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Constitutional Promises and Social Realities: Analysing Ambedkar's Vision of Equality, Liberty and Fraternity in Contemporary India

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Abstract

Dr. B. R. Ambedkar gifted the Indian Constitution not merely as a dry legal document but as a living instrument for social revolution. At its heart stood three interconnected ideals: Equality, Liberty, and Fraternity. Yet, more than seventy-five years after the Constitution came into force, a troubling gap persists between these constitutional promises and the everyday social realities faced by millions of Indians. This chapter examines that gap by returning to Ambedkar's own words in the Constituent Assembly debates, analysing two landmark Supreme Court judgments on disability rights, and drawing upon the author's long-standing work in inclusive education and social service. The central argument is that fraternity, the most neglected pillar of Ambedkar's triad, remains the primary obstacle to achieving meaningful equality and liberty in contemporary India. Legal provisions alone cannot bridge this gap; what is required is a deeper, socially embedded commitment to mutual respect and shared belonging. The chapter concludes with concrete recommendations for educators, policymakers, and citizens to move beyond legal formalism toward Ambedkar's unfinished project of social democracy.

Keywords: Ambedkar, equality, liberty, fraternity, constitutional morality, disability rights, inclusive education, social justice

1. Introduction

On 25 November 1949, as the Constituent Assembly prepared to adopt the final draft of India's Constitution, Dr. B. R. Ambedkar rose to deliver what would become one of his most prophetic speeches. He warned that despite the magnificent legal architecture they had built, the future of Indian democracy would depend not on the text of the Constitution alone but on the willingness of the people to live by its spirit. His exact words remain hauntingly relevant: "However good a Constitution may be, it is sure to turn out bad because those who are called

to work it happen to be a bad lot. However bad a Constitution may be, it may turn out to be good if those who are called to work it happen to be a good lot” (Constituent Assembly Debates, 1949).

Ambedkar had spent his entire life on the receiving end of caste brutality. He knew, from bone-deep experience, that legal rights printed on paper could not automatically dismantle centuries of social prejudice. His vision of the Constitution was therefore deeply moral, not merely procedural. The Preamble he helped shape promised Justice, social, economic and political, alongside Liberty of thought and expression, Equality of status and opportunity, and Fraternity assuring the dignity of every individual.

This chapter analyses the distance between those constitutional promises and the social realities of twenty-first-century India. It does so through three interconnected lenses. First, by returning to Ambedkar’s original understanding of equality, liberty and fraternity as a unified ethical-political framework. Second, by examining how the judiciary has interpreted and enforced these ideals in recent years, with particular attention to disability rights. Third, by drawing upon the author’s own experience of working with autistic children and conducting inclusive education research over nearly a decade.

What emerges from this analysis is a troubling conclusion: while India has made considerable progress in formal legal equality, the social transformation that Ambedkar considered essential remains incomplete. Fraternity, the principle that binds individuals into a shared moral community, has been systematically neglected. Without it, liberty becomes selfish, and equality remains shallow, no deeper, as Ambedkar memorably warned, than “a coat of paint.”

2. Ambedkar’s Original Vision: Equality, Liberty and Fraternity

To understand the gap between constitutional promises and social realities, one must first grasp what Ambedkar actually meant by the three ideals he enshrined in the Preamble.

For Ambedkar, equality was never merely about formal legal equality that is, treating all individuals identically before the law. He insisted upon substantive equality, which required actively addressing the accumulated disadvantages inflicted by the caste system. In his undelivered speech “Annihilation of Caste,” he wrote with characteristic bluntness that the Hindu social order was fundamentally incompatible with democratic principles precisely because it institutionalised graded inequality. He declared: “Inequality is the official doctrine

of Hinduism” (Ambedkar, 1936). Therefore, achieving equality demanded not just non-discrimination but affirmative action, social restructuring, and the complete annihilation of caste itself.

Liberty, in Ambedkar’s framework, was not merely the absence of state coercion. He distinguished sharply between political liberty and social liberty. A person might be legally free to walk into any temple or apply for any job, but if social custom, community pressure, or the threat of violence prevented them from actually doing so, their liberty remained a hollow fiction. He understood that true liberty required freedom from the tyranny of the majority, whether that majority was defined by religion, caste or region (Ambedkar, 1948).

However, it was fraternity that Ambedkar considered the most critical and most fragile of the three pillars. In his Constituent Assembly speech on 4 November 1948, while introducing the Draft Constitution, he defined fraternity as “a sense of common brotherhood of all Indians of Indians being one people” (Constituent Assembly Debates, 1948). He insisted that fraternity was not a sentimental add-on but the very condition that made equality and liberty sustainable. Without fraternity, the more powerful sections of society would inevitably use their liberty to entrench their own advantages, and formal equality would become nothing more than an empty formula.

The political theorist Mahanand (2021) has argued persuasively that for Ambedkar, “liberty, equality and fraternity is not a rhetorical slogan in fighting against caste, but in a substantive way, these ideals constitute an ethical-political normative for a public good of a good society.” This insight is crucial. Ambedkar was not offering a checklist of desirable values; he was proposing a coherent moral philosophy for rebuilding Indian society from its foundations. The interrelationship among the three was non-negotiable. Remove fraternity, and the entire structure collapses.

3. Constitutional Promises: From Text to Law

The Indian Constitution, as finally adopted, translated Ambedkar’s moral vision into justiciable legal provisions. Article 14 guaranteed equality before the law and the equal protection of the laws. Article 15 prohibited discrimination on grounds of religion, race, caste, sex or place of birth, while simultaneously permitting the state to make special provisions for women, children and socially and educationally backward classes. Article 19 protected the freedoms of speech, assembly, movement and profession, the core components of liberty. The Directive Principles

of State Policy, though not enforceable in courts, laid down ambitious social and economic goals to guide legislative action.

Yet, for all its brilliance, the original Constitution had significant blind spots. It did not explicitly mention disability as a ground for non-discrimination. It largely left the transformation of social institutions like family, marriage, and religion to future legislation. And it assumed that the political democracy it established would naturally generate the social democracy Ambedkar had called for. He was not so optimistic.

On 25 November 1949, he delivered his famous warning about the dangers of “one man one vote” in a society still organised by caste hierarchy. He reminded the Assembly: “We must not forget that Democracy is a form of government which is sustained by the people themselves. If the people are not educated in the values of democracy, it will not work” (Constituent Assembly Debates, 1949). In other words, political machinery alone cannot create a democratic society; the people themselves must be transformed.

The Rights of Persons with Disabilities Act, 2016 (Act No. 49 of 2016) represents a significant belated effort to address one of the original Constitution’s gaps. This legislation marked a paradigm shift from the earlier medical-charity model of disability to a human rights-based approach. It defines inclusive education as “a system of education wherein students with and without disabilities learn together” (Government of India, 2016). It mandates reasonable accommodation, prohibits discrimination, and establishes mechanisms for enforcement. Scholars have noted that the 2016 Act “lays down a statutory manifestation of a constitutional commitment” to equality and dignity for persons with disabilities (Narayan & John, 2017, p. 120).

Nevertheless, even this progressive legislation carries the same limitation as the Constitution itself. It can mandate, but it cannot compel fraternity. It can create accessible infrastructure, but it cannot erase the social prejudice that excludes persons with disabilities from full participation in community life.

4. Social Realities: Where the Promise Fails

The distance between constitutional text and lived experience becomes painfully visible when one examines specific judicial interventions concerning disability rights. Two Supreme Court judgments are particularly instructive.

4.1 Jeeja Ghosh v. Union of India (2016)

In May 2012, Jeeja Ghosh, a distinguished disability rights activist with cerebral palsy, was boarding a SpiceJet flight from Kolkata to Mumbai. After she had already taken her seat, airline staff asked her to deboard on the ground that her presence posed a “safety risk.” She was left stranded at the airport, humiliated and traumatised.

When the case reached the Supreme Court, the bench delivered a stinging rebuke. The Court held that deboarding Ms. Ghosh constituted “unreasonable discrimination” and a clear violation of her fundamental rights under Articles 14 and 21. Justice A.K. Sikri, writing for the bench, observed that the airline had failed to provide “appropriate, fair and caring treatment” with “due sensitivity.” The Court awarded Ms. Ghosh compensation of ₹10,00,000 for the mental and physical suffering she had endured (Jeeja Ghosh v. Union of India, 2016).

This judgment is commendable, but it also reveals the limits of judicial intervention. The Court could order compensation, but it could not change the mindset of airline staff or prevent similar incidents from occurring elsewhere. The very fact that a person with a visible disability was asked to deboard in the twenty-first century—after the Constitution had been in force for over six decades—testifies to the persistence of social prejudice that law alone cannot erase.

4.2 Vikash Kumar v. Union Public Service Commission (2021)

Vikash Kumar, an aspirant for the Civil Services Examination, was denied a scribe despite his disability because he did not meet the 40 percent benchmark requirement. He challenged this denial, and the Supreme Court delivered a landmark judgment that significantly expanded the understanding of reasonable accommodation.

The bench held that the denial of a scribe amounted to discrimination and that the principle of reasonable accommodation “is a facet of substantive equality set out in General Comment 6 of the Committee on the Rights of Persons with Disabilities” (Vikash Kumar v. UPSC, 2021). The Court clarified that the Rights of Persons with Disabilities Act, 2016, required accommodation for all persons with disabilities, not merely those with “benchmark disabilities” of 40 percent or more. Justice D.Y. Chandrachud, in a separate concurring opinion, emphasised that equality must be understood substantively, not formally. If a person with a disability cannot compete on equal terms because of systemic barriers, the state has an affirmative obligation to remove those barriers (Vikash Kumar v. UPSC, 2021).

The Vikash Kumar judgment represents a significant step toward realising Ambedkar's vision of substantive equality. Yet here again, the gap between judicial pronouncement and social reality remains wide. Reasonable accommodation is still denied routinely in educational institutions, workplaces and public spaces across the country. The burden of asserting one's rights remains on the individual with the disability, who must often navigate a hostile and exhausting legal process.

4.3 The Author's Own Experience in Inclusive Education

Having worked with autistic children for nearly nine years across three different institutions in Bangalore, this author has witnessed firsthand the gap between constitutional promises and classroom realities. The Right to Education Act guarantees every child the right to free and compulsory education. The Rights of Persons with Disabilities Act, 2016, mandates inclusive education. The National Education Policy 2020 envisions an educational system where no child is left behind.

In practice, however, inclusive education remains largely aspirational. Most mainstream schools lack trained special educators, accessible infrastructure, adapted curricula and supportive peer environments. Children with disabilities are frequently segregated, neglected or simply excluded. Teachers, however well-intentioned, often lack the training to address diverse learning needs. Parents of non-disabled children sometimes resist inclusive classrooms, fearing that their own children's education will be compromised.

In a study examining two Supreme Court decisions on disability inclusion, this author found that while the judiciary has consistently affirmed the right to inclusive education, implementation remains weak and fragmented (Bajaj, 2023). The gap is not primarily legal; it is attitudinal. It reflects a failure of fraternity, a refusal to recognise that the dignity of each individual is bound up with the dignity of all.

5. Fraternity as the Missing Pillar

Why has fraternity proved so elusive in independent India? The answer lies partly in the nature of the caste system itself. Vatsal Naresh (2024) has argued, drawing upon Ambedkar, that "caste prevents equality and fraternity, thus foreclosing the possibility of a democratic society." Caste socialises individuals into hierarchical thinking from birth. It teaches that some people are inherently superior and others inherently inferior. It fragments society into thousands of

endogamous groups, each suspicious of the others. In such a fragmented society, genuine fraternity, the sense of common brotherhood, is almost impossible to cultivate.

Ambedkar understood this better than anyone. In his Constituent Assembly speech on 25 November 1949, he made a remarkable confession: “We are going to enter into a life of contradictions. In politics we will have equality and in social and economic life we will have inequality.” He warned that this contradiction could not persist indefinitely. Either politics would reshape social and economic life, or social and economic inequality would eventually corrupt political democracy.

The distinguished jurist Upendra Baxi has extended this analysis by introducing the concept of constitutional morality. Baxi distinguishes between social morality, which in India remains deeply shaped by caste, patriarchy and religious hierarchy, and constitutional morality, which requires fidelity to justice, equality and liberty even when these conflict with prevailing customs (Baxi, 2011). Ambedkar himself saw constitutional morality as a safeguard against the tyranny of social morality. He believed that citizens needed to be educated into constitutional values so that they would resist unjust social practices, not merely comply with them.

But constitutional morality cannot be legislated into existence. It must be cultivated through education, civil society action and everyday practice. It requires what political theorist Gopal Guru calls a “normative political culture” where citizens learn to see their own well-being as inseparable from the well-being of others (Shakil & Guru, 2023).

This is where the disability rights movement offers valuable lessons. Persons with disabilities have fought not merely for legal entitlements but for social recognition, the simple acknowledgement that they are full members of the human community with equal dignity and worth. Their struggle is not just for ramps and scribes; it is for fraternity. And in that struggle, they have much in common with the Dalit communities that Ambedkar championed.

6. Bridging the Gap: Future Recommendations

How can India move closer to realising Ambedkar’s vision of equality, liberty and fraternity? Based on the analysis above, this chapter offers several concrete recommendations for different stakeholders.

For Educators

Inclusive education must move from policy document to classroom practice. This requires not just infrastructure but teacher training, curriculum adaptation, and a shift in attitudes. The National Education Policy 2020 provides a framework, but it requires dedicated funding and accountability mechanisms. Teachers need hands-on training in differentiated instruction, assistive technology, and creating supportive peer cultures. Schools must be required to report not just enrolment numbers but retention, learning outcomes, and social inclusion indicators for children with disabilities.

For Policymakers

The Rights of Persons with Disabilities Act, 2016, must be enforced with genuine rigour. Compliance mechanisms need to be strengthened, with regular audits and meaningful penalties for non-compliance. Accessibility standards must be applied not only to government buildings but to all public spaces, transportation systems, and digital platforms. Beyond disability, the unfinished agenda of caste-based discrimination requires renewed attention. Ambedkar's warning that "the continuance of the caste system means the continuance of the denial of fraternity" must be taken seriously.

For Citizens and Activists

Ultimately, fraternity cannot be mandated from above. It must be built from below, through everyday acts of solidarity. This means intervening when one witnesses discrimination, refusing to participate in exclusionary practices, and actively seeking out relationships across lines of caste, disability, gender and religion. It means teaching children, by example, not just by precept, that every human being deserves respect and dignity.

The disability rights movement has demonstrated that small acts of inclusion can have transformative ripple effects. A school that makes space for a child with autism does not just benefit that child; it teaches every child in the school something valuable about human diversity and mutual obligation. Similarly, a workplace that provides reasonable accommodation does not just help an employee with a disability; it builds a culture where everyone feels valued.

7. Conclusion

Dr. B. R. Ambedkar dreamed of an India where liberty, equality and fraternity would be not just constitutional slogans but lived realities. He knew that the journey from constitutional promise to social reality would be long and difficult. He did not underestimate the power of caste, prejudice and entrenched hierarchy.

Seventy-five years after the Constitution came into force, India has made undeniable progress. The legal framework Ambedkar helped create has empowered millions to claim their rights. Courts have expanded the meanings of equality and liberty to include groups such as persons with disabilities, which the original framers may not have fully envisioned.

Yet the gap remains. Formal equality has not become substantive equality. Legal liberty has not destroyed social tyranny. And fraternity, the principle that Ambedkar considered the most essential, remains the least realised of the three ideals.

Closing this gap requires more than better laws or more diligent courts. It requires what Ambedkar called “a social revolution.” It requires each of us, in our own lives and communities, to practice fraternity as a daily discipline. It requires seeing the dignity of every person as inseparable from our own.

Ambedkar ended his final Constituent Assembly speech with a plea that still echoes across the decades: “I feel, however, that the Constitution is workable, it is flexible and it is strong enough to hold the country together both in peace time and in war time. Indeed, if I may say so, if things go wrong under the Constitution, the reason will not be that the Constitution is bad, but that the man who is working it is bad.”

The Constitution remains workable. The question is whether we—the people who work it—will rise to the challenge that Ambedkar placed before us.

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