

# Buddhist Roots of Ambedkar's Judicial Philosophy

Christopher Queen\*

## Abstract

In presenting the final draft of the Indian Constitution to the Constituent Assembly in 1949, drafting chair B.R. Ambedkar claimed the origins of Indian democracy in the parliamentary rules of the ancient Buddhist sanghas (monastic communities). In this article we trace the development of Ambedkar's embrace of Buddhism, consider the documentary sources of his reference to Buddhist proto-democracy, and propose that his judicial philosophy was further shaped by his study of Western constitutions and the political slogans "Liberty, Equality, Fraternity," and "Educate, Agitate, Organize"

## Keywords

B.R. Ambedkar, Indian democracy, ancient Buddhist sanghas, "Liberty, Equality, Fraternity," "Educate, Agitate, Organize"

On November 25, 1949, Dr. B.R. Ambedkar, serving as chairman of the Constitution Drafting Committee of India's Constituent Assembly, rose to introduce the final draft of what would be the world's longest and most complex democratic constitution. He noted that since its formation more than two years earlier, the committee had sat for 141 days to consider 395 articles and more than 7,000 amendments, of which 2,473 were eventually adopted. Ambedkar, who also served as the Law Minister in Nehru's cabinet, compared the proposed draft to constitutions of the United States, Canada, Australia, and South Africa, which contained fewer articles and subsections but contained many of the features that now marked the prospective Indian version. He proceeded to thank the committee and to review the foundations and the scope of the new constitution.<sup>1</sup>

\*Lecturer, Harvard University, USA  
Email: csqueen@outlook.com

<sup>1</sup>Ambedkar, B.R. (1994). *Dr. Babasaheb Ambedkar Writings and Speeches* (hereinafter *BAWS*), Vol. 13. Vasant Moon. (Ed.). (pp. 1206–1218). Education Department, Government of Maharashtra. Online: <https://www.mea.gov.in/Images/CPV/Volume13.pdf>. See also Das, Bhagwan. (2010) (Ed.). *Thus spoke Ambedkar: A stake in the nation*, Vol. 1. (pp. 204–221). Navayana.

It avoided the hazards of dictatorship of the proletariat urged by the Communists, he said. It rejected the end of private property urged by the Socialists. In its commitment to parliamentary democracy, it balanced the power of the people with the protections of the state and placed ownership of private property within regulatory guidelines. The mechanisms of parliamentary government provided for amendment of the constitution in changing times. “Each generation [is] a distinct nation, with a right, by the will of the majority, to bind themselves, but none to bind the succeeding generation, more than the inhabitants of another country,” Ambedkar declared, quoting Thomas Jefferson. He defined federalism as the center’s power to override the states in a national emergency. The constitution will give every citizen the opportunity to place loyalty to the nation over fealty to caste, creed, and party. Patriotism will take the place of sectarian division and discord.

To cheers, Ambedkar announced that on the following day, with final ratification of the constitution, India would again become an independent country. Instead of sharing the joy and optimism of the audience, however, he expressed his fears for the future. “It is not that India was never an independent country,” he declared. “What perturbs me greatly is the fact that not only has India lost her independence before, but she lost it by the infidelity and treachery of some of her own people.” Ambedkar cited the collaboration of Indian generals and rulers with Muslim invaders in the eighth, twelfth, and seventeenth centuries, and their passivity as the British tightened their grip in the nineteenth. “Will history repeat itself?” he asked. “It is this thought that fills me with anxiety.”

Yet, as a bulwark against the loss of India’s independence in the future, Ambedkar reminded the Assembly, the new constitution is founded on the practice of democracy—government of the people, by the people, and for the people. This precious achievement cannot be taken for granted. Now the Law Minister digressed again, placing hopes for a bright future on hold as he reminded the Assembly of India’s loss of democracy in the past. He said,

It is not that India did not know what Democracy is. There was a time when India was studded with republics, and even where there were monarchies, they were either elected or limited. They were never absolute. It is not that India did not know Parliaments or Parliamentary Procedure. *A study of the Buddhist Bhikshu Sanghas discloses that not only were there Parliaments – for the Sanghas were nothing but Parliaments – but the Sanghas knew and observed all the rules of Parliamentary Procedure known to modern times.*

They had rules regarding seating arrangements, rules regarding Motions, Resolutions, Quorum, Whip, Counting of Votes, Voting by Ballot, Censure Motion, Regularization, *Res Judicata*, etc. Although these rules of Parliamentary Procedure were applied by the Buddha to the meetings of the Sanghas, he must have borrowed them from the rules of the Political Assemblies functioning in the country in his time.

This democratic system India [has] lost. Will she lose it a second time?<sup>2</sup>

Ambedkar warned the Assembly of the threats to its newfound democracy: bloody revolution, “the grammar of anarchy,” hero-worship of powerful personalities derived from India’s love of holy men, and the false belief that the principles of liberty, equality, and fraternity “can be treated as separate items in a trinity.” Without one the other two cannot exist. India is a land of massive inequality and a conspicuous lack of fraternity, unity, and solidarity. Without these conditions, freedom cannot be guaranteed, and India’s bid to recover its independence and democracy will fail.

For those familiar with Ambedkar’s training in constitutional law, economics, and history, his final speech as chairman of the drafting committee was no surprise. But for those unaware of his growing identification with Buddhism, his reference to the democratic culture of the first Buddhist communities may have stirred curiosity. Where is it written that the ancient Buddhist sanghas were influenced by the republican states of the time, and how do the workings of a modern parliament reflect the moral values of a Buddhist worldview?

In this inquiry, we will investigate the Buddhist roots of Ambedkar’s judicial philosophy, as reflected in the Indian Constitution, and more particularly, in his reference to the proto-democracy of the early Buddhist sanghas. First, we consider the depth of Ambedkar’s intellectual and spiritual engagement with Buddhism at the time of his speech. We know this trajectory culminated in the public conversion ceremony he shared with a half million followers in 1956, weeks before his death, but why would he introduce ancient Buddhist history into his remarks before a national assembly? Having examined some milestones on Ambedkar’s road to conversion, we turn to possible sources of his claim that ancient Buddhist sanghas offer a template for parliamentary democracy. These findings must be tentative in the absence of specific references, yet we may make educated guesses based on the scope of his library and the research available to him by the late 1940s. Finally, we may form a general picture of the role Buddhism played in the evolution of Ambedkar’s judicial philosophy by placing his public confession of the ancient formula, *I take refuge in the Buddha, the Dhamma, and the Sangha* alongside the two great slogans that defined his quest for a new India—a place where citizens *Educate, Agitate, and Organize* in their zeal to establish *Liberty, Equality, and Fraternity*.

## II

It was only a few months after the ratification of the Constitution that Ambedkar began to advocate mass conversion to Buddhism. On several occasions in 1950,

<sup>2</sup>*BAWS*, Vol. 13, pp. 1214–1215 (emphasis added). Ambedkar made similar remarks two years later, addressing a student parliament at the Dayanand Anglo Vedic College, Jalandhar, Punjab: “Parliamentary democracy is unknown to us at present. But India, at one time, had parliamentary institutions. India was far more advanced in ancient times. If you go through the Suttas of the Mahaparinibbana, you will find ample evidence in support of my point. In these Suttas it is stated that while Bhagwan Buddha was dying at Kusinara, a message to the effect was sent to the Mallas, who were sitting in session at that time. They were devoted to parliamentary institutions.” Das, 2010, p. 80.

he publicized his conviction that conversion would benefit not only Untouchables, but all Indians, and finally, the whole world. On May 2, he declared at the Buddha Vihara in New Delhi that societies needed religion, and only Buddhism satisfied the requirements of reason and morality necessary to guide a society. The press took this to mean that Ambedkar was calling on India's seventy million "Harijans" to convert to Buddhism—still using Gandhi's term for the Untouchables—and that Ambedkar would finally act on his threat to abandon Hinduism.<sup>3</sup> Responding to the controversy, Ambedkar's ally, P.N. Rajbhoj, chairman of the All-India Scheduled Caste Federation, clarified that, based on his conversations with Ambedkar, the anti-caste leader was advocating conversion of *all Hindus* to Buddhism, not only Dalits.

Again in May, Ambedkar published an article in the leading English-language Buddhist journal, *The Maha Bodhi*, titled "The Buddha and the Future of His Religion." Declaring that "Hinduism is floating on a volcano" that is about to explode, the time has come for the sufferings of India's downtrodden to be addressed. Like the overthrow of paganism by Christianity in Roman times, India's backward classes will banish Brahmanism and embrace a religion that offers "mental and moral relief" from the scourge of caste. The steps to conversion will require a new Buddhist Bible, reform of the Bhikkhu sanghas from idleness to service, and the establishment of Buddhist missions throughout the land. He called on neighboring Buddhist nations to support this campaign.<sup>4</sup>

And nearly seventy years to the day after the arrival of the Americans Henry Olcott and Helena Blavatsky to express solidarity with the Buddhist revival in Ceylon, Ambedkar and his wife landed at the Columbo airport to attend the first meeting of the World Fellowship of Buddhists. Using his time there to visit Buddhist viharas and observe the lay practices up close, he ended his visit with speeches before conference delegates and members of the Young Men's Buddhist Association. He implored them to go beyond fellowship—to work for the spread of Buddhism around the world.

Accused by critics back home for cynically using Buddhism as a gimmick to lobby for political reforms, Ambedkar replied in a speech at the Royal Asiatic Society that his love of Buddhism was no political stunt—*he had been a keen student of Buddhism since his boyhood*. In September, he addressed Buddhists at the Japanese Temple in Mumbai, warning that political independence will not bring prosperity while immorality governs the country. "To end these troubles, India must embrace Buddhism, the only religion based on ethical principles." He pledged to devote the rest of his life to the revival and spread of the Dhamma.<sup>5</sup>

Today, some critics continue to regard Ambedkar's conversion to Buddhism as a political device that has failed. Anand Teltumbde, who has sacrificed his freedom to assert Dalit human rights, titled a recent chapter on Ambedkar, "Strategy of Conversion to Buddhism: Intent and Aftermath." He sees political calculation and what he calls personal "proclivities" as sources of Ambedkar's conversion, but he

<sup>3</sup>Sangharakshita. (1986). *Ambedkar and Buddhism*. (pp. 70–71). Windhorse Publications.

<sup>4</sup>BAWS, Vol. 17, Part 2, pp. 97–108.

<sup>5</sup>Sangharakshita, 1986, pp. 73–74.

concludes ruefully that “the spiritual consideration eventually overwhelmed the existential one.” Conversion linked Dalits with “a rich legacy of rebellion, which in turn gave them a feeling of self-esteem and self-worth.” But Ambedkar was deluded in his hope that conversion would free Dalits from caste; their lives have not changed. In 1991 Gopal Guru disparaged the spiritual practices of the Ambedkar Buddhists, while Ananya Vajpeyi more recently dismissed any spirituality in Ambedkar's conversion. Following strong dissent of her position from the Ambedkar community, however, she reconsidered her assessment in a talk at the Library of Congress in 2014, painting the Dalit leader as one who exemplified the humanism of Rousseau, Tom Paine, Jefferson, and the Buddha.<sup>6</sup>

Notwithstanding the naysayers, Ambedkar's sincere attraction to the Buddha since his youth has been well documented. The English monk Sangharakshita has cited many of the milestones on his road to conversion. The young Bhimrao had been tutored by his father in the Hindu epics up through high school, but upon his matriculation at Elphinstone College in 1907 he was gifted a *Life of the Buddha* by its author, K.A. “Dada” Keluskar, a respected social reformer. As the first biography of the Buddha in Marathi, this book did more to shape Ambedkar's outlook on Buddhism than any other. Asok Gopal, in his new biography of Ambedkar, reports that Keluskar's Buddha was a reformer like himself and many other non-Brahmin writers of the day. His religion was anti-caste, anti-war, anti-polygamy and slavery, anti-animal sacrifice, pro-women, and profoundly collective. It was a proselytizing religion. While Ambedkar's massive library of books on Buddhism, collected throughout his life, would later contain scores of volumes that shaped his own portrait of the Buddha, Keluskar's book came first and made the deepest impression. “I read the book with great interest and was greatly impressed and moved by it,” he recalls in his unpublished preface to *The Buddha and His Dhamma*, written in the last year of his life. Reading Keluskar, his childhood disdain for the heroes of the Mahabharata and Ramayana was vindicated.<sup>7</sup>

<sup>6</sup>Teltumbde, Anand. (2018). Strategy of conversion: Intent and aftermath. In Suraj Yengde and Anand Teltumbde. (Eds.). *The Radical in Ambedkar: Critical Reflections*. (pp. 219–239). Penguin Random House; Guru, Gopal. (1991). Hinduization of Ambedkar in Maharashtra. *Economic and Political Weekly*. 26(7), 16 February ; Vajpeyi, Ananya. (2012). Bhimrao Ambedkar: Duhkha, the Self's Burden. Chapter 5 in *Righteous Republic: The Political Foundations of Modern India*. (pp. 208–242). Harvard University Press. For the outcry against her position, see Jaouls, Nicolas and Anand, S. (2013). Outcasting Ambedkar. *The Hindu*. June 03, updated December 05, 2021, which critiques Vajpeyi's position: <https://www.thehindu.com/books/outcasting-ambedkar/article62034822.ece>. Vajpayi recanted her interpretation of Ambedkar's conversion in her address, “B.R. Ambedkar: The Life of the Mind & a Life in Politics” at the Library of Congress in 2014: <https://www.loc.gov/item/2021689595/> accessed October 9, 2023.

<sup>7</sup>Sangharakshita, 1986, “Milestones on the Road to Conversion,” Chapter 4, pp. 50–80. The author, a British convert and monastic, met with Ambedkar on several occasions and founded the Triratna Bauddha Mahāsaṅgha (TBM), formerly the Trailokya Bauddha Mahasangha Sahayaka Gana (TBMSG), “perhaps the most successful attempt to create an ecumenical international Buddhist organization” ([https://en.wikipedia.org/wiki/Triratna\\_Buddhist\\_Community](https://en.wikipedia.org/wiki/Triratna_Buddhist_Community)); Gopal, Ashok. (2023). *A part apart: The life and thought of B.R. Ambedkar*. (pp. 634–636). Navayana; “Unpublished Preface to *The Buddha and His Dhamma*.” <https://velivada.com/2020/05/06/unpublished-preface-the-buddha-and-his-dhamma/>.

A hint of Ambedkar's growing interest in Buddhism may be seen in his first publication, a review of Bertrand Russell's *The Principles of Reconstruction*, which appeared in an economics journal in 1918. Critiquing Russell's pacifism, the twenty-seven-year-old Ambedkar applied a distinction his Columbia University professor John Dewey had made—between force as violence and force as energy. Sangharakshita reads this as Ambedkar's application of the Buddhist notion of *vīrya*, the energy or vigor that is indispensable for the spiritual life.<sup>8</sup>

Much has been written about Ambedkar's fight for water rights in Mahad. In March 1927, Dalit activists took a ritual sip from the public water supply and were beaten back by angry caste Hindus. In December they returned to burn a copy of the Manusmriti, the Hindu code justifying violence against outcastes. The Mahad battle ended in the courts, where Dalit access to public water was upheld years later. But the Buddha was not far from Ambedkar's mind during the tumultuous campaign. Two days after the December protest, Ambedkar and a few friends traveled to the ancient Buddhist caves near Mahad. According to an eyewitness, Ambedkar was "overwhelmed" at the site.

Looking at the main hall and the stone benches along the walls, he vividly described how assemblies were conducted at that time. He gave us a beautiful picture of how the Buddha's followers accepted celibacy and poverty and provided social service selflessly. He virtually ordered us not to insult the Buddhists by sitting where they once sat.<sup>9</sup>

In the 1930s Ambedkar continued to signal his growing attraction to Buddhism. In 1933 he told Gandhi that he could not honestly call himself a Hindu. He wrote from London that he was determined to leave Hinduism and was inclined to Buddhism. A year later, he named his new house and library "Rajgriha," after the place where the Buddha had given some of his most important teachings. In 1935, Ambedkar delivered his historic Yeola speech, vowing not to die a Hindu. A year later, addressing a conference of Mahar caste leaders, he ended with the words of the Buddha, "Be ye lamps unto yourselves. Look not for refuge to anyone else."

The 1940s saw Ambedkar's advocacy of Buddhism intensify. In February 1940 he told a reporter that Untouchability was originally imposed on Buddhists for their refusal to practice the Hindu dharma, a thesis he developed in his book *The Untouchables* in 1948. In 1944, speaking before the Madras Rationalist Society, he developed the thesis of an ancient struggle between Buddhists and Brahmins that became the outline for his unfinished book, *Revolution and Counter-Revolution in Ancient India* in the fifties. In 1946 Ambedkar named the new college he founded under the auspices of his People's Education Society, Siddharth College. Milind College, founded four years later, was

<sup>8</sup>Sangharakshita, pp. 52f. B.R. Ambedkar, "Mr. Russell and the Reconstruction of Society." Review of *Principles of Social Reconstruction* by Bertrand Russell, *Journal of the Indian Economic Society*, Vol. I, 1918; reprinted in *BAWS*, Vol. 1, pp. 481–492. Sangharakshita offers no evidence for this observation, as plausible as it seems.

<sup>9</sup>Gopal, 2023, p. 642.

named for the first Greek convert to Buddhism. In 1948, Ambedkar wrote in his preface to the third edition of P. Lakshmi Narasu's *Essence of Buddhism* that the author "had fought European arrogance with patriotic fervor, orthodox Hinduism with iconoclastic zeal, heterodox Brahmins with nationalistic vision, and aggressive Christianity with a rationalistic outlook – all under the inspiring banner of his unflagging faith in the teachings of the Great Buddha."<sup>10</sup> Clearly, by the time of his speech before Constituent Assembly, he had begun to share the worldview of Narasu, if not to think of himself as a Buddhist.

### III

Sometime in the late 1980s I made my first pilgrimage to the fourth floor of the Buddha Bhavan, the ornate colonial building in the Fort section of Mumbai that houses Siddharth College and a large archive of Ambedkar's personal library. Ambedkar founded the college in 1946, a year before he was appointed Law Minister and chair of the drafting committee. The building was already in need of repair forty years later. The main elevator was broken, and the stairs were worn and rickety. In the library I was greeted by S.S. Rege, the venerable librarian who had helped Ambedkar publish his last work and who was now ready to unlock the glass cases that held the founder's treasured books. Srikant Talvatkar, his assistant, showed me the special chair Ambedkar had designed to rest his aching legs during long hours of study, and helped by pulling down the books he thought I should see. All of this had been moved from Ambedkar's Rajgriha residence, which was thought to hold 50,000 books by the time of his death.

My intention was to survey Ambedkar's Buddhist collection and to imagine his study habits during the years of writing *The Buddha and His Dhamma*. I found hundreds of volumes on Buddhist history and literature, including volumes of Max Muller's *Sacred Books of the East*, volumes of Theravada scriptures in Rhys Davids' Pali Text Society translation series, volumes of *The Maha Bodhi* and other journals, and endless scholarly studies of comparative religion, social studies, philosophy, and history. Most significantly, I discovered that Ambedkar had marked many of his books with colored pencils, sometimes profusely, underlining passages he felt were important and filling the margins with notations that would help him classify and sort the material in the future.<sup>11</sup> To me, this was a secret passageway inside the great man's mind. And in years to come, other scholars would find this door too, notably Professor Scott Stroud from the University of Texas, exploring Ambedkar's engagement with John Dewey and other Western authors, and V. Geetha, a writer from Chennai, who investigated Ambedkar's immersion in the political, economic, and social thought of the 1940s.

<sup>10</sup>Narasu, P. Lakshmi. (1948). *The essence of Buddhism*. Third Edition. Samyak Prakashan reprint edition, 2009 (First Edition, 1907), p. 6.

<sup>11</sup>Queen, Christopher. (2004). Ambedkar's Dhamma: Source and method in the construction of engaged Buddhism. In Surendra Jondhale and Johannes Beltz. (Eds.). *Reconstructing the World: B.R. Ambedkar and Buddhism in India*. (pp. 132–150). Oxford.

Both pored over Ambedkar's books, connecting his notations to the published works he released in the last years of his career.<sup>12</sup>

My findings related to the vision of Buddhist liberation and social ethics Ambedkar extracted from his collection, and the methods and justification he found for selecting only those teachings he believed to be authentic and useful for the struggle for Dalit human rights. In the thicket of his markings I saw Ambedkar as a teacher, building a new curriculum for social reform. I saw him as a gardener in the Deweyan sense, weeding out old beliefs and practices and planting fresh seeds in their place. And I saw him as a jurist and lawgiver, discovering evidence, filing litigation, repealing archaic statutes, and introducing new legislation to establish justice and due process for Indian society.

So it is with this perspective that we return to the last meeting of the Constituent Assembly before its historic vote to ratify India's first democratic republican constitution. What was the chairman of the drafting committee thinking when he pivoted to ancient history? Where is it written that the first Buddhist sanghas were influenced by the small republican states of the time, and how do the workings of a modern parliament echo the proceedings and judicial values of the ancient Buddhist assemblies? Did monks indeed have motions, resolutions, quorum, whip, voting by ballot, censure, regularization, and *Res Judicata*?

Modern scholarship, both before and after Ambedkar's time, has answered these questions in the affirmative. There is now a rich literature on the political environment in which the first Buddhist sanghas arose, including their adoption of proto-parliamentary procedures from the small republican states around them. It is likely that Siddhattha Gotama imported many of these practices from the Sakya republic into which he was born. Kancha Ilaiah, a political scientist at Osmania University and an activist in the Dalit civil liberties movement, describes the setting of the first Buddhist sangha:

At a critical stage in Indian history when the free tribes were being ruthlessly exterminated or brought within the orbit of expanding state power, people were experiencing the rise of new values on the ruins of tribal equality. Buddha modelled his sangha on tribal society and advised his bhikkhus and bhikkhunis to mold their lives according to the principles of that society.<sup>13</sup>

The outlines of these principles, identified by Ilaiah, may be found in some of the earliest Buddhist records, the *Mahāparinibbāna Sutta*, the longest discourse in the

<sup>12</sup>Stroud, Scott R. (2023). How do we know what Ambedkar read? <https://www.roundtableindia.co.in/how-do-we-know-what-ambedkar-read/> (accessed 12 October 2023) and *The Evolution of Pragmatism in India: Ambedkar, Dewey, and the Rhetoric of Reconstruction*. University of Chicago Press; and Geetha, V. (2017). Unpacking a library: Babasaheb Ambedkar and his world of books. <https://thewire.in/caste/unpacking-library-babasaheb-ambedkar-world-books> (accessed 12 October 2023).

<sup>13</sup>Ilaiah, Kancha (2001). *God as political philosopher: Buddha's challenge to Brahminism*. (p. 208). Samya.



Dīgha Nikāya collection of the Sutta Piṭaka, and *Mahāvagga* and *Cullavagga* sections of the Vināya Piṭaka, the monastic code. Ilaiah identifies verses advocating frequent, regular, and harmonious meetings of the assembly and the guidelines for quorum, motion, voting by voice and secret ballot, the forming of committees when consensus is not possible, and barring the re-litigation of matters that were duly resolved in the past—the meaning of *res judicata* in modern law. As A.L. Basham concluded in 1954, “The Buddha himself, though a friend of kings, seems to have had a deep affection for the old republican organization, and in a remarkable passage is said to have warned the Vajjians shortly before his death that their security depended on maintaining their traditions and holding regular and well attended [assemblies].” It is with this well-known scene that the *Mahāparinibbāna Sutta* begins.<sup>14</sup>

Did Ambedkar study the Buddhist texts that have now been identified by scholars as precursors to modern judicial practice? Only by inspecting his copies of the Pali scriptures and observing his characteristic markings can this question be answered. I wish I could teleport myself back to the Siddharth library to find out for myself! We know that Ambedkar had these texts and that he pored over them in his preparation of *The Buddha and His Dhamma* and the unfinished companion volume he titled *Revolution and Counter-Revolution in Ancient India*. When I examined them twenty years ago, I was not studying the roots of his judicial philosophy. Perhaps some of you can go have a look when you are next in Mumbai.

Another avenue of investigation of the Buddhist roots of Ambedkar's judicial philosophy will be the inspection of his copies of certain secondary sources related to the history and political foundations of the early Buddhist movement. Ilaiah and other scholars often begin their assessment of the question with reference to these works, which had become standard by the time Ambedkar was collecting his library:

Henry Sumner Maine, *Village Communities in the East and West* (1898)

T.W. Rhys Davids, *Buddhist India* (1903)

K.P. Jayaswal, *Hindu Polity: A Constitutional History of India* (1943)

D.R. Bhandarkar, *Lectures on the Ancient History of India* (1818)

R.C. Majumdar, *Corporate Life in Ancient India* (1918)

Are these studies to be found among Ambedkar's books, and did he mark them with his colored pencils? And if they do not appear in the Siddharth College collections, might they reside elsewhere? We know that major portions of this library migrated to the archives at Milind College at Dr. Babasaheb Ambedkar Marathwada University in Aurangabad, to the Symbiosis Society's Dr. Babasaheb Ambedkar Library in Pune,

<sup>14</sup>Basham, A.L. (1959). *The wonder that was India: A survey of the culture of the Indian Sub-Continent before the coming of the Muslims*. (p. 97). Random House Evergreen, first published in 1954. The passage begins the Mahāparinibbāna Sutta, which Ambedkar would have read in the T.W. Rhys Davids translation in *Buddhist-Sutras*, Vol. 11 of *The Sacred Books of the East Series*, Max Muller, editor, pp. 1ff.

to branch libraries of the People's Education Society, and to personal collections of family and associates. Much more about the Buddhist roots of Ambedkar's judicial philosophy will be discovered as scholars follow these trails.<sup>15</sup>

#### IV

In the final section of this study I would like to propose another approach to understanding the influence of Buddhist thinking on Ambedkar's judicial philosophy. While I have developed this hermeneutic in another study, I believe it will prove useful in this context.<sup>16</sup> Dr. Ambedkar regularly invoked three slogans in his campaigns for human rights. During his graduate work at Columbia University, he studied the history and meaning of the motto of the French revolution, *Liberty, Equality, Fraternity*.<sup>17</sup> While attending the London School of Economics, he encountered the slogan of the British Fabian Society: *Educate, Agitate, Organize*.<sup>18</sup> And in his last years, he frequently invoked the Three Jewels (*tiratana*), the refuge formula that marks the commitment of practicing Buddhists worldwide and the core declaration of the conversion ceremony of 1956: "I take refuge in the *Buddha*, the *Dhamma*, and the *Sangha*."

The eighteenth century French revolutionary motto was often cited by Ambedkar as an expression of Buddhist principles and a template for a just and compassionate society. At the time that these ideals were inscribed in Article 1 of the Universal Declaration of Human Rights and ratified by the United Nations in 1948, Ambedkar chose them for the preamble to the Indian Constitution. In an interview on All-India Radio in 1954, the retired cabinet minister made a surprising connection:

My social philosophy may be said to be enshrined in three words: liberty, equality, and fraternity. Let no one, however, say that I have borrowed my philosophy from the French Revolution. I have not. My philosophy has roots in religion and not in political science. I have derived them from the teachings of my master, the Buddha.<sup>19</sup>

In a speech delivered before an international meeting of Buddhist leaders in Katmandu days before his death, Ambedkar compared the French ideals with the social teachings of the Buddha and Karl Marx. The French revolution promised equality but did not secure it. The Russian revolution, inspired by Marxism, offered equality but

<sup>15</sup>Shetty, Sukanya. (2010). Through vast library, Ambedkar still stays close to his followers. *Indian Express*, 7 December. <http://archive.indianexpress.com/news/through-vast-library-ambedkar-still-stays-close-to-his-followers/721368/>

<sup>16</sup>Queen, Christopher. (2021). Ambedkar's Buddhist vision: A social democratic republic. In Sallie B. King. (Ed.). *Buddhist visions of a good life for all*. Routledge.

<sup>17</sup>Stroud, 2023, p. 54.

<sup>18</sup>For the significance of this slogan to a new generation of Ambedkarites in the diaspora today, see Dadasaheb Tandale, "Educate, Agitate, Organize,"

<https://www.saada.org/tides/article/educate-agitate-organize>

<sup>19</sup>Keer, Dhananjay. (1987). *Dr. Ambedkar: Life and mission*. (p. 459). Popular Prakashan, first published 1954.

sacrificed liberty and fraternity. In the end, he concluded, "It seems that the three [ideals] can coexist only if one follows the way of the Buddha."<sup>20</sup>

The slogan "Educate, Agitate, Organize," attributed to George Bernard Shaw, co-founder of the London School of Economics and a Fabian socialist, appeared often in Ambedkar's speeches. *Education*, for Ambedkar, who earned his second doctorate at LSE, was the key to personal liberation, particularly for Dalits deprived of property and rank. *Agitation*, in the absence of political consensus, was the key to social reform. *Organization* of social movements, political parties, government structures, and judicial due process was the key to enduring social change. Addressing 70,000 followers in Nagpur in 1942, Ambedkar prefigured his conversion there fourteen years later, tying the slogan of the British socialists to his belief in the power of religion:

My final word of advice to you is educate, agitate, and organize, have faith in yourself. With justice on our side, I do not see how we can lose our battle. The battle to me is a matter of joy. The battle is in the fullest sense spiritual. There is nothing material or social in it. For ours is a battle not for wealth or for power. It is a battle for freedom. It is a battle for the reclamation of human personality.<sup>21</sup>

In *The Buddha and His Dhamma*, published posthumously in 1957, Ambedkar organized the narratives and homilies he excerpted from the Pali canon, along with his own interpolations, around the refuge formula of allegiance to the Buddha, the Dhamma, and the Sangha. The first two sections present the life and early career of the Buddha; the next two sections detail the Dhamma, his teachings and their meaning for today; and the following two sections present the values and practices of the Sangha in relation to the surrounding culture. The final chapters narrate the Buddha's last days and his place in history.<sup>22</sup>

To present the outlines of Ambedkar's judicial philosophy in the terms he used himself, let us combine the three slogans as follows. For him, *Buddha* exemplified personal freedom through formal study and practice; accordingly, nation builders must "*educate for liberty*." The *Dhamma* (Pali spelling of the Sanskrit *Dharma*), was a recipe for social reform through nonviolent struggle; founders and reformers must "*agitate for equality*." And the *Sangha* represented a community designed to maximize and practice democratic values; the architects of a just and free society must "*organize for fraternity*."

<sup>20</sup>Ambedkar, B.R. (1956). Buddha or Karl Marx. *BAWS*, Vol. 3, p. 462. The essay "Buddha and Karl Marx" and its companion speech, delivered at the fourth meeting of the World Fellowship of Buddhists, Katmandu on November 15, 1956, contain what may be Ambedkar's final thoughts on religion and politics. The speech version is transcribed in *BAWS*, Vol. 17, pp. 549–558.

<sup>21</sup>Keer, 1987, p. 351.

<sup>22</sup>Ambedkar, B.R. (2011). *The Buddha and His Dhamma*. Annotated and edited by Aakash Singh Rathore and Ajay Verma. Oxford University Press.

First, then, *Buddha: Educate for Liberty*. In the pages of Keluskar's biography, the teenage Ambedkar perceived the Buddha as an independent thinker who rejected conventional wisdom, sought instruction from respected pundits, and formulated his own philosophy along the way. With encouragement from Keluskar and funding from progressive upper-caste patrons such as the Maharajahs of Baroda and Kolhapur, Ambedkar obtained and applied his elite international education to the ills of his own society. Little wonder that he would regard education as the cornerstone of a free society, and that John Dewey, the best-known progressive educational thinker of his generation, would become Ambedkar's mentor in conceiving the relationship of education to democracy.<sup>23</sup>

For Ambedkar, the political concept of liberty was grounded in the intellectual and spiritual notion of freedom—freedom of thought and expression and access to quality information and instruction. This conviction was reflected in Ambedkar's founding of the People's Education Society in 1945 and its many institutions: high schools, colleges, and residential dormitories for disadvantaged citizens seeking liberal, vocational, and professional training. Similarly, Ambedkar's commitment to primary and secondary education as a pillar of free society was codified in the Constitution, first as a desideratum and finally, years after his death, as a right for all citizens.

Second, *Dhamma: Agitate for Equality*. From the time of the water rights protests of 1927 to the gathering of a half-million pilgrims to the city of Nagpur in 1956, Ambedkar presided over protest marches, rallies, convocations, and, finally, one of the largest religious gatherings in Buddhist history. Like socially engaged Buddhists of the second half of the twentieth century such as the Fourteenth Dalai Lama and the Vietnamese Zen teacher Thich Nhat Hanh, who were driven into exile for their opposition to tyranny and war, and Sulak Sivaraksa, founder of the International Network of Engaged Buddhists, who was repeatedly jailed for denouncing the corruption of the military government in Thailand, Ambedkar was never "mealy-mouthed" in his challenge to the British imperial government and their caste Hindu collaborators. In this he followed in the footsteps of three anti-caste crusaders, whom he called his *gurus*. These were the Buddha, who challenged caste by welcoming petitioners of all backgrounds into his movement; the fifteenth-century poet-saint Kabir, who honored rich and poor Hindus and Muslims in verses that obliterated hierarchy and privilege; and the nineteenth century anti-caste writer and educator, Jyotiba Phule. Ambedkar's parents were devotees of Kabir and introduced his caste-blind mysticism to their fourteenth child, the talented Bhim, while Dalit activists throughout India were familiar with Phule's writings on the social liberation of the underclass.<sup>24</sup>

Freedom of thought, speech, and assembly inevitably entailed the freedom to choose and practice the religion of one's choice. At a gathering of ten thousand leaders of the Depressed Classes movement in 1935, Ambedkar announced that, though he

<sup>23</sup>Stroud, 2023, *passim*.

<sup>24</sup>Zelliot, Eleanor. (2013) *Ambedkar's World: The making of Babasaheb and the Dalit Movement* (pp. 21-57). Navayana.

was born Hindu, he would not die as one. His declaration at Yeola was vigorously contested by Gandhi, who denied that one's religious identity may be changed at will. But Ambedkar never backed down on the freedoms that were basic to the great democracies of the West and to the republic he envisioned for India.

Finally, *Sangha: Organize for Fraternity*. Ambedkar regarded the ancient Buddhist sangha as a model of social inclusion, deliberative government, and judicial due process. But he was ambivalent about the voluntary poverty, renunciation of private property, and common ownership of goods described in the early records. Unlike the laity, monks must be celibate, obedient to seniors, and unencumbered by property. Yet Ambedkar was quick to condemn the poverty of the traditional ascetics of India, whom he viewed as "hypocritical and deceitful . . . envious and grudging . . . cunning and crafty, hard-hearted and vain."<sup>25</sup> Strongly rejecting the Christian teaching of "blessed are the poor," he wrote,

Religion must not sanctify or ennoble poverty. Renunciation of riches by those who have it, may be a blessed state, but poverty can never be. To declare poverty to be a blessed state is to pervert religion, to perpetuate vice and crime, to consent to make earth a living hell.<sup>26</sup>

On the other hand, monastic wealth and privilege, in the absence of service to the poor, was offensive to him. Visiting Ceylon in 1950, he observed monks comfortably cloistered in permanent viharas, preoccupied with ritual and meditation and not visibly serving the community—"a huge army of idlers."<sup>27</sup> To consider the ancient sangha as a paradigm for a modern republic based on liberty, equality, and fraternity, the issue of property ownership and affluence required closer attention.<sup>28</sup>

Ambedkar was a trained economist who published his graduate theses on "Administration and Finance of the East India Company," "The Evolution of Provincial Finance in British India" (Columbia), "Provincial Decentralisation of Imperial Finance in British India," and "The Problem of the Rupee – Its Origin and its Solution" (London School of Economics). His approach to economics evolved over time and may be described as an amalgam of Keynesian capitalism, where state-regulated private property forms the basis of social prosperity, on one hand, and the democratic socialism of the British Fabian Society, where the state plays a more assertive role in regulating the ownership and distribution of wealth. His differences with Gandhi encompassed many issues facing India, but his opposition to Gandhi's village-based subsistence economics, symbolized by the Mahatma's spinning wheel

<sup>25</sup>The Buddha and His Dhamma, p. 231.

<sup>26</sup>"Buddha and Future of His Religion," *BAWS*, p. 104, first published in *The Maha Bodhi*, journal of the Maha Bodhi Society of Calcutta, Vol. 58, May 1950.

<sup>27</sup>*Ibid.*, p. 107.

<sup>28</sup>For an overview of Buddhist teachings on wealth, see Queen, Christopher (2019). *Economic Justice in the Buddhist Tradition*. In Richard Madsen and William M. Sullivan. (Eds.). *Economic Inequality and Morality: Diverse Ethical Perspectives*. (pp. 235–260). Brookings Institution Press.

and homespun clothing, was pronounced. Ambedkar, in his three-piece suits, engaged in tireless fundraising for his publications, schools and colleges, and promoted collective farming, heavy manufacturing, and the belief that property and wealth, while not evil, must be closely regulated through taxation and market intervention by a strong, democratically elected government.<sup>29</sup>

It is significant that Dr. Ambedkar's final speech was devoted to a contrast between the social visions of Karl Marx and the Buddha. Delivered days before his death at the fourth meeting of the World Fellowship of Buddhists, held in Katmandu on November 16, 1956, the ailing freedom-fighter argued that the two great social philosophers, separated by 2,500 years, nevertheless agreed on two things: (a) that oppression and suffering were caused by poverty and the violent competition for resources by classes or castes, and (b) that control of the means of production, in the form of private property, was the way the poor are dominated by the rich. Ambedkar argued that the Vinaya rules restricting monks to a few personal items were more rigorous in their implications for a socialist society than were the teachings of the Marxists, but he admitted serious doubt about the relevance of such teachings for a secular republic. "The only question is, to what extent can this rule of denial of private property be applied to society as a whole?"

In the last words of his valedictory speech on the comparative merits of Buddhism and Communism as guideposts for modern society, having stressed the objective of removing impediments to liberty, equality, and fraternity, Ambedkar stressed the decisive importance of means over ends:

The means that the Communists wish to adopt in order to bring about Communism (by which I mean the recognition of Dukkha [and] the abolition of poverty), is violence and killing of those opposed. There lies the fundamental difference between the Buddha and Karl Marx. The Buddha's means of persuading people to adopt the principles are by persuasion, by moral teaching and by love. He wants to conquer the opponent by inculcating in him the doctrine that love and not power can conquer anything.<sup>30</sup>

In this we hear, not the pragmatism of Dewey or Ambedkar's other modern mentors in political and economic theory, but an echo of the *Dhammapada*, the early sermon of the Buddha, with which Ambedkar was intimately familiar: "Enmity is not quelled by enmity. Only by non-enmity is enmity quelled. This is the ancient truth."<sup>31</sup>

<sup>29</sup>A detailed overview of the evolution of Ambedkar's economic theories ("Ambedkarism") vis-à-vis those of Gandhi, Nehru, and the Indian Communist Party may be found in Omvedt, Gail. (2014). *Dalits and the democratic revolution: Dr. Ambedkar and the Dalit movement in Colonial India*. Sage.

<sup>30</sup>B.R. Ambedkar, "Buddha or Karl Marx," in *BAWS*, Vol. 17, Part 3, p. 554.

<sup>31</sup>Dhammapada 1.5. Ambedkar's quotation from the Dhammapada in *The Buddha and His Dhamma* is extensive. In the section "On Anger and Enmity," he paraphrases, "Cherish no anger. Forget your enemies, Win your enemies by love. This is the Buddhist Way of Life." (Ibid., p. 189.) For Ambedkar's references to the Pali sources throughout *The Buddha and*

Ambedkar's fraternity is perfectly expressed by the Buddhist *metta*, "friendliness," "lovingkindness."

In these connections we may see the influence of Buddhist ways of thinking on his emerging philosophy of government. It was reflected in his reconstruction of the history of class and caste in India, but it was also reflected in his vision of a society based on republican and democratic principles and procedures he encountered in his study of the earliest Buddhist literature. A hint of the importance of these connections was the digression regarding ancient Buddhist republican order that he made in his final speech before the Constituent Assembly on November 25, 1949.

The draft constitution, with its distant Buddhist ancestry, was ratified the following day and became the law of the land on January 26, 1950.

---

*His Dhamma*, see footnote annotations in the Oxford annotated edition, and "Pali and Other Sources of The Buddha and His Dhamma," *BAWS*, Vol.11 Supplement.