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## **LEGAL OBEDIENCE AND MORAL CONVICTION: DR. B.R. AMBEDKAR'S PERSPECTIVE ON JUDICIAL AUTHORITY**

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### **ABSTRACT**

This article explores a significant statement by Dr. B.R. Ambedkar: "I am bound to obey the judgment but I am not bound to respect it." The author takes a deep dive into what this statement means and its broader impact on legal thinking, acts of civil disobedience, and how democratic societies function. At its core, the article looks at how Ambedkar's words capture a key conflict many people face: while we are obligated to follow the law, we may not always morally agree with the judgments handed down by courts. The article places Ambedkar's statement in the context of his life's work, especially his fight for social justice, and looks at how this tension between following laws and questioning their fairness has played out historically and continues to matter today. Through this analysis, the article touches on key ideas like judicial authority, civil rights, and how legal systems evolve, especially when society's values change faster than laws do. It contributes to ongoing conversations about how much power the judiciary should have, when and how people should question laws, and how we ensure legal systems keep up with societal progress.

**Keywords:** Legal Obedience, Moral Conviction, Judicial Authority, Civil Disobedience, Legal Positivism

## 1. Introduction:

In the realm of legal and political thought, very few statements manage to express the delicate balance between the citizens and the judiciary as effectively as Dr. B.R. Ambedkar's words: "*I am bound to obey his judgment but I am not bound to respect it*".<sup>1</sup> This phrase captures a core issue that democratic societies face: the necessity to follow legal rulings, even when personal beliefs or moral judgments differ. It raises a critical question: should we simply follow laws without question, or is there space to reflect on their fairness and question their legitimacy?

Ambedkar, a leading figure in Indian legal and social reform, made this statement to shine a light on the tension between legal obligations and personal conscience. As someone who championed equality and justice, he understood that laws, while necessary for maintaining order, are not immune to criticism. His quote reveals a larger truth about the law—that while we must abide by it to preserve social order, we can and should engage with it critically, especially when it falls short of moral or ethical standards. This article takes a deep look into the meaning behind Ambedkar's words, using them as a starting point to discuss broader themes like legal theory, civil disobedience, and judicial accountability. Ambedkar's statement doesn't just apply to India but resonates with legal systems around the world, especially in times when society is evolving more quickly than the laws that govern it. The article considers these topics through historical examples, philosophical debates, and modern challenges, showing how Ambedkar's insight remains crucial today as we continue to grapple with the evolving relationships between law, morality, and social progress.

## 2. Historical Context:

### *Dr. B.R. Ambedkar: A Brief Overview:*

Bhimrao Ramji Ambedkar, born on April 14, 1891, in Mhow, India, was a prominent leader of the Dalits (formerly known as "untouchables") and a key figure in shaping India's legal and political landscape. As a Dalit himself, Ambedkar faced severe discrimination from a young age, including humiliation from his high-caste classmates. His father was an officer in the Indian army, and Ambedkar was fortunate to receive a scholarship from the Gaekwar of Baroda, allowing him to pursue higher education in prestigious universities in the United

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<sup>1</sup> V. Venkatesan, *A Response in an Earlier Era*, *Frontline* (Sept. 23, 2005, 00:00 IST), <https://frontline.thehindu.com/the-nation/education/article30206392.ece>.

States, Britain, and Germany. Despite his academic achievements, Ambedkar continued to face discrimination in his professional life, especially when he entered public service in Baroda. This mistreatment pushed him to shift his focus to legal practice and academia, where he began advocating for the rights of Dalits. He became a leading voice for their cause, founding several journals that highlighted the injustices they faced and securing special representation for them in legislative councils. Ambedkar also challenged Mahatma Gandhi's stance on Dalit issues, particularly disputing Gandhi's claim to represent Dalits, or "Harijans," as Gandhi called them. His critique of Gandhi's role in Dalit affairs is best captured in his book *What Congress and Gandhi Have Done to the Untouchables* (1945). In 1947, Ambedkar became India's first law minister and played a crucial role in drafting the Indian Constitution, ensuring that it outlawed discrimination against Dalits and laid the foundation for a more inclusive society. His work on the Constitution was central to its adoption on January 26, 1950, a day now celebrated as Republic Day. However, Ambedkar resigned from his position in 1951, frustrated by his limited influence within the government. In a dramatic move in October 1956, disillusioned by the persistent caste-based discrimination in Hindu society, Ambedkar renounced Hinduism and converted to Buddhism. In a large ceremony in Nagpur, he was joined by approximately 200,000 fellow Dalits in embracing Buddhism. His deep commitment to Buddhism is reflected in his final work, *The Buddha and His Dhamma*, which was published posthumously in 1957. A critical edition of the book was later released in 2011, adding further scholarly annotations to his philosophical and religious views<sup>2</sup>.

### ***Ambedkar's Role in Shaping Indian Democracy:***

As the chairman of the Constitution Drafting Committee, Dr. B.R. Ambedkar was instrumental in crafting the foundational legal and political framework for post-independence India. His role was not just administrative but deeply intellectual, as he brought a profound understanding of the complex and diverse nature of Indian society to the table<sup>3</sup>. India, at the time, was emerging from centuries of colonial rule and was riddled with social divisions, particularly around caste, religion, and language. Ambedkar's task was monumental: to design a Constitution that could unite this vast, multi-ethnic, and multi-religious population under a common framework of

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<sup>2</sup> Bhimrao Ramji Ambedkar, Encyclopaedia Britannica, <https://www.britannica.com/biography/Bhimrao-Ramji-Ambedkar> (last visited Sept. 8, 2024)

<sup>3</sup> Special Programme on Dr. B.R. Ambedkar, [https://prasarbharati.gov.in/whatsnew/whatsnew\\_653363.pdf](https://prasarbharati.gov.in/whatsnew/whatsnew_653363.pdf) (last visited Sept. 8, 2024).

democracy and rule of law<sup>4</sup>. Ambedkar's vision for the Constitution was two-fold. First, he recognized the importance of building a strong and unified legal system that could maintain order and provide a sense of nationhood in a newly independent country. This meant creating institutions that would ensure governance, protect sovereignty, and allow for stable, efficient functioning of the state. The Constitution, under his leadership, laid down the principles for a democratic government with a parliamentary system, clear separation of powers, and checks and balances between the executive, legislative, and judicial branches. Second, and perhaps most importantly, Ambedkar was committed to ensuring protections for individual rights and minority communities. He understood that a democratic system would be hollow if it did not address the deep social inequalities that plagued India, especially those related to caste discrimination. His life experiences as a Dalit gave him firsthand insight into the oppression faced by marginalized communities, and he was determined to use the Constitution to create a more just and equitable society. Ambedkar introduced several provisions aimed at safeguarding individual freedoms, such as fundamental rights, which guaranteed freedom of speech, equality before the law, and the right to practice one's religion. He also ensured special protections for minorities, including provisions for affirmative action, known in India as reservations, for historically disadvantaged groups such as Dalits and tribal communities. These were radical moves, designed to empower those who had been excluded from mainstream society for centuries<sup>5</sup>. Through his leadership, Ambedkar sought to balance the competing needs of national unity and social justice. He recognized that democracy could not thrive in a society deeply divided by caste, religion, and economic status, and thus, his efforts were aimed at creating a legal framework that promoted inclusivity and equal opportunity for all citizens. Ambedkar's work on the Constitution was pivotal in ensuring that India would be a secular, democratic republic where individual rights were prioritized, and the state would actively work to reduce social inequalities. In sum, Ambedkar's role in shaping Indian democracy was not just as a legal architect but as a social visionary who understood the need for a Constitution that would not only govern the country but also transform its social fabric. His contributions have had a lasting impact, ensuring that the Indian Constitution remains one of the most

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<sup>4</sup> Ram Madhav, B.R. Ambedkar Beyond the Constitution — The Architect of Hindu Code Bill, *Indian Express* (Apr. 13, 2024, 09:44 IST), <https://indianexpress.com/article/columns/b-r-ambedkar-constitution-of-india-hindu-code-bill-constitution-drafting-committee-dr-rajendra-prasad-9266801/>.

<sup>5</sup> B.R. Ambedkar, *Constitution of India*, <https://www.constitutionofindia.net/members/b-r-ambedkar/> (last visited Sept. 8, 2024).

progressive and comprehensive legal documents in the world<sup>6</sup>.

The Context of the Quote:

The statement by Dr. B.R. Ambedkar, "I am bound to obey his judgment but I am not bound to respect it," though not tied to a specific documented incident, fits seamlessly within the larger context of his thoughts on law, justice, and the evolving relationship between citizens and the state. At the time, India was a newly independent nation, transitioning from colonial rule to a democratic framework. This period was marked by significant social upheaval, with entrenched systems of caste and class oppression still intact. Ambedkar, who had dedicated his life to social justice, was keenly aware of the challenges this posed to true democratic participation. The quote speaks to Ambedkar's nuanced view of legal authority. While he recognized the need for obedience to the law in maintaining social order—especially in a fragile, post-colonial society—he also believed that mere obedience was not enough. For Ambedkar, the law was not an infallible entity. His quote reflects the belief that citizens, while required to follow legal rulings, must also reserve the right to critically assess and morally challenge those rulings when they are unjust or outdated. This was a core part of his broader philosophy, which emphasized that justice must go beyond the letter of the law and engage with the lived realities of people, especially the marginalized. India, having just shed the yoke of colonialism, faced the challenge of constructing a legal system that could address both the legacy of imperial oppression and the deep-seated social inequalities within its own borders, especially caste-based discrimination. Ambedkar's statement can be seen as a reflection of his recognition that, although legal institutions were now domestically controlled, they still operated within structures of power that needed reform. He understood that the law, as an instrument of the state, could sometimes perpetuate social hierarchies and fail to deliver justice, particularly for the most oppressed. Thus, the statement highlights Ambedkar's pragmatic approach to democracy and legal systems. He believed that while laws and judgments must be obeyed to ensure stability and governance, this obedience does not mean blind acceptance. Citizens should be empowered to question the morality and fairness of legal decisions, especially in a society struggling with deep-seated hierarchies and historical injustices. In a country like India, where caste and social stratification still dictated many aspects of life, Ambedkar's statement underscores the necessity of balancing legal compliance with moral

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<sup>6</sup> Ibid

scrutiny to push for social reforms and ensure that justice is not just a theoretical concept, but something tangible that benefits all citizens. In essence, the quote is a call for critical engagement with the legal system. Ambedkar, a staunch advocate for democratic participation, believed that citizens should not passively accept judicial authority but engage with it, challenge it when necessary, and work toward a legal system that reflects the evolving values of society. This perspective is particularly relevant in the context of a newly independent India, where legal systems inherited from colonial rule needed to be adapted to the realities and aspirations of a democratic and egalitarian society.

### **3. Philosophical Underpinnings:**

The philosophical underpinnings of Dr. B.R. Ambedkar's statement, "I am bound to obey judgment but I am not bound to respect it," highlight a deep and ongoing debate in legal theory, particularly between legal positivism and natural law theory. These two schools of thought offer contrasting views on the relationship between law and morality, and Ambedkar's statement sits at the intersection of these ideas, offering a nuanced perspective.

#### ***Legal Positivism vs. Natural Law Theory***

Legal positivism, as proposed by thinkers like H.L.A. Hart, suggests that the *law is a set of rules created by society or the state, and its validity is independent of its moral or ethical content*. In other words, a law is valid because it is enacted according to the proper procedures, regardless of whether it is just or fair. Legal positivism focuses on the practical necessity of following laws to maintain social order, even when those laws might seem unfair or morally wrong to individuals. This is important for any functioning society, as it prevents chaos and ensures that legal judgments are followed. Natural law theory, on the other hand, argues that laws are inherently tied to morality. Thinkers from Thomas Aquinas to modern natural law theorists believe that if a law is unjust, it cannot be considered a true law in the fullest sense. Natural law theory asserts that laws must conform to moral standards, and if they do not, they lose their legitimacy. In this view, laws should be evaluated based on their fairness and contribution to human flourishing, and unjust laws are not only subject to criticism but may also deserve outright defiance.

### *Ambedkar's Middle Ground*

Ambedkar's quote carefully navigates the tension between these two perspectives. By stating, "*I am bound to obey the judgment*," he acknowledges the necessity of legal positivism. Ambedkar understood that for a democracy and a legal system to function, people must follow judgments and laws to preserve social stability, regardless of personal disagreements. This obedience is critical, especially in a newly formed nation like India, where maintaining order was vital for building a stable society. However, by adding that he is "not bound to respect" the judgment, Ambedkar introduces the moral critique emphasized by natural law theory. While acknowledging the need to obey the law, he asserts that laws and legal decisions should be subjected to moral scrutiny. This reservation allows individuals to mentally and morally reject a law that is unjust or unethical. In this way, Ambedkar bridges the gap between legal positivism's emphasis on order and natural law's insistence on morality.

### *Civil Disobedience*

Ambedkar's statement also resonates strongly with the idea of civil disobedience, a concept rooted in moral opposition to unjust laws. Henry David Thoreau famously articulated civil disobedience as the deliberate violation of laws that are seen as immoral or unjust, while willingly accepting the legal consequences of such acts. This concept was later embraced by Mahatma Gandhi and Martin Luther King Jr., who used civil disobedience as a tool for social change, particularly in the contexts of colonial India and the American Civil Rights Movement. Ambedkar's quote provides a philosophical foundation for civil disobedience by separating the obligation to follow the law from the moral right to critique it. This distinction is crucial because it allows for a form of protest that does not seek to dismantle the legal system but rather challenges its moral integrity. By obeying the law (or accepting its consequences when disobeying it), individuals respect the authority of the legal system. Yet, by withholding respect for an unjust law or judgment, they reserve the right to protest, highlight injustice, and advocate for legal and social reform. In this sense, Ambedkar's statement offers a balanced approach to dealing with unjust laws. It does not call for outright rebellion or anarchy but encourages constructive dissent. His philosophy aligns with the core principles of civil disobedience, where obedience to the rule of law is maintained, but moral protest and critique serve as a powerful mechanism for social progress and legal reform.

#### **4. Implications for Democratic Governance:**

Ambedkar's statement, "I am bound to obey the judgment but I am not bound to respect it," has profound implications for democratic governance, particularly in how it relates to judicial accountability, the evolution of legal systems, and the delicate balance between stability and social progress.

##### **Judicial Accountability and Public Discourse**

Emphasizing that one is not required to respect every legal judgment, Ambedkar introduces the idea that judicial decisions should be open to public scrutiny and criticism. This principle aligns with the concept of judicial accountability, which suggests that while court decisions must be obeyed to maintain order, they should not be immune from critique or debate. In a democracy, citizens have the right and the responsibility to engage with and challenge the legal system, especially when decisions are seen as unjust or out of touch with societal values. Ambedkar's perspective encourages robust public discourse around legal matters. When citizens critically evaluate court decisions, it can lead to more transparent judicial processes and prompt the legal system to become more responsive to the needs and values of society. This type of engagement helps ensure that the judiciary remains a dynamic institution, accountable to the people, and is constantly evolving in line with the principles of democracy and justice.

##### **Evolution of Legal Systems**

The tension Ambedkar highlights between obedience and respect serves as a catalyst for the evolution of legal systems. When citizens follow the law but express dissatisfaction with it, they create a pressure for legal reform. This dissatisfaction signals that the law may be outdated or out of step with current social norms and values. In democratic societies, such tension often leads to meaningful legal changes, whether through legislative amendments, judicial reinterpretations, or public advocacy for new laws. This principle is especially important in addressing outdated laws or judicial interpretations that no longer reflect the needs of a changing society. Ambedkar's stance invites citizens to challenge the status quo while still respecting the rule of law. In this way, respectful dissent becomes a powerful tool for progress, prompting the legal system to adapt and evolve in response to social pressures.



## **Balancing Stability and Change**

One of the most important implications of Ambedkar's principle is the balance it strikes between stability and change. Obedience to judicial rulings is crucial for maintaining the rule of law, which in turn ensures social order and stability. If citizens refused to obey court decisions, chaos and lawlessness could ensue, undermining the very foundation of democratic governance. However, Ambedkar also recognizes the importance of social progress. Allowing for respectful dissent, he provides a mechanism through which society can push for gradual, democratic change without resorting to rebellion or anarchy. This balance ensures that while the legal system maintains order, it also remains flexible enough to respond to legitimate demands for reform. Ambedkar's principle offers a framework for balancing legal stability with the need for reform. It encourages people to work within the legal system to advocate for change, rather than rejecting it outright. This approach fosters democratic participation and civic responsibility, ensuring that progress is achieved in a peaceful and orderly manner, rather than through conflict or unrest.

## **5. Conclusion:**

Dr. B.R. Ambedkar's statement, "I am bound to obey the judgment but I am not bound to respect it," provides a powerful and nuanced lens through which to view the relationship between citizens and the legal system in a democracy. Ambedkar's distinction between obedience and respect for legal judgments introduces an essential balance between the necessity of adhering to the law and the right to critically evaluate it. This principle forms the foundation for a legal system that is both stable and capable of evolving to meet society's changing needs. In today's world, characterized by rapid social change and global challenges, Ambedkar's insight is more relevant than ever. It serves as a reminder that the strength of a democracy is not just in its legal structure, but in the active civic engagement of its citizens. Encouraging people to obey the law while still reserving the right to criticize and challenge it, Ambedkar's principle promotes judicial accountability and ensures that the legal system remains responsive to society's evolving values. Moreover, this approach provides a philosophical basis for peaceful forms of protest against perceived injustices, enabling citizens to push for change without undermining the rule of law. This is especially important in democracies where legal frameworks often lag behind societal progress. Ambedkar's principle ensures that there is space for critical dialogue and reform, allowing for the law to evolve without descending into disorder. As societies

around the world grapple with the tensions between established legal systems and new social norms, Ambedkar's words offer a valuable guide for navigating these complexities. They remind us that democracy is not just about the laws we follow, but about the ongoing dialogue between the legal system and its people. This dialogue—rooted in both respect for the law and a commitment to justice—ensures that democracy remains vibrant, adaptable, and ultimately, just.

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