

Centre for Studies in Social Sciences, Calcutta

Orientation Programme on “**DISCRIMINATION, CITIZENSHIP AND EQUALITY: INTERROGATIONS AND CONTESTATIONS**” for research scholars and faculty belonging to SC and other marginalized communities

Concept Note

Discrimination, Citizenship, Equality: Interrogations and Contestations

It is a formal as well as substantive statement to make in the contemporary Indian context that discrimination militates against citizenship. It is formal because the Indian constitution is based on the assumed equality of individual citizens and any discriminatory practice obviously contradicts this very fundamental form. It is substantive because it is *true*—in the sense that the statement describes the actual state of affairs of Indian democracy. In the speech he made before the Constituent Assembly on 25th November, 1949, Dr. B.R. Ambedkar prophesied this grim future for the ‘life’ of Indian democracy unless the caste injustice underlying the discriminatory logic of Indian society was wiped out in conjunction with the ‘form’ of the Indian Constitution.

Interestingly, the truth of Dr. Ambedkar’s warning has been borne out by the persistence of discrimination and the recurrence of caste atrocities in post-independent India on the one hand, and on the other, his great fear that the contradiction between form and content would lead to an ‘explosion’ has been taken so seriously by individuals and collectivities that they confronted the fear with newer and more energetic emancipatory struggles and acts. A further point of interest is that within the constitutional and legal dimensions of struggle, ‘discrimination’ has also gained a positive and affirmative meaning — ‘positive’ discrimination. This has, in a strange reversal of position, been contested by a section of society on the alleged ground that such ‘affirmative discrimination’ violates the form of the Constitution. Irrespective of these contradictions and contestations, or because of them, we witness the historical emergence of new effective forces and subjects in present Indian politics that could not have been possible without a substantial re-configuration of social solidarities and alliances. Indeed for every virulent contestation there is a new alliance, which makes that very contestation a resource of thought.

In light of the above, it is important to move the discussion forward and develop a greater orientation of the question of social discrimination in a milieu of democratic citizenship, an orientation to something like the generic idea of equality. When such an orientation develops from within the materiality of historical struggles, it neither merely addresses the formal receptacle of (necessary no doubt) laws and acts of the organs of the state; nor does it cleave to the ‘false’ universal of philosophies that mask their axiomatic construction with eternalist utterances as natural justice and the sovereignty of the individual. Rather, it opens up a series of contestations on whether thinking on discrimination and emancipation must start with natural, eternal, axiomatic truths (of equality, freedom etc.) and translate them accurately into constitutional law and citizenship or whether such a thinking should reject ‘westernist-colonial’ values masked as natural verities in favour of newer quests for unforeseen yet culturally ‘rooted’ solidarities; or, whether the thinking and pedagogy of emancipation might orient themselves to the existential solidarities of history within which individuals and collectivities communicate in a relationship of mutual ‘conversion’ such that the erstwhile totality of individuals/groups that make a society itself converts to something new.

Situated on such a delicate cusp of intellectual challenges, we seek to throw open a debate on whether a generic thought of equality might become possible, utterly specific in its birth and yet universally exposed in its orientation?

Themes:

- 1) Reading Ambedkar today
- 2) Social and economic inequalities
- 3) Group rights and constitutional safeguards
- 4) Competing modes of representation and marginality
- 5) New social alliances