

Ambedkar's Constitution: Radical Constitutionalism and Anti-Caste Mobilisation in India

Dr. Mandru Raja Mohan Rao¹, Dr. Balumuri Venkateswarlu²

¹Faculty, Dept. of History and Archaeology Acharya Nagarjuna University Nagarjuna Nagar, Guntur – 522510

²Assistant Professor, Department of English, Central Tribal University of Andhra Pradesh, Vizianagaram – 535003

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ABSTRACT

This paper examines the emergence of “Ambedkar’s Constitution” as a radical, popular, and mobilisational form of constitutionalism articulated through Dalit political practice in postcolonial India. Moving beyond elite, juridical, and institution-centred interpretations that treat the Constitution primarily as a legal framework, the article argues that Dalit constitutionalism constitutes an anti-caste project grounded in lived experience, collective assertion, and sustained social struggle. For Dalit communities, the Constitution functions not merely as a juridical document but as a moral, symbolic, and political resource through which dignity, citizenship, and democratic belonging are actively claimed and enacted.

Drawing on the political philosophy of B. R. Ambedkar, Constituent Assembly debates, and post-Constitution Dalit mobilisations, the article adopts a critical-interpretive approach to demonstrate how constitutionalism has been re-signified from below through legal engagement, street politics, symbolic practices, and grassroots activism. It shows how Dalit movements mobilise constitutional values to confront caste violence, challenge the dilution of protective legislation, reclaim public spaces, and resist both upper-caste backlash and majoritarian reinterpretations of equality and rights. In this process, constitutionalism is transformed from a discourse of institutional restraint into a language of resistance and democratic assertion.

Engaging with celebratory liberal accounts and sceptical critiques, the article contends that these perspectives insufficiently capture the radical, strategic, and ethical dimensions of Dalit engagements with the Constitution. Recontextualising Ambedkar’s warnings regarding the perversion of constitutional forms, it argues that Dalit constitutional practice aligns with his vision of social democracy and constitutional morality as lived ethical commitments rather than abstract legal principles (Ambedkar).

Ultimately, the article situates “Ambedkar’s Constitution” as an unfinished yet transformative project of anti-caste constitutionalism from below, calling for a rethinking of Indian constitutional theory that centres Dalit political agency, moral claims, and democratic struggle.

Keywords: Ambedkar; Constitution; Dalits; anti-caste movement; constitutionalism; social justice

INTRODUCTION

Ambedkar, Constitutionalism, and Anti-Caste Politics

The Constitution of India, adopted in 1950, is widely regarded as a foundational document of modern constitutionalism, embodying political sovereignty, universal adult franchise, and democratic governance. Dominant constitutional scholarship, however, has largely approached it as a legal-institutional artefact, emphasising formal structures, judicial review, and the intentions of elite framers (Austin; Basu). While such approaches remain indispensable, they often marginalise the lived experiences and political practices of

historically oppressed communities—particularly Dalits—whose engagement with the Constitution extends beyond courts and legislatures into everyday social and political life.

This article reconceptualises the Constitution as a dynamic and emancipatory framework by foregrounding Dalit constitutionalism as a form of anti-caste mobilisation. It argues that, for Dalits, the Constitution operates not merely as a juridical instrument but as a moral, symbolic, and political resource through which dignity, equality, and citizenship are actively claimed. Constitutionalism, in this sense, becomes both a language and a practice of resistance, re-signifying the vision of B. R. Ambedkar of social democracy in postcolonial India.

Conventional analyses tend to oscillate between two dominant positions: celebratory liberal accounts that emphasise institutional stability and sceptical critiques that foreground the persistence of social hierarchy. Both perspectives, however, insufficiently theorise how marginalised communities actively inhabit and mobilise constitutional ideals. By reducing constitutionalism either to formal legality or institutional intent, they obscure its role as a contested terrain of social struggle and political empowerment (Choudhary; Thorat and Newman).

In contrast, Dalit constitutionalism foregrounds practice “from below.” It captures how Dalits mobilise constitutional values to confront caste violence, reclaim public spaces, resist upper-caste backlash, and assert political agency through legal claims, protest, and symbolic assertion (Jaffrelot). Far from passive legalism, this engagement transforms the Constitution into a living instrument of anti-caste resistance grounded in Ambedkar’s ethical commitments to equality, liberty, and fraternity.

Dalit Engagement with Constitutional Ideals

The popular attribution of the Constitution as “Ambedkar’s Constitution” must be situated within this broader political context. From the late twentieth century onward, Dalit movements increasingly foregrounded Ambedkar’s authorship not only to correct historical erasure but also to reclaim constitutionalism as an anti-caste democratic project. This reclamation rests on two interrelated foundations: Ambedkar’s role as Chair of the Drafting Committee and the egalitarian architecture of the Constitution, including universal franchise, the abolition of untouchability (Article 17), affirmative action, and provisions for social justice (Pai).

For Dalits, attachment to the Constitution serves crucial political and moral functions. It transforms everyday experiences of exclusion—such as denial of access to public spaces—into constitutional grievances, thereby legitimising resistance. It also provides a shared ethical vocabulary through which collective consciousness and mobilisation are forged. Misinterpretations of Ambedkar’s remark on “burning the Constitution” illustrate this dynamic: Dalit movements consistently interpret it as a warning against the distortion of constitutional ideals rather than a rejection of constitutionalism itself (Zelliot).

Upper-caste backlash further underscores the disruptive potential of constitutional equality. Critiques of “Westernised equality,” attempts to depoliticise Ambedkar’s identity and portrayals of the Constitution as culturally neutral reflect anxieties about its redistributive implications (Guru). These responses reveal that constitutionalism is not a neutral legal domain but a site of social conflict and power negotiation.

Constitutionalism beyond Text: A Sociological Lens

“Ambedkar’s Constitution” has evolved into a sociological and political phenomenon that exceeds questions of authorship or institutional design. Dalit constitutionalism represents an ongoing struggle over democracy, citizenship, and justice, positioning constitutionalism as a lived political culture rather than a static framework (Omvedt).

A sociological perspective highlights four interrelated dimensions:

- **Everyday Constitutionalism:** The translation of rights into daily practices such as access to education, employment, and public resources.

- **Symbolic Constitutionalism:** The use of Ambedkar's statues, public readings of the Constitution, and commemorative practices as acts of civic assertion.
- **Mobilisational Constitutionalism:** Grassroots movements—such as the Bhim Army and Navsarjan—deploying constitutional language to challenge caste violence and demand accountability.
- **Ethical Constitutionalism:** The grounding of rights in constitutional morality, emphasising ethical responsibility alongside legal entitlement.

Through these practices, constitutionalism operates beyond formal institutions, revealing the deep tension between caste hierarchy and democratic ideals.

Historical Roots and Postcolonial Context

Dalit constitutional engagement is rooted in Ambedkar's sustained critique of both colonial governance and nationalist politics, which often prioritised elite unity over social justice (Omvedt). While anti-colonial movements foregrounded political independence, they frequently marginalised caste oppression. For Dalits, the Constitution emerged as the principal instrument for reconciling political freedom with social equality.

Postcolonial developments—including reservations, caste-based political mobilisation, and grassroots movements—demonstrate how constitutional ideals have been translated into strategies of resistance and empowerment. In this context, the Constitution functions simultaneously as a shield against oppression and as a tool for social transformation.

REVIEW OF LITERATURE

Scholarship on Indian constitutionalism can be broadly grouped into three strands.

First, legal-institutional analyses by Austin and Basu provide detailed accounts of constitutional design and judicial interpretation but remain largely focused on elite frameworks.

Second, studies of Dalit movements by Jaffrelot, Omvedt, Guru, and Pai foreground political mobilisation and ethical engagement, conceptualising constitutionalism as both strategic and moral practice.

Third, scholarship on Ambedkar's thought highlights social democracy and constitutional morality as central to democratic life (Ambedkar; Zelliott; Rege).

Despite these contributions, constitutionalism is frequently treated as an abstract legal domain. The lived, mobilisational, and symbolic dimensions of Dalit constitutionalism—as well as the dynamics of resistance, reinterpretation, and appropriation—remain insufficiently theorised.

Research Objective and Significance

This article addresses these gaps by analysing “Ambedkar's Constitution” as a radical and mobilisational form of constitutionalism from below. It demonstrates how Dalit political practice transforms constitutional principles into tools of anti-caste struggle, moral claim-making and democratic assertion.

By integrating legal, sociological, and historical perspectives, the article advances a reconceptualisation of Indian constitutionalism that foregrounds Dalit agency, ethical engagement, and the unfinished project of social justice.

METHODOLOGY AND THEORETICAL FRAMEWORK

This study adopts a critical-interpretive and interdisciplinary methodology to examine Dalit constitutionalism as a lived, mobilisational, and ethical practice. Rather than treating the Constitution as a purely legal text, it

approaches constitutionalism as a socially embedded and politically enacted phenomenon shaped through historical struggle, collective agency, and everyday practice.

The research is grounded in three interrelated methodological approaches. First, textual and philosophical analysis engages with the writings and speeches of B. R. Ambedkar, particularly his interventions in the Constituent Assembly and his reflections on caste, democracy, and constitutional morality. This enables a reconstruction of his constitutional vision as an ethical and transformative project rather than a narrowly juridical framework.

Second, sociological analysis interprets Dalit constitutionalism as lived political practice. Drawing on Dalit studies, political sociology, and social movement theory, the study examines how constitutional values are re-signified through grassroots mobilisation, symbolic assertion, and collective action.

Third, a case-based analytical approach explores concrete instances of constitutional mobilisation, including the Bhim Army, Navsarjan, and the Bahujan Samaj Party, as well as legal engagement through the SC/ST (Prevention of Atrocities) Act and public interest litigation. These cases are treated as illustrative of broader patterns of constitutional practice from below.

By engaging with competing strands of constitutional theory, the study conceptualises Dalit constitutionalism as simultaneously moral, strategic, and transformative, thereby reconceptualising Indian constitutionalism as a dynamic and contested democratic process.

Ambedkar's Constitutional Philosophy: Social Democracy and Constitutional Morality

Ambedkar's constitutionalism cannot be adequately understood through narrow liberal or purely juridical frameworks. It emerges from a radical critique of caste as a civilisational system of domination and from a principled commitment to social democracy as the ethical foundation of political equality. For B. R. Ambedkar, the Constitution was not merely a legal or administrative framework but a moral and political instrument designed to dismantle graded inequality, restructure social relations, and enable substantive citizenship (Ambedkar).

His constitutional vision integrates law, ethics, and social transformation. Ambedkar consistently argued that political democracy, in isolation, remains fragile in a society deeply stratified by caste and class. In his final address to the Constituent Assembly on 25 November 1949, he warned that India would enter independence with political equality coexisting alongside entrenched social and economic inequality—a contradiction that constitutional form alone could not resolve (Ambedkar). Constitutionalism, therefore, acquires meaning only when anchored in sustained social reform, ethical commitment, and democratic vigilance.

Caste as a System of Graded Inequality

Ambedkar conceptualised caste not as a benign division of labour but as a division of labourers—a rigid, hierarchical system that assigns unequal worth through birth, endogamy, occupational immobility, and ritual exclusion (Ambedkar). Unlike liberal frameworks that prioritise formal equality before the law, he identified caste as a deeply embedded social order that renders legal equality insufficient in practice.

For Ambedkar, caste constitutes a structural impediment to democracy itself. Any constitutional framework that fails to confront caste risks reproducing inequality under the guise of formal equality. He therefore rejected nationalist narratives that subordinated caste oppression to cultural unity or anti-colonial struggle, insisting instead that democratic freedom requires the transformation of social relations rather than the mere adoption of democratic institutions.

His analysis demonstrates how caste structures access to resources, opportunities, and political representation. The hereditary occupational order restricts mobility while legitimising practices of humiliation—particularly untouchability—that persist despite formal legal abolition (Omvedt). By identifying caste as the central axis of

domination, Ambedkar establishes the intellectual foundation for an anti-caste constitutionalism that is simultaneously legal, moral, and political.

Social Democracy and Constitutional Values

Ambedkar reinterprets the democratic triad of liberty, equality, and fraternity within the specific context of caste society, transforming them from abstract ideals into ethical imperatives. Equality, in his formulation, entails equality of status and opportunity rather than mere formal recognition. Liberty signifies freedom from social domination, while fraternity denotes a moral recognition of shared humanity across caste divisions (Kumar).

Fraternity occupies a particularly central place in Ambedkar's thought. In a caste-based society, it cannot emerge organically but must be cultivated through constitutional norms, education, and sustained social reform. Without fraternity, liberty risks degenerating into privilege and equality into formal abstraction. This ethical emphasis connects directly to Ambedkar's advocacy of education as a transformative force, enabling marginalised communities to assert dignity and participate fully in democratic life (Rege).

For Ambedkar, social democracy is inseparable from political democracy. He envisioned a social order in which substantive equality is realised through affirmative action, redistributive policies, and institutional safeguards. The Constitution thus functions as a mechanism for translating ethical commitments into governance—particularly through reservations, minority protections, and Directive Principles aimed at restructuring historically unequal social relations.

Constitutional Morality

Drawing on the idea of constitutional ethics articulated by George Grote, Ambedkar argued that constitutional democracy requires more than adherence to legal procedures; it demands a cultivated respect for constitutional values (Bhambhri). In the Indian context, constitutional morality assumes a distinctly anti-caste character. Legal guarantees of equality can be hollowed out if dominant social groups continue to reproduce hierarchy through informal practices and entrenched social power.

Constitutional morality, therefore, entails an active process of ethical transformation. It requires individuals to unlearn caste-based practices, internalise democratic values, and practise fraternity in everyday life. Rather than passive compliance, it demands critical engagement with structures of inequality and a willingness to challenge them.

This ethical dimension is central to Dalit constitutionalism. It enables marginalised communities to interpret the Constitution not merely as a legal text but as a moral charter guiding collective action. Through constitutional morality, dignity becomes a claimable right, oppression becomes contestable, and resistance acquires legitimacy within democratic norms.

Pragmatism and Radical Intent

Ambedkar's acceptance of the Constitution, despite the dilution of certain radical proposals such as constitutional socialism, reflects strategic pragmatism rather than ideological compromise. He recognised the constraints of the historical moment and viewed the Constitution not as a final resolution of inequality but as a framework to be continually transformed through democratic struggle.

This pragmatic radicalism embedded anti-caste principles within enforceable legal structures while preserving space for future mobilisation. Provisions such as reservations for Scheduled Castes and Scheduled Tribes, protective legislation, and Directive Principles created institutional mechanisms for challenging structural inequality (Pai; Jaffrelet).

By combining ethical commitment with strategic flexibility, Ambedkar's constitutional philosophy enables the Constitution to function as a living instrument of empowerment. Its provisions are not merely safeguards but

resources to be mobilised—shaping political identity, legitimising resistance, and advancing the unfinished project of social justice.

Ambedkar's Warning, Not Rejection: Recontextualising the “Burning the Constitution” Claim

Ambedkar's remark on “burning the Constitution” has frequently been misinterpreted—both in popular discourse and in sections of academic writing—as an expression of disillusionment or outright rejection of the Indian Constitution. Detached from its political and rhetorical context, such readings obscure the ethical and strategic dimensions of his constitutional thought. Properly situated, the statement functions as a warning: constitutional forms, however progressive, risk becoming hollow when social hierarchies and entrenched inequalities persist. Ambedkar was acutely aware that political equality could coexist with systemic caste domination, and he deployed this provocation to critique forms of constitutionalism divorced from moral discipline and social transformation (Omvedt; Pai).

This concern is rooted in his understanding of caste as a civilisational system capable of subverting democratic institutions from within. In a society structured by graded inequality, constitutional rights risk being reduced to symbolic assurances unless they are actively defended and enacted through collective political practice. The “burning” remark, therefore, should not be read as repudiation but as a caution against the perversion, dilution, or selective application of constitutional principles by dominant social and political forces. It foregrounds a central Ambedkarite insight: law acquires emancipatory force only when sustained by ethical commitment and organised social struggle.

Resignation from the Nehru Cabinet: Ethics over Expediency

Ambedkar's resignation from Prime Minister Jawaharlal Nehru's cabinet in 1951 provides a concrete illustration of this distinction between warning and rejection. His departure followed the shelving of the Hindu Code Bill, which sought to secure women's rights in matters of property, inheritance, and divorce. Rather than signalling withdrawal from constitutionalism, this act constituted an ethical protest, demonstrating that constitutional authority loses legitimacy when it fails to translate principles of equality into substantive reform (Zelliot; Kumar).

This episode exemplifies Ambedkar's conception of constitutional morality. He recognised that the Constitution is not self-executing and that progressive legal frameworks can be neutralised through political compromise and social conservatism. His resignation thus functioned as a performative assertion of accountability, underscoring those constitutional values must be defended even at the cost of political office. For Dalit constitutionalism, this moment remains instructive: it models constitutional engagement as a practice of ethical vigilance rather than institutional compliance.

Dalit Movements and the Internalisation of Ambedkar's Warning

Dalit movements have internalised Ambedkar's distinction between constitutional form and emancipatory substance, transforming it into a guiding principle of political practice. Rather than treating the Constitution as a static or ceremonial text, activists deploy it as both a normative benchmark and a strategic resource.

Legal engagement forms a crucial dimension of this practice. Dalit communities invoke constitutional provisions and statutory protections to challenge discrimination, defend affirmative action, and resist the dilution of safeguards such as the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act. Legal mobilisation is thus framed not as dependency on the state but as an assertion of constitutional accountability.

Equally significant is public protest. Movements such as the Bhim Army and Navsarjan mobilise constitutional language in demonstrations and campaigns, framing caste violence as a violation of constitutional morality rather than merely a social injustice. These practices translate constitutional principles into instruments of collective resistance.

Symbolic assertion further extends this engagement. Public readings of the Constitution, celebrations of Constitution Day, and visual representations of Ambedkar holding the Constitution render it a living emblem of dignity and citizenship. Such practices simultaneously affirm Dalit belonging within the constitutional order and expose the gap between constitutional promise and social reality.

Through these interconnected forms of engagement, Dalit constitutionalism challenges the reduction of constitutionalism to elite legalism, demonstrating that its authority is produced and sustained through collective assertion and everyday struggle.

Strategic and Ethical Dimensions of the Warning

Recontextualising Ambedkar's warning reveals three interrelated dimensions central to Dalit constitutionalism.

First, it foregrounds ethical vigilance. Constitutional rights require continuous defence and moral engagement; they cannot be sustained through formal guarantees alone.

Second, it highlights strategic mobilisation. Dalit movements deploy constitutional language with a clear awareness of how dominant groups may reinterpret or dilute egalitarian provisions. Constitutionalism thus becomes a repertoire of resistance, enabling both anticipation and contestation of backlash.

Third, it reinforces the primacy of social democracy. Ambedkar's critique underscores that political democracy remains fragile without social and economic equality. Constitutionalism, therefore, is inseparable from the broader anti-caste struggle and must be continually deepened through collective action.

Taken together, these dimensions position the Constitution as both a moral compass and a political instrument. Dalit constitutionalism emerges as strategic in method, ethical in orientation, and transformative in its challenge to caste hierarchy.

Implications for Contemporary Constitutionalism

Misreadings of Ambedkar's remark as disillusionment continue to circulate, often serving to delegitimise Dalit constitutional politics or portray it as internally contradictory. Reinstating the warning within its proper context has significant implications for contemporary constitutional debates.

It foregrounds the unfinished character of Indian democracy, emphasising the need for continuous vigilance and social engagement. It also validates grassroots constitutionalism, recognising that constitutional meaning is produced not only in courts but through civic action and collective struggle. Finally, it clarifies that Dalit constitutionalism is proactive rather than merely reformist, grounded in ethical commitment and political mobilisation rather than passive reliance on institutions.

Ambedkar's warning should thus be understood as a call to ethical discipline and sustained mobilisation. It affirms that the Constitution's transformative potential depends not on textual authority alone but on the vigilance, agency, and moral resolve of those who invoke it in the pursuit of dignity, justice, and democratic equality.

Constitutional Revolution and Upper-Caste Counter-Revolution

Ambedkar's conceptualisation of revolution and counter-revolution offers a powerful framework for interpreting postcolonial Indian constitutionalism. The adoption of the Constitution in 1950 marked a decisive democratic rupture with the caste-based social order, institutionalising formal equality, abolishing untouchability, and introducing affirmative measures to address historical injustice. Yet this constitutional revolution was neither complete nor uncontested. Its transformative potential encountered sustained resistance from dominant castes and entrenched elite interests, producing an ongoing counter-revolution operating across legal, social, political, and ideological domains (Ambedkar; Guru).

The concept of counter-revolution is crucial for explaining the persistent gap between constitutional promise and social reality. While the Constitution created new pathways for Dalit empowerment, dominant groups have repeatedly sought to contain, reinterpret, or dilute these provisions. The postcolonial state, therefore, cannot be understood as a neutral guarantor of constitutional values; rather, it constitutes a contested terrain in which emancipatory ideals and hierarchical social forces remain in continuous tension.

Reservations, Backlash, and Judicial Anxiety

Reservation policies represent one of the most transformative instruments of India's constitutional project. By expanding access to education, public employment, and political representation for Scheduled Castes and Scheduled Tribes, reservations disrupted the historical convergence between caste privileges and claims to merit. In doing so, they challenged entrenched systems of social closure that had long monopolised resources and authority (Thorat and Newman).

This disruption has generated persistent backlash from dominant castes, often articulated through the language of meritocracy, efficiency, and institutional standards. Judicial interventions have, at times, reinforced these anxieties by introducing limiting doctrines such as the “creamy layer,” efficiency criteria, and restrictive interpretations of quotas. These tensions are evident in landmark cases such as *Indra Sawhney v. Union of India*, which upheld reservations while imposing a 50 percent ceiling, and *M. Nagaraj v. Union of India*, which introduced stringent conditions for reservation in promotions, later revisited in *Jarnail Singh v. Lachhmi Narain Gupta*. While framed as neutral adjustments, such doctrines frequently reflect deeper discomfort with redistributive justice and the erosion of inherited privilege (Deshpande).

Beyond the judiciary, opposition to reservations has been mobilised through political rhetoric, media discourse, and public campaigns that portray affirmative action as divisive or excessive. Sociologically, these responses reveal anxieties about the destabilisation of caste hierarchy and the increasing visibility of Dalit assertion within historically exclusionary spaces.

Violence, Retaliation, and Social Control

Legal and ideological resistance is often accompanied by overt forms of social coercion. Dalit mobility—particularly in education, land ownership, and political representation—has frequently provoked violence, humiliation, and exclusion. These practices function as mechanisms of counter-revolution, seeking to restore pre-constitutional hierarchies through intimidation and social discipline (Guru; Jaffrelot).

Caste-based violence, including physical assaults, sexual violence, and social boycotts, operates as a counter-constitutional practice that directly undermines guarantees of equality and dignity. Such violence is especially pronounced in contexts where Dalits challenge entrenched power relations or assert political agency. Its persistence underscores the limits of juridical protection in the absence of broader social transformation and reinforces the necessity of collective mobilisation and political organisation.

Institutional Dilution and Ideological Appropriation

Counter-revolutionary dynamics also manifest through institutional and discursive strategies that dilute the Constitution's anti-caste orientation. The weakening of protective legislation, procedural constraints imposed by courts, selective enforcement by state agencies, and bureaucratic inertia collectively undermine the efficacy of constitutional safeguards (Pai). These processes create an appearance of compliance while limiting substantive outcomes.

Judicial developments concerning the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act further illustrate this tension. In *Subhash Kashinath Mahajan v. State of Maharashtra*, procedural safeguards were diluted on grounds of preventing misuse, prompting widespread protest and legislative intervention, later reconsidered in *Prathvi Raj Chauhan v. Union of India*. Such oscillations reveal the fragility of protective frameworks when confronted with institutional scepticism.

At the ideological level, Ambedkar's legacy is frequently depoliticised. He is often recast as a neutral constitutional expert rather than a radical critic of caste hierarchy. Similarly, the Constitution is represented as a harmonious and consensus-driven document, obscuring its role as an instrument of social conflict and redistribution. Educational narratives, public commemorations, and media representations often sanitise Ambedkar's critique of caste, thereby marginalising the radical foundations of constitutional equality.

Conceptualising Counter-Revolution

Counter-revolution in postcolonial India operates across multiple, interrelated domains that may be analytically distinguished.

First, legal counter-revolution involves judicial reinterpretations that restrict affirmative action, privilege formal equality over substantive justice, or impose procedural constraints on protective legislation.

Second, social counter-revolution is expressed through caste-based violence, everyday discrimination, and exclusionary practices that seek to discipline Dalit assertion and preserve hierarchical norms.

Third, ideological counter-revolution encompasses the depoliticisation of Ambedkar's thought and the reframing of constitutionalism as culturally neutral, consensus-driven, or even majoritarian.

Fourth, political counter-revolution manifests in electoral mobilisation around upper-caste anxieties, resistance to redistributive policies, and the symbolic appropriation of constitutional language to delegitimise Dalit claims.

Taken together, these dimensions demonstrate that constitutional revolution is not a singular historical rupture but an ongoing and contested process requiring continuous defence, reinterpretation, and mobilisation.

Implications for Dalit Constitutionalism

Recognising the dynamics of counter-revolution clarifies why Dalit constitutionalism must function simultaneously as defence and transformation. It necessitates sustained mobilisation through legal action, protest, and political organisation to protect and extend constitutional rights. It also requires symbolic assertion through commemorative practices and public performances that affirm dignity and belonging.

Equally important is ethical vigilance—the internalisation of constitutional morality as a lived and socially embedded practice rather than a procedural norm. Dalit constitutionalism must remain strategically adaptive, deploying legal, political, and cultural resources to confront evolving forms of resistance.

The persistence of counter-revolution confirms that the Constitution's anti-caste promise is not self-executing. Dalit constitutionalism therefore redefines constitutionalism itself—not as a static legal framework but as a dynamic, contested, and mobilised project of social justice. It is through this sustained engagement from below that the Constitution retains its transformative and emancipatory potential.

Constitutionalism as Anti-Caste Political Language

Dalit constitutionalism extends beyond the confines of formal legalism to function as a shared moral, symbolic, and political language. For historically marginalised communities, the Constitution is not merely a juridical text but a cultural and ethical resource through which dignity, equality, and citizenship are articulated and claimed. In this sense, constitutionalism translates abstract legal principles into lived practices, converting rights into modes of social assertion and moral pedagogy (Jaffrelot; Rege).

In contrast to elite-centric or judiciary-focused interpretations that prioritise institutional coherence, Dalit constitutionalism foregrounds collective enactment. It transforms everyday experiences of humiliation and exclusion into public claims for justice, repositioning the Constitution as a medium of anti-caste mobilisation rather than a distant legal artefact.

Symbolic Practices and Public Assertion

Symbolic practices occupy a central role in the anti-caste grammar of constitutionalism. Dalit communities deploy constitutional imagery and rituals to assert dignity and presence within spaces historically structured by exclusion. Statues of B. R. Ambedkar holding the Constitution, widely installed across rural and urban landscapes, function not only as commemorative icons but as visual assertions of constitutional sovereignty and Dalit ownership of democratic values.

Similarly, Constitution Day celebrations—through public readings, discussions, and commemorative events—transform civic ritual into political pedagogy. These practices reinforce collective awareness of rights while cultivating a shared ethical vocabulary. The performative recitation of constitutional provisions in protests, community gatherings, and educational spaces further converts the text into an active instrument of resistance, reasserting claims to equality and fraternity (Omvedt).

Through such practices, constitutionalism becomes a language of visibility, countering the social invisibility imposed by caste hierarchies and legitimising Dalit participation in public life.

From Personal Humiliation to Public Justice

A defining feature of Dalit constitutionalism is its capacity to reframe personal and collective suffering as constitutional violation. Experiences of untouchability, denial of access to public resources, workplace discrimination, and caste-based violence are articulated not merely as social injustices but as breaches of constitutional guarantees (Pai).

This reframing performs several interrelated functions. It confers moral legitimacy by grounding individual suffering in constitutional ethics, transforming private injury into publicly recognisable injustice. It enables collective mobilisation by linking dispersed experiences of discrimination to shared constitutional claims. It also facilitates normative contestation by challenging dominant caste narratives that naturalise hierarchy, recasting inequality as both unlawful and ethically indefensible.

In this process, constitutionalism operates as a mechanism of moral translation, converting lived experience into organised political action.

Ethics of Sustained Engagement

Dalit constitutionalism is sustained not through episodic legal intervention but through continuous ethical engagement embedded in everyday social life. Constitutional language circulates through educational initiatives, community organisation, and political practice, shaping political consciousness and collective identity.

Grassroots constitutional education integrates legal awareness with anti-caste ethics, fostering political literacy among younger generations. Community forums and local governance institutions invoke constitutional principles to guide decisions on welfare, representation, and resource allocation. Electoral mobilisation—particularly through formations such as the Bahujan Samaj Party—translates constitutional ideals into governance strategies, expanding the scope of representation and policy influence.

Through these practices, the Constitution is transformed from a procedural framework into a lived moral order, reinforcing the ethical foundations of anti-caste struggle (Rege; Jaffrelot).

Constitutional Language as Resistance

Within this framework, constitutionalism becomes inseparable from resistance. The invocation of constitutional principles—whether through protest, symbolic assertion, or public pedagogy—simultaneously articulates ethical claims and enacts political strategy. It challenges caste authority, disrupts hierarchical norms, and reclaims public space as constitutionally inclusive.

Dalit constitutionalism thus embodies a form of performative radicalism. Rather than relying solely on judicial outcomes, it mobilises cultural, symbolic, and ethical resources to reconfigure power relations. The Constitution operates simultaneously as a moral vocabulary, a political toolkit, and a strategic instrument through which equality is asserted and legitimised.

Implications for Indian Constitutionalism

Understanding constitutionalism as a shared moral and political language carries significant implications for democratic theory and practice. It challenges interpretations that reduce the Constitution to a static legal text and demonstrates that constitutional norms acquire transformative force only when enacted through collective engagement.

It further underscores that democracy is sustained not merely by institutional frameworks but by popular constitutional practice grounded in social struggle. Dalit constitutionalism reveals the Constitution as both text and practice—simultaneously a normative guide and a political instrument—continuously enacted through resistance, symbolic assertion, and ethical vigilance.

In doing so, it repositions constitutionalism as an active, socially embedded, and transformative language of anti-caste politics.

Practising Ambedkar's Constitution: Mobilisation from Below

Dalit constitutionalism is most visibly enacted not only within courts or legislatures but through grassroots practices in which constitutional values are operationalised in everyday political life. Through legal awareness, collective organisation, public protest, and electoral participation, Dalit movements transform the Constitution from a formal legal framework into a socially enacted instrument of justice. These practices translate Ambedkar's vision of social democracy into concrete strategies for asserting dignity, securing rights, and contesting entrenched caste hierarchies (Jaffrelot; Omvedt).

Mobilisation from below reveals that constitutionalism functions simultaneously as a practical repertoire of action and a normative framework, enabling marginalised communities to convert legal guarantees into lived citizenship.

Legal Literacy and Rights Consciousness

Legal literacy constitutes a foundational pillar of Dalit constitutional practice. Civil society organisations such as Navsarjan and the National Campaign on Dalit Human Rights (NCDHR) have played a crucial role in disseminating constitutional knowledge and legal awareness. Their initiatives focus on core guarantees including the abolition of untouchability, provisions for affirmative action, and statutory protections against caste-based violence.

Through workshops, paralegal training, and community education programmes, these organisations enable individuals to identify rights violations, engage bureaucratic and legal institutions, and demand accountability. Legal literacy thus repositions constitutionalism from a distant abstraction to an actionable framework of democratic participation.

This emphasis reflects Ambedkar's insistence that democracy requires informed and vigilant citizens. Constitutionalism, in this sense, is not reducible to formal compliance but depends on active engagement in its interpretation and enforcement (Rege).

Land Rights and Economic Citizenship

Dalit mobilisation has consistently foregrounded land and economic security as essential to substantive citizenship. Movements addressing land redistribution, tenancy rights, and access to state resources reflect Ambedkar's recognition that political equality remains incomplete without material foundations.

Campaigns led by organisations such as Navsarjan to reclaim land from dominant castes illustrate how constitutional provisions are mobilised to secure economic justice. These struggles connect legal entitlement with material empowerment, demonstrating that equality must be realised not only through recognition but also through redistribution.

By integrating economic claims within constitutional discourse, Dalit constitutionalism expands the meaning of citizenship to encompass social and economic autonomy, thereby reinforcing the redistributive intent of constitutional democracy.

Street Mobilisation and Performative Constitutionalism

Street-level activism represents the performative dimension of Dalit constitutionalism. Protests, marches, and demonstrations organised by groups such as the Bhim Army and local collectives translate constitutional ideals into visible political action. These mobilisations challenge the dilution of protective legislation, demand enforcement of reservations, and confront everyday caste discrimination.

Such activism performs multiple functions. It asserts dignity by reclaiming public spaces historically structured by exclusion; it enforces accountability by directly confronting state institutions and dominant social actors; and it fosters collective consciousness by building solidarity and shared political identity (Guru; Thorat and Newman).

Street mobilisation demonstrates that constitutional meaning is not confined to institutional interpretation but is actively produced through struggle. Rights, in this context, are not merely invoked but enacted in the public sphere.

Electoral Politics and Institutional Engagement

Electoral participation constitutes another critical dimension of practising constitutionalism from below. Political formations such as the Bahujan Samaj Party (BSP), drawing on Ambedkarite ideology, have translated constitutional principles into institutional frameworks of governance and representation.

Through electoral mobilisation, Dalit communities have sought to embed equality and social justice within state policy, expand political representation, and challenge historically exclusionary power structures. The deployment of Ambedkarite symbolism within electoral politics further reinforces claims to constitutional legitimacy and authorship.

This dimension underscores that Dalit constitutionalism is not solely oppositional. It is also constructive and institution-building, converting normative claims into mechanisms of governance and structural reform.

Constitutionalism as a Dynamic and Contested Framework

Taken together, these practices demonstrate that Ambedkar's Constitution is continuously interpreted, activated, and re-signified through mobilisation from below. Legal literacy, economic struggles, street activism, and electoral engagement reveal constitutionalism as a dynamic and contested democratic framework rather than a static legal text.

This grassroots constitutionalism highlights several interrelated features. It foregrounds agency, emphasising that rights are realised through collective action rather than institutional benevolence. It remains normatively grounded in Ambedkarite values of dignity, fraternity, and social democracy. It is strategically adaptive, responding to judicial limitation, administrative inertia, and social backlash. Finally, it underscores the redistributive and emancipatory potential of constitutionalism when embedded in everyday struggle.

Dalit constitutionalism thus demonstrates that law becomes socially transformative only when sustained by political consciousness, ethical commitment, and organised mobilisation. Practised from below, Ambedkar's Constitution emerges as an evolving project of democratic struggle and anti-caste emancipation.

Case Studies of Dalit Constitutional Mobilisation

Dalit constitutionalism becomes most analytically visible when examined through concrete practices in which constitutional principles are actively mobilised to challenge caste hierarchy, secure rights, and assert political agency. Case studies of Dalit organisations and movements demonstrate how Ambedkar's vision of social democracy, constitutional morality, and anti-caste transformation is translated into action across legal, social, and political domains. These examples reveal that the Constitution operates not merely as a legal framework but as a contested and socially enacted resource, activated through sustained mobilisation from below.

The Bhim Army: Street Politics and Performative Constitutionalism

Founded in 2014 in Uttar Pradesh, the Bhim Army represents a form of explicitly confrontational and performative constitutionalism rooted in street politics. Drawing on Ambedkarite thought, the organisation positions the Constitution as both a moral framework and a tactical instrument for resisting caste violence and institutional neglect (Singh).

Its interventions operate across interconnected domains. Public protest and spatial assertion constitute a central strategy, with marches, sit-ins, and demonstrations deployed in response to caste atrocities, denial of educational access, and everyday discrimination. These actions render constitutional rights visible as embodied claims to dignity and democratic belonging, particularly in regions marked by entrenched caste hierarchies.

The organisation also foregrounds constitutional literacy and political education through community outreach initiatives, linking legal knowledge with collective mobilisation. This integration enables participants to translate abstract constitutional guarantees into actionable claims.

In addition, legal advocacy—particularly the documentation of caste-based violence and engagement with statutory protections—reinforces the principle that the state bears an obligation to uphold constitutional guarantees.

Taken together, these practices exemplify performative constitutionalism, in which constitutional authority is enacted through collective presence, confrontation, and public assertion rather than mediated exclusively through institutional channels.

Navsarjan: Legal Empowerment and Grassroots Constitutionalism

Operating primarily in Gujarat, Navsarjan represents a contrasting model centred on legal empowerment, institutional engagement, and grassroots organisation. Its work demonstrates how constitutional provisions can be systematically mobilised to confront entrenched discrimination and deepen democratic participation (Zelliot).

At the core of Navsarjan's approach is rights-based legal education, which equips Dalit communities with the capacity to identify violations, engage administrative mechanisms, and pursue remedies. This emphasis transforms constitutional guarantees into practical instruments of everyday citizenship.

Strategic litigation further extends this engagement by positioning courts as sites of contestation rather than neutral arbiters. Interventions addressing caste violence, exclusion from welfare schemes, and bureaucratic discrimination illustrate how law functions as a terrain of structured struggle.

Equally significant is the organisation's emphasis on documentation and evidence-building. Systematic recording of caste-based atrocities strengthens enforcement processes and disrupts dominant narratives that normalise or minimise structural violence.

Finally, Navsarjan promotes participation in local governance institutions, thereby operationalising Ambedkar's vision of substantive democracy at the grassroots level. Through these combined strategies, constitutionalism becomes embedded in routine practices of governance, accountability, and collective organisation.

BSP: Electoral Institutionalisation of Constitutional Ideals

The Bahujan Samaj Party (BSP) represents the institutionalisation of Dalit constitutionalism through electoral politics and state power. Founded by Kanshi Ram and later led by Mayawati, the BSP translated Ambedkarite principles into structures of political representation, governance, and policy intervention (Jaffrelot).

Through electoral success—particularly in Uttar Pradesh—the party enabled historically marginalised communities to participate directly in state institutions, thereby operationalising constitutional commitments to equality and inclusion.

Policy initiatives in areas such as welfare distribution, education, and housing reflected attempts to advance redistributive justice and expand access to state resources. These interventions demonstrate how constitutional principles can be translated into administrative and policy frameworks.

Symbolic politics also played a crucial role. The construction of memorials, statues, and public monuments dedicated to Ambedkar and other Dalit leaders reconfigured public space, asserting dignity and historical visibility. These symbolic interventions complemented institutional reforms by reinforcing collective identity and constitutional authorship.

Electoral mobilisation within the BSP framework thus functioned not merely as a contest for power but as a broader project of social transformation, linking representation with redistribution and symbolic assertion.

Comparative Insights from Dalit Constitutional Mobilisation

Taken together, these case studies illuminate key dimensions of Dalit constitutionalism as a multi-layered democratic practice.

First, they demonstrate the plurality of modalities through which constitutionalism is enacted: confrontational street politics (Bhim Army), institutional-legal engagement (Navsarjan), and electoral governance (BSP). This variation underscores that constitutional mobilisation is not confined to a single strategy but operates across complementary terrains.

Second, the Constitution emerges as a composite moral–political resource, functioning simultaneously as legal authority, ethical framework, and symbolic language. Across all three cases, constitutional invocation legitimises claims while structuring modes of resistance.

Third, these examples highlight the active production of constitutional meaning. Rights are not passively received but are enacted through protest, litigation, organisation, and governance, challenging elite monopolies over constitutional interpretation.

Finally, Dalit constitutional mobilisation reflects a form of ethical radicalism grounded in Ambedkarite values. Fraternity, dignity, and social democracy are not abstract ideals but organising principles that shape political practice and collective identity.

These cases therefore demonstrate that Ambedkar’s Constitution is neither static nor exclusively institutional. It is continually reconstituted through collective struggle, political agency, and ethical commitment. Dalit constitutionalism emerges, in this sense, as a transformative project of anti-caste democracy—simultaneously legal, political, and cultural in its orientation.

Legal Engagement and Judicial Contestations

Dalit constitutionalism operates not only through symbolic assertion and grassroots mobilisation but also through sustained engagement with formal legal institutions, where constitutional promises are interpreted, contested, and enforced. Judicial arenas are central to the realisation of constitutional rights, particularly in a society marked by entrenched caste hierarchies, recurring violence, and administrative inertia (Thorat and Newman; Guru).

Dalit engagement with courts demonstrates that constitutionalism is a strategic and contested practice rather than a passive reliance on legal authority. Through litigation, public interest actions, and legal advocacy, Dalit communities translate moral and symbolic claims into enforceable rights while simultaneously confronting the judiciary's ambivalence toward substantive equality. Judicial outcomes, in this sense, do not merely resolve disputes but actively shape the scope and meaning of constitutional justice.

The SC/ST (Prevention of Atrocities) Act: Protection and Dilution

The Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, represents a critical legislative instrument for operationalising constitutional guarantees against caste violence and systemic discrimination. It embodies foundational principles including the abolition of untouchability under Article 17, equality before law, and the protection of dignity.

Dalit mobilisation around the Act reflects a high degree of legal consciousness. This includes filing complaints, ensuring the registration of First Information Reports (FIRs), monitoring investigations, challenging administrative inaction, and mobilising public attention around violations. Through such practices, constitutional protections are actively enforced rather than passively invoked.

Judicial interpretation, however, has periodically altered the scope of the Act. In *Subhash Kashinath Mahajan v. State of Maharashtra*, the Supreme Court introduced procedural safeguards—such as prior sanction for arrest—that were widely perceived as diluting the Act's deterrent effect. This judgement triggered widespread protests and highlighted the tension between judicial caution and the lived realities of caste violence. Subsequently, in *Prathvi Raj Chauhan v. Union of India*, the Court upheld legislative amendments restoring the strength of the Act, demonstrating an ongoing dialogue between judicial interpretation and democratic mobilisation.

Earlier jurisprudence, such as *State of Karnataka v. Appa Balu Ingale*, had strongly affirmed the constitutional commitment to abolishing untouchability, underscoring the judiciary's potential to advance substantive equality. Yet, the oscillation between expansion and restriction reveals that legal safeguards remain contingent upon interpretation and enforcement.

The Act thus emerges as a site of constitutional struggle, where the gap between legal intent and institutional implementation necessitates continuous mobilisation to secure substantive justice.

Affirmative Action and Reservation as Judicial Battlegrounds

Affirmative action remains a cornerstone of Dalit constitutional mobilisation, yet it has consistently been shaped through judicial contestation. Courts have adjudicated critical issues such as quota limits, the “creamy layer” doctrine, reservations in promotions, and the relationship between merit and social justice.

The landmark judgement in *Indra Sawhney v. Union of India* upheld the constitutional validity of reservations while simultaneously introducing doctrinal constraints, including the 50 percent ceiling and the exclusion of the “creamy layer.” While the ruling affirmed the legitimacy of compensatory justice, it also imposed structural limits that continue to shape affirmative action policy.

Subsequent decisions further illustrate this ambivalence. In *M. Nagaraj v. Union of India*, the Court upheld reservations in promotions but subjected them to stringent conditions, requiring the state to demonstrate backwardness, inadequate representation, and administrative efficiency. Later, *Jarnail Singh v. Lachhmi Narain Gupta* modified this framework by removing the requirement to re-establish backwardness, signalling partial judicial correction while retaining other constraints.

Taken together, these judgements reveal a pattern in which courts simultaneously validate and circumscribe redistributive justice. Affirmative action is often framed as an exception to equality rather than as its substantive fulfilment, reflecting deeper ideological tensions surrounding merit, redistribution, and social transformation (Deshpande).

Dalit legal mobilisation in this arena has been proactive, involving sustained litigation, policy advocacy, and public engagement. These interventions reassert Ambedkar's argument that equality must be understood in historical and structural terms rather than through abstract formalism.

Public Interest Litigation and Strategic Judicial Engagement

Public Interest Litigation (PIL) has emerged as a significant mechanism through which Dalit constitutionalism intervenes in systemic injustice. Unlike individual litigation, PIL enables the articulation of collective grievances and structural inequalities, including denial of educational access, displacement, caste-based harassment, and administrative non-compliance with welfare obligations.

These legal interventions illustrate the performative dimension of constitutionalism. Litigation not only seeks judicial remedies but also generates public visibility, shapes normative discourse, and challenges dominant interpretations of law (Zelliot; Omvedt). In doing so, it extends constitutional engagement beyond courtroom outcomes into broader arenas of public debate and political contestation.

Within this framework, courts function as contested arenas rather than neutral institutions. Dalit engagement seeks to hold the judiciary accountable to constitutional morality, emphasising that the legitimacy of legal authority depends on its commitment to substantive equality and social justice. Judicial processes thus become sites where constitutional meaning is negotiated rather than merely applied.

Constraints, Resistance, and Strategic Adaptation

Despite its transformative potential, Dalit legal engagement operates within significant structural constraints. Judicial conservatism often manifests in formalist interpretations of equality that undermine protective legislation and restrict redistributive policies. Procedural complexities, delays, and limited access to legal resources further inhibit effective participation.

Legal action is also frequently accompanied by social resistance. Dominant-caste retaliation, intimidation, and non-compliance can undermine the impact of judicial victories, revealing the limits of legal remedies in the absence of broader social change. Resource asymmetries between grassroots organisations and institutional actors further constrain sustained advocacy.

In response, Dalit movements have developed adaptive strategies, including the establishment of legal aid networks, collaboration with pro bono lawyers, coordinated litigation campaigns, and strategic use of media to amplify legal struggles. Crucially, legal engagement is rarely pursued in isolation; it is embedded within broader movements that integrate street mobilisation, symbolic assertion, and political negotiation.

This integrated approach reflects Ambedkar's insistence that constitutional rights must be defended through organisation, vigilance, and sustained ethical commitment.

Implications for Dalit Constitutionalism

Judicial engagement reveals several defining features of Dalit constitutionalism. First, it underscores a form of strategic radicalism in which law is consciously deployed as an instrument of anti-caste struggle rather than treated as a neutral or purely technical mechanism. Second, it reflects ethical vigilance, framing legal action within the broader framework of constitutional morality, dignity, and accountability.

Third, courts emerge as sites of transformative contestation where structural inequalities are challenged, negotiated, and reinterpreted. Finally, legal strategies remain deeply interconnected with mass mobilisation, reinforcing constitutionalism as a multi-layered practice operating across institutional and social domains.

The trajectory of key judgements—from *Indra Sawhney v. Union of India* to *Prathvi Raj Chauhan v. Union of India*—demonstrates that constitutional equality evolves through an ongoing interaction between judicial reasoning and democratic struggle.

Through sustained legal engagement, Dalit communities transform the Constitution from a symbolic promise into an enforceable and contested framework of justice. Constitutionalism, in this sense, is neither automatic nor self-executing; it is realised through continuous struggle, strategic intervention, and ethical insistence on equality.

Critiques and Debates on Dalit Constitutionalism

Dalit constitutionalism, understood as a living, radical, and mobilised practice, has generated sustained debate across legal studies, sociology, and political theory. At the core of these debates lies a fundamental tension: whether constitutionalism functions primarily as an emancipatory instrument or as a reformist framework constrained by entrenched structures of power. Engaging with these critiques is essential for situating Ambedkar's Constitution not merely as a juridical text, but as a dynamic ethical, cultural, and political project shaped through ongoing struggle.

Celebratory Liberal Accounts

Liberal constitutional scholarship has frequently celebrated the Indian Constitution as a transformative charter of rights, democracy, and social justice, emphasising its progressive provisions and the foundational role of B. R. Ambedkar (Austin; Bhambhri). Within this framework, Dalit constitutionalism is often interpreted as an expression of constitutional faith, grounded in the assumption that legal recognition and judicial enforcement can secure equality and inclusion.

Such accounts, while acknowledging the importance of constitutional safeguards, tend to overestimate institutional efficacy. By privileging courts, formal rights, and state mechanisms, they understate the depth of caste power and the sustained labour required to translate rights into lived realities. Constitutional transformation is thus implicitly framed as a linear and self-executing process rather than as one contingent upon continuous mobilisation and social struggle (Omvedt).

This perspective inadequately captures the lived experience of Dalit engagement, where constitutional rights must be asserted against social resistance, bureaucratic inertia, and judicial ambivalence. In doing so, it risks depoliticising constitutionalism by obscuring the conflictual and contested processes through which rights acquire meaning.

Sceptical and Reformist Critiques

In contrast, sceptical accounts—often grounded in critical sociology and political economy—question the transformative capacity of Dalit constitutionalism. These critiques characterise constitutional engagement as reformist, institutionally constrained, and dependent on state mediation (Guru; Pai). From this standpoint, constitutionalism is viewed as insufficient for dismantling caste as a deeply embedded social system.

While such critiques effectively expose structural limitations and institutional capture, they risk underestimating Dalit political agency. By focusing primarily on outcomes rather than processes, sceptical approaches often overlook how constitutional norms are strategically appropriated to mobilise communities, reframe experiences of humiliation as injustice, and generate new forms of political subjectivity.

Moreover, these perspectives tend to privilege rupture over strategy, implicitly equating radicalism with extra-constitutional politics while casting constitutional engagement as inherently conservative. This binary obscures the complex ways in which law itself can function as a terrain of radical intervention and transformation.

Bridging the Binary: Radical Constitutionalism as Strategy

A more nuanced understanding of Dalit constitutionalism emerges by moving beyond the binary of emancipation versus reformism. Rather than being either transformative or constrained, Dalit constitutionalism operates as a form of strategic radicalism—radical in its ethical commitments and transformative aspirations, yet pragmatic in its modes of engagement.

This approach can be understood through several interrelated dimensions. First, it embodies moral radicalism, grounding constitutional practice in values of dignity, equality, and fraternity central to Ambedkar's conception of social democracy. Second, it manifests as cultural and symbolic assertion, where public rituals, commemorations, and spatial practices translate constitutional principles into a shared language of resistance (Rege).

Third, Dalit constitutionalism operates as a legal and political strategy, employing litigation, public interest actions, and electoral participation to advance substantive equality within institutional constraints (Omvedt). Finally, it foregrounds collective agency, ensuring that constitutional claims are articulated through community mobilisation rather than mediated solely through elites or formal institutions.

This synthesis aligns closely with Ambedkar's vision of constitutionalism as an active, ethical, and socially embedded project—one that derives its transformative potential not from institutional design alone but from sustained engagement and reinterpretation.

9Debates on Limits and Transformative Potential

Critical scholarship also foregrounds the structural constraints shaping Dalit constitutional practice. Judicial conservatism, bureaucratic inertia, resource asymmetries, and the persistent tension between symbolic assertion and material redistribution pose significant challenges to the realisation of constitutional equality.

However, these constraints do not negate the transformative potential of Dalit constitutionalism; rather, they clarify the conditions under which it must operate. Constitutional engagement must therefore function across multiple domains—legal, political, cultural, and ethical—to produce meaningful change.

Empirical and historical evidence indicates that Dalit mobilisation has expanded political representation, strengthened legal consciousness, reclaimed public spaces, and sustained a moral language of rights capable of disciplining both state institutions and social hierarchies. Importantly, symbolic assertion and material transformation are not mutually exclusive. Symbolic practices often generate the affective and political conditions necessary for institutional reform, reinforcing the interdependence of cultural and structural change.

Implications for Understanding Indian Constitutionalism

The debates surrounding Dalit constitutionalism yield several critical implications for rethinking Indian constitutionalism. First, they emphasise that constitutionalism must be understood as a lived and socially embedded practice rather than a purely legal or institutional framework.

Second, they challenge elite monopolies over constitutional interpretation by demonstrating that constitutional meaning is co-produced through grassroots engagement and collective struggle. Third, they highlight the fusion of ethical commitment and strategic action, showing that constitutionalism requires both moral vigilance and political mobilisation to counter entrenched hierarchies.

Finally, these debates reaffirm the radical potential of rights when mobilised collectively. Rights are not passive entitlements but active instruments of struggle capable of reshaping social relations and democratic practice.

Taken together, these insights position Ambedkar's Constitution as an unfinished yet transformative project of constitutionalism from below—sustained through ethical commitment, political contestation, and collective assertion.

CONCLUSION

Ambedkar's Constitution as a Living Anti-Caste Project

Ambedkar's Constitution cannot be reduced to the institutional text adopted in 1950; it must be understood as a dynamic and contested project of anti-caste democracy, continuously reconstituted through social struggle and

political practice. As envisioned by B. R. Ambedkar, the Constitution was never intended to function as a self-executing legal instrument but as an ethical and political framework whose transformative potential depends upon sustained engagement. In contemporary India, where caste hierarchies continue to shape access to dignity, resources, and citizenship, constitutionalism persists as a critical resource through which marginalised communities articulate claims to justice and democratic belonging.

Moral Authority and Constitutional Ethics

Dalit constitutionalism derives its enduring force not solely from legal sanction but from its grounding in constitutional morality as an ethical discipline. Ambedkar's insistence on the interdependence of political and social democracy foregrounds a central tension: constitutional guarantees of equality remain fragile in the absence of corresponding transformations in social relations. The practices examined in this study—ranging from protest and legal mobilisation to public pedagogy—demonstrate that constitutional norms acquire meaning only when enacted through collective action.

In this sense, constitutional morality emerges not as an abstract principle but as a lived ethical practice that animates democratic life. It transforms the Constitution into a normative framework through which domination is contested and dignity asserted, aligning legal claims with moral accountability.

Strategic Radicalism and Mobilisation from Below

This article has argued that Dalit constitutionalism operates as a form of strategic radicalism—radical in its ethical commitments to equality, dignity, and fraternity, yet pragmatic in its engagement with institutional frameworks. Through organisations such as the Bhim Army, Navsarjan, and the Bahujan Samaj Party, as well as through legal mechanisms including affirmative action and the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, constitutional ideals are translated into practices of resistance, negotiation, and governance.

These forms of engagement demonstrate that constitutionalism is neither merely reformist nor confined to moments of rupture. Rather, it is enacted through continuous struggle across legal, political, and symbolic domains. Law, in this framework, functions as a terrain of contestation—simultaneously enabling and constraining transformation—while mobilisation from below ensures that constitutional promises remain subject to democratic pressure.

Reclaiming Ambedkar and Constitutional Authorship

A central contribution of Dalit constitutionalism lies in reclaiming Ambedkar's authorship of the Constitution as a political act. This reclamation challenges attempts to depoliticise B. R. Ambedkar into a neutral constitutional figure and instead restores his role as a radical critic of caste and architect of social democracy. It also recontextualises his warnings—often misread as disillusionment—as calls for vigilance against the erosion of constitutional values.

Through this process, the Constitution becomes a site of historical memory and political assertion, embodying both the struggles that produced it and the aspirations it continues to sustain. Reclaiming authorship thus reinforces Dalit claims to constitutional ownership, transforming law into a medium of collective identity and democratic participation.

The Constitution as an Unfinished Project

The Constitution's transformative potential remains incomplete, constrained by persistent caste hierarchies, institutional limitations, and socio-economic inequalities. Yet this incompleteness is precisely what enables its continued relevance. It allows for reinterpretation, contestation, and renewal through democratic engagement.

Dalit constitutionalism exemplifies this process by continuously re-signifying constitutional principles in response to evolving forms of exclusion and resistance. In doing so, it reveals constitutionalism as an ongoing

project rather than a settled achievement—one that must be sustained through vigilance, mobilisation, and ethical commitment.

Theoretical Contribution: Constitutionalism from Below

This study advances a reconceptualisation of Indian constitutionalism as constitutionalism from below—a framework that foregrounds the role of marginalised communities in producing constitutional meaning. In contrast to elite-centric or purely juridical accounts, this perspective demonstrates that constitutional norms are not only interpreted in courts but enacted through social practice, political struggle, and collective assertion.

By integrating insights from Constitutional Theory, Subaltern Studies, and Critical Legal Studies, the article shows that constitutionalism operates simultaneously as a legal framework, a moral vocabulary, and a political strategy. This expanded understanding challenges the separation between law and society, emphasising instead their mutual constitution through struggle.

Final Reflections

Ambedkar's Constitution endures because it exists at the intersection of text and practice, legality and ethics, structure and struggle. Its radical potential is realised not through formal guarantees alone but through the agency of those who mobilise it to confront domination and reimagine democracy.

Dalit constitutionalism ensures that the Constitution remains a living instrument—continuously activated, contested, and transformed. It redefines constitutionalism as an ethical and political practice grounded in dignity, equality, and collective action. Recognising this dynamic is essential not only for understanding Indian constitutionalism but for sustaining its emancipatory promise in the face of enduring inequality.

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