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Beyond the Sacred Canon: Literature as Subversive Jurisprudence

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*The theory of subversive jurisprudence is further developed in this paper to theorise how normative systems are brought about outside formal legal institutions but given juridical effect insofar as they are interpreted, mobilised, and ultimately incorporated into the constitution. Based on the book *Annihilation of Caste*, it argues that this work serves not only as a social critique but also as a proto-constitutional jurisprudence capable of redefining democracy through the threefold liberty, equality, and fraternity. The paper examines the institutionalisation of these normative commitments in constitutional provisions, judicial reasoning and principles, including substantive equality and constitutional morality. It also examines how *The Doctor and the Saint*, by Arundhati Roy, reanimates Ambedkar as a living text, situating the caste within the modern networks of violence and exclusion. Through judicial rulings, political campaigns, and Dalit feminist interferences analysed in the paper, literature can be used as a long-standing locus of legal argument and reaction. Finally, it argues that subversive texts do not merely criticise law but also engage in its continual reconstitution, making literature an alternative source of jurisprudential power in contexts of structural inequality, where it remains the case.*

Keywords: *subversive jurisprudence, annihilation of caste, constitutional morality, substantive equality, law and literature.*

INTRODUCTION

The subversive jurisprudence concept describes a form of normative reasoning developed outside formal legal institutions that obtains juridical power through interpretation, mobilisation, and eventual adoption of doctrines.¹ This form is a product of counter-public writings that undermine existing legal epistemologies, destabilise dominant hierarchies, and contest constitutional meaning, unlike classical jurisprudence, which derives its authority from legislatures and courts.²

B. R. Ambedkar has best explained the connection between law, literature, and subversion. His *Annihilation of Caste* goes further to develop a structural criticism of caste as a form of graded inequality supported by religion and justified by law.³ Instead of diluted criticism, Ambedkar chose a censored speech and wrote it as a radical normative text that not only identified systemic injustice but also created a new image of equality, freedom, and brotherhood, which would soon be included in the Indian Constitution.⁴

Placed within the wider tradition of law and literature but breaking with its traditional interpretive emphasis, this framework locates literature as a locus of the production of its own norms. In this latter sense, *Annihilation of Caste* is jurisprudence: it is jurisprudence which develops constitutional principles before any formal codification of the same, and it is jurisprudence through which law itself can be questioned.⁵ *The Doctor and the Saint* by Arundhati Roy extends this trend, reinstating the text in the language of constitutional reform, in opposition to mainstream nationalist discourse, and in anticipation of the continuation of the process of exclusion and violence based on caste.⁶

The current interest of this question is that caste is being perpetuated and altered in institutional and technological areas. Higher education exclusion, labour market stratification and the reproduction of caste hierarchies in the digital world point to the fact that the constitutional

¹ Upendra Baxi, *THE FUTURE OF HUMAN RIGHTS* (3rd edn, OUP India 2007)

² Duncan Kennedy, 'Legal Education and the Reproduction of Hierarchy' (1982) 32(4) *Journal of Legal Education* <<https://www.jstor.org/stable/42897806>> accessed 18 March 2026

³ B R Ambedkar, *Annihilation of Caste* (Navayana 2015)

⁴ *Ibid*

⁵ HLA Hart et al., *The Concept of Law* (3rd edn, OUP 2014)

⁶ Arundhati Roy, *The Doctor and the Saint* (English Penguin 2019)

promise of equality is still structurally unmet.⁷ In these circumstances, the work of Ambedkar does not function like a historical artefact but rather as a constant system of diagnosis of constitutional constraints and profound social stratification.⁸

Along with the provisions of the constitution, judicial logic, and Dalit feminism, *Annihilation of Caste* and *The Doctor and the Saint* show how literature can be used as jurisprudence and how law can be turned into a site of resistance.⁹ *Annihilation of Caste* may be seen as a subversive jurisprudence that builds constitutional norms before codification, calls into question the legitimacy of existing frameworks, and whose frameworks of understanding are later internalised in judicial, legislative, and social movements.¹⁰

AMBEDKAR'S ANNIHILATION OF CASTE AS JURISPRUDENCE

Origins and Controversy: In 1936, Ambedkar was called upon by the Jat-Pat Todak Mandal in Lahore to deliver its annual presidential address. His draft provided a straightforward criticism of caste as inseparable from Hindu scriptural authority and supported by religious sanction. The planners, troubled by the arguments' suggestions, wanted some amendments to soften the content. Ambedkar declined to be on the platform and instead published the text separately as *Annihilation of Caste*.¹¹

This episode marks a shift in the centre of normative authority. By rejecting institutional control over the content of his speech, Ambedkar was putting the power to define social reform out of organised platforms and into free text.¹² Publication made a censored address self-sufficient as a normative intervention, no longer dependent on institutional approval. This way, it revealed the shortcomings of the reformists' discourse, which aimed only to preserve caste legitimacy and promote gradual change.¹³

⁷ Suraj Yengde, *Caste Matters* (India Viking 2019)

⁸ Ambedkar (n 3) 90–95

⁹ Sharmila Rege, *Writing Caste Writing Gender* (Zubaan 2006)

¹⁰ Ambedkar (n 3)

¹¹ *Ibid*

¹² Christophe Jaffrelot, *Dr Ambedkar and Untouchability: Analysing and Fighting Caste* (Permanent Black 2005)

¹³ Anupama Rao, *The Caste Question: DALITS AND THE POLITICS OF MODERN INDIA* (University of California Press 2009)

Viewed in this perspective, Annihilation of Caste becomes an example of a subversive jurisprudence. Its power does not rest in its legal acknowledgement but in its ability to declare a counter-normative model that calls into question the moral and legal principles of caste. It is in this Lahore episode that the critique of Ambedkar passes over into a new stage, beyond reformist controversy, taking the form of a self-enclosed jurisprudential writing.

Core Arguments: The way Ambedkar systematically demolished the reformist belief that a modern democratic system could accommodate caste made him stand out among reformers, including Gandhi. This argumentation revolved around four points. When read as a whole, these arguments do not merely criticise caste but also construct a normative framework that examines constitutional values, positioning the text as law rather than social commentary.¹⁴

Caste as Structural Inequality: Ambedkar identified caste as a graded inequality, not a benign division of labour, but a division of labourers, which was sacrosanctified by religion. The permanence of endogamy was fixed, placing Indian society in conflict with democratic values. This definition of caste does not transform caste into a sociological category, but rather into a principle of structural exclusion, and places caste within a constitutional understanding of substantive inequality rather than formal classification.¹⁵ By so doing, it prefigures subsequent judicial practises that would apply equality as a systemic disadvantage rather than individual discrimination.

Religion as Legal Authority: Ambedkar referred to religious scriptures such as the Manusmriti and argued that caste, as a social institution, was legalised and codified as a legal code to determine who was entitled to dignity, freedom of movement, and liberty.¹⁶ His argument was against such texts and, also more broadly, against orthodoxy and knowledge-based authority, which promoted inequality. Ambedkar succeeds in redefining religion as a form of law by describing religious texts as sources of normative authority governing rights and status. His criticism, therefore, shakes the line between law and religion, revealing the maintenance of legal hierarchies by extra-legal epistemologies.¹⁷

¹⁴ Gautam Bhatia, *The Transformative Constitution: A Radical Biography in Nine Acts* (HarperCollins India 2019)

¹⁵ Marc Galanter, *Competing Equalities: Law and the Backward Classes in India* (Oxford University Press 1992)

¹⁶ Ambedkar (n 3)

¹⁷ Rao (n 13)

Democracy and Social Justice: Ambedkar cautioned that without social democracy, political democracy was weak. The absence of liberty and equality was impossible without fraternity, and the caste society, which was constructed on separation, made fraternity impossible. This fraternity requirement of liberty and equality adds to constitutionalism a relational aspect, an aspect that outstrips procedural democracy and prefigures social change.¹⁸ It expects the subsequent emergence of constitutional morality as a value which can curb majoritarianism.

Radical Annihilation: Ambedkar dismissed reformist attempts to sweeten caste hierarchies since he considered that they preserved the structural and religious foundations of inequality. The complete annihilation of caste and the ideological supports were the only way out. The denial of reform in the name of annihilation breaks with incrementalism and creates a new standard of transformation against which legal and social arrangements will be measured. It entrenches equality as a constitutional requirement rather than an ideal.

Combined with the rest of the arguments, these points indicate that Annihilation of Caste is more than an indictment of social hierarchy. It expresses a coherent normative vision that reinvents equality, challenges the foundations of legal authority and creates the terms of democratic legitimacy. Here, the text serves as a jurisprudential intervention that precedes constitutional doctrine and encapsulates the features and essence of subversive jurisprudence.

Intellectual and Political Resonance: Annihilation of Caste is provocative and even political, as the text establishes a connection between the direct struggles of Dalits and the more universal principles of liberty and equality.¹⁹ A combination of the following scholarly efforts shows that the text was understood not only as social criticism but also as a set of principles on which political and constitutional change was anchored.

Gail Omvedt suggests that this proposal by Ambedkar also carried a radical critique of society, a democratic socialist vision in which the destruction of caste was part of a general crusade against economic oppression.²⁰ The present reading situates Ambedkar's project within a broader context of emancipation, where the abolition of caste is part of reorganising social and economic

¹⁸ Bhatia (n 14)

¹⁹ Ambedkar (n 3)

²⁰ Gail Omvedt, *AMBEDKAR: Towards an Enlightened India* (Penguin Books India 2008)

power, thereby further supporting the text's normative project over and above identity-based criticism.²¹

Eleanor Zelliott notes that *Annihilation of Caste* offered the conceptual foundations of the Dalit movement, placing untouchability within a framework of systematic culpability rather than a moral deficiency.²² This approach is in line with a shift in jurisprudence to a structure of responsibility rather than a fault-based approach, where untouchability is seen in a structural rather than a moral context, thereby engaging constitutional attitudes to equality.²³

Christophe Jaffrelot points out that, instead of using untouchability as a moral term, as others did, Ambedkar transformed it into a political term, making clear that the oppression of the caste was not just a matter of interpersonal bias. This reframing highlights that caste is an institutionalised power, bringing it under the purview of the law and making Ambedkar's argument that hierarchies in society cannot be discussed outside the framework of the governance system even stronger.²⁴

Combined, these interpretations make *Annihilation of Caste* not just an act of political manifestation. It has the appearance of a proto-constitutional model in which social change is linked to the reconstruction of the law, and it contains ideas that would be part of constitutional theory and rights-based rhetoric.²⁵ The reason it continues to play a significant role is its capacity to unite conflicts against caste with all-encompassing demands for equality, thereby operating as a source of universal normative and jurisprudential power.

FROM TEXT TO CONSTITUTION

Constitutional Vision: Even though *Annihilation of Caste* is not a legal text per se, the Indian Constitution incorporates some of its main normative commitments, especially regarding equality, social justice, and caste-based exclusion. These can be interpreted as institutionalised

²¹ Yengde (n 7)

²² Eleanor Zelliott, *FROM Untouchable TO Dalit: Essays on the Ambedkar Movement* (Manohar Publishers and Distributors 1996)

²³ Rao (n 13)

²⁴ Jaffrelot (n 12)

²⁵ Bhatia (n 14)

versions of Ambedkar's criticism, transforming a social vision of radicalism into legal standards.²⁶

Articles 14 (“Equality before law”) and 15 (“Prohibition of discrimination on grounds of religion, race, caste, sex or place of birth”) capture the idea of equality as a substantive guarantee rather than a mere formal ideal, as envisaged by Ambedkar.²⁷ Ambedkar believed that the notions of liberty and equality could not exist without fraternity; Articles 14 and 15 extend the notion of equality beyond the abstract to outlaw caste-based exclusions of the right to live in the world.²⁸ This approach converts the equality guaranteed by the constitution, which forbids classification, into an equality that takes account of historical and structural disadvantage, as Ambedkar complained about the graded inequality of the caste system.²⁹

Article 17 (“Abolition of Untouchability”) constitutes the most direct constitutional response to Ambedkar’s critique, as it makes it a criminal offence in all its manifestations.³⁰ It makes his radicalism of annihilation a legal standard, supported by sanctions of law, in the Protection of Civil Rights Act, 1955 and subsequently the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.³¹ In this way, it is a constitutional rejection of an ingrained social tradition, a change from toleration of hierarchy to its categorical denial. The provision has also been judicially accepted as absolute, admitting no exceptions and imposing a positive obligation on the State to eliminate practices based on untouchability.³²

Article 46 (“Promotion of educational and economic interests of Scheduled Castes, Scheduled Tribes and other weaker sections”) articulates Ambedkar's social democratic ideas by stating that the underserved sections of the population should have access to resources and dignity, as enshrined in the Directive Principles of State Policy.³³ It guides the State to advance or assist the educational and economic interests of the Scheduled Castes, Scheduled Tribes, and other weaker sections of society, recognising that formal equality alone is insufficient without positive state

²⁶ Granville Austin, *The INDIAN CONSTITUTION: Cornerstone of a Nation* (2nd edn, Oxford University Press 1999)

²⁷ The Constitution of India 1950, arts 14 and 15

²⁸ Ambedkar (n 3)

²⁹ *State of Kerala & Anr v N M Thomas & Ors* (1976) 2 SCC 310

³⁰ The Constitution of India 1950, art 17

³¹ Protection of Civil Rights Act 1955; Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act 1989

³² *People’s Union for Democratic Rights & Ors v Union of India & Ors* (1982) 3 SCC 235; *Safai Karamchari Andolan & Ors v Union of India & Ors* (2014) 11 SCC 224

³³ Constitution of India 1950, art 46

action to mitigate structural inequality.³⁴ Together, these clauses portray how Ambedkar's constitutionalisation of the critical critique of caste partially succeeded in capturing the critical normative vision articulated in terms of legally enforceable concepts, while retaining the transfigurative hopes.

Constitutional Morality: Ambedkar cautioned that majority rule is not enough to support democracy; it must be backed by constitutional morality, which is the commitment to constitutional principles despite the pressures of the majority. Without social democracy based on fraternity as the foundation of political democracy, he would say it would be an empty shell; without ingrained social structures of authority, the formal promises of equality and liberty would be worthless.³⁵

Constitutional morality, therefore, serves as a counter-majoritarian value, obligating institutions to uphold normative obligations to dignity, equality, and justice rather than societal prejudices.³⁶ It reconstitutionalises constitutional government, which is no longer grounded on numerical majorities but on restraint by principle, in which the validity of the law is not grounded on popular approval but on compliance with its constitutional principles.³⁷

According to Upendra Baxi, this is one of the long-term legacies of Ambedkar: the vision of the Constitution as a living instrument able to adapt itself according to evolving social realities and, at the same time, prevent the tyranny of the majority.³⁸ In that regard, Annihilation of Caste is not just social criticism. However, it is a prescriptive rule of government that expresses the principles according to which constitutional interpretation proceeds and is used to justify the rejection of majoritarian morality.

Judicial Engagement: Ambedkar's views remain relevant in Indian constitutional jurisprudence, with courts drawing on his work and principles to interpret equality and rights substantively and in an anti-hierarchical manner.³⁹ This interpretation is a further manifestation

³⁴ Tarunabh Khaitan, *A THEORY OF DISCRIMINATION LAW* (Oxford University Press on Demand 2016)

³⁵ Ambedkar (n 3)

³⁶ *Government of NCT of Delhi v Union of India* (2018) 8 SCC 501

³⁷ *Navej Singh Johar v Union of India Thr Secretary Ministry of Law and Justice* (2018) 10 SCC 1

³⁸ Baxi (n 1)

³⁹ Bhatia (n 14)

of the process by which views expressed outside formal legal systems contribute to the development of Ambedkar's normative framework into Indian law.

In *Indra Sawhney v Union of India*, the Court, while laying down the "creamy layer" theory, emphasised the importance of "equality" while taking into account historical and social inequality.⁴⁰ This order can be seen as a reflection of the concept of caste as graded inequality, which seeks a structural solution, as Ambedkar advocated. The recognition that equal treatment may actually be a source of inequality is a move towards substantive equality, in line with Ambedkar's understanding of caste.⁴¹

In *Navtej Singh Johar v Union of India*, the Supreme Court invoked the framework of Ambedkar to assert that the morality of the majority cannot override the protection of fundamental rights.⁴² Justice D. Y. Chandrachud underscored the need to protect the dignity of the minority in a manner inconsistent with social practices. This judgment represents an expansion of Ambedkar's anti-hierarchical vision, but only in the area of caste, suggesting the dynamic nature of the theory toward a more sophisticated approach to protecting rights in terms of dignity and autonomy.⁴³

In *Janhit Abhiyan v Union of India*, which concerned the constitutional validity of reservations for the Economically Weaker Sections ("EWS"), the reasoning for the judgment appears, at least in part, to be at odds with Ambedkar's structuralist understanding of caste as an oppressive system.⁴⁴ The reasoning appears to downplay the importance of caste as a system of oppression by focusing on economic criteria for affirmative action policies. It, thus, raises the question of whether contemporary constitutionalism remains in keeping with the spirit of Ambedkar's argument that caste is not merely economic.

These decisions, taken together, reveal that Ambedkar's work is a quasi-legal equality charter that serves as a normative guide for negotiating the relationship among liberty, equality, and fraternity. The selective incorporation of the work of Ambedkar in the decisions of the judiciary highlights the significance of the thought of Ambedkar, which remains relevant to the present.

⁴⁰ *Indra Sawhney Etc Etc v Union of India & Ors, Etc Etc* (1992) Supp (3) SCC 217

⁴¹ Ambedkar (n 3)

⁴² *Navtej Singh Johar v Union of India Thr Secretary Ministry of Law and Justice* (2018) 10 SCC 1

⁴³ Khaitan (n 34)

⁴⁴ *Janhit Abhiyan v Union of India (EWS Reservation)* (2023) 5 SCC 1

Ambedkar's Text as a Living Legal Document: Although *Annihilation of Caste* is an undelivered address, it serves as a normative text, which has maintained legal usefulness. It outlines principles which, as a foundation, are diagnoses of structural injustice, and develops a way of social change that has remained a reference in legal and political discourse. It is more powerful than formal institutions, as it shapes legislative processes, judicial reasoning, and movements that seek to upset established hierarchies.⁴⁵

In that regard, the work of Ambedkar holds a specific place between law and literature: being, to some extent, constitutionalised through its integration into legal doctrine, it still retains its features as a radical protest against the existing social order.⁴⁶ Its only remaining usefulness is that it can work both inside and outside the legal system, as a source of normative authority, as well as a reminder of the restrictions on the realisation of constitutional norms.

Read together with institutions of its afterlives, *Annihilation of Caste* is one example of how a non-legal text may become endowed with a lasting juridical value. Not only does it criticise the law, but it also participates in its continued reconstruction, making it an example of subversive jurisprudence and highlighting that India's democratic process remains incomplete.⁴⁷

ROY AND THE POLITICS OF INTERPRETATION

Roy's intervention does not fit within the framework of literary criticism; it is a constitutional interpretation.⁴⁸ Her reading, by placing Ambedkar's critique of caste within the framework of modern patterns of violence and exclusion, brings *Annihilation of Caste* back as a living normative text that can address questions of constitutional democracy. By doing so, she transforms the text at its historical moment into a continuing site of interpretive struggle, where issues of equality, dignity, and justice are still to be determined.⁴⁹

Gandhi v Ambedkar: The essay by Roy rekindles one of the most controversial controversies in Indian political thought, the ideological struggle between Gandhi and Ambedkar.⁵⁰ She is also

⁴⁵ Baxi (n 1)

⁴⁶ Robert M Cover, 'The Supreme Court, 1982 Term' (1983) 97(1) *Harvard Law Review* <<https://www.jstor.org/stable/1340787>> accessed 18 March 2026

⁴⁷ Ambedkar (n 3); Bhatia (n 14)

⁴⁸ Roy (n 6)

⁴⁹ Rao (n 13)

⁵⁰ Roy (n 6)

anticipating the argument of varnashrama dharma and its opposition to the idea of separate electorates for Dalits as enshrined in the Poona Pact of 1932.⁵¹ She explains how they formed part of the reform agenda, which sought to preserve the moral value of caste while blunting its harshness.⁵² Indeed, the structural interpretation of caste as a power structure and an institutional protection that demanded institutional guarantees is in opposition to the moral reform Ambedkar called for in his call for separate political representation.⁵³ The resultant compromise, brought about by Gandhi's fast, kept Dalits within the Hindu political system, though it curtailed the extent of autonomous political representation.⁵⁴

Roy goes on to suggest that the unification of Gandhi's moral authority in nationalist memory has pushed the critique of Ambedkar to the periphery, relegating it to a subordinate role within a more dominant reform story.⁵⁵ She says that such a rewriting of the history of the Indian people blurs Ambedkar's radicalism and erases him as a key figure in the vision of democracy in India. Roy's destabilisation of order challenges the presupposition of single-speaking morality in the canon of nationalism.

To get a sense of modern-day caste politics, Suraj Yengde notes that it is important that we take back Ambedkar against Gandhi, because reformist narratives tend to take precedence over demands for structural change.⁵⁶ Collectively, these interventions resituate the Gandhi-Ambedkar debate less as a historical instance of disagreement than as a continuous struggle over the terms of equality, representation, and justice in Indian democracy.

Roy's Intervention as Resistance: Outside historical discourses, Roy contextualises Annihilation of Caste into the life circumstances of present-day India, with its anticipation of the continuity of the caste system in the present manifested in the frameworks of manual scavenging, caste-based sexual violence, and marginality in higher education and cases of extreme violence like Khairlanji and Hathras.⁵⁷ By connecting Ambedkar's critique of caste to

⁵¹ Rao (n 13)

⁵² Roy (n 6)

⁵³ Ambedkar (n 3)

⁵⁴ Bipan Chandra et al., *INDIA'S STRUGGLE FOR INDEPENDENCE 1857–1947* (1st edn, Penguin Random House India 2016)

⁵⁵ Roy (n 6)

⁵⁶ Yengde (n 7)

⁵⁷ Roy (n 6); Anand Teltumbde, *The Persistence of Caste: The Khairlanji Murders & India's Hidden Apartheid* (Navayana 2010); Soutik Biswas, 'Hathras case: Dalit women are among the most oppressed in the world' *BBC* (06 October 2020) <<https://www.bbc.com/news/world-asia-india-54418513>> accessed 18 March 2026

these still-current forms of violence, she opposes any tendency to view caste as a remnant or a diminishing process.

In this connection, *Annihilation of Caste* is re-created as a text that addresses the current state of affairs rather than merely representing a historical event. Roy illustrates that caste still has the capacity to serve as a structural mechanism of exclusion, thereby revealing the constraints of the constitutional guarantees in dealing with the ranking social hierarchies hidden deep within.⁵⁸ Her interpretation of this text transforms it from an archival to a contemporary text, and this framework can be used to diagnose the failures in the Constitution that are still possible today.⁵⁹

It is in this that the essay performs a dual role, not only interpreting Ambedkar for new audiences but also using his arguments as tools of resistance. Through Roy, *Annihilation of Caste* becomes a living protest text; a text that does not merely critique but continues to support the demand for annihilation as its original demand, as Ambedkar made.⁶⁰

Critiques of Roy: There has been no intervention by Roy without opposition. Some Dalit intellectuals, among them Anand Teltumbde most prominently, state that she is taking up Ambedkar's voice to critique Gandhi rather than supporting the voice of Dalits.⁶¹ This criticism places her writing in the context of a larger trend in which writers in higher castes mediate Ambedkar on behalf of elite audiences, bringing questions of representation, authorship, and politics of speaking on behalf of the marginalised.⁶²

Meanwhile, other commentators are cognizant of the strategic importance of Roy's intervention. Her non-academic, approachable style of writing and her use of the international platform enabled her to spread Ambedkar's ideas beyond specialist circles and the Dalit movement

⁵⁸ Roy (n 6)

⁵⁹ Rege (n 9)

⁶⁰ Ambedkar (n 3)

⁶¹ Anand Teltumbde, *REPUBLIC OF CASTE: THINKING EQUALITY IN THE TIME OF NEOLIBERAL HINDUTVA* (Navayana 2018)

⁶² Gopal Guru and Sundar Sarukkai, *THE CRACKED MIRROR: An Indian Debate on Experience and Theory* (OUP India 2017)

itself.⁶³ Her writing exposed new readerships to Ambedkarite thought, and thus the debate on caste and democracy is no longer restricted to disciplinary and institutional borders.⁶⁴

These two processes together can be seen as a replication of the dichotomy between representation and dissemination. Roy's role can be questioned in light of the concept of positionality. However, the impact of the process in accentuating the critique of Ambedkar is hard to ignore, as is the dynamic nature of the interaction between subversive texts, which together acquire greater momentum.

Roy's Contribution in Perspective: The Doctor and the Saint is not a replacement for Ambedkar or a solution to the Gandhi-Ambedkar dispute; it is a repositioning of the text of Annihilation of Caste as historical and, at once, desperately contemporary.⁶⁵ Roy's intervention is to bring Ambedkar's critique back into contemporary constitutional and political discourse by questioning established accounts of caste, reform, and moral power.

It is important because it foregrounds three propositions which are related to each other. The first is that caste still organises Indian democracy, even with constitutional guarantees, showing the scope for legal change without social change.⁶⁶ Second, the legacy of Gandhi needs to be subjected to long-term critical examination rather than serving as an unopposed moral paradigm.⁶⁷ Third, the annihilation that Ambedkar demanded is yet to be achieved, and it is therefore relevant now as a normative and political necessity.⁶⁸

In this respect, Roy's work does not resolve the tensions in Indian political thought but elevates them to a higher level, restoring the radicalism of Ambedkar. Reviving Annihilation of Caste as a point of modern interpretation, her intervention makes it a strong living text that will continue to influence the debate on equality, justice, and the meaning of constitutional democracy.

⁶³ Roy (n 6)

⁶⁴ Yengde (n 7)

⁶⁵ Roy (n 6)

⁶⁶ Nivedita Menon, *SEEING LIKE A FEMINIST* (Penguin India 2012)

⁶⁷ Akeel Bilgrami, *SECULARISM, IDENTITY, AND ENCHANTMENT* (Harvard University Press 2014)

⁶⁸ Ambedkar (n 3)

SOCIAL AND POLITICAL AFTERLIVES OF AMBEDKAR'S TEXT

The text by Ambedkar remains a site of resistance even outside formal legal institutions and helps communities address established hierarchies. It penetrates even political movements, where it is utilised not only as an idea producer but also as a performative and symbolic tool that constitutes group action.

Dalit Panthers (1970s): Following the example of the Black Panther Party, Dalit Panthers was a literary-political group that based their radical anti-caste politics on the writings of Ambedkar. They redefined with the help of *Annihilation of Caste* into a radical cultural and political vernacular, associating caste oppression with other global mobilisations against the exploitation of classes and the authority that states hold.⁶⁹

Bhim Army (2015): The Bhim Army is an up-and-coming mobilisation of the imagery, speeches and writings of Ambedkar as an instrument of political action, as well as a grassroots organisation, in the state of Uttar Pradesh. The fact that it employs the symbols of Ambedkarism shows that *Annihilation of Caste* is used as an ideological platform to resist, while simultaneously asserting dignity and visibility in an environment full of caste exclusions.⁷⁰

Student Movements: The ex-posthumous institutional murder of Rohith Vemula in 2016 triggered protests in Indian universities, where excerpts of the book *Annihilation of Caste* and portraits of Ambedkar became the main means of political expression.⁷¹ These mobilisations reveal the text's functioning in the academic space as a system for criticising institutional discrimination and advancing claims to equality, dignity, and belonging.

These movements demonstrate that the work of Ambedkar is both literary and performative; the written ideas were translated into political practise. *Annihilation of Caste* is therefore not limited to the courtroom. However, it is a living tool of mobilisation, with the effect of solidifying its use as a construct through which communities express resistance and recalibrate the idea of social justice.⁷²

⁶⁹ Arjun Dangle, *POISONED BREAD: translations from Modern Marathi Dalit Literature* (Orient Blackswan 1992)

⁷⁰ Teltumbde (n 61)

⁷¹ Yengde (n 7)

⁷² Baxi (n 1)

INTERSECTIONAL EXPANSION (DALIT FEMINISM)

Ambedkar's critique of caste has close links to the issue of gender. Sharmila Rege has pointed out that the institution of caste works on the principle of patriarchy, controlling women's sexuality, work, and mobility, and thus ensuring the reproduction of caste boundaries over generations.⁷³ This insight builds on Ambedkar's own analysis of endogamy as the "essence of caste," where control over women becomes central to maintaining hierarchical social order.⁷⁴ In his own engagement with the Hindu Code Bill, Ambedkar himself emphasised the significance of the legal and social processes through which women were subjugated and how such processes led to the perpetuation of the problem of caste oppression, thereby accepting the necessity to deal with the issue of the status of women to arrive at the objective of caste annihilation.⁷⁵

Movements of Dalit women today draw upon Ambedkar and Roy to respond to the double-binds of caste and gender, foregrounding lived experiences that are often marginalised within both mainstream feminist and anti-caste discourse.⁷⁶

Activism: Fighting against sexual violence because of caste, exploitation through manual labour, and the lack of accountability, especially when sexual violence is tied to casteism.

Cultural Resistance: Using art, literature, and protest as a way to challenge the existing narratives, so that Dalit women have a space to express themselves and challenge the existing epistemologies that have been against them historically.

Intersectional Engagement: Engaging in the debate on reservation, labour rights, and sexual violence, but also challenging the existing frameworks that view caste and gender as separate categories.

These readings further reinforce the significance of Annihilation of Caste as a document of subversion and resistance, and that subverting caste hierarchies involves subverting patriarchal hierarchies as well.⁷⁷ In fact, extending Ambedkarite thought into the domain of intersectionality

⁷³ Rege (n 9)

⁷⁴ B R Ambedkar, *Castes in India: Their Mechanism, Genesis and Development* (2017)

⁷⁵ Narendra Subramanian, *Nation and Family: Personal Law, Cultural Pluralism, and Gendered Citizenship in India* (Stanford University Press 2014)

⁷⁶ Roy (n 6); Rege (n 9)

⁷⁷ Ambedkar (n 3)

not only augments the analysis of caste discourse as a whole but also highlights the continued salience of subversive jurisprudence as a tool to subvert multiple dimensions of inequality.⁷⁸

CONCLUSION

Annihilation of Caste has become one of the most radical and transformative books in contemporary Indian thought. This writing dismisses reformist accommodation and instead requires the structural annihilation of caste. *The Doctor and the Saint*, written by Roy, extends this radicalism to the present day, transposing the debate on Ambedkar into the contemporary constitutional and political debate and casting a critical eye on the traditional morality associated with the figure of Gandhi.⁷⁹

Throughout the constitution, judicial interpretation, and social movements, the ideas of Ambedkar remain a basis for the normative framework of Indian democracy. They are apparent in the development of substantive equality, the use of constitutional morality, and the mobilisation of marginalised groups with claims over dignity and justice. Roy's intervention keeps this criticism alive, not in the past but in the future, predicting the continuity of caste and the constraints of the formal constitutional assurances on the effects of enshrined social hierarchies.

The destruction of caste, then, cannot be perceived as a finished project of the constitutions but is a continuation of the normative demand. *Annihilation of Caste* and *The Doctor and the Saint*, when considered together, present themselves as living constitutions of resistance, capable of creating a synthesis between law, literature, and resistance movements in a society characterised by unending inequality.⁸⁰

⁷⁸ Guru (n 62)

⁷⁹ Roy (n 6)

⁸⁰ Ambedkar (n 3)