-Shiv Sena, (Khairnar, 2024) In addition to supporting MVA candidates in six LS seats, the VBA ran for 35 seats in Maharashtra. Not a single seat was won by the party. The VBA’s vote share in 2024 was much lower than the 14% vote share that the party had received in the 2019 Lok Sabha polls. The party candidates were required to forfeit their deposit in numerous instances.

## CONCLUSION

The sentimentality over the constitution has to be met with rationality over strengthening Dalit politics. It can be said that in the 2024 general elections, the Dalit Buddhist emotions over the constitution trumped their support for the Dalit autonomous parties. They preferred to vote for Babasaheb's constitution over Babasaheb's grandson Prakash(Babasaheb) Ambedkar and his political formation VBA. Largely, the Constitution has acquired symbolic value in Dalit cultural and political assertion. Today, it finds a place in the Buddhist places of worship. The Constitution's organic connection with Dr Babasaheb Ambedkar and its transformative role in Dalit lives is responsible for this phenomenon.

However, the Dalit Buddhists must also take note of the inherent danger of linking the Constitution with identity. In caste-prejudiced Indian society, Dalits are typically seen as freeloaders availing of constitutional benefits in the form of reservations. The resultant effect is such that the Constitution is despised too. The Constitution stands for liberty, equality and justice for all the people of India and not just the Dalits. It fights authoritarianism, establishes the rule of law, safeguards democracy and gives power to the people at the grassroots. Its reduction to a particular community, thus, can be counter-productive.

With slogans like *Jai Samvidhan* or simply *Samivdhan Zindabad* (Hail the Constitution) trending with *Jai Bhim* (Victory to Babasaheb Ambedkar) even among the non-Dalit masses, we can hope that the prominence that the Constitution has gained in the 2024 elections as a result of years of Dalit-Ambedkarite assertion will prove to be beneficial for Dalits.

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