

Chapter 1

Introduction

The year 1921 was a crucial one in the history of Indian politics. That year, Indians went to poll on an all British-India basis for the first time, based, however, on a very limited franchise. The Montagu-Chelmsford reforms, implemented on the heels of August Declaration of 1917, promised the introduction of responsible government in India. The catch was that the reforms would be gradual, and at every stage Indians should prove themselves worthy. The host of vocabulary used to describe this shift in Indian politics included representative government, responsible government, self-rule, home-rule etc. While the terms representative and responsible were description as well as demand of the British of the Indians, self-rule and home-rule meant a government for Indians by Indians. This is not to suggest that various terms and concepts were diametrically opposite to each other. Yet, different terms conceptualized the problems of Indian politics differently. The term representative government suggests that the government (or at least the parts of it) will include Indian representatives. The term responsible government, in turn, suggests more. A responsible government will include people's representative and the executive of the government will be answerable to the legislature; and the legislature will be answerable to the people- at least in theory. Responsible government is both representative and administratively empowered. The August Declaration proclaimed that the eventual goal of the reforms was full responsible government in British India under the aegis of the British Empire. This meant that British India was expected to become a self-governing state while continuing to remain a part, loyally, of the British Empire. The term for such a political and constitutional status was 'Dominion'. In 1921 India wasn't yet a Dominion. India was set on the course to become one. The demand of Congress party and other Nationalist groups was that the status of Dominion be granted to India soon. The other Dominions in the British Empire, such as Canada and Australia, were indicated as models to be followed in the governing of the empire by the British parliament. However, India wasn't granted a full responsible government in 1921. It wasn't fully non-responsible too. The curious mix of responsibility in certain areas and non-responsibility in others in effect meant the partial administrative power with the legislature with the transferred list and spectatorship with the reserved one. Dyarchy, as the system was christened, intended to strike a balance between the Indian representation and the British state in the government. The British position, as stated, was unless a gradual introduction was effected, there loomed a danger of an imminent collapse of administration. If such collapse ensued it will discredit the self-rule experiments at its infancy and make the case for further reforms weak and even non-existent. The reforms were an exercise in political education- education for both the larger electorate and the social class who claimed to represent them.

But, within the debate between representative and responsible government, the year also witnessed the introduction of democratic means in India. It wasn't a full-fledged democracy. Nonetheless, the basic framework and groundwork of democracy were laid during this round of reforms: 1) An all-India electorate (albeit a severely restricted one, all male and based on property and tax qualifications); 2) Conducted an all British India wide elections both at provincial and central level; 3) Parliamentary form of representation to the 'popular will'; 4) Creation of a political class trained in parliamentary proceedings; Responsibility of administration, at least in certain parts of the government.

The means were adopted and implemented with caveats, and as such they stand incomplete to effect a sea change in the entire society. The concept of political representation was severely restricted or qualified by certain questions. Firstly, whom did it seek to represent? The nature of the franchise was such that the concept of the political and the figure of popular were designed to coincide with the educated intelligentsia of the Indian societies. There were different arguments advanced to justify the

measure. From an administrative point of view, the task was nothing short of Herculean labour to enumerate, categorize and create the electoral roll. The task would have stretched the bureaucracy to its limits if the enfranchised electorate was any bigger. The nature of franchise and the gradualism with reforms suggest that there was a marked difference between the Indian population and the possible Indian electorate. The electorate stands as the privileged lot among the population, as the chosen few who could vote and return their representatives. These representatives, in turn, represent the interest of the electorate than the entire population. Of course, the stated plan was to extend the reach of electorate as Indian parliamentary performance progressed. But, was their intention to open up the electorate to proportions of universal franchise? We should be sceptical. The interest of the electorate was the interest of the nation, or the self in the making in the self-rule. Such an interpretation of the self-rule, where larger interests can be identified by a select few because of their better education, intelligence and property qualifications underlined the concept of the political class. It was for them the representation was sought for whom it was designed.

Secondly, what was the purpose of political representation? The answer must be interest based- but interests of both the British state and the political class in waiting. The point is to find the ground of convergence between both. The immediate aftermath of First World War was a moment of for certain sections of Indians. India contributed immensely, in terms of manpower, material contribution and capital payments, to the British war efforts. The atmosphere in Indian political circle was pregnant with expectations. Indians expected a great devolution of power to Indians and establishment of home rule, in line with other dominions in the empire. The reforms were as much a pacifying move as it was a grant of award for the Indian loyalty.¹ The reforms, for the British, meant a move to pacify the growing radical tendencies and revolutionary activities among the young Indian intelligentsia. It was also designed to educate the Indians in the ways of parliamentary politics. The reigning in of the revolutionary tendencies among the youth was one of the grounds of convergence between the British and the Indian political class. Lajpat Rai, in his *The Political Future of India*, reminds the British that the growing disaffection towards the British and the lack of trust in the British benevolence are feeding to the growing revolutionary activities in India. Moreover, unless the British take concrete steps to devolve power to Indians it will remain a cause for the revolutionaries to incite hatred and violence. The elders of the Indian movement such as Lajpat Rai himself wanted to de-radicalize the youth from violent politics. It wouldn't be possible unless they can show that British mean what they say- the introduction of representative and responsible government. Although there were a lot of difference between what was expected out of reforms, there was another sort of convergence, a convergence of perspective between the British and the Indian political class. They both expected the nationalist intelligentsia to stand for and voice the grievances of the country and its masses. The educated and urban based intelligentsia of the society was expected to lead the country and identify its interests as a whole. The first puncture to that logic was already made when the Muslim League, on behalf of the interests of the North Indian Muslim gentry argued for safeguards and nominated seats for Muslim member in the Minto Morley councils. However, even they didn't stretch their case further than this. The fundamental idea was that their existed objective interests of the country, identifiable to the educated class, and that class was tasked with the responsibility.

Ambedkar, however, made a departure from these conjunctures.

Ambedkar put a more normative turn to the two questions. He asked, who *should* be represented? And, what *should* be the purpose of representation? Ambedkar's view was that the representation

¹ The dyarchical system must have disappointed them, at best. One should read the reforms against the backdrop of revolutionary activities, non-cooperation movement and Jalianwala Bagh massacre. All these dealt a massive blow to the Indian and British expectations from each other.

should be for the least advantaged and the purpose of representation was to establish a democracy. One of the main lines of attack against Ambedkar and his politics was that it was communal and it divided Hindu community into hostile camps. This kind of criticism emanated from the perspective that believed in the existence of a completed Indian nation with an identity of interests. Ambedkar's politics was an argument against such naïve objectivity. The debate about Swaraj or self/home rule for Indians took a nuanced turn in Ambedkar. He wasn't against self/home rule. In fact Ambedkar sought primarily a democracy. The concept and practice of democracy isn't inconsistent with a nation state but the concept of the Indian nation as envisaged by many upper class caste Hindus, Ambedkar feared, will become inconsistent with a democracy in practice. More than once Ambedkar had to say that he was ready to wait for Swaraj till the nation was ready to move along the axes of equality of communities, liberty of individuals, and fraternity within the people.

Ambedkar's crusades for the emancipation of the Dalits happened against the background of certain key moments and episodes in the Indian political history. Those key moments also turned out to be constitutional. From Ambedkar's first tryst with politics-the deposition before the Southborough committee- to his opposition to Gandhi in 1930's to his stint as the chairman of the drafting committee and the first Law Minister of India, there was a common background and theme- the background was that of constitutional reforms and the theme was that of responsible government in India and the place of untouchables in it. The focus of his politics was the emancipation of the untouchables. This emancipation should be legally guaranteed and constitutionally irrevocable. In other words he sought irrevocable security and recognition to the person and the identity of Dalits. His politics unfurled against the caste-Hindu politics of major parties, including Congress. The major charge of Ambedkar (also the charge of many other Dalit politicians) was that the caste Hindu politics happened at two levels. One was the explicit valorisation of caste system and its associated acts as unique and particular to the genius of India and the lower castes must remain contented with their positions in the society, if at all they have one. Secondly, a more subtle and nuanced import of caste into national imagination where everything ancient about India was valorised with the caveat that with the passage of time corruptions had crept in and as soon as we cleansed it the religion will be back to its pristine rationality. Caste system, in this view wasn't an evil but a division of labour and inequities such as untouchability was a later day corrupt accretion. Ambedkar saw that these views, which primarily emanated from leaders of the caste Hindu upper class, informed the imagery of the nation in the making and posed a danger to the future of untouchables. The lives and fate of untouchables in that kind of caste-inflected nation will be no different from their destiny so far. No amount of lip service or formal resolutions to the contrary could make a difference. Dalits needed concrete constitutional status that was both a safeguard to their position and gave them equality, real and formal, with other members of the Indian nation. Ambedkar's vision of Indian nation was primarily based on the concept of democracy as enunciated by John Dewey- an associated mode of life. The introduction of electoral means was crucial to influence the terms of associated life, as he often repeated. Quintessential means of political democracy such as suffrage, rights, parliament, responsible government et al are well and good. But they by themselves don't usher in democracy. The kind of Swaraj without democracy- a Home where this Self intends to rule-is a place where Ambedkar and his untouchables will find themselves truly homeless. To usher in democracy along with nation, the active presence and participation of all, including the hitherto excluded and banished-the untouchables in particular and minorities in general- was absolutely necessary. The larger canvas of constitutional reforms and debates about the electoral status of the untouchables became the platform on which his views contributed to the reimagining of the nation in the making and the way in which questions of representation and responsibility became as much questions of democracy.

Ambedkar strived to demonstrate and convince the larger electorate that the supposed interests of the nation was actually more of the class and caste interests. The objective national interests, identified as the political and economic interests of all Indians such as political autonomy, Indianization of services, industrialization etc. were well and good on the paper but in real life, they might produce a veritable nightmare for the untouchable class. Unless the central issue of untouchability and the eradication of it and its cause, the caste system is undertaken, a true democracy or even a nation in the fullest sense won't happen. Therefore, Ambedkar provided an alternate perspective that touched and engaged with all the burning questions of nation, democracy, law, politics and public opinion. Ambedkar argued that the subjective experience of the Dalits and their case for empowerment provided the most rational prism to study and measure the subject of constitutional reforms in India. He argued that far from being inconsistent with national demands, his ideas about Dalit emancipation and empowerment were consistent with ideals of democracy. He was forcing his political opponents to recognize their inconsistencies and adapt their ideals to the ideals of a democratic nation, than a politically inspired transfer of power only.

The Constitutional Status of India in the British Empire

The period from 1909 to 1950 was a crucial one in legal and political history of India. Those forty one years paved the foundations of India's future political and legal history. Simultaneously, that period was one of hectic activities at the highest levels of Indian and British politics.

Key moments in Indian constitutional history is located in this forty odd year's window. The first one is the 1909 Minto-Morley Reforms. The second one is the 1919 Montagu-Chelmsford reforms and the third one is Government of India Act 1935. The fourth one was the drafting of Indian constitution. These reforms were successive both in terms of chronology and continuity of policy. These reforms introduced and continuously enlarged the concept and practice of Responsible Government in India within and eventually without the British Empire. While these moments stand out as the key ones, they are actually the culmination of efforts that preceded them. The moments were, in a restricted sense, the culmination of political demands, administrative judgements and struggle between the government and the people. The term culmination doesn't signify a closure of prior processes and a fresh beginning. On the contrary, the culmination acted as capstone of sorts that acted as the foundation to the next stage of action, demand, struggle and reforms.

As understood by both Indians and British, the purpose of these reforms was to introduce and progressively increase Indian participation in government. Lord Curzon announced that the aim of British rule in India was to accord the status of responsible government within the British Empire. Responsible government was a term well understood by all. It meant full scale parliamentary democracy for India by Indians. The British dominions had responsible government; the meaning of Curzon's declaration was that India was expected to become a dominion like others in the British Empire. However, when the responsible government unfurls Indians have to be prepared for the task. The series of successive reforms were as much steps in political and constitutional pedagogy too.

Reforms were advertised as proof to the British earnestness about their promise. Unfortunately, both the extremist and the moderate wings of Congress found the reforms falling short. Yet, there was a large section of Indian political class, especially representatives of minority communities, who endorsed the reforms and worked along with them. British literature of the period betrays a discordant voice about further political concessions towards Indians. Reforms, though gradualist, weren't without its share of reluctance, hesitation and hiccups. British administrators and their intelligentsia faced a basic problem: what should be the status of India in the British Empire? Since the British rule in India was a recognized rule of law and order, the status of India within the empire had

to be formulated constitutionally. Such a constitutional framework will decide in turn the question of scope and range of devolution of power.

Status of Colonies in the British Empire

The colonies of the British Empire went through different stages of constitutional status. The term constitutional status refers to the constitutional make up of a British colony. The constitutional status defined the terms of engagement between England and a particular colony of hers. Colonies went through stages of reforms. Stages ensured that devolution of power occurred gradually. However, these stages weren't irreversible or irrevocably linear. A case in point is the example of Malta.²

Within the British Empire there were broadly three options of constitutional status available for the colonies. Firstly, the Crown Colony, secondly a colony with a representative government and thirdly, a colony with responsible government, which was called a Dominion. A 'crown colony' meant that the legislature or the law making body of the colony was nominated by the British and not elected by popular vote. Crown colonies ensured that the legislature worked in tandem with the executive. The representative government in a colony devolved some powers to a popularly elected legislature. The law making powers of such a body might not be absolute but in theory it's a representative body and has deliberative and legislative powers over a range of departments. It also means the partial control of the executive by a representative body. The governor/governor-general usually retained powers of autocratic legislation and veto. In the event of disagreements between the legislature and executive or between the legislature and governor general, the latter can constitutionally assert its will against the popular body. The main weakness of this type of colonial government- representative but subordinate to the colonial will- is that the legislature didn't reign supreme and often led to problems in administration and governance. The third form of constitutional status a colony could aspire towards was that of a Dominion or a Responsible Government. In a Dominion there was full parliamentary democracy. A popularly elected legislature and a ministerial executive selected out of the parliamentary majority held both legislative and administrative powers. As such, the native government was responsible for both its decisions and responsible to the electorate represented by the legislature. The Liberal, and later Labour, sections of British government and society envisaged an Empire of Dominions under the King-Emperor. The expectations of the political class in India tended towards that direction too.

A Case for India: The Montagu Chelmsford Joint Report

On 20th August 1917, the Secretary of State for India, E.S. Montagu announced the British intention to devolve more administrative powers to Indians. Couched within the pleasantries and platitude was the declaration that British intended to bring responsible government in India. The announcement was well received in India. The August declaration didn't mean that the next stage of reforms will see the sudden introduction of responsible government. But, it declared that India will be granted responsible government within British Empire eventually. Political reform would take place step by step, and stage by stage until the government was convinced that Indians were fit enough to manage the burdens of a parliamentary democracy.

However, the overriding concern was to keep British India a part of the Empire and bring her to the fore with the aid of British tutelage and Indian initiative. Report on Indian Constitutional Reforms

² Malta was given representative government but the domestic discord between an elected legislature and a British appointed Governor General led to the revoke of Malta's status as a colony with a representative government. Malta's constitution was reverted back to full crown colony. It was only later that Malta was given a responsible government.

(Montagu Chelmsford Joint Report or M/C JR) was their study and analyses of Indian constitutional arrangement and their proposals to reform it.

The Joint Report begins with an excerpt from the August 20th declaration. The report hails the declaration 'to be the most momentous utterance ever made in India's chequered history.'¹ In no uncertain terms, the intent of the declaration was spelled out:

"They pledge the British Government in the clearest to the adoption of a new policy towards three hundred millions of people. The policy, so far as Western communities are concerned, is an old and tried one. Englishmen believe in responsible government as the best form of government that they know; and now in response to requests from India they have promised to extend it to India also under the conditions set out in the announcement."²

In turn the conditions set out in the announcements were,

"I would add that progress in this policy can only be achieved by successive stages. The British Government and the Government of India, on whom the responsibility lies for the welfare and advancement of the Indian peoples, must be judges of the time and measure of each advance, and they must be guided by the cooperation received from those upon whom new opportunities of service will thus be conferred and by the extent to which it is found that confidence can be reposed in their sense of responsibility."³

The announcement relayed the British intent to bring responsible government in India. It will be gradual and steps will be measured. The 'judges' of the efficacy of both the policy and its details shall be the British Government and the Government of India. Both were British executive. However, the reforms-their content and pace- will be determined on the basis of cooperation from Indian political class and their performance in each stage.

The Report on Indian Constitutional Reforms (Joint Report) is a book length report that traces the history of the emergence and consolidation of British administration in India before analyzing the state of Indian constitution to propose its ideas on reforms. The report covers a wide ground, the details of which it is fruitful to skip. The core concern of the report, however, is the problem of introducing responsible government in India.

The Report identified three main problems that stood in the way of introducing responsible government in India. They were the Constitutional status of the relation between the British Executive and Indian legislatures; Representation of Minorities and the Issue of Communal Electorates; Inconsistency between an illiterate electorate and the need for a broad electorate.

Representation of Minorities and Communal Electorates

Responsible Government entailed representative institutions. It implied the act of representation but, whom do we represent? The conventional unit for parliamentary representation is a general territorial electorate that included all the members of a constituency. In India, the report identified two hurdles standing in the way of such a development, i.e., communal electorates and absence of a general electorate.

Communal electorates were disfavoured by Joint Report for mainly three reasons. Firstly, they stood against the principle of democratic growth. Secondly, they perpetuated class divisions and stereotyped existing relations and thirdly, because there are better ways for minority representation.

"We regard any system of communal electorates, therefore, as a very serious hindrance to the development of the self-governing principle," thus begins the 231st paragraph of the report. The

device of communal electorates were first granted to Muslim community in Minto Morley councils, following the promise made by Lord Minto in 1906 to a delegation of Muslim League. Communal electorates sat uneasy with the practice of territorial general electorates and the aim of responsible government, to foster 'citizen spirit.' The experience of the European states is that the State became the sole locus of citizens'/peoples' loyalty and the 'territorial principle' ousted 'tribal and blood ties. In essence, the state and its territory became the claimant and the locale of citizens' loyalty. In India religious, ethnic and more communal ties predominated social relations and they commanded the allegiance of their members. Moreover these corporate allegiances were seen as rivals to the demands of the state and nation. Elections will become competitions between communities. Voters will choose candidates according to communal preference. They won't vote for merit and competence that take cognizance of 'common interests.' Unless, an 'effective sense of common interests' is fostered, the self-governing structure won't find a sturdy home in India. The report argues that India is already divided by caste, creed, language, religion et al. and the system of communal electorates will only help 'perpetuate' these 'class divisions'.

More crucially, the report tried to analyse the mentality the practice of communal electorates will foster. Interestingly, it argues that a minority granted communal electorates will settle into a complacency (report terms it 'feeling of satisfied security'). A feeling of 'satisfied security' gives no incentive to encourage education and other progressive reforms within the community. Communal electorates are harmful for the internal health of a minority community. On the other hand, the majority community will feel that they have done the requisite for minority protection and "use their power for their own purposes." The dynamic nature of a democracy, forbearance and exertion, will be lacking. Communal electorates stereotype existing relations.

To create a truly general electorate that will be representative of Indian people the representation of minorities is necessary. Report grudgingly accepts communal electorates granted to Muslims because of the promise Lord Minto gave them in 1906 and it was too late to change their attitude. Sikhs were recommended for their loyalty and services in military. They were also a minority in all other parts of India and underrepresented. Other minorities such as Depressed Classes need protection because of the caste system and its attendant evils. Here the report recommends nomination. Neither separate electorates nor reservations are deemed appropriate because the depressed classes lacked even the minimal level of educated members to form a special electorate to choose a representative.

Education, Franchise and Responsible Government

The foundational act of elections is the preparation of electoral rolls. The identification of eligible voters must have preceded it. India, in 1920's, was a nation of three hundred million people. Even back then, India was as populous as it was vast. The task before the British state wasn't easy, especially in the light of the reforms. "Indeed we regard the development of a broad franchise as the arch on which the edifice of self-government must be raised; for we have no intention that our reforms should result merely in the transfer of powers from a bureaucracy to an oligarchy."²⁶²

The development, and not an immediate creation, of a broad franchise was the cornerstone on which the institutions of responsible government was to be founded. Apart from the obstacles by numbers, the predominantly illiterate and uneducated Indian population was a bar to an immediate creation of a wide franchise. Yet, it had to be done somehow. The political importance of education, as the report terms it, was that it allowed voters to think critically about the policies and principles of candidates and utilize their votes in service of common interests. However, these habits of "considering political issues as issues to be decided by a man's own judgment, of realizing their value of proper use of a vote

and of judging candidates with regard to their fitness to represent the elector's views have all to be acquired." 265

However, India lacked an educated general electorate. The intelligentsia formed a niche and isn't representative of the whole country. Political reforms can't wait till the entire nation was educated. Political reforms and educational progress must develop in tandem. In fact, the report recommends the transfer of education into Indian hands in the reformed-to-be legislature. The genuine interest for progress in the education of the people must be handled responsibly by Indians themselves. In turn, "political capacity" will developed by political responsibility. Therefore, in order to develop a fairly broad electorate the report eschewed any educational qualification that will disenfranchise the masses. Although underdeveloped, the 'rapid progress' Indians made in this sector is indicative of potential development. The report suggested the appointment of periodic commissions who will evaluate the existing educational and political situations in the country and revise progressively and expand the franchise base until it covers a substantial majority, truly representative of the nation. Until then, the report considered the matter an open ended question.

Ambedkar's Evidence before Southborough Committee

The British India in 1919 was an expectant nation. Montagu Chelmsford declaration promised greater political representation for Indians in administration and vitalized the political atmosphere of the country. As promised in the report Britain sent three committees to India for in-depth study of the problems and recommend concrete proposals for reforms. These were the Feetham Commission, Committee on Home Administration and the Southborough Committee. The Southborough Committee, or the Franchise Reform Committee, was tasked with finding suitable parameters for the creation of an electorate in India and fix territorial units and constituencies that will serve as the ground for the future Indian legislature and elections to it. The Committee invited noted individuals from various sections of the society, as representatives of their group interests. One of them was a young graduate from the Untouchable Mahar caste from Bombay region, named Bhimrao Ramji Ambedkar. Ambedkar was the only graduate from the Mahar caste, educated in economics and law from Columbia, LSE and Gray's Inn.³

Southborough committee invited representatives from various communities to present their cases and evidence before it. The rationale behind the exercise was to know the concerns that animated different sections of the country, about their future in an electoral polity, before the country took its first steps towards responsible government. The term responsible government meant a government 'responsible' to the electorate that elected them. The classical theory of popular elections envisaged a responsible legislature and ministry, accountable to the approbations and the censure of the people. Southborough committee was the Franchise Reform Committee, headed by Lord Southborough. Its

³ Ambedkar returned to India during the war. He hadn't completed his Masters from LSE then. But he could return in next four years and finish his studies and earn his degree. Ambedkar's welcome back home wasn't anything to feel envious about. Despite being the most educated member from the so-called Untouchable class, Ambedkar was treated just as any member of his untouchable community. The struggle and hardship he endured during the period immediately to his return made it hard for him to pursue his job and get even a decent lodging. He was appointed the Military Secretary to the Maharaja of Baroda. His subordinates, both in qualification and rank, found it impossible to take orders from a Mahar. In order to avoid 'ritual pollution', they threw the files at their superior's desk and Ambedkar had to keep his own separate tumbler to drink water from the office. Getting a lodging proved to be even harder. An untouchable wouldn't be given rooms, even if he is able to pay the full amount of the rent. Finally, he lied about his caste and passed off as a Parsi, before being given rooms in a Parsi-run lodging. Soon his caste was known and so was his identity. He was thrown out of the lodging. Out of job and a place to stay, Ambedkar knew he stood alone, as an Untouchable.

task was to suggest the terms on which 'electorates' should be made in India that would serve as the units of elections and legislatures to be. Today the term electorate is replaced by the word constituency and indicates the basic territorial unit in a country whose people and interests their elected representative will represent in the legislature. In India, though, the classic model was challenged even before the introduction of granting of Franchise.⁴ The issue of minority representation was to become the single most important problematic of the then British Indian democracy in the making.

Ambedkar deposed before the Southborough committee on 27th January 1919. Since his deposition was in front of the Franchise Reforms Committee, the issues he raised was about the voting rights of the Untouchable community in India. The fulcrum of his case and primary motive behind arguments was the demand for personal representation of untouchables in the legislature. Before we jump into the debate between communal electorates and reserved seats we should look closely at this concept of personal representation and what does it entail for the future of his demands. In politics there can be and there needs to be both interest-representation and personal representation. The dual representation is at the core of democracy or as he quotes, "crux of popular government." For a government to be popular (or democratic) it needs to be representative of both opinions/interest and persons. Why does Ambedkar begin this way? The context is an evidence presentation before a Franchise Committee and the fundamental issue at stake here is the question of Franchise and its scope. For Ambedkar, it is more specific and personal: it's about the voting rights of untouchables. The problem of representation is central to a parliamentary democracy-to-be. A government can be ruled by an enlightened despot or by an aristocracy with peoples' interests at heart. Interest of the people-their hopes and aspirations and what is collectively good for them- can be discerned; once discerned it can be imposed upon them too. That sort of interests-only representation is antithetical to Ambedkar's concept of political and democratic representation. If political representation has to be truly democratic then people must represent themselves. Moreover they should reach a decision about their interest by themselves. In the Indian context his arguments for personal representation had to be adopted to suit the reality of Indian conditions and the needs of the untouchable community. As Lord Chelmsford and Secretary Montagu confessed in their Joint Report, India till then was an autocracy-more or less-run by British bureaucracy for the British King and Parliament who justified it in the name of 'their Indian subjects.' The question of personal representation didn't arise till Secretary of State Edwin Montagu's August Declaration of 1917. As a reward to India's loyalty during the First World War British Parliament promised what they termed "gradual realization of responsible government in India". Franchise Committee was formed and sent to India as promised in the Joint Report (M/C JR). The mandate of Franchise Committee was to learn about the feasibility of democratic reforms and its' scope and propose first step towards the creation of an electorate and

⁴ In response to the viceroy's declaration, a precursor to the Minto Morley reforms and the Government of India Act, 1909, the North Indian Muslim gentry and aristocracy formed the Indian Muslim League in 1906 and sent its delegation to meet the viceroy in Shimla. The Muslim League delegation presented their case for 'safeguards' for minorities and especially Muslim interests. Muslims formed the largest minority in the country. In both west and east British India (areas covering today's Pakistan and Bangladesh) they formed the majority. Muslim League argued, claiming to be on behalf of the Muslims in India, that they be considered a separate religious and cultural group having distinct identity and interests. The Muslims formed the erstwhile ruling class of India, till the establishment of British Raj. As such, their history, culture, religion and secular interests have the right to be protected. The proposed reforms (passed in 1909), intended to create a limited democracy and extend the principle of franchise rights gradually over greater sections of the population. A democracy, or, the majority rule in India will always be in the hands of Hindus, and might not be in the best interests of the Muslims. Therefore the delegation asked for certain 'constitutional safeguards' that will return Muslim candidates into the legislatures and guarantee them a place in the process of law making. The viceroy assented to their demands.

legislature. Therefore, by default, 'Personal Representation' by Indians was the goal of reforms-it was a given; its' scope and composition was the actual propositions under debate. It is here Ambedkar intervenes too. The question of personal representation involved the 'personal' representation by all members of all communities and castes than individual members of an arbitrarily defined class called Indians. For Ambedkar, personal representation of untouchables was essential for political and social reasons. He argued that unless people can represent themselves the whole of population will become divided into rulers/masters and ruled/subjects. That was a wrong kind of political education to impart. The purpose of democracy and education was to realize an individual's full potential; a political and education system that divides the people into masters and subjects serve to perpetuate servile social relations. In India it will give a new mould to old caste relations and its inequities.

To fully understand Ambedkar's case before Southborough Committee we should delve deeper into the meaning of personal representation. In fact the idea of Personal Representation tries to convey more than its words permit. In the context of franchise debates it will convey an idea that Ambedkar was arguing for voting rights or suffrage alone for untouchables. It was the partial truth. The fuller picture will tell us more. Along with suffrage Ambedkar was arguing for an opportunity to bear office of legislative representation by untouchables. It means that the concept of personal representation entailed an opportunity to represent *with* the certainty of office. Personal representation gave people a chance to vote to power one among themselves to represent their persons and interests in popular assemblies. Certainty of winning elections and certainty about holding offices are central to this scheme; so with Ambedkar's case for untouchables' personal representation. If their interests had to be present in a popular assembly, such as a legislature, then it must be certain that one will find untouchable representatives in legislatures of a Responsible Government in sufficient numbers. Ambedkar's case for communal electorates and low-pitched franchise for untouchables (and other non-Brahmin castes such as Marathas) are made with this view in mind. Instead of making a fetish out of communal electorates- a trend in vogue back then among communities claiming to be backward and minorities- Ambedkar's demand was aimed at winning sufficient number of seats by untouchables and influence the terms of associated life. It was as important to win seats as it was to win suffrage.

Communal electorates were a means to an end. The end it served was the personal representation of untouchables in legislatures. Here, we should probe Ambedkar's logic further. Why did Ambedkar think that untouchables' wouldn't find a seat in legislature unless communal electorates are provided for them? It's an important moment in his case. Ambedkar made a difference between secular interest and non-secular interests (religious and caste-based). Ambedkar agreed that as far as secular interest are concerned, i.e. material interests about class are concerned they cut through religious lines and caste divisions. A Muslim candidate can very well represent Hindu and Muslim interests and vice versa. Also, Ambedkar doesn't discount the possibility that communal concerns and other such interests of a community can be represented by members of another community. Yet, when two candidates who belonged to different religions or different castes represented the same set of interests then the majority of the electorate would choose the candidate from their own religion or caste. The reason was the entrenched caste system and the attitude it fostered. Ambedkar termed it an anti-social feeling. Communal electorates were meant to ensure the election and participation of minority community members, especially as representatives of the interests of their respective communities. Whereas the Muslim league demanded it for the sake of 'maintaining' their cultural and religious distinctions', Ambedkar sought separate electorates as a means that will enable the gradual re-socialization of the Hindu upper caste with the so-called lower castes. This aim, though, was secondary to the primary aim for which Ambedkar sought separate electorates. That was the winning of personal representation for the Untouchable community that will promise the election of genuine untouchable candidates to the legislature. In this vein, he rejected other electoral methods proposed such as the

general constituency and nomination. He argued that only a genuine candidate can represent the interests of the untouchable community, whose experience can't be voiced by anyone else but an untouchable. The interesting point however is the belief among a good part of different minority communities that they needed a separate and constitutionally guaranteed provisions for political representation in what was going to be a majority dominated democracy, even in its limited form

An untouchable candidate cannot hope to win a seat from such a general territorial electorate⁵. The caste prejudice of the higher castes would banish untouchables from politics as anathema as they were banished from society. To counteract this social attitude Ambedkar argued for differential franchise qualifications for Untouchables and Lower castes backward communities. Since everything was on the table and nothing certain Ambedkar recommended nine seats reserved for untouchables from among the untouchable communities in Bombay Presidency since they constituted eight percentage of the total population of Bombay Presidency back then. The purpose of communal electorates was to ensure the election of untouchable candidates; communal electorates were a means to achieve this end of personal representation of untouchables. Ambedkar argued, citing M/C JR, a uniform qualification criterion for franchise throughout India will be counterproductive. The enormous difference in wealth and rank and status among different castes and communities and between provinces would practically deny franchise to the predominant majority of the nation. If we took into account the real differences between communities and religions then non-Brahmin lower castes and untouchables should be allowed differential franchise; for untouchables, given their pathetic economic and educational state, the franchise should be set as low as possible. Ambedkar's proposal intended to create an electorate out of as many untouchables as possible. These voters, in return, should elect an untouchable candidate to the legislature. He opposed territorial electorate, proportional representation, co-option and nomination by government because he felt that they were insufficient modes of representation for untouchables. Proportional Representation would create perpetual political majorities and political minorities out of communal majorities and minorities. Co-option will perpetuate the social and political mastery of higher castes over untouchables. Nomination by government would not impart the necessary political education to untouchables that they would otherwise acquire by the exercise of franchise. The other option proposed was Reserved Seats in Joint Territorial constituencies. Ambedkar's opinion was Muslims should opt for reserved seats in territorial constituencies than insisting upon communal electorates. He said "angularity of division" between Hindus and Muslims could be brought thus down. However, M/C JR accepted communal electorates to Muslims as a promise given to them by then Viceroy Lord Minto. Therefore the British were bound to their word and accepted it as a settled fact and moved on. Ambedkar does the same too. Yet, what is Ambedkar's position on Reserved Seats for untouchables? It would have ensured the election of untouchable candidates but Ambedkar is silent on it. Why?

⁵ A general electorate in India will be the death knell for the untouchables. Although untouchables formed quite a sizable number, their proportion to the population was quite small and unlike Muslims, they didn't form majority in any single geographical area in the country. According to Ambedkar's analyses the number of territorial constituencies where untouchables would be majority in numbers won't be big. Therefore, to expect a predominantly caste-Hindu electorate to elect an Untouchable candidate is unrealistic. However educated and qualified the candidate maybe, an untouchable candidate won't win the mandate from a general electorate, as long as he poses himself as the champion of the untouchable interests. If a stray candidate from the community manages to win the mandate by making alliances and compromises with the larger caste-Hindu community, then, there would be an untouchable legislator, but he won't represent the untouchable interests. The crux, however, is to find a rendezvous of both untouchable interest and untouchable person for the representative purposes. Therefore the option of general electorate is dismissed at the very outset.

Before answering this one, we should bear in mind couple of facts: firstly, reserved seats with Adult Suffrage was what Ambedkar would argue for untouchables before Simon Commission almost ten years later in 1928; secondly, he would denounce Communal Electorates and demand their total abolition even for Muslims in 1928. However, in 1918 Ambedkar was non-committal or outright silent about this option. This omission by silence is intriguing; it works up our imagination. We will think along Ambedkar's line of reasoning and close the gaps with evidence available. Yes, it is true that reserved seats would have ensured the election of untouchable candidates. In reserved territorial seats untouchable candidates would have won because it was reserved for their community. It would have been true even if that constituency didn't have a single untouchable voter. Ambedkar would have found personal representation of this sort useless for the larger benefit of the community. Here comes into picture the second critical aspect of Franchise- political education. If untouchables should learn the value of vote and how to use them intelligently, then they must exercise it. When they exercise it they will elect untouchable candidates of their choice to the legislature. How do we ensure that both aspects of Franchise are exercised? Communal Electorates will create a maximum possible electorate out of untouchables via low-pitched franchise⁶. It is evident by now that he viewed personal representation and political education-twin aspects of franchise-as values in themselves. They must be exercised in future responsible government by all including the untouchables. This answer will answer only part of the question. We will probe deeper. What were the concrete purpose(s) personal representation and political education would achieve for untouchables?

Ambedkar valued personal representation and political education as values in themselves; beyond that they were expected to serve some practical ends such as the uplifting of untouchables and their integration to mainstream of politics and society. Here, Ambedkar expands his evidence from demands and incorporate his reasons. We get the first glimpse of Ambedkar's social philosophy and his analysis of Indian society. First of all we will deal with his demands for low-pitched franchise for untouchables. Later we will deal in-depth his social philosophy. Now, what was the rationale behind low-pitched franchise?

A low-pitched franchise would reduce the qualification criteria, such as property and income, literacy and education for untouchables compared to the other sections of the population. Any kind of uniform property qualification throughout India would keep almost the entirety of untouchables out of voting booths and legislatures. Untouchables were far poorer, deprived of assistance and socially ostracized like nobody else. He argued that the reason for their poverty was their untouchability. Untouchability and attendant disabilities imposed upon them turned livelihood avenues such as business or craft impossible to pursue with success. "Principal modes of acquiring wealth are trade, industry and service", wrote Ambedkar, but "the untouchables can engage in none because of their untouchability." Their ostracized existence in the eyes of caste Hindus barred them from engaging in

⁶ If representation happens at all, it should be 'genuine', otherwise it will make the tide of things worse for the untouchables. Separate electorate is an electoral device in which only the members of a particular community will vote for their representative-from the same community-from a panel of candidates. The logic that ensures their 'genuineness' as representatives of the community-proper is that he is incentivized to speak and act for the interests of his constituency alone, i.e., his community. Since no other communities form the part of his constituency, any appearance of disloyalty by the candidate will result in his defeat in the next elections. Moreover, there is no incentive for him to make back-door deals with other legislators at the expense of his communities' interests since it wouldn't help him get re-elected. As one notices, the constituency or electorate here refers not to a geographical area and its inhabitants but to the totality of a community as delimited by their proportion to the population of the whole, i.e. province, nation etc. Since the electorate composes solely of the community, the electorate will vote as the members of the community seeking a representative for their interests as a community. In a country like India, separate electorates are imperative, especially for minorities, and Untouchables in particular, Ambedkar argued.

business transactions with them. Therefore it wouldn't be fair or reasonable decision to deny Untouchables the right to vote due to their poverty. Their poverty is induced by caste system; it's not because of their fault. Ambedkar extended the case further by citing two examples: the history of Mahar regiment and the treatment of untouchable weavers in Bombay mills. The Mahar soldiers played a vital part in the victory of Company Army against the Peshwas and later in suppressing the Revolt of 1857. However, British managed to win the loyalty of Marathas after the revolt and recruited them in large numbers into the army. Marathas refused to serve either under or with Mahar officers and soldiers due to latter's untouchability. In order to save the alliance with Marathas British halted any further recruitment of Mahars into the army. Later it became a state policy. Ambedkar cited this episode from Mahar history as an example of British betrayal of loyal Mahars. Also, he demonstrated how entrenched caste prejudices are and how easily it affected even the British. Next was the story of untouchable weavers in cotton mills of Bombay who faced discrimination in their workspace from their Maratha co-workers because of their untouchability. The untouchable workers were forcibly kept out of more lucrative weaving section by Maratha workers citing former's untouchability; they also managed to corner the more lucrative section of the business to themselves. Both these stories were examples of discrimination Untouchables faced in modern times in modern spaces- Army and Industry. It also substantiated Ambedkar's claim that untouchables are poor for no fault of theirs and disabilities were imposed upon them.

Though not explicitly stated the general understanding of suffrage/franchise back then wasn't that of adult franchise but restricted and qualified one. Franchise qualifications were usually based on either property and income or literacy and education. In a country such as India with its deep running cleavages between castes and between religions, economic and social inequalities were facts of life. A general and uniform franchise based on property or education would rob the right of suffrage from almost the entire nation. An electorate thus composed would consist of upper class interests and higher caste men who would hold economic and legislative power over the rest. An electorate and legislature of this kind is hardly representative of pan-Indian interests; another curiosity created by this move was the turning of demographic majority into political minorities and vice versa. As Ambedkar himself testified, the intelligentsia of the country was interchangeable with the Brahmin community. He meant two things with this: firstly, Indian intelligentsia had a Brahmin class character; secondly, the most educated and well to do tend to hail from the upper castes. These upper castes, Brahmins and other highest placed castes, also happened to be numerical minorities, compared to the rest. Yet, an electorate constituted by franchise qualifications will enfranchise the educated and well to do minority and not the illiterate and poorer majority. Thereby franchise qualifications created electoral majorities or electorates out of minorities and electoral minorities out of majorities (as in the case of Muslims in Bengal). It denied franchise to groups such as untouchables/Depressed Classes. Not only were untouchables socially ostracised and economically deprived but they were also politically dominated in the name of Responsible Government. It is no wonder then that Ambedkar was so apprehensive about the oncoming reforms and untouchables place in it. Ambedkar wanted to win suffrage and legislative power for untouchables. Their suffrage must return untouchable candidates as legislators to legislatures and from there they should voice their opinions and interests to influence and win political favours for the community and general population. Franchise is a virtue in itself in the ethics of representative democracy. Ambedkar accepted it and endorsed it as such but he also saw a more concrete purpose for this act. The purpose of a vote to an untouchable was to educate him politically. To ensure that his vote is counted, i.e. it wasn't wasted on a lost cause he argued for communal electorates to return untouchable candidates.

Ambedkar didn't explicitly make the reasoning about electoral minority-communal majority before Southborough (he does that during First Round Table Conference in 1930). By the end of his

Southborough Evidence Ambedkar refuted counter arguments against communal electorates. He said they were a means to bring people from various castes and religions together; the exclusiveness and seclusion fostered by caste prejudices and caste boundaries could be broken only by establishing between members of different classes and castes. If seen from this perspective communal electorates aided in “ward off the evils of social divisions”.

Ambedkar's Social Philosophy

Following John Dewey from *Democracy and Education*, Ambedkar set forth his concept of democracy as ‘a mode of associated living’. A democracy is a mode of associated living because there is a sphere of commonly shared public- sharing of ideas and aspirations, property and space etc. A democracy of Dewey-an sort is impossible in India because the society and the communities within it are caste ridden, and caste system, with its rules of marriage and principles of ritual pollution was isolationist in character and tremendously anti-social in its intent. The anti-sociality is even more pronounced with the Brahmin class, for whom the enforcement of such rigid caste rules is quintessential in maintain their social superiority. Of all, Untouchables bore the brunt of the anti-social nature of the caste system the most. They were not only excluded from the ‘public’; in many instances, they were not even to be seen walking in front of a higher caste member. Ambedkar quoted stories of such rules from Maharashtra province that required the Untouchables to deliberately exclude themselves from public visibility. The untouchables too carried on these rules for generations, participating in the same cycle that excluded themselves from the social and the public. Not only were they excluded, they had to exclude themselves. At this point, it is imperative to read Ambedkar's pronouncement on the caste system: ‘caste system is a set of attitudes’.

If caste system inculcated a set of attitude among its members, both the upper and lower castes, then those attitudes need to be un-learned for the sake of democracy- as an electoral system and as a way of life. As a set of attitude, caste system is learned over time and fossilized by countless generations of practice. To unlearn caste and ‘learn’ democracy- learn to live in a more egalitarian associations of society- one needs new tools of pedagogy, in books and practice and in theory and politics. The elections and the instrument of separate electorates are a means to achieve the higher end, than being ends-of-sorts in themselves.

Ambedkar began his deposition with the concept of representations in a political democracy. For whom does the bell of democracy toll? If democracy, by way of elections and representation by deputies are supposed to ensure the mere bodily presence of a number of persons titled ‘representatives’ we might as well do away with that kind of farce. Democratic political representation for Ambedkar is the ‘representation’ of interests and persons. Or, it's the representation of interests by representative persons. The fundamental point of departure Ambedkar makes with classical liberal theory is the focus on the ‘social’ than the individual. In his 1916 paper on the origins of caste system, he makes his point clear that the liberal theory of an atomized individual is a fiction, and especially in a country like India the class composition, character and interests come paramount. The individual, per se, is made by the historical and socio-cultural forces and thus by virtue share a pool of experience with other persons. The common concerns prompted by these shared experience make one a member of a community. The identity of being untouchable is one such set of interests prompted by their shared experience of being discriminated and dehumanized against. Discourses aimed at the problem of political question of untouchables must begin with it- with the realization that there exists around sixty million men and women who are discriminated daily against and deprived of their humanity. This remains the basic input that informs all of Ambedkar's politics. The political representation for untouchables should be the part of a larger politics for the Untouchables, where, they can find genuine voice through genuine representatives. A genuine representative in his turn will stand for the

untouchable's interests without making any compromises for his political fortunes. How do you ensure that such candidates are found and elected? Ambedkar found the answer in the policy of separate electorates.

The issue of political pedagogy is crucial for Ambedkar. Pedagogy and its relation to democracy was the theme of Dewey's book in 1915. In *Democracy and Education*, Dewey offered an elaborate critique of the educational methods prevalent in US at that time and the need to reform it comprehensively. Such reform of the school system is needed to re-conceptualize the connection between education and schooling and democracy. The thrust of Dewey's criticism is the bookishness of the schooling system that doesn't in anyway connect the school world to the real world. Education in its most comprehensive meaning must be the preparation to face the world outside, not merely to learn and continue the group prejudices but to reflect upon them and bring progressive changes in the society. The bookish learning of the school system puts the premium on memorization of number of facts and figures and mastering certain mathematical technique which will ensure them good grades. Apart from this, the syllabi and disciplines neither makes connections between each other nor ask the student to connect their scholastic knowledge with the real life issues. Dewey accepts that a simple and empirical and vocational training won't do in the modern world because the modern industrial civilization is a big complex of entities that afford high degree of skill specialization and cultural sophistication. But the failure of the educational system was that it produces a class of experts and hordes of laymen. Among these laymen the number who could truly think for themselves might be miniscule, for it's not what they were trained for. Dewey, an avowed Democrat, wants education-the initiation into the rules of the social group-to inculcate the fundamental feature of a democratic polity and society- rational and critical reflection. One educates the student in this art not by bookish learning but by active practice of theory and interaction with real life. Students should learn first-hand during their schooling itself the importance of the empirical and the physical, the real and the practical. Unlike the leisure class of the aristocratic era, the scientific revolution has shown that there exists reason and logic in the realm of the material and the practical-the empirical. No experience consists solely of raw sensations either. They have a reason and logic that is amenable to the critical and rational enquiry-the scientific method for Dewey. By bringing the empirical and the logical together they will face the real. The pedagogy of Dewey is student centric, where the student actively learns-teaches himself-along with the instructions of his teachers. This view of pedagogy influenced Ambedkar much.

When Ambedkar argued in front of Southborough committee for separate electorates for untouchables, he was simultaneously addressing another set of issues. The demand of franchise and the right to constitutional political power was the main thrust behind Ambedkar's case. But Ambedkar's demand for separate electorates weren't easy to make. The demand for separate electorates by Muslim League had already vituperated the political atmosphere. The votaries of Congress and the Muslim League had diametrically opposite expectations about constitutional reforms and what they expected out of the nation in the making. For Congress, constitutional assertion of separate identity will divide the nation, whereas for Muslim League, nation itself was composed of various nationalities whose religious and cultural rights need political representation. At least, there was a general consensus that Hindus and Muslims constituted two distinct communities, and as long as their distinction is recognized it is not antithetical to the project of the Indian nationhood. But Ambedkar's self-characterization or his characterization of the untouchable community stood on a peculiar ground.

While presenting the demographic statistics, Ambedkar counted the Untouchable community as belonging to the larger Hindu community. As a matter of fact, he calls them the Untouchable Hindus.

This isn't merely an identity he derives from the demographic statistics alone. In fact, it is part of his larger critique of the Hindu society. The various castes and communities who had deposed before the Southborough commission might have overwhelmed them but the effect of the caste system, at its basic level was to divide the Hindu community into Touchables and Untouchables. As such he proceeds with his enumeration of communities in British India along these lines. Although Touchables and Untouchable Hindus form the larger Hindu community, the latter's position within it should be recognized as distinct owing to their unique experience. The peculiarity of Ambedkar's characterization of untouchables was this- that they simultaneously formed a part of the whole of the Hindu community and yet stood distinct from it (later, Ambedkar was to radically revise his position, and said- "I am not the part of a whole; I am a part apart."). So far, separate electorates were granted only to those communities who were identified as distinct and independent minorities in Indian religious landscape. They included the Muslims, the Sikhs, the Indian Christians and the Europeans. At certain level, Ambedkar recognizes the peculiarity. But he attacks the basis of the grant of separate electorates to both the Christians and the Europeans, since both of them were Christians already. Ambedkar was driving home the point that being a minority community alone shouldn't be grounds for the granting of separate electorates. If their concerns can be addressed by other means, such as reserved seats in a plural constituency, those channels could be pursued. But the untouchables' case was different and interests distinct. No other means could secure their political ends. Their minority status and class interests coincided and the remedy happened to be political representation by the untouchables for the untouchables.

The second set of criticism he had to address was, probably, the more serious. The low educational and economic level of the untouchable community made them ill-suited for the exercise of franchise, a section advocated. Schools for untouchables in the relatively progressive Bombay province face step motherly treatment and the untouchable students are discriminated against even in the classes vis-a-vis their touchable counterparts. Living amid such vitiated atmosphere, there is no reason to accuse the untouchables for their bested situation. To deny them the franchise for actions of not their doing is to add insult to the injury. The exercise of franchise should educate them into the political process; the pedagogy of self-learning should be open towards the untouchables.

Let's recapitulate what Dewey had to say about pedagogy. For Dewey, pedagogy, or learning isn't acquired from books alone. In fact, to face the real challenges of life, books can help one only so much. The real ingredient of education is the practice, simulating more or less the real life situations inside the school environment under the teacher supervision to note the creative application of theories to solve problems. Additionally, Dewey developed his approach to the question of mind and its faculties such as intelligence against Lockean view of it as tabula rasa. Mind according to the Lockean view has a prior existence, an existence on which the world of sensations are recorded. Dewey takes an anti-Lockean view of mind. In Dewey, mind is not the independent and prior existing faculty; but mind is the activity itself. Therefore, to argue for a mind and its faculties- intelligence etc. - devoid of activity is absurd in the Deweyan psychology. Ambedkar's response against the anti-franchise advocates (they advocated that those who had a certain level of education alone qualifies for franchise) toe this line. Ambedkar too argues that the initiation into the practice of franchise by his community needs certain intelligent application. But the meaning of that will be lost if the intelligence of the act is presumed to lie prior and outside that of the act of voting itself. Rather, it lies in the use of it; in the practice of the right of vote lies the learning about it, and its deeper meaning. To an extent, it reminds one of Dewey's arguments about the consistency of the relation between means and ends. Dewey asks, "If means don't justify the ends, what else will"? Dewey's question isn't a recapitulation of 'Trotskyian' perversion of the quote. It asks us to see the ends as consistent with the means. The aim one wants to achieve must be the product of one's acts to secure them than a granting of the reward from above

and outside. The aim of an act is part of the process of the act; the ends are integral to the action by means and not an end of the action itself. The consistency of relation between means and ends is critical in Dewey, and it reflects in Ambedkar's demand for franchise and separate electorates. If education's purpose becomes the winning of franchise rights, the purpose of education is perverted. Education is a lifelong process that feeds meaning into one's experiences and in turn gets enriched by experience. The purpose of franchise rights is the exercise of their rights to find and elect the most suitable candidate to represent their grievances and interests. A theoretical education alone won't suffice. It requires the active participation of the people in the process, where they will learn by practice. Moreover, one should keep in mind the very nature of constitutional reforms that were introduced by the British state. The decennial system of revaluation of previous reforms and introduction of gradual measures to enhance responsible self-government in India were premised on the concept of a certain political pedagogy. The entire exercise was a task in making Indians fit for responsible government. This means- along with its intelligentsia and political class -the Indian population didn't appear fully capable of deserving political rights before the state. This fact doesn't discourage the political class from arguing for more and more substantial developments. This class' accusation of the untouchables incapacity- who are in this position by no act of theirs -to exercise voting rights smack of both hypocrisy and malevolence, not to say an utter lack of empathy.

Ambedkar's ultimate conclusion regarding the demand for communal electorates is the demand for reclamation of humanity for a community of people. For others who lay claims for communal electorates, it's a matter of political advantage. But the case of untouchables is different. The prior social circumstances have robbed them of their personality itself. The introduction of democracy-by franchise and responsible government, however gradual-should bring an end to these age-old tyrannies. Democracy can't be perceived narrowly in terms of winning elections alone. It entails the introduction of a certain way of life- an associated mode of living-in the language of both Dewey and Ambedkar. Democracy leads to a social endosmosis that will vitalize the fossilized social relations and re-socialize them with vigour into new action. The contribution of democracy in restoring the personality of the human stems from its concept of the citizenship rights and the figure of the citizen. A citizen is endowed with certain inviolable rights, a set of freedom guaranteed by the state and never infringed upon by the society. But are Untouchables citizens at all? Apart from the technical label, Untouchables are discriminated against along the breadth and width of the country every day. Discrimination isn't an over the above treatment of Untouchables in their lives. Discrimination and dehumanization are lives for them. To reconstruct the society along democratic lines means to reimagine themselves, to understand and practice a way of life that is different and freedom fulfilled. To have any meaning to such exercise of rights, it should accompany with the right to exercise political power. The case for untouchables is nothing short of a case for self-determination.

Before we conclude his case, there is one last but pertinent question. What was the content and meaning of political education? What was untouchables supposed to learn? In fact, it's something Ambedkar didn't answer explicitly. He hinted at it by incorporating his analysis of caste system. Untouchables should realise that the value of vote lies in their realization of their true interests. It lies in dismantling the caste system. The meaning of franchise and legislative power, as M/C JR said, was in learning how to defend oneself, and one's community in the social struggle. Despite the elaborate case run by Ambedkar Southborough committee didn't grant communal electorates to untouchables. They weren't even given franchise because members of untouchable communities who would form a sizeable electorate was judged too low to organize on a practical basis. Also, Bombay Government's submission to Southborough Committee refused to assent any further divisions within Hindu community and denied demands for communal electorates to communities recognised as Hindus such as Marathas or even untouchables.

Twenties were the foundational decade of Ambedkar's politics. It also contained some of the key moments in his career. After his evidence before Southborough Committee he continued in India for some years before returning to England to complete his studies in LSE. His return to India saw two important milestones. First was his appointment as the nominated member for Depressed Classes in Bombay Legislative Council and second was his leadership of Mahad. Anand Teltumbde's *Mahad* portrayed in detail the organization, the protest and the ultimate abandoning of Satyagraha at Mahad. Ambedkar we see in Mahad is the same belligerent visionary that we will see in the future too. However, Ambedkar at Mahad was different from the future Ambedkar in a critical way. His fight in Mahad was to win equal rights for untouchables *within* Hindu religion. In it he appeared as a reformer of Hindu religion who wanted to consolidate Hindu religion by removing barriers to its strengthening by challenging caste system. He pointed out that the main error in previous anti-untouchability crusades was that they tried to eradicate untouchability without touching upon caste system. In no uncertain terms he said that the root of untouchability lay in caste system. To eradicate caste system one needs to open more than temples and wells to untouchables; more than inter-dining what is required is inter-marriage between castes and between untouchables and higher castes. The breaking of caste barriers and caste mentalities can happen by breaking of rules against inter-marriages. Ambedkar's vision for a unified Hindu society is one of a 'single varna' composed of all former castes having no caste distinction and engaged with each other on a plane of equality and fraternity. Response of higher castes towards Mahad satyagrahis was violence and of the state was a biased spectator who was cheering for higher castes all through. Ambedkar's experience of Mahad shattered his belief in two things: trust in higher caste Hindus (and a possible consolidation of untouchables within Hindu community on the basis of equality) and his trust in the liberal neutrality of British state in India. His painful conclusions about both can be seen in the case he presented before Simon Commission. Ambedkar's arguments for untouchables don't present them as a Hindu minority as he had done before Southborough Committee and till Mahad. He argued, in essence, for an independent minority status for them. His case before the first RTC minced no words and implicated British state for failing to save untouchables from caste atrocities. His support for Swaraj stems directly from this failure of British state in India. Lest we get ahead of ourselves, we will understand Ambedkar's case for untouchables before Simon Commission in detail.

A Case for Protection: Ambedkar before Simon Commission

There are at least two parts to Ambedkar's evidence before Simon Commission. One is that which deals exhaustively with the working of the dyarchy in Bombay Province, its views on provincial executive and provincial legislature. Second one is his case before the Commission representing Bahishkrut Hitakarni Sabha. The latter is the first he presented before the commission and it included three sections, on the state of education among depressed classes in Bombay province and the role of British in that; the need for political safeguards for the Depressed Classes in the form of reserved seats with joint electorates and state guarantee in the constitution about their education and opportunity for state services without discrimination. The third part consisted of his interview by the members of the commission. The first volume (Survey) of Simon Commission Report says that they made two visits to India. Their first visit was brief and lasted from 3rd February 1928 to 31st March 1928. Their second visit lasted from 11th October 1928 to 13th April 1929. The first two written evidences, on the state of Education and political safeguards for untouchables are dated 29th May 1928. It's obvious that Ambedkar presented his written evidence after the commission members had finished their first visit and returned. The first volume of the Report says that the purpose of the first visit was not to gather evidence but to get familiar with situations in India. Ambedkar was interviewed by the Commission on 23rd October 1928. The commission was back in India for their second and detailed visit for meeting the stakeholders and gathering the evidence. They landed in India, for the second time, on 11th

October 1928. Ambedkar met the commission and gave his evidence along with one Dr. P.G Solanki, on 23rd October 1928.

The essence of his written evidence for Simon Commission was Protection of the Depressed Classes (DCs). It is peculiar and interesting to note that of all the important things such as franchise, representation, responsible government and all Ambedkar chose to write about and speak on the 'Protection' of depressed Classes. The assumption implicit in his case was that Untouchables or DCs weren't safe in their lives property and dignity in India despite the call for progressive action from certain quarters of caste Hindu society. The DCs continued to be treated as non-citizens in real terms. His case for protection of DCs was twofold: Firstly, he demanded protection through representation; secondly, he demanded protection through what he called guarantees. Protection through both channels constituted 'Political safeguards' of untouchables in the constitution. It is interesting to note that the case for protection made by Ambedkar subsumed under it both issues of representation (which included franchise) and guarantees.

The reason for Ambedkar's characterization of representation and guarantees as protection was the oncoming leg of constitutional reforms. The context is quintessential in understanding his apprehension. The crucial question is from when Ambedkar sought protection for DCs. A more conceptual and sophisticated answer would be "from caste system and its attendant prejudice." A more rough but real answer would be 'from caste Hindus'. He took a starkly realist position and pointed at the (then) current social and political and religious set up and caste Hindus material and ideological investment in them. Caste Hindus cannot be trusted with the political and social interest and empowerment of untouchables. It's not because there aren't good Hindus; but their numbers are far and few in between. Any process of law making assumes the bad case scenario and provide provisions for the security of their citizens. Therefore, the oncoming reforms should enshrine the commitment to the protection of Depressed Classes in the constitution itself. But, how would representation and guarantees ensure protection of DCs? The case for both are interlinked. Guarantees backup and provide for a collective social basis for DC representation. We will start with his case for representation.

The question of political representation of DCs meant two things: franchise and office of legislature. In this regard, Ambedkar's case is in the same spirit as the Southborough Committee evidence. In Southborough evidence in 1919 Ambedkar focused on the aspect of personal representation as critical part of franchise. Although the case for personal representation is implicit in this one too, the act of personal representation accrued a more particular political purpose: Protection. This is important when we place Ambedkar's case to Simon Commission in the larger frame of Simon Commission's role in India. As promised in M/C JR, the parliamentary commission for the decennial review of 1919 reforms was announced in 1928. Simon Commission was expected to survey the general effects of reforms, Indians' perception about it, form an informed judgement about the level of progress achieved with the current framework and propose further steps to advance the cause of Responsible Government in India. Responsible Government in India meant, theoretically, the establishment of self-governing, popularly elected legislatures to whom the executive will be fully responsible. In practice it meant that the government-both the legislature and the executive-drawn and manned from the more advanced and numerous sections of Hindu religion- caste Hindus. The appendix/annexure Ambedkar attached with his case narrated ten incidents of caste atrocities perpetrated against untouchables by caste Hindus. Among many it narrates an incident of a doctor who refused to attend an untouchable patient simply because of his untouchability. It showed the level of prejudice that even a person as intelligent and educated as a doctor cannot shake off. The appendix attached by Ambedkar at the end of his evidence brought to greater relief and clarity the case Ambedkar was

trying to make. First of all, it showed that caste prejudices runs deep and no amount of modern education alone or even modern outlook have done much to mitigate its effects. Secondly, a legislature and executive, more or less purely drawn from this class of caste Hindus-inflected and animated as they are by caste prejudice will do nothing beneficial for untouchables. There is a good chance that they will abuse their new found power to legalise and institutionalise their prejudice and extend the social and economic discrimination against them indefinitely. Thirdly, and very importantly, it shows why Ambedkar characterized his case as Protection-electoral and extra electoral/social-because these reports proved a crucial fact about Indian social life in rural areas: that untouchables are unsafe in this country. Their caste Hindu 'neighbours' or fellow countrymen can't be trusted with their safety or security alias protection. Untouchables need to protect themselves. How can they do it? Quoting an important passage from M/C JR Ambedkar argued that the vision of the framers of constitutional reforms was that untouchables learn the art of self-protection through self-representation. For Ambedkar it meant that the makers of the reforms intended the DCs to represent themselves, through franchise, and use franchise and self-representation to protect themselves in the ongoing social struggle. This is a key but unique meaning of Franchise that we find in Ambedkar's early writings. The Franchise, from a Deweyan perspective, is the means by which to influence the terms of associated life. When applied concretely to Indian situation, the associated life becomes an arena/site of social struggle between classes and between castes. The 'influence' of franchise become becomes the tact by which the weak can protect themselves from the mighty, the poor from the rich and the outcaste from the castes. If these reforms were intended to bring true responsible government in India, and not an oligarchy of certain classes and castes, then the responsibility of the executive to the legislature and the legislature to the people must be as wide, broad and representative as possible. If such a true responsibility is to be achieved then responsibility must derive its mandate from the broadest social base. Responsibility means being responsible towards minorities, the poor and the discriminated lot too. That kind of responsibility can't be reasonably expected out of a legislature and executive composed almost exclusively of caste Hindus alone. Also, the laws of dyarchy and its attendant principles of political representation in general and for minorities by Southborough Committee is such that it will never deliver the promises of M/C JR- representative and responsible government. According to Ambedkar Southborough Committee did a great injustice to the cause of untouchables' interests. Not only did they take an unrealistically low and empirically unfounded estimate of untouchables' population in India, they didn't even accord proportional representation to them. They were, in effect, disenfranchised because the franchise qualifications was too high; they were 'compensated' with only two nominated seats (in Bombay Legislative Assembly), out of a total of 140 seats. Even this was done after the intervention of Government of India and Muddiman's Reform Inquiry Commission report. What can untouchables effectively do with two nominated members against the might of hundred plus odd legislators? Since they are nominated members they wouldn't even be approached for making alliances from the popularly elected side. Therefore, they missed a crucial opportunity for political negotiation in the course of which they could have won important legal and social concessions for their constituency in the form of legislation. The 'representation' by nomination was no representation; in Ambedkar's words "it is a mockery". The sort of protection Ambedkar sought could be won by personal representation of untouchables and substantial reforms in the franchise. If responsible government is not to be turned into a tyranny of majority, as John Stuart Mill warned, then there should be safeguards for the protection of minorities- in this case the untouchables. Yet Ambedkar didn't argue for differential qualification to enfranchise untouchables alone. Rather, he made a general pitch for (universal) Adult Suffrage, i.e. voting rights to all persons above the age of 21. Why did Ambedkar ask for such general reforms while defending the particular interests of DCs? Ambedkar's demand for Adult Suffrage and Reserved Seats in Joint electorates were not only demands for the protection of Depressed Classes but also for the protection

of Minorities in general. As we will see later, in a dissent report prepared by Ambedkar, he argued for the same reserved seats with Joint electorates and Adult Suffrage while vehemently denouncing communal electorates. Communal electorates made separate groups hostile to the rest, out of minorities- or at least fostered such a perception of it. It made the majority complacent towards the welfare of the minorities. No amount of communal electorates or separate interests will turn the predominant majority into a minority. It is essential that minorities play a major part in the election of candidates from majority community and majority community members find it worthwhile to seek alliances with minorities for their elections. This mutual dependence, the first step towards mutual recognition and political integration is essential to realize the full import of Responsible Government. In the most fundamental sense this is the most important aspect of ensuring political and social protection of untouchables and minorities in general in a parliamentary-executive rule under the majority higher caste Hindus: the majority must hold a stake and feel that they have one in the social and political empowerment of DCs and minorities. While this justified Ambedkar's stance in favour of Joint electorates, what about the rest, reserved seats and Adult Suffrage? The argument in favour of Adult Suffrage can be derived from the argument for joint electorates. This needs a better elucidation of the second aspect of minority representation- effective or adequate representation. It is no point arguing for the representation of DCs and minorities if it can't be adequate or adequate enough to secure the protection of their interests. By the term adequacy Ambedkar meant it would have been worthwhile for the majority to seek alliance with minorities while minorities can defend and protect their interests without holding the rest in ransom- as he thought Muslim demand for communal electorates and communal provinces did. The adequacy of Minority representation-as opposed to their supremacy which Ambedkar thought Muslims argued for-should make them effective representatives who will be politically potent in legislature. If adequate members of representatives of minorities are secured then adequate number of voters among DCs and minorities should be made or adequate number of untouchables and minorities should be enfranchised. Since the minorities and untouchables are already small/inferior in number and lag behind the majority in important socio-economic indices such as literacy and education, property and income any franchise qualification on the basis of these indices will de-franchise them (as had happened in 1919). For Ambedkar the solution is Adult Suffrage. Ambedkar provided another line of reasoning to justify Adult Suffrage in India for general electorate. It is based on the intrinsic right of the individual to choose a suitable representative for himself; secondly, a true responsible government, representative of all people, communities and more importantly individuals-and not an oligarchy of class caste interests-can be realized only if all adults are given the right to vote as free and equal citizens of the state. This constituted the most basic common sense of modern politics for Ambedkar. Thereby, Ambedkar justified Adult Suffrage, both as a political virtue-in-itself and as a means of protection to minorities in conjunction with Joint Electorates. His case also characterized the introduction of Adult Suffrage as the logically warranted next step to be taken in the realization of Responsible Government in India. One can stop here and ask if Joint Electorates, Adult Suffrage and the implicit stake held by caste Hindus generated by Joint Electorates ensured protection, then what's the need for reserved seats? We should remember that the adequacy of representation relies on adequate number of DCs' and Minorities' representatives. Also, the fundamental purpose of franchise as the means to fight the social struggle to self-protect via self-representation can be achieved only by adhering to the principle of personal representation. Although a joint electorate with Adult Suffrage will let DCs and minorities the elections of representatives, except in certain constituencies and in some provinces (Muslim majority provinces) they are not in a numerical majority to single-handedly bring their 'own' candidates to power. For this purpose dedicated seats and constituencies, reserved for the election of DCs and other minority candidates with joint electorates and Adult Suffrage will help. Reserved Seats with Joint Electorates was a panacea of sorts Ambedkar argued to 'cure' the evils of communal

electorates and to cure the defects of territorial electorates and the unrepresentative character of Dyarchy legislatures that made the executive ultimately complacent and irresponsible to the more disadvantaged section of the society. Reserved Seats, in Ambedkar's words were "the golden mean between the extremes of territorial electorates and communal electorates."

Now we can move onto the second aspect of Ambedkar's case for protection of DCs under responsible Government: Protection through Guarantees. Ambedkar himself pre-empts possible objections to it. Isn't protection through guarantees superfluous after having made such an elaborate case for protection through political representation? Ambedkar answered in the negative. For Ambedkar, as John Stuart Mill opined and the histories of post war treaties in Europe proved, any kind of minority protection must guard them against the abuse of legislative majority by adequate guarantees. The word Guarantee, its choosing, is amusing. It is defined as a formal promise to do something. When Ambedkar argued for protection through guarantee he was demanding a formal promise by the British state to protect the lives and interests of Depressed Classes and other minorities, who are at a disadvantage. This guarantee or the formal promise is over and above the protection through political representation he asked for. Why does he ask for it? From whom is he demanding it?

As a prelude to answering these questions we should take a look at the content of his 'Guarantee Demands.' His demands were for constitutional recognition of DCs' education as the first charge of treasury, reservations in government services, the removal of all bars-official and unofficial-to the recruitment of untouchables to the armed forces and police, the appointment of police officers in every district to ensure the protection of untouchables and the right of appeal to the Governor General if provinces failed to secure the rights of untouchables. If implemented his proposals would have placed members of DCs in every section of the government such as legislature, bureaucracy and even executive. Ambedkar's quoting of Sir Alexander Cardew is revealing of his thinking and intent at this point. Sir Alex Cardew opined that the religious beliefs of traditional Indian religious system was penetrated by caste system and the Indian psyche was completely soaked in it. Moreover Indian socio-religious thought system based on multiple births and station in one's life being determined by one's actions in past birth were diametrically opposed to western perspective of life, democracy and the rights of individuals. According to Cardew respect and even celebration an individual enjoys in west and in democratic theory are derived from an outlook of life that considers every life as a unique and inimitable event; an individual must be given all opportunities to fulfil the potential of that life. The multiple birth theory and the theory of karma stand contrary to western, liberal conception of life. What Ambedkar intended to by his quoting of Cardew was to show how deeply ingrained and entrenched caste system was. To protect DCs from such a system of belief itself one needs more than political representation alone. One needs extra-political and extra-electoral devices by which the presence of DCs can be ensured at all levels of government- executive, legislature, bureaucracy and armed forces.

At this point we will reengage our two questions about guarantees/formal promises. From whom is he demanding it? Why does he demand it? Broadly speaking, he is demanding guarantees from all stakeholders- the British, Caste Hindus, other Minorities etc. While the caste Hindus need to respect the guarantees for them to be effective other minorities should also make demands commensurate with their community's standing if demands for minority rights are not to turn into cacophony. Yet, the most important entity from whom guarantees are demanded was the British state. One obvious reason was that they formed the state in India and held the power to grant any demands. A more important reason, a rather nuanced one was the way in which colonial history, the British state, the Untouchables and the concept of guarantee as formal promise are tied together. One seeks guarantee, or a formal promise over and above the words of someone because either that person(s)

is not totally reliable or because the matter at stake is too important to be concluded on personal terms. It needs a formal framework to be consolidated. The untouchables' experience with British in the Bombay Presidency was one of abandonment, as Ambedkar argued. Essentially by demonstrating the Company and Crown rule over the Presidency and its' implication for untouchables Ambedkar argued that the British have broken the trust that untouchables reposed on them. His elaborate evidence on the State of Education of Depressed Classes in Bombay Presidency was a stinging indictment of British policy of educating Brahmins and the higher castes at the cost of untouchables' education. The British justified such a patently discriminatory move on the excuse of practical difficulty in educating DCs and higher castes together owing to the latter's prejudice or religious sensibilities. Citing the Queen's proclamation of 1858 promising religious neutrality and impartiality the British stayed away from any sort of social reform legislation that would have brought relief to the Depressed Classes. In fact, the entire case of social reform took a big step back with the rise of political reform, as he lamented back in 1919. The excuse of British was that of their project of enlightening India through western liberal education is to succeed then they must attract as many persons as possible from the class British deemed to be 'natural leaders' of the people; they meant the Brahmins and invested their project with the hope that the educated elite will educate the rest of India-a form of self-education by Indians. The high status or the position of reverence in which Brahmins are held could be of advantage for the dissemination of education. Therefore, on the grounds of practicality the British state in Bombay Presidency deliberately excluded DCs from their educational policies. Ambedkar's conclusion was that not only Brahmins failed to do their bit to the rest, they in effect monopolized the spaces of education and later legislatures. Untouchables found themselves in front of two more spaces where they can't enter. Although he acknowledged the ameliorative effects of early Company rule, later Crown rule left untouchables to their fate, to be terrorized under caste tyranny. The post-Company British rule has only served to reinforce and extend their exclusion from public spaces-it reinforced and extended their untouchability.

Ambedkar's analysis don't stop here. He argued, from copious quotations and evidences that the nascent British state, always at war with other principalities, were looking to consolidate their position by winning regional allies. The Mahars of Bombay Presidency formed a crucial part of their infantry in fighting off Peshwas and establishing British rule. Mahar military prowess and their services to British state were something Ambedkar made a point to repeat; it was to create a sense of pride and confidence of action among his followers and secondly to remind the British that how easily they broke off their alliance despite the loyalty of Mahars as soon as they won the loyalty of Marathas. As Ambedkar argued from Company and Court documents the aim of the British was to win allies from classes and castes, numerous in numbers and high in social status. Untouchables didn't fit the bill. Once the Marathas and Brahmins started clamouring for political reforms against British state they found new allies among the Muslims. Though Ambedkar didn't hold any kind of antipathy towards Muslims-in fact he respected their sense of egalitarianism and solidarity of community-he definitely resented the extraordinary concessions such as Communal Electorates from the British, Lucknow Pact from Congress among others as divisive and over-commensurate with the standing of the community, who were only second, especially in Education, after the section of Advanced Hindus. Ambedkar had legitimate grievances against Hunter Commission report which conceded more than what the Muslims as a community needed or even wanted. Ambedkar's reason was that the Depressed Classes as a community was in a greater need for all these concessions and yet they were mercilessly neglected by the British. The stick by which the 'relative importance' of different minorities were judged, the parameters, was the 'political importance' of communities. In essence, it meant the premium British state paid on the leaders of different political parties and communities in their political struggle against the more 'radical' wing of Indian political opinion. Ambedkar was appalled by this blatant

discrimination between communities by a state claiming to be liberal and impartial because they find some useful and some not. He demanded equal treatment of all communities, including minorities. In his scheme the socio-political realities, unequal and unjust as they are, would not permit of a textbook case of equal treatment of either individuals or communities possible. To redress the inequalities of past and the ongoing present devices of positive discrimination have to be developed and applied, just to level the playing field. Ambedkar's case for protection was one such measure. If any concession towards minorities are to be made, then they must be made on the back of a definite principle, and not something arbitrary or biased such as 'political importance'. For Ambedkar that principle was this: the greater the disabilities under which a community or minority suffered greater should be governmental concession towards them. The yardstick, in general, was the educational and economic level of community. In essence it meant concessions would either remove the disabilities of a community's advancement or make them strong enough in political education to defend themselves in a socio-political struggle, or both. Under this principle, according to Ambedkar, DCs deserved the most; this doesn't mean that Ambedkar ignored the justified claims of other minorities. He was against proportional representation because the sheer discrimination some minorities suffered aren't mathematically correlated to their ratio to the entire population. Therefore, he supported weightage for deserving minorities, adding to their proportional seats, to adequately represent, fight and win the demands of their respective constituencies.