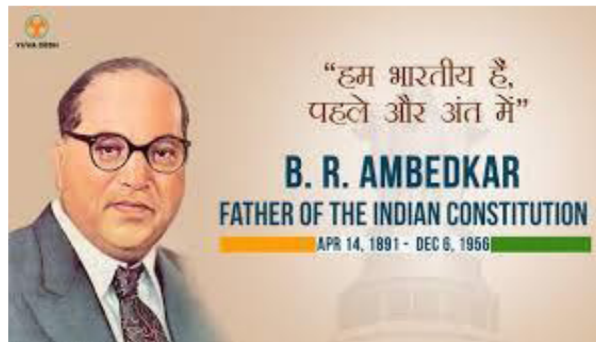


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**AMBEDKAR AND INDIAN DEMOCRACY**



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**Edited by**

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UGC Sponsored  
Two-day National Seminar on  
**AMBEDKAR AND INDIAN DEMOCRACY**

30<sup>th</sup> & 31<sup>st</sup> March, 2017



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**Prof. M Mutyalu Naidu, MBA,Ph.D.  
Vice Chancellor, Adikavi Nannaya University**

### **MESSAGE**

I congratulate the Department of English, S.K.S.D. Mahila Kalasala UG & PG (A) Tanuku, for organizing a National Seminar on "**AMBEDKAR AND INDIAN DEMOCRACY**" on 30<sup>th</sup> & 31<sup>st</sup> March, 2017.

My best wishes to the organizers, participants and faculty Members of the institution. I wish the seminar a grand success

- M Mutyalu Naidu



**Sri Chitturi Subba Rao**

Founder, Secretary & Correspondent, S.K.S.D. Group of Colleges

**MESSAGE**

I am immensely pleased to note that the Department of English are organizing a two day UGC sponsored National Seminar focusing the theme "**AMBEDKAR AND INDIAN DEMOCRACY**" on 30<sup>th</sup> & 31<sup>st</sup> March, 2017. The present seminar is a timely gesture and provides an academic forum for meaningful discussions and spread. I congratulate the convener of the seminar, faculty and the principal for their academic Endeavour. I wish the seminar a success with a hope that the deliberations and the seminar will definitely enlighten the stake holders.

- Chitturi Subba  
Rao



**Dr.D.Subba Rao**, M.Com.,Ph.D  
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-D.Subba Rao



## Promoting Indian Values of Human Rights through Education

*Dr. Ismail Thamarasseri, Assistant Professor, Department of Education, Central University of Kashmir, Wanabal, Nowgam Bypass, Srinagar, 190015, Jammu & Kashmir, India,*

**Abstract:** Human rights education is a deliberate, participatory practice aimed at empowering individuals, groups and communities through fostering knowledge, skills and attitudes consistent with internationally recognized human rights principles. The opening words of the constitution of India are the resolve of the people of the country to constitute a unique nation. The success and failure of a nation depends on the vigilance and depth of civic sense of the people. This study explores theories of human rights in order to assess how these are reflected in human rights education (HRE). Flipping through the pages of any biography of Dr. Ambedkar, we find a man of strong conviction and a leader par excellence in Ambedkar. He wanted an egalitarian society in India, which had been the dream of every disadvantaged. He felt that education was one of the tools to achieve the long cherished dream and emerged to be a man of vision and a leader of the marginalized. He had strong opinions related to education – right from policy making to managing educational institutions. Interestingly, he was one who proposed privatization of educational facilities long ago. He presented his ideas logically in its support and proposed how it could be used in building up a nation with Indian wisdom and technological advancement.

**Key Words:** Human Rights, Human Rights Education, Methodology, Dr. B.R. Ambedkar

**Introduction:** “Rights” have corresponding “obligations” or “duties”. Rights and Duties are two sides of the same coin. These are popularly accepted connotations. What is right? It is a privilege granted to the person who is entitled for it. There are different kinds of rights, depending upon its characteristics and sources. There are basic rights granted to a person, by birth, which can be called as natural rights. Such rights are emanating from the natural law, such as right to air, right to way etc. Human rights are the different types of rights entitled to a person, to ensure the protection of his life, freedom and liberty, equality and dignity. Human rights are "rights and freedoms to which all humans are entitled." Proponents of

the concept usually assert that everyone is endowed with certain entitlements merely by reason of being human. Human rights education is the teaching of the history, theory, and law of human rights in schools and educational institutions, as well as outreach to the general public. Human rights are thus conceived in a universalistic and egalitarian fashion. Such entitlements can exist as shared norms of actual human moralities, as justified moral norms or natural rights supported by strong reasons, or as legal rights either at a national level or within international law. However, there is no consensus as to precise nature of what in particular should or should not be regarded as a human right in any of the preceding senses, and the abstract concept of



human rights has been a subject of intense philosophical debate and criticism. [Article 1 of the United Nations Universal Declaration of Human Rights (UDHR)]

### **The Modern Conception of Human Rights**

The modern conception of human rights developed in the result of the Second World War, in part as a response to the Holocaust, culminating in its adoption by the UDHR by the United Nations (UN) General Assembly in 1948. However, while the phrase "human rights" is relatively modern the intellectual foundations of the modern concept, can be traced through the history of philosophy and the concepts of natural law rights and liberties as far back as the city states of Classical Greece and the development of Roman law. The true forerunner of human rights discourse was the enlightenment concept of natural rights developed by figures such as John Locke and Immanuel Kant and through the political realm in the United States Bill of Rights and the Declaration of the Rights of Man and of the Citizen. "All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood."

### **Philosophies, Theories and Concepts on Human Rights**

The philosopher John Finnis (1989) argues that human rights are justifiable on the grounds of their instrumental value in creating the necessary conditions for human well-being. Interest theories highlight the duty to respect the rights of other individuals on grounds of self-interest; Human rights law, applied to a

State's own citizens serves the interest of states, by, for example, minimizing the risk of violent resistance and protest and by keeping the level of dissatisfaction with the government manageable. The biological theory considers the comparative reproductive advantage of human social behaviour based on empathy and altruism in the context of natural selection.

### **Human Security**

Human security is an emerging school of thought which challenges the traditional, state-based conception of security and argues that a people-focused approach to security is more appropriate in the modern interdependent world and would be more effective in advancing the security of individuals and societies across the globe. Several theoretical approaches have been advanced to explain how and why human rights become part of social expectations. One of the oldest Western philosophies on human rights is that they are a product of a natural law, stemming from different philosophical or religious grounds. Other theories hold that human rights codify moral behaviour which is a human social product developed by a process of biological and social evolution. Human rights are also described as a sociological pattern of rule setting (as in the sociological theory of law and the work of Max Weber). These approaches include the notion that individuals in a society accept rules from legitimate authority in exchange for security and economic advantage a social contract.

### **Soviet Concept of Human Rights**

Soviet concept of human rights was different from conceptions prevalent in the West. According to Western legal



theory, "it is the individual who is the beneficiary of human rights which are to be asserted against the government", whereas Soviet law declared that state is the source of human rights". Therefore, Soviet legal system regarded law as an arm of politics and courts as agencies of the government. Extensive extra-judiciary powers were given to the Soviet secret police agencies. The regime abolished Western rule of law, civil liberties, protection of law and guarantees of property. According to Vladimir Lenin, the purpose of socialist courts was "not to eliminate terror ... but to substantiate it and legitimize in principle" (Pipes, 1995)

### **Indivisibility**

The Universal Declaration of Human Rights (UDHR) included both economic, social and cultural rights and civil and political rights because it was based on the principle that the different rights could only successfully exist in combination:" The ideal of free human beings enjoying civil and political freedom and freedom from fear and want can only be achieved if conditions are created whereby everyone may enjoy his civil and political rights, as well as his social, economic and cultural rights" (International Covenant on Civil and Political Rights and the International Covenant on Economic Social and Cultural Rights, 1966). This is held to be true because without civil and political rights the public cannot assert their economic, social and cultural rights. Similarly, without livelihoods and a working society, the public cannot assert or make use of civil or political rights; it also known as the full belly thesis. The indivisibility and interdependence of all human rights has been confirmed by the

1993 Vienna Declaration and Programme of Action (VDPA): "All human rights are universal, indivisible and interdependent and related. International community treat human rights globally in a fair and equal manner on the same footing and with the same emphasis."(VDPA, World Conference on Human Rights, 1993)

### **Categorization of Human Rights**

Opponents of the indivisibility of human rights argue that economic, social and cultural rights are fundamentally different from civil and political rights and require completely different approaches. Economic, social and cultural rights are argued to be: positive, meaning that they require active provision of entitlements by the state resource-intensive, meaning that they are expensive and difficult to provide progressive, meaning that they will take significant time to implement vague, meaning they cannot be quantitatively measured, and whether they are adequately provided or not is difficult to judge ideologically divisive/political, meaning that there is no consensus on what should and shouldn't be provided as a right socialist, as opposed to capitalist non-justifiable, meaning that their provision, or the breach of them, cannot be judged in a court of law aspirations or goals, as opposed to real 'legal' rights.

### **Universalism vs. Cultural relativism of Human rights**

The Universal Declaration of Human Rights (UDHR) enshrines universal rights that apply to all humans equally, whichever geographical location, state, race or culture they belong to. Proponents of cultural relativism argue for acceptance of different cultures, which may have practices conflicting with



human rights. For example female genital mutilation occurs in different cultures in Africa, Asia and South America. It is not mandated by any religion, but has become a tradition in many cultures. It is considered a violation of women's and girl's rights by much of the international community, and is outlawed in some countries.

Universalism has been described by some as cultural, economic or political imperialism. In particular, the concept of human rights is often claimed to be fundamentally rooted in a politically liberal outlook which, although generally accepted in Europe, Japan or North America, is not necessarily taken as standard elsewhere. Cultural relativism is a self-detonating position; if cultural relativism is true, then universalism must also be true. Relativistic arguments also tend to neglect the fact that modern human rights are new to all cultures, dating back no further than the UDHR in 1948. They also don't account for the fact that the UDHR was drafted by people from many different cultures and traditions.

**Currently Debated Rights:** Events and new possibilities can affect existing rights or require new ones. Advances of technology, medicine, and philosophy constantly challenge the status quo of human rights thinking.

#### **Future Generations and Human rights:**

In 1997 UNESCO adopted the Declaration on the Responsibilities of the Present Generation towards the Future Generation. The Declaration opens with the words: "Mindful of the will of the peoples, set out solemnly in the Charter of the United Nations, to 'save succeeding generations from the curse of war' and to

safeguard the values and principles enshrined in the Universal Declaration of Human Rights, and all other relevant instruments of international law."

**Right to life:** The UDHR states that everyone has the "right to life". According to many Human Rights activists, the death penalty violates these rights. The UN also called on retentivestates to establish a moratorium on Capital Punishment with a view to abolition. (Amnesty International, 2008) The Universal Declaration of Human Rights also prohibits torture and other cruel, inhuman, and degrading punishment. Countries have argued that "enhanced interrogation methods", which amount to torture, are needed for national security.

#### **HUMAN RIGHTS EDUCATION**

Amnesty International believes that human rights education is fundamental for addressing the underlying causes of human rights violations, preventing human rights abuses, combating discrimination, promoting equality, and enhancing people's participation in democratic decision-making processes. 'Human rights education is a deliberate, participatory practice aimed at empowering individuals, groups and communities through fostering knowledge, skills and attitudes consistent with internationally recognized human rights principles.' 'As a medium to long-term process, human rights education seeks to develop and integrate people's cognitive, affective and attitudinal dimensions, including critical thinking, in relation to human rights. Its goal is to build a culture of respect for and action in the defence and promotion of human rights for all.' (Amnesty International, 2004). Human rights education is an





internationally recognized method for promoting human rights on a local, national and global level among many levels of stakeholders. Human rights education can also play a vital role in building social structures that support participatory democracies and the resolution of conflict, and can provide a common understanding of how to address political and social differences equitably and celebrate cultural diversity.

The human rights education spreads human rights culture. Values are the bases for developing human rights culture. The goal of the evolving human rights culture requires operating at various levels such as the following:

- Spreading awareness amongst masses, of and about these rights and also their duty for respecting the rights of others.
- Not only creating awareness amongst masses particularly amongst weaker, poor and vulnerable groups but also in imparting capacities and confidence in them to stand for protection and preservation of their rights.
- Requiring many to shed away some of the attitude which are derogatory to others' dignity.

There is a growing consensus that education in and for human rights is essential and can contribute to both the reduction of human rights violations and the building of free, just and peaceful societies. Human rights education is also increasingly recognised as an effective strategy to prevent human rights abuses. Human Rights are promoted through three dimensions of education. They are; Knowledge, Values beliefs and attitudes and Action. Human Rights Education is a process that basically deals with a cognitive and moral transformation, a

shaping of students' consciousness and conscience which in turn, leads to have a change in students' feelings, thinking and understanding, behaviour patterns, attitudes and activities, etc. Amnesty International (1994) defines human rights education or training as programme which aims to provide knowledge and understanding about human rights, and seeks to introduce human rights values in the teaching or training practices and curricula of both formal and non-formal educational programs. Education about and for human rights includes the development of skills such as critical thinking, communication skills, problem-solving and negotiation, all of which are essential for effective human rights activism and participation in decision-making processes.

### Human rights - Indian Scenario

In India, the parliament enacted the protection of Human Rights Act, 1993 by providing a National Human Rights Commission and State Human Rights Commissions in different states to enquire about the violation of human rights, either on suo-moto or on a petition filed by a victim or any other person, on behalf of a victim. The act defines human rights in the following terms. "Human rights" means the rights relating to life, liberty, equality and dignity of the individual guaranteed by the constitution or embodied in the international covenants and enforceable by courts in India. "We, the people of India"- These are the opening words of the constitution of India. It is the resolve of the people of the country to constitute a unique nation namely India or Bharat. The success and failure of a nation depends on the vigilance and depth of civic sense of the



people and efficiency of the Government institutions could improve only when there is a proper understanding of the laws and regulations, as well as the duties and obligations.

### Methods to Promote Human Rights through Education

There are numerous strategies, methods, techniques and approaches are available to deal with Human Rights in the global context. Methods used in classroom are as follows.

- **Brain Storming:** Brainstorming is a strategy to generate ideas and get the full rolling. The major purpose is to stimulate thinking and bringing out a great range of ideas. Students are encouraged to come with up creative, exciting and radical ideas without fear of criticism or evaluation. Divide the classroom into small group consisting 5 to 8 members. Let them select a recorder and chain person. Explain the basic rules of brainstorming. Present the issue to be brainstormed.
- **Co-operative Learning Strategy-The Jigsaw Strategy:** In the past two decades considerable attention has been given to co-operative learning strategies in teaching learning practice. In this students work together to achieve a particular goal. Five basic elements are required to facilitate the co-operative learning strategy. They include positive interdependence, individual accountability, face to face interaction, interpersonal and social skills and group processing. The Jigsaw developed by Aronson (1978) is the most powerful co-operative learning strategies

used in Social Studies, literature, science and other curriculum areas, where the development of concepts rather than specific skills is objective. A large amount of content can be covered in less time with greater learning retention.

- **Socratic Questioning:** Socratic questioning or Socratic dialogue is a variation of Socratic method. The role do teacher is that of a guide who questions and helps them to examine and clarify their own views and opinions and develop sound reasoning. It is also teaching by asking questions, and thus leading the audience into logical contradiction. The Greek sage Socrates is the model for this type of instruction. Instead of talking at students, the teacher participates in dialogues with them, aiming to uncover the rightness or wrongness of their beliefs.
- **The Talking Circle:** Students sit in a circle or in a number of smaller circles of 10-15 students rather than in rows facing the teacher. Everyone is provided as opportunity to speak uninterrupted. An object such as a stone or a piece of wood can be passed from students to student to signify that person with the object has the floor. The talking circle or 'heart sharing' was originally a tradition of Hopi Indian of North America known as the talking stick. Tribal Members gathered in a sacred ceremonial room called 'kiva' for their council meetings. The meeting was structured in such a way that everyone would have an opportunity to participate while having full attention of everybody present. A strict rule was followed that a person have a special stick had the floor, and was not to be interpreted while



speaking. There are various forms of talking circles exists. The members could be vary depending on the size of the class. It is a strategy for providing structured time for students to share their feelings, hopes, concerns and appreciations, to discuss a particular issue or problem.

- **Role Playing:** Role playing is a acting out of a situation or a problem. It is a way of exploring a problem together as a class. It provides the opportunities for testing ideas and plans of action in a practice situation. Through role playing the students get to experience how it feels to do something rather than just talk about it. Role playing is the actual acting out of feelings and behaviours. Students take on a role and act out feelings and behaviours of act out about they think the 'roles' behaviours and feelings would be given specified circumstances. Through role paying students can learn new information, analyse alternatives, identify and examine feelings and gain social skills in work in groups. The major purpose of role playing is to get the student into another identity, providing opportunities to perceive how others might feel, think, or act. Many role plays set students up to experience stressful, unfamiliar, or controversial situation. The general purpose of role playing is to feel different perceptions and perspectives.

## Conclusion

The individual is absolute, that his or her reality must be recognized unconditionally and necessarily lies at the basis of human rights. However, some clarification is needed. What is

required for each individual consists in the possibilities he or she has or must unfold and develop. Violence consists in individuals not being able to actualize their possibilities or to open ulterior possible horizons. Human rights are addressed not only or exclusively against open, generalized and declared forms of violence. More properly, they are addressed in principle against any form of *everyday* and hence systematic violence. Therefore, it is not necessary that there be situations of torture, of the "disappeared" or of violations of International Human Law, for there to be generalized violation of human rights. Indeed that false idea led to the erroneous belief, spread broadly among social circles in the countries of the First World, those human rights typically is a problem of under development belonging exclusively to the so-called Third World. The issue of human rights is raised as a flag of caution addressed to "others" in order to mark their difference, such as for instance in dialogues between Western countries and some countries of the Middle-East or Asia.

There is an authentic philosophical problem regarding the comprehension and articulation of the relation between human rights and education. It regards the possibility of speaking meaningfully of a social, cultural or generic consciousness at the corresponding levels, for example at the national, international, and finally worldwide or global level. Whatever be the possibility of an answer by philosophy, it is necessary to point out the consequences and the real implications of these problems. They are not simply theoretical, or matters of preference or of pre-established interests. The repeated use by us of "the generation and/or



enlarging of spaces" points to the authentic significance and implications of the whole problem. The point is to make life ever more possible at exemplary levels with criteria and standards of quality, that is, with universally desirable value. To understand this means to grasp that in which society, state and culture consist, both in rational and in reasonable terms. Finally, human rights, in its specificities and reciprocal relations deal with the spaces and guarantees that enable our decisions to make sense and therefore to construct our life and our world. Multiple seams and lines of analyses could still be raised, or remain in need of further development. The analyses here require additional investigation of which these papers are but the beginning. Ambedkar had his own way of perceiving the issues of education and the solutions that he proposed to solve them were apt. His meticulous observation holds up the mirror to his intellectual acumen and foresightedness. His speeches in the legislative bodies reflected his understanding of what India needed at that point of time and for the future. The most miserable and unfortunate point is that we never bothered Dr. Ambedkar. Had we really looked into the issues that he had brought forth for discussions and solved them then itself, I think, we would have overcome all the educational problems that are challenging us.

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## Human rights and the women in India

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**Abstract:** *Inequalities of caste, class and ethnic group give rise to particular forms of exploitation and oppression to which both men and women are subjected. It is seen that gender has a decisive role, very similar to race and class in the allocation and denial of rights. Consequently, women belonging to all categories are doubly exploited, first for being women, and second for belonging to particular sections of society. Apart from discriminatory restrictions of women's fundamental freedoms such as voting, marriages, travel, testifying in court, inheriting and obtaining custody of children women finds that their access to education, employment, health care and even food is limited because of their gender. Domestic violence affects women in every country in the world. Though women are nominally equal under the law, their access to education, health care and economic independence is often restricted in practice. In countries like India, women's lack of education and access to income often contributes to their vulnerability and exploitation.*

**Key words:** *vulnerability, exploitation, education, health*

### Introduction

Inequalities of caste, class and ethnic group give rise to particular forms of exploitation and oppression to which both men and women are subjected. It is seen that gender has a decisive role, very similar to race and class in the allocation and denial of rights. Consequently, women belonging to all categories are doubly exploited, first for being women, and second for belonging to particular sections of society. Marriage renders women even more susceptible to violence than religious law, since much marital exploitation is justified under government laws as being personal and customary. Though women play multiple roles, being producers, consumers, home managers, mothers and community organizers they are, in most cases, unprotected, under paid or unpaid and exploited. Their work is considered easier, less skilled and less important, and even when they do the same work;

they are paid lower wages than their male counterparts. Women are exploited most in agricultural labour as their contribution is concealed. In development policy, planning and adjustment measures, women hardly count. Agricultural projects and strategies are designed without consulting women and technology is geared to the needs of men displacing women. Women are involved in low paid and low status jobs in other areas as well.

### Women rights in the context of human rights

Apart from discriminatory restrictions of women's fundamental freedoms such as voting, marriages, travel, testifying in court, inheriting and obtaining custody of children women finds that their access to education, employment, health care and even food is limited because of their gender. Domestic violence affects women in every country in the world. Though women are





nominally equal under the law, their access to education, health care and economic independence is often restricted in practice. In countries like India, women's lack of education and access to income often contributes to their vulnerability and exploitation. Two-fifth villages in the whole of India do not have safe drinking water and in many such villages, it is the women who spend eight hours a day just to get water to their household. Poverty, deprivation, scarcity of water, lack of proper sanitation and the lack of milk will affect women more than men, because the burden, which is to be shouldered by women in our society, is far greater than that done by men. According to the International Labour Organization (ILO), women work almost double the time in the world than men, and they hold not even one-tenth of the property as against men.

Discrimination on the ground of sex is prohibited by the Indian Constitution. Article 51A, which defines Fundamental Duties, also requires the people to renounce practices derogatory to the dignity of women. Besides, for ensuring equal rights, countering forms of social discrimination and various forms of violence and atrocities and for providing support services especially to working women, a number of legislative measures have also been adopted. According to some scholars, the major provisions of many laws affect women in quite significant ways. They include the Special Marriage Act, 1954, the Family Court Act, 1954, the Dowry Prohibition Act, 1961 (amended in 1984 and 1986), the Child Marriage Restraint (Amended) Act, 1976, the Equal Remuneration Act, 1976, the Medical Termination of Pregnancy Act, 1971 and the Indecent

Representation of Women (Prohibition) Act, 1986.

The basic reason for violence against women is their inferior status in a male-dominated society. Other contributing factors in this regard include increasing criminalization of society, media images of violence, inadequate means to address the causes and consequences of violence, poor enforcement of legal provisions, unabated consumerism and erosion of traditional values. Simultaneously, there has also been a growing awareness about all this and their long-term impact, thanks to the role played by the media. Consequently, there are widespread protests against atrocities like rape and dowry deaths when such crimes are reported by the media. The realization of the need for counseling legal aid and advice for women has led to formation of legal and counseling centers in different parts of the country. Some all-women police centers have also come up. Even then, the strength of women police force in India (around 7000) is meager one percent of the total police force. Requisite political 'will' to move in the direction of empowering women is urgently needed. This cannot be generated without more concerned campaigning and mobilization.

Gender-based violence is, primarily, a result of the lower status accorded to women in family and society. According to an intensive documentation done by World Health Organization (WHO, 1997) covering 19 countries (including some industrialized developed countries) all over the world, 16 percent to 52 percent of women have been assaulted by an intimate partner. According to the U.N. document (1995) report, even in a country live



opportunities in general, which include all forms of freedoms. The argument here is that an increase in any of the elements of the vector, such as per capita income or employment, does not automatically raise the level of other elements such as health, nutrition, longevity or education. But this is not to say that higher per capita income does not facilitate improvement in other elements if appropriate policies are adopted. Certain well-does not facilitate rights, such as the right to food, the right to primary health care and the rights to primary education are, thus, generally suggested as the indicators of the right to development. The primary responsibility for ensuring the enjoyment of these rights rests with individual states. They should promote policies of growth and development for the implementation of these minimal rights. If this is not done then conditions of injustice and oppression can create the objective condition for the oppressed to rebel and revolt. Their reactions can culminate in assertion giving rise to people's movements. But it does not follow automatically. People's movements are possible only when people become conscious of these inequalities and injustices and mobilize and organize themselves to fight against the forces that unleash those inequalities and injustices. Besides they must also have a perspective of an alternative and must be convinced of its feasibility and viability. For the protection of human rights, it is necessary to fight against forces of communalism and fundamentalism, whether of majority or minority. It is these forces, which, apart from posing a grave threat to the unity and integrity of the country, stand in the way of establishing a just, equal and democratic society. Without the establishment of

such a plural democratic society there can be no guarantee for human rights. Thus struggle to protect human rights, especially of the marginalized groups, will include work on several fronts like affirmation of land rights of the marginalized groups such as Dalits, Adivasis and woman, resisting the forces of globalization, communalism, casteism, patriarchy and so on. All this will go a long way for collective action. Such collective action can lead to people's movements resulting in social change.

### Conclusion

In this contemporary phase, the conflictual core of the Indian society is being transformed. This transformation lies in the polymorphous expression of claims, contestations and democratic struggles of various groups for equality and social justice. The transforming 'representation' of the contemporary Indian society has thrown up 'new' forms of conflicts and social structural contradictions. Some of these 'new' forms of movements and collective mobilizations in the Indian society are reflected in the struggles of Dalits, Adivasis, women and other such marginalized sections of the society against the structures of dominations, in the demands of sub-nationalism and ethnic identity and those in deference of environment and human rights. The need of the hour is to evolve a perspective for viewing the polymorphy of movements as the plural expression of the democratic representation of the Indian society.

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## Dr. B.R. Ambedkar: The Father of Indian Constitution

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**Abstract :** *In the world the great man first has to be born in the form of the great man and then he has to prove himself the great man by his enriched personality with virtues and by his great capability. According to such a rule of the world Dr. Bhimrao Ramji Ambedkar was born in the form of the great man, on 14th April 1891 at Mahu in Madhya Pradesh of India. Bhimrao Ramji Ambedkar, also known as Babasaheb, was an Indian nationalist, jurist, Dalit, political leader, activist, philosopher, thinker, anthropologist, historian, orator, prolific writer, economist, scholar, editor, revolutionary and the revivalist of Buddhism in India. He was also the chief architect of the Indian constitution. Born into a poor untouchable family, Ambedkar spent his whole life fighting against social discrimination, the system of Chaturvarna – the Hindu categorization of human society into four varnas – and the Indian Caste System. The great man Dr. Bhimrao Ramji Ambedkar's active life, glorious personality and great capability these characteristics forever are worthy of writing with the golden letters, in the useful history of the nation India of the entire world and of the universal mankind.*

**Key Words :** *Dalit, Political, Activist, Anthropologist, orator*

### Introduction

In the world the great man first has to be born in the form of the great man and then he has to prove himself the great man by his enriched personality with virtues and by his great capability. According to such a rule of the world Dr. Bhimrao Ramji Ambedkar was born in the form of the great man, on 14th April 1891 at Mahu in Madhya Pradesh of India. Bhimrao Ramji Ambedkar, also known as Babasaheb, was an Indian nationalist, jurist, Dalit, political leader, activist, philosopher, thinker, anthropologist, historian, orator, prolific writer, economist, scholar, editor, revolutionary and the revivalist of Buddhism in India. He was also the chief architect of the Indian constitution. Born into a poor untouchable family, Ambedkar spent his whole life fighting against social discrimination, the system of Chaturvarna – the Hindu

categorization of human society into four varnas – and the Indian Caste System.

The great man Dr. Bhimrao Ramji Ambedkar's active life, glorious personality and great capability these characteristics forever are worthy of writing with the golden letters, in the useful history of the nation India of the entire world and of the universal mankind.

### Childhood and Early Life of B.R. Ambedkar

The ancestral village of Dr. Ambedkar is Ambavade, which is located in Rathagiri District of Maharashtra state and is located about 5 miles from Madhavgarh, which is a small village. Bhimrao Ambedkar was born on 14th April 1891 in village Mahu in a Mahar Caste, which was considered to be of the untouchables. His father's name was Ramji Sakpal and he was married to Bhimabai who was



from murbadkar family. Ramji Sakpal had 14 children out of which Bhimrao was the 14th. Bhimrao started experiencing the pangs of untouchability right from his childhood. Bhimrao's father was working in a distant village named Gorgaon. One summer he, along with his brother and cousin, went to Gorgaon to meet his father. They had written a letter to his father but his father had not received it in time and, therefore, he did not come to the railway station to receive his children. The boys facing the difficulty of transport requested the station master for help, who after persuasions could rent a bullock cart for these children. Hardly has the cart gone a few yards when the cart man came to know that the well dressed children sitting in his cart were untouchables, and in a fit of rage he threw them out on the road as one overthrows the dustbins; for he felt that his bullocks had got polluted by the touch of the untouchables. But the boys soothed the cart man's anger by paying double the fare and Bhim's elder brother drove the cart, the cart man following the cart upto Gorgaon his was the first rude shock to the budding mind of Bhim. After few days Bhimrao faced another bitter experience. He was very thirsty, one day and was drinking water from a public water course. Savarns saw this, and felt that this kid has polluted their drinking water, and they beat Bhimrao black and blue.

However, all Brahmins are not alike. There are exceptions. There was one Brahmin teacher in his high school. He loved Bhimrao very much. He dropped portions of his meals into the hands of Bhim daily during his recess. This teacher has left a permanent impression on Bhim's life. The original family name of Bhim's father was Sakpal. But Bhim's

village was Ambavade from which in his school, his family name was written as Ambavadekar. But the family name of the teacher who loved Bhimrao was Ambedkar. The teacher loved Bhim so much that he changed Bhim's family name from Ambavadekar to Ambedkar. And in the school register, he noted it accordingly. Bhimrao very gracefully accepted this new family name given to him by his beloved teacher. And for the rest of his life, he lived with that last name. Dr. Ambedkar has always remembered this teacher for his life time.

### **Education of B.R. Ambedkar**

Dr. Ambedkar was the most ambitious leader, pursuer of the target, strong willed, determined, discreet, courageous, hardworking, studious thoughtful, self respecting, expert in work, dutiful, devoted recipient of the highest degrees, manifold knowledgeable, good user of the knowledge for the welfare of the people. The Maharaja Sayaji Rao of Baroda, a progressive untouchable student for higher studies Ambedkar welcomed the opportunity and joined Elphinstone College. He was granted a scholarship of rupees twenty five per month. Professor Muller lent him books and gave him clothes. But the insulting environment never changed. The college hotel-keeper who was a Brahmin would not give him tea or water. Ambedkar did not mind such inconveniences and humiliating treatment. He concentrated her energy on studies and passed his B.A. examination in 1912 with English and Persian as his subjects. An opportunity came Ambedkar's way when the Maharaja of Baroda though of sending some students to the U.S.A. for higher studies at the Columbia University. Ambedkar was one of them. On June 4, 1913, he signed an agreement with the



Baroda State authorities and in the third week of July, 1913, he joined Columbia University as a Gaekwad Scholar. He was the first Mahar to study in a foreign university. In June 1915, he obtained the M.A. degree for his thesis, "Ancient Indian Commerce." In May 1916, he read a paper on 'The Castes in India, their Mechanism, Genesis, and Development', at the Anthropology Seminar sponsored by Dr. Goldenweiser. It was published in the Indian Antiquary in May 1917.

In June 1916, Ambedkar submitted his thesis for the degree of Ph.D. entitled 'Natioanl Divided for India" A Historic and Analytical Study'. Ambedkar left Columbia University to join the London School of Economics and Political Science as a graduate student in June 1916. In October 1916, he was admitted to Gray's Inn for law. In July 1917, Ambedkar was made Military Secretary to the Maharaja of Baroda with a view to be groomed for the post of the State's Finance Minister. In November 1918, he joined as Professor of Political Economy in Sydenham College, Bombay and resigned in March 1920 from his post to resume his studies in law and economics in London. On January 31, 1920, Ambedkar started a weekly paper Mooknayak (Leader of the Dumb) to Champion the cause of the Depressed Classes in India. In September, 1920, Ambedkar rejoined the London School of Economics and Political Science and also entered Glay's inn to qualify as a barrister. In June 1921, the University of London accepted his thesis 'Provincial De-Centralization of Imperial Hnauce in British India.' Fro the M.Sc. (Economics) degree.

In March, 1923, he submitted his thesis: 'The Problem of the Rupee – Its Origin and Its Solution', for the degree of D.Sc.

(Economics). The thesis was published in December, 1923, by P.S. King and Company, London. This book had an introduction by Professor Cannan. Ambedkar was called to the Bar in April 1923. In London he met E.S. Montagu, Secretary of State for India and Vithalbhai Patel, and had talks with them in respect of the grievances of the untouchables in India. The University of Columbia had highly respected Dr. B.R. Ambedkar by awarding him the honorary degree of LL.D. in the New York city of America on 5th June, 1942. In India also the University of Osmaniya had gracefully honoured Dr. B.R. Ambedkar, in the Hyderabad city of Andhra Pradesh by awarding the highest degree of D.Litt. on the 12th January, 1953.

Thus, the great man Bharat Ratna Dr. B.R. Ambedkar had obtained B.A., M.A., Ph.D., M.Sc., D.Sc., Bar-at-Law, LL.D. and D.Lit. such the higher and highest degrees. There degrees were like the very attractive jeweled ornaments of the gold, which were growing the respect, glory and dignity of the Shining Personality of Dr. Ambedkar.

### **B.R. Ambedkar and Drafting of the Constitution**

On 29th August, 1947 passing one resolution the Constituent Assembly appointed a 'Drafting Committee' with the seven members including Dr. Ambedkar for preparing a draft of the Constitution of the independent India. It is said when drafting of the Constitution of India was embarked upon, Pandit Nehru and Sardar Vallabhbhai Patel thought of inviting and consulting Sir Guor Jennings, as internationally known constitutional expert of those times. When approached for advice in the matter Gandhiji is



reported to have told them why they should be looking for foreign experts when they had the right within India an outstanding legal and constitutional expert in Dr. Ambedkar who ought to be entrusted with the role which they badly need as he so richly and rightly deserved. The Law Minister Dr. Ambedkar was appointed the Chairman of the Drafting Committee. The seven members, including the Chairman of the 'Drafting Committee' were as follows:

- 1) Dr. B.R. Ambedkar, Chairman
- 2) N. Goipalswami
- 3) Alladi Krishnaswami Ayyas
- 4) K.M. Munshi
- 5) Saijio Mola Saadulla
- 6) N. Madhava Rao and
- 7) D.P. Khaitan

Dr. Ambedkar was honoured step by step. At the first step he was honoured as the member of the Constituent Assembly. At the second step he was honoured as the first 'Law Minister' of the independent India and at the third step he was honoured as the chairman of the 'Drafting Committee'. Because of his bright characteristics, as his deep and vast study, tremendous knowledge, amazing command of an English language, expertness in explaining the subject and ideal patriotism, he had got these pleasant honours.

"Thought provoking and provocative, his life is highly, instructive to everyone who yearns for human dignity and equality in human relation in society." These words of one of his biographers describe essence of what he stood for and what he achieved.

Dr. Ambedkar had a charismatic personality. He was pragmatic par excellence, who never allowed himself to be swayed by abstract ideas and ideals. He strongly believed that political independence cannot assure either social solidarity or national integration in the absence of social justice. Being a democratic socialist, he propagated that fundamental rights have little meaning to people in the absence of social democracy.

Dr. Ambedkar was one of the very few Indian Statesmen-politicians who actively participated in the discussions on Constitutional matters from the Monsford Reforms (1919) to the Cabinet Mission (1946) proposals.

He was the first and foremost leader of the depressed classes, and the struggle of the depressed classes for Human Rights and socio-political equality from the twenties to the fifties of the 20th century is woven round his name Being elected Chairman of the Drafting Committee, Dr. Ambedkar played a key role in viewing the structure of the government and the forms of the Constitution.

### **The Round Table Conference**

The Round Table Conference was a landmark in the history of the Indian Constitution. Being invited to discuss on constitutional matters Dr. Ambedkar demanded in dependence and hoped that the people of India would be able to redress their grievances by political power and this political power will come to them under the 'Swaraj' constitution.

At the first session of the Round Table Conference, he gave a clear warning to the British Government, saying: "I am afraid it is not sufficiently realised that in the present temper of the country,



no Constitution will be workable which is not-acceptable to the majority of the people. The time when you were to choose and India was to accept is gone, never to return. Let the consent of the people and not the accident of logic be the touchstone of your new Constitution, if you desire that it should be worked..."

He advocated for a government which was a responsible government formed by the representatives of the people. Dr. Ambedkar did not want to impose a Constitution on the Indians, but he submitted that the opinion of the people about the manner in which they desired to be governed must be accepted.

"The best government rests on the people, and not on the few on persons and not on property, on the free development of public opinion and not on authority.

### **George Bancroft Role Of The Constituent Assembly**

In the constituent Assembly Dr. Ambedkar played a very significant role with a lofty responsibility of drafting the Constitution. He examined the functioning of a democratic government on the basis of stability and responsibility.

However, the Draft Constitution he recommended that the parliamentary of executive must have more responsibility to stability. As regards the character of the Constitution, it was Federal in form and Unitary in Spirit". It established a dual polity with the Union at the Centre and the States at the periphery, each endowed with sovereign powers to be exercised in the field assigned to them respectively by the Constitution.

### **Concept Of Federalism**

His concept of federalism meant that the State was a federation in normalcy, but unitary in emergency.

### **Centre Was Made Strong**

In the Draft Constitution Dr. Ambedkar offered more powers to the Centre and made it strong. Some members of the constituent assembly criticised him on the ground that since Dr. Ambedkar postulated – the rights and values of each individual and the development of each province and each-village, it was contradictory of his part to make the Centre strong.

Justifying the provisions for a strong Central authority Dr. Ambedkar said that he made the centre strong not only to 'save minorities from the misrule of majority' but also "for it is only the centre which can work for a common end and for the general interests of the country as a whole."

### **Equality Of Opportunity**

In the Draft Constitution the "Fundamental Rights", prescribed were justifiable in the Court of Law. Of all the rights, Dr. Ambedkar observed "Equality of Opportunity" as the most important one. Regarding the constitutional remedies, he characterize Article 32 as the very soul of the Constitution and the very heart of it. To him, fundamental rights would mean establishment of equality and liberty in order to reform our social system, which is so full of inequalities discriminations, and other which conflict with our fundamental rights.

### **Constitution: A Dynamic Document**

The Constitution is a dynamic document it should grow with the growth of the nation and should suit the changing





needs and circumstance. So Dr. Ambedkar urged the necessity of amendment.

"The Draft Constitution has eliminated the elaborate and difficult procedures such as a decision by a convention or a referendum. The power of amendment lies with the legislatures, Central and Provincial ..."

Dr. Ambedkar was doubtful on the Constitutional mortality of the legislatures. So he wanted to incorporate the forms of administration in the Constitution.

### **Concept Of Sovereignty And Suzerainty**

Dr. Ambedkar's concept of sovereignty and suzerainty and of the Indian States, i.e., integration of the native Indian Princely States which gave the shape to the map of India as it is today, has indeed been prophetic. So also were his explicitly and outspoken views on what he called the biggest blunder of Partition of India. Dr. Ambedkar forewarned his countrymen of the consequences of partition. His questioning of the rationale of the two nation theory which gave birth to Pakistan was born of deep interest and compassion for his compatriots esp., the Scheduled castes settled for centuries within the territorial jurisdiction of the new notion of Pakistan.

### **National Integration**

In the Draft Constitution Dr. Ambedkar prescribed single citizenship, a single judiciary and uniformity in fundamental Laws to integrate Indian society which was not only divided into caste and class, but also into regions, religions, languages, traditions and cultures. Therefore, a strong Centre was

indispensable to maintain territorial integrity and administrative discipline.

However, in the Draft Constitution he suggested the acceptance of Hindi in the 'nagiri' script as the National Language of India. When it was finally decided that India should be divided into India and Pakistan, Dr. Ambedkar at that time demanded the division of Punjab and Bengal, and the territories to be added to India.

A pragmatist to the core, Ambedkar believed that in the absence of economic and social justice political independence would not bring about their social solidarity or, national integration. He advocated the abolition of privileges on the basis of caste or status and vigorously fought for the liberty and dignity of the individual. At the same time, he was equally force-full in his advocacy of the unity of the nation.

### **Conclusion**

The contribution of Dr. Ambedkar in Indian Democracy is not to be forgotten. As a chairman of the Constitutional Committee he gave a shape to our country of a complete Sovereign, Democratic and Republic based on adult franchise. Baba Saheb Ambedkar's name will be written in golden letters in the history of India as a creator of social justice. This fact is doubtless. He was not only the man of age and builder of the Constitution but also the creator of social justice and betterment of the downtrodden. He was one of the few sons in the History of India that he can be said to be the gift of Indian freedom movement. If Mahatma Gandhi gave direction and lesson of morality then Baba Saheb gave shape to social aspect without exploitation. In true sense of the word, he gave democratic and anti caste aim. He



spent his whole life for the betterment of the poor, exploited, untouchables and troubled classes. Thus, Dr. Ambedkar's contribution to the Indian Constitution is undoubtedly of the highest order. Indeed he deserved to be called the "father or the Chief Architect" of the Indian Constitution.

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## Dr. B.R. Ambedkar – Champion of the women Rights in India

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**Abstract:** *Dr. Ambedkar championed the cause of women as well as the miserable plight of Schedule Castes and Scheduled Tribes throughout his career. He discussed a number of problems of Indian women and sought for their solutions in Bombay Legislative Council, in the Viceroy's Assembly as the chairman of the Drafting Committee and also in the Parliament as the first Law Minister of Independent India. Dr. Ambedkar's contribution was great in the field of women empowerment who advocated for the liberation of women and gender equality in India. If there are any persons worked for women liberations in India, they were none other than Buddha, Dr. Babasaheb Ambedkar, E.V. Ramaswamy Periyar and Jyothira oPhule. Without Dr. Ambedkar, at least whatever so changes the position of women today in India would be only question mark. There were many leaders fought for the women's rights in India. Most of them were failed in their action. But Dr. Ambedkar was the only person who changed the effort via law. While drafting the constitution of India, Dr. Ambedkar was the prime mover of the welfare of women.*

**Key words:** *Indian Constitution, welfare of women, constitution of India*

### Introduction

In ancient India, women enjoyed a very high position but gradually their position degenerated into merely objects of pleasure meant to serve certain purpose. They lost their individual identity and even their basic human right. Empowerment is a multi-faceted, multi-dimensional and multi-layered concept. Women's empowerment is a process in which women gain greater share of control over resources material, human and intellectual like knowledge, information, ideas and financial resources like money - and access to money and control over decision-making in the home, community, society end nation, and to gain 'power'. According to the Country Report of Government of India,

"Empowerment means moving from a position of enforced powerlessness to one; of power". But, from time immemorial, the women in this land of ours were treated as a sort of thing. Her placing in the society was not at par with other human beings. She has no rights. She cannot move nor do anything at her will. In Hindu Shastras, she has been branded just like animals or some Objects of enjoyment. From the verses of Ramayana as written by Tulsi Das, Dhol, ganwar, shudra, pashu, naari - Ye sab tadan ke adhikari", In 'Manusmriti' the ancient Hindu Code-book, the status granted to women is quite visible and she was put to the lowest rug of humanity as she was treated at par with the animals and slave by the proprietors of Hindu Dharma. Such was the placement earmarked to



our mothers, sisters and even great grand mothers that humanity was ashamed of. That is why Dr. Ambedkar, the father and architect of Indian Constitution, was of the firm opinion that until and unless, we defy the Hindu Dharma-Shastras, nothing much can be changed. In the name of sanskaras, the Hindu women are tied to bondages of superstitions, which they carry till their death. They are also responsible for inculcating certain wrong notions learnt through baseless traditions and preaching of the Shastras, in the budding minds of their offspring.

### **Dr. B.R Ambedkar Towards The Empowerment Of Indian Women**

The operations of caste both at the systemic level and at the functioning of patriarchy, the growing caste / class divide in feminist political discourse makes Ambedkar's view on women's oppression, social democracy, caste and Hindu social order and philosophy, significant to modern Indian feminist thinking. Although Ambedkar proved, himself to be a genius and was known as a great thinker, philosopher, revolutionary, jurist – par excellence, prolific writer, social activist and critic and strode like a colossus in the Indian sociopolitical scene unto his death, his thoughts never received adequate attention in the generality of Indian society just because he was born as an untouchable. However, the contemporary social realities warrant close examination of the wide range of his topics, the width of his vision, the depth of his analysis, and the rationality of his outlook and there essential humanity of his suggestions for practical action. Hence, for Indian women's movement Ambedkar provides a powerful source of inspiration to formulate a feminist political agenda which simultaneously addresses the

issues of class, caste and gender in the contemporary sociopolitical set up, which still keeps conservative and reactionary values in many respects, particularly on gender relations. The writings and Speeches of Ambedkar show what values India should develop and how they would modernize its social and political institutions. Ambedkar saw women as the victims of the oppressive, caste- based and rigid hierarchical social system.

### **Dr. B.R. Ambedkar the Champion of Women's Rights**

Dr. Ambedkar championed the cause of women as well as the miserable plight of Schedule Castes and Scheduled Tribes throughout his career. He discussed a number of problems of Indian women and sought for their solutions in Bombay Legislative Council, in the Viceroy's Assembly as the chairman of the Drafting Committee and also in the Parliament as the first Law Minister of Independent India.

Dr. Ambedkar was sworn in as nominated members of the Bombay Legislative Council on 18th Feb., 1927. He advised Indians to participate in the world war on behalf of the British Government. His arguments on the Maternity Benefit Bill and on Birth Critical were quite relevant to recognize the dignity of women. He vehemently supported the Maternity Bill.

His argument was – "It is in the interest of the nation that the mother ought to get a certain amount of rest during the pre-natal period and also subsequently, and the principle of the Bill is based entirely on that principle". " That being so Sir, I am bound to admit that the burden of this ought to be largely borne by the Government, I am prepared to admit this fact because of the



conservation of the people's welfare is primary concern of the Government. And in every country, you will find that the Government has been subjected to a certain amount of charge with regard to maternity benefit."

Women started participating in satyagrahs and also launched women's associations for untouchable women for spreading education and awareness among them. In the Mahad Satyagraha for temple entry in 1927, even caste Hindues participated. Shandabai Shinde was one such participant. In the Satyagraha it was decided to burn the Manusmriti, which humiliated women, and shudras. In the demonstration after the bonfire of the Manusmriti more than fifty Women participated. Ambedkar addressed the meeting thereafter and advised women to change their style of wearing saress, wear lightweight ornaments, not to eat meat of dead animals. It was upper caste women like Tipnis who taught them proper way of wearing sarees.

At the All India Depressed Classes Women's Conference held at Nagpur on 20th July, 1940 Dr. Ambedkar emphasized that there could not be any progress without women. He spoke "I am a great believer in women's organization I know that what they can do to improve the condition of the society if they are convinced. They should educate their children and instill high ambition in them.

Ambedkar made some memorable speeches in the Round Table conference. He placed the view point of the depressed classes and pleaded for Dominion Status. His speeches created a good impression upon the British public. He served on a number of important sub-committees and

prepared scheme of political safeguards far the protections of depressed classes in the future constitution of a self governing India. Ambedkar also advocated the immediate introduction of adult franchise.

When Ambedkar returned to India after attending the round table conference in 1932, hundards of women were present for the committee meetings. Since Amhedkar was well convinced about the status of women, as the Chairman of the Drafting Committee he tried and adequate inclusion of women's rights in the political vocabulary and constitution of India. Therefore, by considering women's equality both in formal and substantial senses he included special provisions for women's equality both in formal and sustainable senses he included special provisions for women while all other general provisions are applicable to them, as to men constitutional provisions. Hence, there are Articles like 15(3), 51(A), and so on. His key work in the preparation of Indian Constitution made it to be known as a New Charter of Human Rights. He looked upon law as the instrument of creating a sane social order in which the development of individual should be in harmony with the growth of society.

### **Ambedkar Idea of Equality**

He incorporated the values of liberty, equality and fraternity in the Indian Constitution. Based on the belief that any scheme of franchise and constituency that fails to bring about representation of opinions as well representation of persons falls short of creating a popular government, he submitted the Constitution with a warning. He said in his speech delivered in the Constituent Assembly on 25th



November 1949, "Political democracy cannot last unless there lies at the base of it social democracy." By social he means a way of life, which recognizes liberty, equality and fraternity as principal of life. He further said: "On 26th January 1950, we are going to enter into a life of contradictions. In politics we will have equality and social and economic life we will have inequality. In politics we will be recognizing the principal of one man one vote and one vote one value. In our social and economic life, we shall, by reason of our social and economic structure, continue to deny the principal of one man one value. We must remove this contradiction at the earliest possible moment or else those who suffer from inequality will blow up the structure of political democracy which this Assembly has so laboriously built up."

Ambedkar believed primarily in the efficacy of law and legislation, and he struggled to evolve a constitutional mechanism to fashion India of his dreams, where equality, liberty and fraternity would have an unhindered play. In Ambedkar's vision of India, all citizens would be equal before law; they have equal civic rights, equal access to all institutions, conveniences and amenities maintained by or for the public; they possess equal opportunities to settle or reside in any part of India to hold any public office, or exercise any trade or calling, here all key and basic industries would be owned by the state. He pleaded for special privileges and safeguards for the Dalits as scheduled Castes. In short, he demanded equality, which would not only lead, to the redressal of the past wrongs but also provide sufficient leverage, may be by way of compensation, as siabid to ensure their leveling up. –

B.R. Ambedkar, his life, work and relevance.

### **The Hindu Code Bill, 1948**

In 1948 when the Hindu Code Bill was introduced in parliament and debated on the floor of the house, the opposition was strong against the Bill. Ambedkar tried his level best to defend the Bill by pointing out the Constitutional principles of equality, liberty and fraternity and that in the Indian society characterized by the caste system and the necessary for a social change in which women have equality in a legal frame system and the oppression of women since women are deprived of equality, a legal frame work is necessary for a social change in which women have equal right with men. However, the Bill could not withstand the opposition from the Hindu orthodoxy. In reality, the Bill was a threat to patriarchy on which traditional family structure, was bounded and that was the major reasons behind the opposition. Therefore, on the eve of the first elections in 1951 Prime Minister Jawaharlal Nehru dropped the Bill by saying that there was too much opposition. On this issue the then Law Minister Dr. Ambedkar resigned. His explanations for resignation show how the parliament of independent India deprived its women citizens of even basic rights. His resignation letter dated 27th September 1951

Although most of the provisions proposed by Ambedkar were later passed during 1955-56 in four bills on Hindu 'marriage' succession, minority and guardianship and maintenances and later in 1976 some changes were made in Hindu law it still remains true that the basic rights of women have yet to be restored to them even after fifty years of the working of the Indian Constitution based on the



principle of liberty, equality and justice to all Indian citizens. However, the Hindu code Bill helped the resurgence of feminist movement in India. This crusade of Ambedkar to emancipate women from injustice inspires the women leader in parliament to keep the issue alive until its enactment. This was the starting point for women to recognize their position and pursue rights movement by acquiring strength from second wave feminism started in the early 1960s. Women are still fighting issues such as rape, dowry death, communalism, fundamentalism, sexual harassment, violence - domestic and social, poverty and so on.

The parinirvan of Dr. Baba Saheb Ambedkar who was recognized internationally as a crusader against caste system, a vigilant fighter for the human rights of all the oppressed and enslaved and the emancipator of humanity from social and economic injustice, occurred on 6th December 1956. In the condolence message, on Ambedkar death in Parliament, Prime Minister Jawaharlal Nehru said: "Dr. Baba Saheb Ambedkar was a symbol of revolt against all oppressive features of the Hindu society." His dream of society based on gender equality is yet to be realized and therefore his thoughts are important for the social reconstruction that favours women's empowerment. The Nation honoured Baba Saheb Ambedkar by offering Bharat Ratna posthumously to him which was received by his widow Savita Ambedkar in 1990. Dr. Ambedkar foundation was set up under the Ministry of Social Justice and Empowerment on 24th March 1992 for the purpose of promoting and propagating his ideology of social justice so as to reach the common masses. The foundation

implemented Schemes such as Dr. Ambedkar National Memorial, Dr. Ambedkar National Public Library, Dr. Ambedkar Chairs in Universities / Institutions, Dr. Ambedkar Award for Social Understanding and upliftment of Weaker Sections and the Dr. Ambedkar International Award for Social Change.

### Constitutional Provisions

The Constitution of India contains various provisions, which provide for equal rights and opportunities for both men and women. The salient features are:-

- Article 14 guarantees that the State shall not deny equality before the law and equal protection of the laws;
- Article 15 prohibits discrimination against any citizen on the ground of sex;
- Article 15 (3) empowers the State to make positive discrimination in favour of women and children;
- Article 16 provides for Equality of Opportunity in matters of public employment;
- Article 23 prohibits trafficking in human beings and forced labour;
- Article 39 (a) and (d) enjoins the State to provide equal means of livelihood and equal pay for equal work;
- Article 42 enjoins upon the State to make provisions for securing just and humane conditions of work, and for maternity relief;
- Article 51A(e) imposes a Fundamental Duty on every citizen to renounce the practices derogatory to the dignity of women;
- Article 243D (3) provides that not less than 1/3rd of the total number of seats to be filled by direct election in every Panchayat to be reserved for women, and such seats to be allotted by rotation to different constituencies in a Panchayat;
- Article 243T(3) provides that not less





than 1/3rd of the total number of seats to be filled by direct election in every Municipality shall be reserved for women and such seats may be allotted by rotation to different constituencies in a Municipality;

- Article 243T(4) provides reservation of offices of Chairperson in Municipalities for Sc, ST, Women in such manner as the legislature of a State, may by law provide;

In pursuance of the above Constitutional provisions, various legislative enactments have been framed to protect, safeguard and promote the interests of women. Many of these legislative enactments have been in the sphere of labour laws to ameliorate the working conditions of women labour.

### Conclusion

Society is in a continuous process of evolution. It will take several decades for these imbalances to be rectified. Education of both men and women will lead to change in attitudes and perceptions. It is not easy to eradicate deep-seated cultural value, or alter tradition that perpetuate discrimination. Law can only be an instrument of change, that must be effectively used. The absence of effective law enforcement, results in low rates of conviction, which in turn emboldens the feeling that the accused can get away. It is necessary that deterrent punishments are provided in the statute, and are strictly enforced. A beginning has certainly been made in urban areas. Working women continue to remain primarily responsible for taking care of home and child rearing, in addition to their careers. Increased stress has made them more prone to heart and other stress related diseases. Hence, it is necessary to improve the Support System for working women.

The march towards elimination of gender bias has to go on, so as to make it meaningful for the vast majority of women in this country. There is a greater representation now in the legislature, executive and judiciary. India is one of the few countries in the world, which has had a woman Prime Minister. Various States have from time to time, had women Chief Ministers. A woman Judge in the Supreme Court, and in the High Courts, has today become the norm. Women have crossed many barriers, and head various departments in large multinationals today. A beginning has been made in the Army also, when women are being commissioned as SSC Officers. The 73rd and 74th Amendments to the Indian Constitution were brought about in 1993, which served as a breakthrough towards ensuring equal access and increased participation in the political power structure. The proposed Womens' Reservation Bill to provide 33% reservation for women in the Lok Sabha and State Legislature is now under consideration. The empowerment of women in urban areas and the metropolises cannot be the indicator of growth in the country. In a country, where eighty percent of the population is in rural areas, until the lot of women in these areas is also not improved simultaneously, development will remain an illusion to them. The status of women cannot be raised without opening up opportunities of independent income and employment. In the rural areas, employment of women is concentrated mainly in labour-intensive, unskilled jobs where simple or traditional skills are required. There is lack of access to vocational institutions.

Women in the rural areas are wholly oblivious of their rights. It will require a



much greater and concerted effort for the various measures to become a living reality for women in the rural areas. This can happen only through the collective effort of the State, NGOs, imparting of formal and informal education, through the media, etc. Empowerment of women so as to enable them to become equal partners with their male counterparts so that they have mutual respect for each other and share the responsibilities of the home and finances should be the ultimate goal that we must aspire to achieve. Enforcement of basic human rights of gender equality must take place, without undermining the institution and sanctity of marriage, and family.

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## Politics of Bahujan Allies in Andhra Pradesh

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**Abstract:** *The present investigation particularly focuses on the electoral politics of Bahujan allies in the State of Andhra Pradesh during the year 1999-2009. The BSP's entry into Andhra Pradesh and its electoral experiment was well received by the Dalit-Bahujan. A total of 1756 respondents were selected randomly and they represent different age groups and political perspectives. Stratified sampling method has been adopted for selection of sample and care has been taken to select equal number of respondents from each social group to make the sample representative. The piece of investigation has shown consistent findings with regard to the proposition that Bahujan allies in Andhra Pradesh are breaking the monopoly of upper castes during 1999-2009. Contrary to this, the BSP presented a dismal picture in the State of Andhra Pradesh from 1999-2009 and proved to be short-lived.*

**Key Words:** *Electoral Politics; Bahujan Allies; Political Hegemony; Election Promises and Public Policies*

### 1. Introduction:

The most significant feature of a democracy is the *election process*. In fact, elections have been described as the pillar of the Indian democratic regime. In a sense, elections form the essence of democracy (Kondo, 2007). Election provides a mechanism by which people can choose their representatives at regular intervals. In modern democracies, political parties are considered as indispensable vehicles of representation. (Pushpa, 2009). They articulate people's needs and aspirations. With the beginning of coalition politics, the nature of political participation has shown considerable changes in the 1990s. A clear shift can be seen from a *One-party-dominant system to multiple-party system* and minority government in Indian politics.

Since the 1950s, political power has been shifting away from upper caste Hindus to the rest, who are far more

numerous. From a society where politics once held a marginal public role, India has become an intensely political society. By the 1970s, for instance, many backward castes - located above the out-castes- had gained enough economic and political clout to become a powerful 'vote bank'. They now aspired to a larger share of administrative and educational opportunities, where they were underrepresented. Some of the largest and best organized backward castes were the 'Yadavs in Uttar Pradesh and Bihar, Jats in Haryana and Punjab, Marathas in Maharashtra, Vokkaligas in Karnataka, and Goudars in Tamil Nadu.

The caste structure in Andhra Pradesh is akin to that existing in most other parts of India, if it is viewed as a traditional social order in which people are functionally dependent on each other but separated as distinct groups, stratified as high and low. Nonetheless, the nature of the caste system has been undergoing tremendous changes over





hundreds of years, with varying patterns in different regions and as such, caste should not be viewed as a fixed and rigid social relation. All castes in Andhra Pradesh (except the Brahmans) share the linguistic boundaries of the State, although they have several features in common with other castes similarly placed in the social hierarchy in other States.

At least three reviews of election studies have been realized, by Narain (1978), Brass (1985), and Kondo (2007). Both Narain and Kondo provide a fairly exhaustive list of publications in this field, and discuss their relevance and quality. Brass' review also offers a detailed discussion of the advantages and limitations of ecological approaches. A broad typology of election studies published since the late 1980s—a moment which can be considered as the emergence of the new configuration of the Indian political scene, characterized by (i) the importance of regional parties and regional politics; (ii) the formation of ruling coalition's at the national and regional levels; and (iii) the polarization of national politics around the Congress, the BJP, and the 'third space'.

### **Objectives of the study:**

The present study has been taken up as a humble beginning of the tremendous task ahead with the following objectives:

- 1.To investigate the electoral politics of Bahujan Allies in the State of Andhra Pradesh, especially during 1999 to 2009.
- 2.To appraise the determinants of electoral politics of Bahujan Allies in the State of Andhra Pradesh, especially during 1999 to 2009.
- 3.To explore the perceptions of voters on electoral politics of Bahujan Allies in the

State of Andhra Pradesh, especially during 1999 to 2009.

- 4.To evaluate the role of caste and political hegemony with special reference to electoral politics of Bahujan Allies in the State of Andhra Pradesh, especially during 1999 to 2009.

### **Delimitations of the Study:**

As stated earlier, this piece of research was to investigate electoral politics of Bahujan Alliances in Andhra Pradesh during 1999-2009. Hence, this study too had space, time and resource constraints as in any other study.

1. The area of investigation was restricted to **three districts** from three regions of the State i.e, Telangana, Coastal and Rayalaseema.
2. The study was confined to Bahujan allies in the State of Andhra Pradesh during **1999-2009**.
3. The investigation was limited to the perceptions of 1756 voters from three regions of the State of Andhra Pradesh during for the electoral politics of 1999-2009.

### **Research Methodology:**

The data for study is collected from primary and secondary sources. The primary data is collected through structured questionnaire and secondary data is collected from published books and research articles. Since political mobilization is almost the same in rural and urban India, the current study has been located in rural and urban Andhra Pradesh. The state is divided into three distinct geographical reasons, namely Telangana, Coastal Andhra and Rayalaseema. Hence, three districts each have been selected from every region. The districts selected for the study are



Medak, Adilabad, and Nizambad (Telangana districts), Krishna, West Godavari, and Srikakulam (Andhra districts) Kurnool, Kadapa, and Chittoor (Rayalseema districts). Respondents have been selected from three regions following the principles of satisfied and representative sample.

The research sample was designed as per the universal norm of randomly selecting the respondents. A total of (1800) **1756 respondents** were selected randomly and they represent different age groups and political perspectives. Stratified sampling method has been adopted for selection of sample and care has been taken to select equal number of respondents from each social group to make the sample representative.

A questionnaire was developed keeping in view the objectives and hypotheses of the study. It consists of two parts.

**Part- A:** comprises ten questions, seeking personal information of the respondent, which includes personal profile like, name, Parliamentary/Assembly constituencies and name of the Polling station; gender; marital status; formal education; their regular activities like watching T.V, listening to the radio, reading newspapers, using internet etc.; their interest in politics; face-book account; e-mail account and twitter; retirement age for politicians; and consideration for electoral voting.

**Part- B:** It consists of ten statements based on the perceptions of the sample related to Bahujan allies in Andhra Pradesh. The reason why people do not exercise their franchise; the two terms of UPA led coalition government; Prime Ministers performance; the two giant

parties and their performance; improvement of conditions during 1999-2009; breaking monopoly of upper castes with the advent of Bahujan allies; unfulfilled poll promises of government and Bahujan Movement in Andhra Pradesh; blow to political hegemony; TDP and Bahujans to fight together for 2009 elections ;on the issue of separate Telangana; proportional representation of Bahujans in electoral politics; transfer of political power from upper castes to lower castes; Bahujans as Chief ministers; acceptance of SCs by BCs and structural changes etc.,

The questionnaire was administered to the sample selected. Suitable statistical techniques with percentages along with Microsoft excel package and SPSS (Statistical Package for Social Sciences) 16.0 were employed to analyze the data and draw inferences.

## 1.2 Major Findings of the Study:

- 1) The results of the study could mirror that an overwhelming majority of the sample (91.0%) watch Television daily for news; a good majority of the sample (54.0%) opted that they 'never' listen to radio; a large sample (87.0%) confessed that they read newspaper daily; and nearly half of the sample (49.0%) opined that they 'sometimes use internet services to keep in touch with the politics.
- 2) A good majority of the sample (57.0%) confessed that they are very much interested in day-to-day politics.
- 3) It was found that an overwhelming majority of the sample ( 83.0%) had no access to modern electronic accounts like facebook,twitter etc.,



4) A large majority of the sample (69.5%) agreed that politicians should have the retirement age.

5) A good majority of the sample (41.0%) considered caste as the dominating factor for voting.

6) A great majority of the sample (54.0%) preferred that they think their vote would matter in the process of voting.

7) A good majority of the sample (58.0%) preferred second term (2009-13) was better by the Congress led UPA Government.

8) A good majority of the sample (44.5%) opined somewhat satisfied by the performance of Manmohan Singh as the Prime Minister.

9) With regard to coalition governments a) A good majority (47.0%) preferred Congress government is a better party with good leaders; b) For good governance and administration, a great majority of (63.0%) voted for Congress government; c) With respect to curbing corruption, more than half of the sample (54.0%) could go for Congress led government; d) For maintaining religious harmony, a great majority of the sample (71.0%) opted for Congress led government; e) In handling economic crises, a large majority of the sample (65.0%) voted for Congress-led government; f) For running a coalition government, a great majority of the sample (75.0%) supported Congress-led governments; and g) As in the case of countering terrorism, a great majority of the sample (69.0%) voted for BJP led government.

10) As per the conditions of farmers is concerned, a more than half of the sample (55.0%) had confessed they

'remain the same' during 2004-2009; b) As per the conditions of farmers is concerned, a more than half of the sample (55.0%) had confessed they 'remain the same'; c) With regard to the conditions of Government Schools, it was demonstrated that a good majority of the sample (69.1%) opined as 'remained the same'; d) Regarding the conditions of roads is concerned, more than half of the sample (55.0%) confessed as 'improved'; and e) As per the safety of women, the quantitative data reveals that a good majority of the sample (49.0%) opined as 'remained same'.

11) A great majority of the sample (69.3%) confessed that to a large extent Bahujan allies are struggling to break the monopoly of upper castes in Andhra Pradesh.

12) As per the unfulfilled promises of government helped Bahujan Movement in Andhra Pradesh that a great majority of the sample (74.0%) opined it 'to a larger extent'.

13) An overwhelming majority of the sample (81.0%) confessed that Bahujan Movement in Andhra Pradesh has become a real threat to political hegemony 'to a larger extent'.

14) A great majority of the sample (66.0%) expressed 'to a larger extent', TDP and Bahujan alliances should fight the Elections together,

15) A good majority of the sample (41.6%) were in favour of bifurcation of State.

16) A good majority of the sample (47.0%) agreed to a larger extent that proportional representation would enhance the image of Bahujans in the State of Andhra Pradesh.



17) A large majority of the sample (58.0%) opined to some extent for transferring of political power from upper castes to Bahujan for political equilibrium.

18) A good majority of the sample (47.0%) agreed to the statement that backward classes consider Scheduled Caste candidates for Chief Ministership,

19) A large majority of the sample (63.0%) agreed to some extent with regard to minority BCs accepting majority BCs in leadership projection.

20) A great majority of the sample (64%) opined that structural changes in socio-economic field to a larger extent can be brought through Baahujan allies in A.P. during 1999-2009 elections.

### 1.3 Discussion and Conclusions

Before drawing a curtain on this study it is appropriate to say that this investigation has showed a set of consistent findings and gleaned much from *Electoral Politics of Bahujan allies in the State of Andhra Pradesh during 1999-2009* and its contribution towards in enhancement of quality for improving electoral politics and sustainability is outlined. The hypotheses set forth are examined, discussed and presented as follows:

**1. It is hypothesized that Bahujan allies are struggling to break monopoly of upper castes in Andhra Pradesh during 1999-2009.**

Dalits comprise a stunning 52 percent of India's population (Ghose, 2003, 83). Dr. Ambedkar's struggles and eventual passing led to the rise of a new leader, Kanshi Ram, who aimed to unite lower castes through

social work and eventually began focusing the bulk of his organizational efforts in the building of the political party that is known today as the BSP (Jaffrelot, 1998, 35)

The BSP's electoral success is seen as a unique phenomenon due to the fact that no other Indian political party running primarily under the platform of catering to the interests of ex-untouchables has achieved such success (Duncan, 1999, 36). However, the BSP could not have achieved success by simple voter majority because Dalits and other backwards castes (OBCs) do not comprise a direct voter majority. The BSP has found success by forming political coalitions with the Samajvadi Party (SP), Congress, Bharatiya Janata Party (BJP), all of which have very different political ideologies and agendas than those of the BSP (Duncan, 1999). The political marginalization and discriminative attitude of the Congress Party and the Telugu Desam Party which were mainly led by the dominant caste of Reddy and Kamma, the political indifference of the Left parties to the specific problems of dalits led them to build their own political autonomous identity (Ratnam, 2008)

The BSPs entry into Andhra Pradesh and its electoral experiment was well received by the Dalit-Bahujan forces. As a part of political mobilization for the 1994 Assembly elections the BSP has organised its first Public meeting at Nizam College in Hyderabad on January 23<sup>rd</sup> under the leadership of Bojja Tarakam, which evoked the spontaneous gathering of one lakh people. It is beyond doubt that the Dalit movement has affected the agenda of setting of various political parties in Andhra Pradesh.



Thus, the interaction between caste and politics has given rise to three developments. The first one refers to emergence of dominant elites from different castes but shares a secular outlook and homogeneous values. Secondly, several caste emerged to give the caste system a secular organizational form. The third refers to emergence of several factions along with elites groups have got politically organized. The system of factions is such that it divides not only political groups but also social groups. It thus facilitates the process of cross-cutting identification (Kumar, 2005). Kothari (1985) have rightly observed that the electoral system in India has given a new lease of life to caste identification (Chaudary, 2013). The piece of investigation has shown consistent findings with regard to the proposition that Bahujan allies in Andhra Pradesh are breaking the monopoly of upper castes during 1999-2009. This is evident from the stunning findings of the study a great majority of the sample (69.3%) confessed that to a large extent Bahujan allies are struggling to break the monopoly of upper castes in Andhra Pradesh. Thus, the first hypothesis formulated is retained.

**2. It is hypothesized that socio-economic of factors are influencing electoral politics with special reference to Bahujan allies in Andhra Pradesh during 1999-2009.**

The demand of the Dalits is not limited to the annihilation of the caste system and the evil practice of untouchability. It goes further and calls for restructuring the Indian social order and creating a society where all the downtrodden masses will have an equal share in resources, power structure,

social dignity and religious traditions. One has to wait and see if the political establishment of the dominant castes takes this assertion seriously or not. Whatever may be the response of the ruling castes and classes, the Dalit assertion has shown that a long drawn-out struggle alone can provide the space and scope for the Dalits to continue to fight for building an egalitarian, democratic and plural society (Louis, 2004). The five years (1999-2004) that the National Democratic Alliance (NDA) was at the Centre saw India go from a 4 per cent (1997-98) growth rate to 8.3 per cent (2003-04) that plummeted to 5 per cent (2008-09) under the Congress-led UPA.

The investigation demonstrated that a great majority of the respondents (64.0%) considered that socio-economic factors influence electoral politics of Bahujan allies in the State of Andhra Pradesh to a larger extent especially during 1999-2009 elections. Thus, the second hypothesis is also accepted and thus, retained.

**3. It is hypothesized that public policies and promises during poll campaign helped the growth and development of Bahujan Movement in Andhra Pradesh during 1999-2009.**

Since the dialogue between political parties and the electorate is a continuous phenomenon, there exists the factor of unfulfilled promises and its consequence of anti-incumbency factor. All the promises made during an election could not be fulfilled. And even some of the promises are translated in to legislation, or a scheme or a project, their implementation might take time or could not be done so to the satisfaction of some





or many .Even if five percent of the earlier committed vote turns hostile later, the impact on the election could be very adverse .So a ruling party always starts with a handicap in the next election (Hasim, 2009). As per the unfulfilled promises of government helped Bahujan Movement in Andhra Pradesh, the statistical information discloses that a great majority of the sample (74.0%) opined it 'to a larger extent'. Hence, it can be concluded that unfulfilled promises of Governments certainly helped Bahujan Movement in Andhra Pradesh electoral process. Therefore, *the hypothesis* public policies and promises during poll campaign helped the growth and development of Bahujan Movement in Andhra Pradesh during 1999-2009 is *accepted and retained*.

**4. It is hypothesized that proportional representation shall diminish the image of Bahujan allies in Andhra Pradesh during 1999-2009**

Indian election results often spring surprises. It was particularly the case when the Bhartiya Janata Party (BJP), which led the National Democratic Alliance (NDA) government, unexpectedly lost the 2004 Lok Sabha election. Incidentally, many critics of economic reforms celebrated the outcome as a vote against the reforms. Since the state governments led by Chandrababu Naidu in Andhra Pradesh and Digvijay Singh in Madhya Pradesh lost the state assembly elections around the same time, and both the governments were seen to be pro reforms, this view gained currency. On the other hand some observers attributed these election outcomes to the anti-incumbency factor. This view assumes that the Indian voters

prefer change and they invariably vote against the ruling party.

In the Indian context, the literature on the incumbency advantage or disadvantage is relatively new. Over the past 30 years, BSP that essentially sought to transform the lives of the downtrodden and backward sections of the society has more than 20 percent vote share in many Assembly constituencies, especially in Uttar Pradesh. Initially the main aim of the party was to fight against the obnoxious Manuwadi system. In this way the struggle of Kanshi Ram who was born in Scheduled Caste community, proved to be greatly effective and pregnant with far-reaching consequences. Later on his successor Mayawati took care of his legacy and is fulfilling the party's vision. After becoming the party chief, Mayawati justified the move stating that the BSP was committed to not only improve the socioeconomic conditions of the people of the 'Bahujan Samaj' but also of the poor among the upper caste Hindus, small and medium farmers, traders and people engaged in other professions. This helped BSP to transform its image from a dalit centric party which was known for erecting Ambedkar statues to a party that sought the development and welfare of all the communities. The party distributed tickets to the upper castes and Muslims. This instilled faith in the upper caste and Muslim towards BSP. Most of the BSP candidates of upper castes won and proved that this faith was not on paper but on practical and political ground. This gave BSP a new definition by transforming it from a dalit centric party into a multiethnic outfit that sought development of Sarvajan (all communities) (Singh, 2014).



Contrary to this, the BSP presented a dismal picture in the State of Andhra Pradesh from 1999-2009 and proved to be short-lived. However, the present piece of investigation vividly exhibited that a good majority of the sample (53.0%) agreed **to no extent** that proportional representation would diminish the image of Bahujans in the State of Andhra Pradesh. So, the fourth *null hypothesis* is rejected.

**5. It is hypothesized that there is no threat to political hegemony dominant castes in electoral politics in Andhra Pradesh during 1999-2009.**

Political allegiances and party configurations in India have gone through several phases since the first elections in 1952 (Sridharan 2002). Until 1967, the Indian National Congress (INC), which led the Independence movement, won the national assembly with two-thirds of the seats based on a plurality of votes typically between 40 and 45 percent. During this period, elections to the national and state assemblies coincided, and we see a similar pattern of Congress Party domination in the states. Votes not received by the Congress were spread across a large number of other parties and Independents. The Congress vote and seat share fell over time and in the 1967 election the party held just over half the seats in the national assembly. U.P. is of special interest for the study of Indian politics because of the salience of caste-based rivalries and fierce contests for power (Chandra 2004; Banerjee and Pande 2011). While the SP and BSP emerged as strong regional parties, the two national parties, the INC and the BJP, have remained important, leading to

a four-cornered battle for power. (Acharya, 2014)

Out of the 23 districts in the state, the Reddys are a politically dominant upper caste in 15 districts where their share of the total district population is above 10 percent. Kadapa accounts for the highest proportion of Reddys at 27 percent of the total population. The Reddy-dominated districts include Kurnool, Anantapur and Chittoor in Rayalaseema region, Nalgonda, Medak, Warangal, Mahbubnagar, Rangareddy, Nizamabad, Karimnagar and Adilabad in Telangana and Nellore, Guntur and Prakasam in coastal Andhra.

Kamma-dominated districts are Krishna and Khamman, though Kammas share power with Reddys in Prakasam, Guntur and Chittoor. Kapus dominate the politics of two districts - East and West Godavari. Other Backward Castes dominate the politics of three north coastal districts - Srikakulam, Vizianagaram and Visakhapatnam. Kapus share power with Kammas in Krishna and Guntur districts. Hyderabad is dominated by Muslims, as they account for 42 percent of the total electorate (Hasan, 2014)

By 1999, caste-based voting had become the fact of AP politics: survey data showed that 87% of Kammas and 62% of the "Peasant Other Backward Castes" in AP voted for the TDP while 77% of the Reddys, 64% of the scheduled castes and 60% of Muslims for the Congress (Suri 2002: Table 6). This meant that the overall election result rested with the other communities such as Kapus, "Service OBCs" and scheduled tribes who voted almost equally for the two major parties (ibid) and could swing the very fine division of the floating vote (10%) which decided which party will get the majority of seats in the assembly.



The emergence of other caste groups such as the Kapu-dominated Praja Rajyam Party (PRP) destabilised the electoral scene. The PRP proceeded to take away nearly 12% of the TDP vote share and ensured the victory for the second time of the Congress Party and YSR. (It soon merged with the Congress in 2011. Though it took place after YSR's death, it is speculated that this was the logical conclusion of his subtle moves to consolidate Congress Party power).

However, the re-emergence of the Telangana movement as a major mass movement meant that the equations within the Congress Party and the state – now dominated by YSR and the Rayalaseema Reddys – had to be addressed. YSR and the Congress had backed the movement as a way of enticing the Telangana voters away from the TDP and this worked well for the party in 2004 and 2009 (Pingle,2011)

Even the Srikrishna Committee Report clearly indicated Caste is an important factor in the political history of Andhra Pradesh and remains critical for political mobilisation. Most scholars have pointed out the hegemony of the Reddy and Kammas castes.

Among the 294 members elected to the assembly in 2004, 180 belonged to the forward castes. They included 91 Reddys, 34 Kammas, 27 Kapus, 11 Velamas, 7 Kshatriyas, 4 Vysyas and one each from Lingayat, Are Kshatriya and Marwari community. The weaker sections including Backward Classes, Scheduled Castes, Scheduled Tribes and minorities accounted for 114 members in the house, including 48 BCs, 39 SCs, 16 STS and 11 minorities (Muslims). No political party can ignore the caste factor. No wonder, out of the 14 chief ministers in Andhra Pradesh in the last 52 years, as many as eight were Reddys, followed by Kammas (3), Brahmin, Velama and Dalit.

The findings of the present study amply demonstrate an overwhelming majority of the sample (81.0%) opined that Bahujan Movement in Andhra Pradesh has become a real threat to political hegemony 'to a larger extent'. On the other hand, a simple majority of the sample (14.0%) opted 'to some extent'. Thus, it can be inferred that Bahujan Movement in A.P. became a threat to political hegemony to a larger extent during 1999-2009 elections.

*Hence, the fifth hypothesis is rejected.*

#### 1.4 Implications of The Study

The findings of the present study are of practical as well as theoretical importance to the Research Scholars, People (voters), and Politicians.

#### 1.5 Suggestions

The present study is not much comprehensive and exhaustive due to the limitations of a doctoral work. There are some limitations in its scope and design. Thus, it is suggested that further investigations may be focused on the following issues: a similar study can be conducted with a larger sample to have in-depth knowledge of the electoral politics of Bahujan allies, especially in the State of Andhra Pradesh; there is a need to explore the execution of electoral promises made by the various political parties when they come to power; a comparative study can be taken up on the electoral politics of Bahujan allies in Uttar Pradesh with that of other States in the Indian Republic; a study can be taken on the perceptions of public representatives on the electoral politics of Bahujan allies in India; Another area for investigation would be on political hegemony in different States in the Indian Republic.





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## Dr.B.R.Ambedkar and Concept of Social Justice

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**Abstract:** The ideals of social justice denote brotherly relations of a citizen with every other citizen in our society; and it overcomes caste-barriers between man and man; and demands respect for all citizens from everyone. The spirit of social justice here gives significant place to mutual regard and responsibility in social life. Dr.B.R.Ambedkar addressed the problem of untouchability and came out with concrete proposals for the removal of untouchability and the upliftment of the marginalized and the excluded. It upholds the dignity of human personality. As the chief architect of India's Constitution, he got it shaped clearly on the values of justice, liberty, equality, fraternity and dignity of man. Social justice is social happiness. It is happiness guaranteed by a just social order. Just social system seeks to remove social disability by birth resulting in social and economic inequality. Social justice means equal social opportunities shall be available to everyone to develop their personalities which is associated with equality and social rights. According to Dr.B.R.Ambedkar, justice is based on moral values and self-respect. Justice situates through social, political and economic justices which regulated by the Indian constitution. The main objective of this concept is to uplift the women, Scheduled Castes and Scheduled Tribes in the society and pull them to the main stream of the society. This concept also prevents unjust enrichment at the cost of the weaker sections. So far as Dr. B.R. Ambedkar vision of 'Social Justice' is concerned, he is real earnest, sacrificed his whole life for the amelioration of the women, Scheduled Castes and Scheduled Tribes in the society. He strongly fought against the prevalent Caste system and gender discrimination in the society and ventured to secure social justice to these sections of the society. His struggle for social justice could be visualized in the ideals and philosophy of the Indian Constitution. Thus, the Constitutional ethos of the social revolution running through the 'Preamble', Fundamental Rights and the Directive Principles expressly emphasize the establishment of an egalitarian social order and based on human values of justice, Social, economic and political, equality of status and of opportunity and fraternity assuring human dignity. Thus Dr.Baba Saheb Ambedkar created a social revolution by awakening the women, Scheduled Castes and Scheduled Tribes and breaking all social values based on Hindu Social System.

**Key Words:** untouchability, Preamble, Dalits, Liberty, Equality, Fraternity, injustice, Civil Liberty, Political Liberty, Shastras, Hindu Social System.

### Introduction

All human beings are equal by birth but few people constructed caste system based on occupations which contributed to the evil practice of untouchability. Certain sections of society

whom we call dalits were denied access to the natural resources and denied right to livelihood, this practice excluded them from the mainstream political participation which further added to vulnerability. Later, Dr.B.R.Ambedkar, the great social reformer had addressed



these issues in a different way during the National Movement period and thereafter Dr.B.R.Ambedkar's leadership provided a fresh path for over all development of scheduled castes and his whole life was a constant struggle against injustice in society. He addressed the problem of untouchability and came out with concrete proposals for the removal of untouchability and the upliftment of the marginalized and the excluded.

Dr.B.R.Ambedkar's contribution is now in a critical juncture to create the just and casteless society. He believed that the root of untouchability lies in the caste system and caste in the hands of the orthodox has been a powerful weapon for persecuting the reformers and for killing all reforms. He felt that no socio-political reform movement could be successful without the annihilation of caste. He wanted justice for untouchables as well as the weaker sections of the society by making provision in this regard in the Constitution itself. In the views of Dr.B.R.Ambedkar society is based on three fundamental principles viz., Liberty, Equality and Fraternity. But the present scenario shows us a gloomy picture of Dr.B.R.Ambedkar's idea of dealing with the weaker sections in the society.

Dr.B.R.Ambedkar was an architect of Indian Constitution and he also a great teacher, educationist, lawyer, economist, anthropologist, sociologist, author, orator, politician, trade union leader, preacher and above all social he was a great revolutionary. In India so many social reformers emerged to fight against injustice in favour of dalit communities, however a few leaders successfully

communicated their ideas to societies towards the welfare of depressed in society. Particularly, Dr.Ambedkar worked for the dalit rights, women rights, backward castes, minorities and working class people and struggled all his life for the minimum dignity of all human beings irrespective of caste or class. The primary aim of a well-ordered society, of a state, is to establish and maintain the human dignity or justice within its borders. It is, however, not easy to get a clear idea of Justice. It may be explained in certain terms which may lead us towards a better understanding of the general conception of Justice.

#### **The Idea of Social Justice:**

The concept of social justice, like law, changes. It evolves itself into progressively new patterns and assumes new dimensions. Social justice has its own significance in the context of Indian society which is divided into Castes and Communities and they create walls and barriers of exclusiveness on the basis of superiority and inferiority such inequalities pose serious threat to Indian democracy. The concept of social justice takes within its sweep the objective of removing inequalities and affording equal opportunities to all citizens in social, economic and political affairs.

India, while passing through the process of development is in the quest for finding our ways for a better and just socio-economic order. The search for a new model of socio-economic order is the need of the hour. Recent trends in Globalization, Urbanization, Mobilization of the poor in search of better life conditions and social justice movements compel us to think afresh. Social justice is an application of the concept of distributive justice to the wealth, assets,



privileges and advantages that accumulate within a society or state because the essence of justice is the attainment of the common goods as distinguished from the goods of individuals even of the majority. There have been two major conceptions of social justice one embodying the nation of merit and desert, the other those of needs and equality. The first conception involves ending of hereditary privileges and an open society in which people have the chance to display their desert. It is expressed in equality of opportunity and careers open to talents. The second conception implies that goods should be allocated according in each person's varied needs. As it aims to make people materially equal, it entails an idea of equality.

"Justice", for Ambedkar, "is simply another name for liberty, equality and fraternity", which forms the cornerstone of Ambedkar's concept of social justice. It upholds the dignity of human personality. As the chief architect of India's Constitution, he got it shaped clearly on the values of justice, liberty, equality, fraternity and dignity of man. These ideals of social justice denote brotherly relations of a citizen with every other citizen in our society; and it overcomes caste-barriers between man and man; and demands respect for all citizens from everyone. The spirit of social justice here gives significant place to mutual regard and responsibility in social life.

In India, justice is a generic term which includes both procedural and substantive justices the former providing rules of court procedures and mechanism what is generally known as natural justice and the latter making provision

for social assistance. Social justice in India is the product of social injustice our Caste system and social structure is the fountain head for social injustice. It is unfortunate that even 69 years after independence social justice is still a distant dream not within the reach of the masses.

The social justice twigs of justice which derivatives from concept of ethical morality. The issues of social justice is affected various developmental policy as well as whole development of social welfare programme. It means that the order regulated the behavior of man in a way satisfactory to all men so that all men find their happiness in it. Social justice is social happiness. It is happiness guaranteed by a just social order. Just social system seeks to remove social disability by birth resulting in social and economic inequality. Social justice means equal social opportunities shall be available to everyone to develop their personalities which is associated with equality and social rights. According to Dr.B.R.Ambedkar, justice is based on moral values and self respective. Justice situates through social, political and economic justices which regulated by the Indian constitution.

Dr.B.R.Ambedkar favoured neither liberal nor Marxist perspectives on social justice. Instead, he favoured radical-liberal perspective based on useful means for social transformation. "Dr.B.R.Ambedkar's idea of social justice was based on our indigenous historical, social and cultural roots," a true essence of social justice cannot be established without removing the inequalities in income and making endeavour to eliminate inequalities in status though the rule of law. Social justice is a core



constitutional objective. Without social justice the Constitution would not be able to secure economic and other justice to the people. "Justice, social, economic and political" is the spirit and vision of our Constitution as adopted by us which "We, THE PEOPLE OF INDIA have solemnly given ourselves on 26th November, 1949". It is the duty of the state to secure a social order in which the legal system of the nation promote justice on a basis of equal opportunity and in particular ensure that opportunities for securing justice are not denied to any citizen by reason of economic or other disabilities. The Indian Constitution provides several such provisions which try to achieve the goal of social justice in letter and spirit.

#### **Dr.Ambedkar's Perception of Social Justice:**

The name of B.R. Ambedkar has become synonymous to justice. His name finds a very honored and prominent place in the pantheon of the most illustrious builders of modern India, his social background, bitter and heart rendering experience in life, his relentless struggle against the caste-ridden Hindu society the impenetrable citadel of conservatism, reaction, inequality, injustice and exploitation - and his approach to men and affairs profoundly influenced his socio-political approach which centers round justice very prominently.

Injustice is everywhere not only western countries and India also. At present one of the contemporary issues is that injustice and caste discrimination. Dr.B.R.Ambedkar did a movement amongst marginalized communities. His concept of justice generated from the French Revolution of 1789. Dr.B.R.Ambedkar's perspective of social justice is based on social democracy

which consists of three concept of justice namely liberty, equality and fraternity. Dr.B.R.Ambedkar addressed in constituent assembly that ,the third thing we must do is not to be content with mere political democracy. We must make out political democracy a social democracy as well. Political democracy cannot last unless there lies at the base of social democracy. What does social democracy mean? It means a way of life, which recognizes liberty, equality and fraternity as the principles of life.

These principles of liberty, equality and fraternity are not to be treated as separated items in a trinity. They form a union of trinity in the sense that to divorce one from the other is to defeat the very purpose of democracy. These principles are fundamental rocks of just society order and were origin from French Revolution. According to Dr.B.R.Ambedkar, liberty has divided into two categories namely Civil Liberty and Political Liberty. Dr.B.R.Ambedkar's notions of civil liberty deals with three basic opinions are; Liberty of movement, Liberty of speech and Liberty of action. Civil liberties are often formally guaranteed in Indian constitution but ignored in practice which came from Bill of Rights. Civil right is often used to refer to one or more of these liberties or indirectly to the obligation of government to protect dalits from violations of one or more of their civil liberties.

Hindu Temples continue to be spaces for oppressing and resistance and remain a major source of caste clashes in southern district of Tamil Nadu. Dalits are at the receiving end in issues like enter to temples and rights to participate in festivals and they face stiff opposition and attack from caste Hindus. It



highlights that dalit communities do not have accessing civil rights and they are not allowed inside temples. Dalits have little access to temples, kids made to sit separately in schools. The National Commission for Scheduled Castes in Chandigarh received 3 to 4 complaints daily in this regard.

The Political Liberty consists in of the rights of the individual to share in the framing of law and in the making and unmaking of governments. He believed that liberty is accompanied with social and economic equality and there must be knowledge (education) made available to all. These liberties are restricted by old Hindu social system but these are the part of the human liberty to crate just social order. Dr.B.R.Ambedkar gives answer is that, fraternity means a sense of common brotherhood of all Indian, all Indians being one people. It is the principle which gives unity and solidarity to social life.

He believed that democracy offers every individual achieve social equality, economic and political justice guaranteed in the preamble of the constitution. Liberty, equality and fraternity should be the only alternative to abolition caste society. He argued that, liberty cannot be divorced from equality; equality cannot be divorced from fraternity. With equality, liberty would produce would kill individual initiative. Without fraternity, liberty and equality could not become a natural course of things. It would require a constable to enforce them. We must begin by acknowledging the fact that there is completes absence of two things in Indian society. One of these is equality. Political democracy gives equal rights for everyone which assures legal provision to all. Dr.B.R.Ambedkar believed *One Man*

*One Value* which means the basic need of each person are well satisfied with freedom and dignify. Uttar Pradesh former Chief Minister Mayawati said that, on the threshold of social democracy and social harmony, solidarity and cohesiveness are the trump cards of success of a society and the country.

### **Ambedkar vision of Social Justice relating to Women :**

Dr. B.R. Ambedkar, being a philanthropic, kind and generous social reformer was much moved with the pitiable and pathetic condition and low status of women in society and he was a torch bearer in the direction of social uplift of women generally and Hindu women specially. Dr.Ambedkar chooses his social reform approach only after understanding the reality of the status of women.

Dr. Ambedkar was of the opinion that the Hindu women are tied up with bandage of superstitions which they can till their death. They are also responsible for inculcating these wrong notions learnt by them through baseless traditions and preaching of the *Shastras* in the budding mind of their off spring. Otherwise also the women in India have remained a matter of joy and a source of amusement at such she was used and misused by men guest to serve their evil ends. She has been used just like a machine for procreation. It has also mentioned in Hindu *Shastras* that women is the bond slave of her father when she is young to her husband when she is middle aged and to her son when she is mother.

The reforms introduced by Dr.Ambedkar through 'Hindu Code Bill' have been adhered to and have been





accepted by and large. He by codifying Hindu law in respect of marriage, divorce and succession, rationalized and restored the dignity to women. It is needless to say; the Bill was a part of social engineering via law, sharp criticism of this Bill in and outside the Parliament led many to belief that it might inflict heavy damages on the Hindu society.

Even the president Dr. Rajendra Prasad got scared and issued a threat that he would withhold his assent even it had been passed by the Parliament. Justice P.B. Gajendragadkar while congratulating Dr. Ambedkar for the role he had played in drafting and piloting the Bill said, "If Dr. Ambedkar gives us Hindus our code, his achievement would go down in history as a very eloquent piece of poetic justice indeed". The whole story of Hindu Code Bill presents the determination of Dr. Ambedkar to bring about the changes in the society. He was the one who just not talked on things; but really worked on them. His concern for women is unquestionable. It is not wrong to say he was a great feminist of his day. Because women's rights form a part of human rights and Babasaheb Ambedkar can rightly be termed as the champion of it.

Dr. Ambedkar says, to the women education was denied by the Manu and he caused both an insult and an injury to the women in India. It was an injury because without any justification she was denied the right to acquire knowledge which is the birth right to every human being. It was an insult because after denying her the opportunity to acquire knowledge she was declared to be allowed to take to 'Sanyas' which was regarded as the path to attain the Brahmin. Not only was she denied the right to realize her

spiritual potentiality by the Brahmins but she was also declared to be barren of any spiritual potentialities.

According to Dr. Ambedkar, women were treated as mere tools to bear the burdens of the family, restricted to the role of bearing children and fulfilling duties of a wife or mother any. Division of labour is not in their favour, as a result Indian women have lost their identity. They have to face discrimination on gender basis and because of this availability of equal opportunity for remains a dream of them. Poverty, illiteracy lack of health and inequality of class of status and powerlessness, degradedness are associated with them. Weights of traditional attitudes that regard them as physically, intellectually and socially, inferior to man subject them to male exploitation and unjustified division of labour. A society where women, i.e., the half of the population, enjoy a low status of women in Indian society is primarily due to the fact that they have no control over material and social resources. This is further compounded by lack of participation opportunities in the decision making process of the family.

### **Social Justice under the Indian Constitution:**

The role played by Dr. B.R. Ambedkar, as Chairperson of the Drafting Committee of the Constitution, has left its imprint on the social tapestry of the country after independence, and shaped the socio-political fabric of India today. It would have been a different India without him and, in all probability, a much more inequitable and unjust one. He attempted to forge India's moral and social foundations a new and strove for a political order of constitutional



democracy that is sensitive to disadvantaged, inherited from the past or engendered by prevailing social relations. He became deeply aware of the resources that history and culture offered for an emancipatory project but argued that they can become effective only through the matrix of the present. Dr. Ambedkar had the highest academic credential for an Indian of his time, and his erudition and scholarship have been widely acknowledged. Keeping in mind the contribution of Dr. Ambedkar in shaping the Indian Constitution to achieve its basic objective of social justice.

The concept of social justice has been enshrined in the Indian Constitution. The fathers of the Indian Constitution had the dream of a new social, economic and political order, the soul of which was social justice. Dr. Ambedkar was the chief architect of the Indian Constitution. He was fully aware of the pattern and problems of the society and their conflicting interests. The Constitution is a monumental example of social engineering. Social justice is not defined in the Indian Constitution but it is relative concept taking in its wings the time and circumstances, the people their backwardness, blood, sweat and tears.

The Constitution of India brings a renaissance in the concept of social justice when it weaves a trinity of it in the preamble, the fundamental rights, and the directive principles of state policies and this trinity is the "the core of the commitments to the social revolution". This is the conscience of the Constitution. The preamble of the Indian Constitution is the mirror of social justice. It provides social, economic and political justice to the citizen of sovereign, socialist, secular, democratic,

republic of India. The first task of the Assembly was to formulate the objectives and the guiding principles of Indian Constitution. Therefore, the resolution of the preamble and objective of the Constitution was discussed in the Constituent Assembly for nine days from December 13 to 19 and January 20 and 22 of 1947.

Part III of the Constitution as fundamental rights is related to the social justice. The fundamental rights inculcate the sense of reconstruction and foster social revolution by generating equality amongst all, prohibiting discrimination on the grounds of Caste, religion, sex, creed, place of birth, abolishing untouchability and making its practice punishable by law, banning trafficking in human beings and forced labour. Moreover, the Indian Constitution has empowered the states to make special provisions for the advancement of any socially, educationally backward classes and also for the Scheduled Caste and Scheduled Tribes.

The important part of the Social justice is the part IV of the Constitution as Directive Principles of state of policy. Although this part of Constitution is not enforceable by any court. However the principles laid down there are nevertheless fundamental in the governance of the country and it shall be the duty of the state to apply these principles in making laws. In this regard Dr. Ambedkar said "It is not the intention to introduce in this part these principles as mere pious declarations. It is the intention of the assembly that in future both the legislature and the executive should not merely pay lip service these principles enacted in this part but that should be made the basis of





all executive and legislative action that may be taken hereafter in the matter of the governance of the country”.

The ideology of the Dr. Ambedkar influenced the Indian judiciary on the basis of this ideology Supreme Court of India declared that Directive Principles of State Policy are enforceable with the fundamental rights. Court observed that the provisions in part III should be interpreted having regard to the Preamble and the Directive Principles of the state policy.

### **Social Justice in the context of Globalization:**

India is plural society, multi-ethnic, multi-religious and multi-linguistic for which democracy is most for balanced social and regional development. However, democracy cannot survive without social justice. Unfortunately, new economic policy or globalization is bereft of human face, where man is treated as commodity and a person has to compete for the bread and business equally on the “Darwinian socio-economic order” i.e., struggle for existence and survival of fittest. Whereas democracy thrives on the co-operative spirit so that strong and weak could survive and co-exist together like tall trees small bushes and grasses growing in the same socio-ecological plain. Therefore, before implementing the new economic reform policies, it was essential for the government to provide “social security net” i.e., full job opportunities, education and medicare to weaker sections in general and Scheduled Castes/Scheduled Tribes in particular who constitute two-third of India’s population. But government did not pay least attention on these important human problems.

Globalization in India means opening doors of our economy to the multinationals in the field of agriculture, industries, communication, transportation, electricity generation and distribution and also education etc. However, before opening the door of economy to the multinational companies, one should know the fact that these multinationals are not coming for charity in India but to make profit by utilizing our reserve resources, raw materials and treasury. They are not concerned with our environment, infrastructure development or to deliver social justice. These are not in their policies and programmes. Their programmes are to make exhaustive exploitation of natural resources on the cost of environment and make them and their country rich.

The Scheduled Castes and Scheduled Tribes are socially and economically infirm and disabled even today. There were provided Constitutional safeguards by providing reservation in services and posts. In private sector, there is no such concession. Therefore, government must take policy decision to provide representation to Scheduled Caste and Scheduled Tribes in “private sector” too; this is must to provide social security to them to protect their livelihood.

The advocates of social justice in the independent India laid main emphasis on “individual” gain through the policy of reservation in services and posts for the socio economic emancipation of Scheduled Castes and Scheduled Tribes, which has been very short sighted vision because in government services, posts are very limited and that too needs hard competition. Those who are not able



to compete does not mean that they do not feel hunger. According to the available information, there are about 35 million people i.e., 3.5% of total population who are in job, which include private sector also. The reservation has made Scheduled Castes and Scheduled Tribes and addict to power and pelt. Since reservation is not a permanent asset, it has to go in one day sooner or later. Scheduled Castes are going to face a great trouble during coming 10 years when country would be plunged into financial crisis, employment crisis and hunger, if they do not awake and prepare themselves fit for facing Darwinian socio-economic order of tomorrow.

Conclusively reservation has not served much purpose to alleviate the poverty and living standard of Scheduled Castes because so far hardly 0.5 percent of the Scheduled Castes out of 25 corers of population have got regular job, the remaining 99.5 percent Scheduled Caste masses are still reeling under ragged poverty, hunger, malnutrition and illiteracy because reservation is like a bag of sugar poured in the sea which cannot make the brackish sea water sweet. Reservation thus has done little good by providing job opportunities to a handful of educated elites, but political reservation suppressed a great political revolution. After independence, India received only political freedom "social and economic freedom" was yet to be fought. Because feudal hijacked the economic freedom in their favour, fate of Scheduled Castes remained hanging on the peg of reservation, so that neither they should economically grow nor they should revolt against the non-fulfillment of social justice. Thus, social justice is not yet reaches to the Scheduled Caste people in India even today who are subjected to recurrence of killing, burning and gang

rape of their women folk. Many people question, why do Scheduled Castes not fight against such atrocities done to them? How can they fight with empty stomach against feudal-land lords who are rich and resourceful, police and courts are also hand in glove with them, therefore, the social justice still beyond their reach even after 68 years of independence. The globalization is no way to help to Scheduled Castes and Scheduled Tribes.

### Conclusion:

The fundamental meaning of this concept of "Social Justice" is to bring a just society. The main objective of this concept is to uplift the women, Scheduled Castes and Scheduled Tribes in the society and pull them to the main stream of the society. This concept also prevents unjust enrichment at the cost of the weaker sections. So far as Dr. B.R. Ambedkar vision of 'Social Justice' is concerned, he is real earnest, sacrificed his whole life for the amelioration of the women, Scheduled Castes and Scheduled Tribes in the society. He strongly fought against the prevalent Caste system and gender discrimination in the society and ventured to secure social justice to these sections of the society. His struggle for social justice could be visualized in the ideals and philosophy of the Indian Constitution. Thus, the Constitutional ethos of the social revolution running through the 'Preamble', Fundamental Rights and the Directive Principles expressly emphasize the establishment of an egalitarian social order and based on human values of justice, Social, economic and political, equality of status and of opportunity and fraternity assuring human dignity. Thus Dr. Baba Saheb Ambedkar created a social revolution by awaking the women, Scheduled Castes



and Scheduled Tribes and breaking all social values based on Hindu Social System.

In the era of Globalization, liberalization and privatization, the concept of Social Justice has assumed a greater significance. Many Multi-National Companies (MNC) by insisting for merit have discarded the concept of social justice. All MNC's should be made to work within the constitutional frame work so as to ensure social justice to Scheduled Castes and Scheduled Tribes and women in India. For this the state should make various rules, regulations and procedures. Otherwise, the concept of social justice remains only on paper not in practical.

In brief, it becomes essential to clarify the concept of justice and social justice. The concept of social justice is best understood as forming one part of the broader concept of justice in general. To comprehend it properly, we should begin by looking at justice as a whole, and then attempt to mark off that division of justice which we call social justice. Today the country needs to restructure its institutions, public and private, and the societal behaviour both to build a new human society ensuring full justice to all, that we call social justice to all.

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## Good Society, Rights, Democracy and Economic Socialism

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**Abstract:** The principles of liberty, equality and fraternity are not to be treated as separate items. Liberty cannot be divorced from equality; equality cannot be divorced from liberty. Nor can liberty and equality be divorced from fraternity. Without equality, liberty would produce the supremacy of the few over the many. Equality without liberty would kill individual initiative. Without fraternity, liberty and equality could not become a natural course of things. It would require a constable to enforce them.

**Key words:** Ideological Persuasions, democracy, socialism, Economic Socialism

### Introduction

Ideological Persuasions prefixing or suffixing democracy or socialism are common in the intellectual market place, such as democratic socialism, socialistic democracy, liberal democracy, Marxian socialism and even Gandhian socialism, there have been several attempts to hang an ideological name plate on Ambedkar, particularly in the heyday of ideological polarization, which, one tends to think, is no longer trendy. Such a name plate was felt necessary, not merely to locate Ambedkar's richly and sometimes widely scattered ideas and polemical stances but also for discerning, discriminating and interpreting kindred and hostile influences. More prominently, the political necessity of mobilization, condition building and alliances demanded it. Unlike Gandhism attempts to prop up Ambedkarism as a self-contained ideology have been rare, although attempts at identity construction around Ambedkarism are widespread.

However ideological naming of Ambedkar does not seem easy. It is not

because his intellectual and political stances are devoid of consistency, although he derided it sometimes. This paper suggests that Ambedkar subscribed to a political order informed with rights, democracy and economic socialism. A good society cannot but be democracy a democracy informed with rights and socialism. In this connection, the relation across them Ambedkar laid great stress on human agency and a strong state.

### Rights :

Ambedkar's political order based on rights has come to the universally accepted following the French Revolutions. It begins a free social order in which the aim and object of the individual becomes the growth of the individual and the development of his personality. It place human person at the centre of things. And he quotes the philosopher Jacques Martain as.

Human person is both a physical and spiritual microcosm, subsistent in an independent manner, more a whole than a part; while being a minute fragment of matter, he is at same time a universe; image of god; belongs to the order of



things naturally sacred. Those terms of association among such human beings have to be based on liberty, equality and fraternity.

The right to equality occupies the central place in Ambedkar's priorities. Ambedkar acknowledged that men are 'born unequal'. He then argues that equality may help the best to service the best may not be fittest. Fraternity meant for Ambedkar 'a sense of common brotherhood, the principle which gives unity and solidarity to social life. In view of Ambedkar, liberty was the effective power to do specific things. He saw it as basis of intellectual, moral, political and social progresses.

These principles of liberty, equality and fraternity are not to be treated as separate items. Liberty cannot be divorced from equality; equality cannot be divorced from liberty. Nor can liberty and equality be divorced from fraternity. Without equality, liberty would produce the supremacy of the few over the many. Equality without liberty would kill individual initiative. Without fraternity, liberty and equality could not become a natural course of things. It would require a constable to enforce them.

One could illustrate this by looking at one such document, the memorandum submitted by Ambedkar to the Minorities Committee of the Round Table Conference in November, 1930. In it he argued that the untouchables were prepared to submit to majority rule under certain conditions.

Ambedkar initially suggested incorporation of certain socialist principles as integral to fundamental rights and was against Article 31 upholding the right to private property.

### Socialism :

Mainly, Dr. Ambedkar has accepted the concept of class struggle, although, he felt that in the Indian context it had to be substantially redefined, took over board the concept of social justice and similar agenda to the Buddha and agreed that one of the major contradictions of capitalism was the social basis of its production in contrast to private appropriation. He criticized Marxism for subscribing to economic determinism, for its inadequate group of liberal democracy, for its inability to adequately understand the realm of ideologies and for considering moral values as historically conditioned. He found the existing socialism as far practiced too authoritarian and its theoretical postulates did not allow it to subscribe to basic values constituting societies. However, Ambedkar was deeply dissatisfied with Nehru's stance on economy in the objective resolution. And he suggested among other measures, that the United States of India should declare as follows:

- Key industries would be owned and run by the State.
- Basic industries would be run by the state or corporations established by the State.
- Insurance would be a State monopoly. Every adult citizen would have a life insurance policy.
- Agriculture would be organized under the state co-operative sector with compensation to the owners. The co-operatives would be organized with no regard to the caste of members.

Ambedkarism agenda of state socialism seems akin to the concept of





state socialism advanced by Lenin following the Soviet Revolution. At that juncture Lenin advanced the argument that the immediate enemy of the nascent socialism in Soviet Russia was petty-bourgeois production. Ambedkar's agenda mainly included both agriculture and industry to be brought under the nationalized sector, which would have been well nigh impossible given the kind of party that the Indian National Congress was on the use of independence. And he saw socialism as one of the directions of the march of Indian democracy, the other being retention of a regime of rights all through. He argued, we must not be content with mere political democracy, we must make one political democracy cannot last unless there lies at that base of it social democracy.

#### Democracy:

In Ambedkar ideological map, democracy occupied the central place. He defined it as a mode of associated living which enables every human being to unfold his or her limitless potentialities to the maximum possible extent without in any way jeopardizing the equality legitimate interest and aspirations of the other.

We often find Ambedkar repeating Lincoln's formula of democracy i.e., rule of the people, by the people for the people. Among the democratic forms, he specially favored representative democracy and parliamentary democracy. In defense of parliamentary democracy, Ambedkar develops a set of interesting arguments are:

- Indians have been exposed to parliamentary democracy however limited.

- He finds that progressive constitutional reforms have been introduced in India and Indians have shaped these constitutional reforms to a great extent.
- The diversity and plurality obtaining in India, he felt that even small groups could find representation, limited though it might be, in the legislative bodies.

A presidential form of democracy, he felt, was likely to benefit the privileged section with their capacity to net work over large part of the country. He did not support to make very sympathetic and decentralization of power. In fact, he continued to believe although in a strong state. He felt that decentralization of power was more likely to benefit the established vested interests of caste, community and class.

Negatively, he identified Brahmanism as upholding values hostile to democracy, he fostered agitation against it and suggested alternative ways of looking at traditions, Buddhism and conducive, to a democratic way of life, he challenged modern forms of authoritarianism, including Gandhi and felt that they basically reinforced values and attitudes not conducive to democratic temper. Positively, Ambedkar suggested the constitution of political power based on popular sanction with one man as one value, accountability of power under the rule of law, majoritarianism with appropriate protection to minorities, education and organization of people for forceful but non-violent struggle and developing values and attitudes in the family and institutions conducive to democracy. Therefore, which he wanted democracy to work towards socialism he



always wanted to have its basis in a regime of rights.

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## Ambedkar and Social Justice in Contemporary India

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**Abstract:** *The concept of social justice is removing inequalities and affording equal opportunities to all citizens in social, economic and political affairs. India is searching ways for a better and just socio-economic order. Recent trends in Globalization, Urbanization, Mobilization of the poor in search of better life conditions and social justice movements compel us to think afresh. Social justice is an application of the concept of distributive justice to the wealth, assets, privileges and advantages that collect within a society. It is a revolutionary ideal. It includes both the economic justice and social justice. It is unfortunate that even sixty years after independence social justice is still a distant dream. Social justice has a significance in the context of Indian society which is divided into Castes and Communities and they create walls and barriers of exclusiveness on the basis of superiority and inferiority such inequalities pose serious threat to Indian democracy. The Scheduled Castes, Scheduled Tribes and women had suffered for centuries without education and opportunities for advancement in life. If opportunities are not given to develop their neglected talents there will be social imbalance and tension resulting in disorder and disobedience to the rule of law. Social justice may be defined as "the right of the weak, old, poor, women, children and other under-privileged persons". As Ambedkar was the chief architect of the Indian Constitution, he was aware of the pattern and problems of the Indian society. Ambedkar is also one of the supporters of social justice in modern India. According to Ambedkar, the term "social justice" is based upon equality, liberty and fraternity of all human beings. The aim of social justice is to remove all kinds of inequalities based upon caste, race, sex and power. The social justice brings equal distribution of the social, political and economic resources of the community.*

**Key words:** *social, political and economic resources, Ambedkar, social justice*

### Narration

The concept of social justice is removing inequalities and affording equal opportunities to all citizens in social, economic and political affairs. India is searching ways for a better and just socio-economic order. Recent trends in Globalization, Urbanization, Mobilization of the poor in search of better life conditions and social justice movements compel us to think afresh. Social justice is an application of the concept of distributive justice to the wealth, assets, privileges and advantages that collect

within a society. It is a revolutionary ideal. It includes both the economic justice and social justice.

It is unfortunate that even sixty years after independence social justice is still a distant dream. Social justice has a significance in the context of Indian society which is divided into Castes and Communities and they create walls and barriers of exclusiveness on the basis of superiority and inferiority such inequalities pose serious threat to Indian democracy.



The Scheduled Castes, Scheduled Tribes and women had suffered for centuries without education and opportunities for advancement in life. If opportunities are not given to develop their neglected talents there will be social imbalance and tension resulting in disorder and disobedience to the rule of law. Social justice may be defined as "the right of the weak, old, poor, women, children and other under-privileged persons".

As Ambedkar was the chief architect of the Indian Constitution, he was aware of the pattern and problems of the Indian society. Ambedkar is also one of the supporters of social justice in modern India. According to Ambedkar, the term "social justice" is based upon equality, liberty and fraternity of all human beings. The aim of social justice is to remove all kinds of inequalities based upon caste, race, sex and power. The social justice brings equal distribution of the social, political and economical resources of the community.

The contents of Ambedkar's concept of social justice included unity and equality of all human beings, equal worth of men and women, respect for the weak and the modest, regard for human rights, kindness, mutual love, sympathy, tolerance and charity towards fellow being. He had deep faith in fundamental human rights in the equal rights of men and women, in the dignity of the individual in social economic justice in the promotion of social progress and better standards of life with peace and security in all spheres of human life.

Ambedkar had a great visionary, he always thought far ahead his contemporaries, he rightly identified that the progress of the community is

measured by progress of women. According to Ambedkar, women were treated as mere tools to bear the burdens of the family, restricted to the role of bearing children and fulfilling duties of a wife or mother any. Division of labour is not in their favour, as a result Indian women have lost their identity. They have to face discrimination on gender basis and because of this availability of equal opportunity for remains a dream of them. Poverty, illiteracy lack of health and inequality of class of status are associated with them.

The preamble of the Indian Constitution is the mirror of social justice. It provides social, economic and political justice to the citizen of sovereign, socialist, secular, democratic, republic of India. The first task of the Assembly was to formulate the objectives and the guiding principles of Indian Constitution. Therefore the resolution of the preamble and objective of the Constitution was discussed in the Constituent Assembly for nine days from December 13 to 19 and January 20 and 22 of 1947.

Dr. Ambedkar felt that social justice alone could lead to social harmony, social stability and patriotic feelings. He brought dignity to the lives of the so-called untouchables what other social and religious reformers tried and failed to bring for centuries. He was one of the most educated persons of all politicians of his time with multiple degrees from India and Abroad and wrote several books and articles to put forth his theories for the problems facing India at that time.

The issues of social justice is affected various developmental policy as well as whole development of social



welfare programme. According to Ambedkar, his Justice is based on moral values and self respective. Justice situates through social, political and economic justices which regulated by the Indian constitution.

Even today the caste factor is dominant in every sphere of life of the people of this country. Ambedkar's struggle for Social Justice, both in pre-Independent India, and in Constituent Assembly and more importantly to ponder over its continued relevance today is always an enriching exercise. At the end of the nineteenth century, the term "social justice" was used as an appeal to the ruling classes to attend to the needs of the new masses of uprooted peasants who had become urban workers. Social justice became a major concern in the early years of the twentieth century.

In the writings of most contemporary political philosophers, social justice is regarded as an aspect of distributive justice and indeed the two concepts are often used interchangeably. Social justice rightly understood is a specific habit of justice that is "social" in two senses. First, the skills it requires are those of inspiring, working with, and organizing others to accomplish together a work of justice. The second characteristic of "social justice rightly understood" is that it aims at the good of the society, not at the good of one agent only. Citizens may join together to start a school or build a bridge. One significant characteristic of this definition of the virtue of social justice is that it is ideologically neutral.

Social justice is a virtue and an attribute of individuals. The roots of social justice lie in the thought process of Enlightenment. The development of a

scientific and rational viewpoint led to corresponding changes in the social thought process. Man was born free with equal rights and dignity. Hence, all sorts of bondages imposed on him by society on the basis of birth, colour, creed or sex must not exist.

Social Justice includes economic justice. It is the virtue which guides us in creating those organized human interactions which we call institutions. Social justice is also equated with equality, liberty and dignity which are essential for social justice.

Ambedkar cited that untouchability was unique in Indian society. Even the British Government had not done any good for improving the troubles of untouchables. They had also denied them the political rights. He said that untouchables were:

- Socialized in such a way as to never to complain of their low status.
- Never allowed to dream of improving their lot by forcing the other castes to treat them with common.
- Made to think that they had been born so low that their fate was anything but irrevocable.
- Given to believe that nothing could ever persuade them that they have the right to insist on better treatment than that meted out to them.

Ambedkar never failed in highlighting that the untouchable was prohibited from using the public road. If some high caste man happened to cross him, he had to be out of the way and stand at such a distance that his shadow



will not fall on the high caste man. Helplessness made the untouchables live like slaves in Hindu society. The charter of fundamental rights and the Directive Principles of State Policy sought to incorporate the ideas of Human Rights in the constitution of India.

Ambedkar always felt bad about the fact that because of the ignorance, innocence and utter submissiveness, the untouchables were suffering the injustices. As they were not conscious of the heritage acquired by the humanity they made their position terrible, helpless, and therefore, they kept facing the difficulties of food, cloth and shelter. In the midst of plenty, the untouchables remained poverty stricken.

Such kind of injustice prevailed in India for centuries because according to Ambedkar the untouchables lacked social conscience.

Plato defined social justice as, "the principle of a society consisting of different types of men... who have combined the impulse of their need for one another and their concentration on their combination in one society and their concentration on their separate functions, have made a whole which is perfect because it is the product of image of the whole of the human mind."

John Rawls set out a theory of Justice as it applies to institutions and practices. It is based on the notions of fairness and reciprocity. John Rawls developed the following principles of justice:

- Each person is to have an equal right to most extensive basic liberty compatible with similar liberty for others.

- Social and economic inequities are arbitrary unless they are reasonably expected to be to the advantage of the representative man in each income class.
- Inequalities are to attach to positions and offices equally open to all.

It is a fact that Babasaheb Dr. Ambedkar did not propound any specific definition or theory of "Social Justice" per se. His thoughts are eloquently portrayed in his writings and speeches published posthumously. On the basis of these we can easily argue that Ambedkar has mentioned multiple principles for the establishment of an open and just social order in general and Indian society in particular. Therefore with the help of these elements we can carve out a theory of social justice, what can then be then referred as Ambedkar's theory of Social Justice. We can extract five basic principles, from writings and speeches of Ambedkar, through which justice can be dispensed in the society. These are:

- Establishing a society where individual becomes the means of all social purpose.
- Establishment of society based on equality, liberty and fraternity.
- Establishing democracy-political, economic and social.
- Establishing democracy through constitutional measures.
- Establishing democracy by breaking monopoly of upper strata on political power.



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## Ambedkar and Social Justice in Contemporary India

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**Abstract:** *Ambedkar felt that, if the lower strata of the Indian society which is interested in blowing up the caste system is educated, the caste system will be blown up. Giving education to those who want to blow up caste system will improve prospect of Democracy in India and put Democracy in safer hands. To him, it is very important to educate the poor masses and develop in them a genuine sense of political consciousness and constitutional temper. Their education means the maintenance of democracy and political order in peace and justice'.*

**Key words:** *Democracy, political consciousness, constitutional temper*

### Introduction

The life of Baba Saheb Bhimrao Ramji Ambedkar (14 April 1891 - 6 December 1956) is a saga of his rise from dust to glory and from the lowest social hierarchical order to the position of the 'architect of Indian Constitution' for which the University of Columbia conferred on him the degree of LL.D (honoris causa) in 1952. It also provides insight into his long and often bitter struggle for breaking the tyranny of caste in Hindu society and raising the position of the down-trodden.

### Ambedkar and Social Justice

Dr. Ambedkar's vision of Social Justice emanates from his quest for a 'Just Society', which is based on the idea of a casteless society. It was his constant search for a just social order, incredible hard work and unflinching belief in self help and self dependence that took him to the infallible heights where he had to be acknowledged and recognized by one and all as the crusader against the social evils, the liberator of the down trodden and also the architect of the Indian Constitution. The Indian society of Dr.

Ambedkar's time denied equality by granting special privileges to Brahmins and other higher castes and denying the shudras the right to own property and to educate and protect them. They did not have liberty to read, write, worship and also to pursue a vocation and own property. In the absence of freedom and equality, the social system encouraged confinement and compartmentalization. As a result, there was complete absence of fraternity besides equality and liberty - the trinity which constitute social justice in the views of Dr. Ambedkar. He firmly believed that justice couldn't be conceived in absence of any of the three.

In this special commemorative volume of 'World Focus' on Dr. B. R. Ambedkar & Social Justice: National and Global Perspective, an effort has been made to explore Dr. Ambedkar's ideas for bringing out the essence of his visionary conceptualization of social justice and their relevance in contemporary national and global scenario through an analysis of his various theoretical propositions, which are dispersed in his writings on caste system, Hindu social order, equality, liberty, fraternity, human





rights, social democracy, law, religion, the State and the minorities. The aim is to locate these ideas on a systematic terrain as well as to critically assess them in the contemporary context.

Recalling Dr. Ambedkar's struggle for Social Justice, both in pre-Independent India, and in the Constituent Assembly and more importantly to ponder over its continued relevance today is always a rewarding and satisfying exercise. A modest effort has been made here to put together the immensely relevant yet highly comprehensive views of Dr. Ambedkar brought out by the contributors to this volume so as to construct his vision of social justice in the contemporary national and global perspective.

The road to social justice in the opinion of Ambedkar was to be led by education. He firmly believed in the efficacy of education as a panacea for the social evils and injustice because the problem of social injustice in India is not only economic but also cultural. Here, it is not enough to house the untouchables/deprived sections of society, feed them and then leave them to serve the higher classes as was the ancient ideal of this country. It was even more necessary to remove from their minds/psyche that feeling of inferiority which has shunted their growth and made them slaves of others and to create in them a consciousness of significance of life for themselves and for their country of which they have been cruelly robbed by the Indian social order. Ambedkar was convinced that nothing could achieve this better than the spread of higher education and the fact remains as true in present times as it was when Ambedkar wrote.

Social justice – a categorical imperative for establishing social harmony can be achieved only by a general development and empowerment of the masses of the underprivileged and deprived sections of our society, the poorest of the poor as they are. For this, jobs and education are extremely important as Ambedkar emphasized. But, for justice Krishna Iyer, equality and homogeneity – the two pillars of social justice would remain a far cry if the landless Dalit is not given land, the penniless pariah is not given opportunity to start small scale factories, the bonded woman is not liberated from servitude so as to enable her to pursue a vocation and the Dalit youth, often illiterate and disorganized and drawn into delinquent and destitute situations, are given effective opportunities to enter the professional echelons and public services in large numbers.

Regarding Indian society, Ambedkar felt that, if the lower strata of the Indian society which is interested in blowing up the caste system is educated, the caste system will be blown up. Giving education to those who want to blow up the caste system will improve the prospect of Democracy in India and put Democracy in safer hands. To him, it is very important to educate the poor masses and develop in them a genuine sense of political consciousness and constitutional temper. Their education means the maintenance of democracy and political order in peace and justice'. He thought so highly of education that in his tri-worded slogan – Educate, organize, and agitate, he gave top priority to it.

Ambedkar fought against caste and injustice. He struggled hard to create human rights. He wanted to vitalize the conscience of the people and



to mobilize the masses in India, for equal human rights. His ultimate aim of life was to establish a real social democracy. To him, 'A Democratic form of Government presupposes a Democratic form of Society. The formal frame-work of Democracy is of no value and would indeed be a misfit if there was no social democracy'. The political leaders never realized that Democracy was not only a form of government; it was essentially a form of Society.

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- [3] Willoughby, *Social Justice*, p.7.
- [4] See, for instance, J. Rawls, A Theory of Justice, Cambridge, Mass: Harvard University Press, 1971, in which he talks indiscriminately about justice, distributive justice and social justice.
- [5] Michael Novak, *op. cit*, p.11.
- [6] See, for instance, J.Y. Calvez and J. Perrin, *The Church and Social Justice*, London: Burns and Oates, 1961, Chap. 6; and L.W. Shields, *The History and Meaning of the Term Social Justice*, Ph.D. Diss., University of Nottre Dame, Indiana, 1941, Chap. 3.
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## Human Rights Under United Nations

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**Abstract :** *The UN charter recognize that everyone has the right to lake part in the Government of his country directly or indirectly through freely chosen representative. Equality is the cornerstone of every civilized society which aspires to democracy, social justice and human rights. The United Nations charter was the first Global treaty which called for equality between women and men. This commitment was openly debated at the Global level in the quest for the full enjoyment by women of their human rights. Among the international human rights treaties, the Convention takes an important place in bringing the female half of humanity into the focus of human rights concerns. The spirit of the Convention is rooted in the goals of the United Nations: to reaffirm faith in fundamental human rights, in the dignity, and worth of the human person, in the equal rights of men and women. The Convention establishes not only an international bill of rights for women, but also an agenda for action by countries to guarantee the enjoyment of those rights.*

**Key words:** *UN charter, human rights, equal rights*

### Introduction :

The UN charter, in its preamble, declared their faith in the fundamental human rights, in the dignity and worth of human person in the equal rights of men and women and of nations large and small. The UN charter goes on to proclaim that one of the purposes is to achieve International cooperation in promoting and encouraging respect for human rights and fundamental freedoms for all people without distinction as to race, sex, language or religion. The provision of the charter regarding equal right of women have been further refined and developed in a great number of International human rights instruments by adopting International laws and treaties on women's rights. The UN has set a common standard for measuring how societies advance equally between men and women. The UN charter recognize that everyone has the right to take part in the Government of his

country directly or indirectly through freely chosen representative. It has equalize the status of men and women in the enjoyment and exercise of political rights in accordance with the provision of the United Nations and of the universal declaration of human rights Women shall be entitled to vote in all elections on equal terms with men without any discrimination.<sup>1</sup> Women shall be eligible for election to all publicly elected bodies, established by national law, on equal terms with men, without any discrimination.<sup>2</sup> They will be entitled to hold public office and to exercise all public functions established by national law on equal terms with men without any discrimination.<sup>3</sup>

### Measures to Eliminate All Forms of Discrimination Against Women

The Convention on the Elimination of all forms of Discrimination against Women, adopted



in 1979 by the UN General Assembly, is often described as an international bill of rights for women. Consisting of a preamble and 30 articles, it defines what constitutes discrimination against women and sets up an agenda for national action to end such discrimination.

According to the Convention, discrimination against women is "...any distinction, exclusion or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on a basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field.":

By recognizing the Convention, States commit themselves to undertake a series of measures to end discrimination against women in all its forms, including:

- To incorporate the principle of equality of men and women in their legal systems, abolish all discriminatory laws and adopt appropriate ones prohibiting discrimination against women;
- To establish tribunals and other public institutions to ensure the effective protection of women against discrimination; and
- To ensure elimination of all acts of discrimination against women by persons, organizations or enterprises.

The Convention was the culmination of more than thirty years of work by the United Nations Commission on the Status of Women, a body established in 1946 to monitor the situation of women and to promote women's rights.

Among the international human rights treaties, the Convention takes an important place in bringing the female half of humanity into the focus of human rights concerns. The spirit of the Convention is rooted in the goals of the United Nations: to reaffirm faith in fundamental human rights, in the dignity, and worth of the human person, in the equal rights of men and women. The Convention establishes not only an international bill of rights for women, but also an agenda for action by countries to guarantee the enjoyment of those rights.

In its preamble, the Convention explicitly acknowledges that "extensive discrimination against women continues to exist", and emphasizes that such discrimination "violates the principles of equality of rights and respect for human dignity". As defined discrimination is understood as "any distinction, exclusion or restriction made on the basis of sex... in the political, economic, social, cultural, civil or any other field."<sup>9</sup> The Convention gives positive affirmation to the principle of equality by requiring States parties to take "all appropriate measures, including legislation, to ensure the full development and advancement of women, for the purpose of guaranteeing them the exercise and enjoyment of human rights and fundamental freedoms on a basis of equality with men."<sup>10</sup>

The legal status of women receives the broadest attention. Concern over the basic rights of political participation has not diminished since the adoption of the Convention on the Political Rights of Women in 1952. Its provisions, therefore, are restated in article 7 whereby women are guaranteed the rights to vote, to hold public office and to exercise public functions. This includes equal rights for women to



represent their countries at the international level." The Convention on the Nationality of Married Women - adopted in 1957 - is integrated under article 9 providing for the statehood of women, irrespective of their marital status. The Convention, thereby, draws attention to the fact that often women's legal status has been linked to marriage, making them dependent on their husband's nationality rather than individuals in their own right. Articles 10, 11 and 13, respectively, affirm women's rights to non-discrimination in education, employment and economic and social activities. These demands are given special emphasis with regard to the situation of rural women, whose particular struggles and vital economic contributions, as noted in article 14, warrant more attention in policy planning. Article 15 asserts the full equality of women in civil and business matters, demanding that all instruments directed at restricting women's legal capacity "shall be deemed null and void". Finally, in article 16, the Convention returns to the issue of marriage and family relations, asserting the equal rights and obligations of women and men with regard to choice of spouse, parenthood, personal rights and command over property.

The Committee on the Elimination of Discrimination against Women (CEDAW): Convened for the first time in 1982, CEDAW is the treaty monitoring body for the Convention on the Elimination of All Forms of Discrimination against Women. It examines compliance with the Convention's provisions by States parties (currently 158). The Committee is composed of 23 independent experts, who are elected by those countries that have

ratified the Convention. Members of the Committee, who are persons of high moral standing and competence in the field covered by the Convention, serve for a term of four years and may be re-elected. The Committee can suggest specific measures as well as make general recommendations to the States parties on eliminating discrimination against women. The Committee reports annually on its activities to the General Assembly through the Economic and Social Council.

The Committee on the Elimination of Discrimination against Women is the mechanism established to monitor implementation of the Convention on the Elimination of All Forms of Discrimination against Women, its work in reviewing States parties' reports and in preparing general recommendations, and its contributions to international conferences and other events is essential to ensuring the enjoyment by women of their human rights.

### **Women's Human Rights**

The Platform for Action reaffirms that all human rights of women throughout the life cycle- civil, cultural, economic, political and social, including the right to development - are universal, indivisible, interdependent and interrelated, as expressed in the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights. The Conference reaffirmed that the human rights of women and the girl child are an inalienable, integral and indivisible part of universal human rights. The full and equal enjoyment of all human rights and fundamental freedoms by women and girls is a priority for Governments and



the United Nations and is essential for the advancement of women. They specifically highlighted human rights violations, such as violence against women, that are particular to women or gender-specific, and made clear that women's human rights are subject to violations in all spheres. Many women face additional barriers to the enjoyment of their human rights because of such factors as their race, language, ethnicity, culture, religion, disability or socio-economic class or because they are indigenous people, migrants, including women migrant workers, displaced women or refugees. At present, three mechanisms deal with women's human rights as their primary concern: the Commission on the Status of Women, the Committee on the Elimination of Discrimination against Women and the Special Rapporteur on violence against women.

In recent years, the Commission on Human Rights has emphasized the need to integrate the human rights of women into the mainstream of the United Nations human rights regime. In accordance with the mandate, the United Nations High Commissioner for Human Rights has the responsibility of protecting the effective enjoyment by all of all civil, cultural, economic, political and social rights.<sup>24</sup> In his activities, the High Commissioner has given special importance to promoting the equal status of women and respect for the human rights of women. The basic human rights treaties such as the International Covenants on Human Rights not only contain anti-discrimination provisions, but also identify areas of specific gender discrimination that require that States parties enact legal and administrative measures, including affirmative action, to

achieve equality between men and women. The ratification and implementation of all human rights treaties would thus directly assist in promoting respect for women's rights.

### **Violence against Women**

Violence against women both violates and impairs or nullifies the enjoyment by women of human rights and fundamental freedoms. Taking into account the Declaration on the Elimination of Violence against Women and the work of Special Rapporteurs, gender-based violence, such as battering and other domestic violence, sexual abuse, sexual slavery and exploitation, and international trafficking in women and children, forced prostitution and sexual harassment, as well as violence against women, resulting from cultural prejudice, racism and racial discrimination, xenophobia, pornography, ethnic cleansing, armed conflict, foreign occupation, religious and anti-religious extremism and terrorism are incompatible with the dignity and the worth of the human person and must be combated and eliminated. Any harmful aspect of certain traditional, customary or modern practices that violates the rights of women should be prohibited and eliminated. Governments should take urgent action to combat and eliminate all forms of violence against women in private and public life, whether perpetrated or tolerated by the State or private persons.

The primary victims of today's wars are civilian women and their children, not soldiers. The use of rape as a weapon of war has become more evident. In Rwanda from April 1994 to April 1995, estimates of the number of women and girls raped range from 15,700



to over 250,000. Worldwide, 20 to 50 per cent of women experience some degree of domestic violence during marriage. Each year an estimated two million girls suffer the practice of female genital mutilation.

The issue of violence against women and girls must be considered one of the greatest challenges in the coming decade. Violence against women exists in epidemic proportions in many countries around the world. In surveys conducted in various countries, between 10 and 69 percent of women reported having experienced domestic violence. By region, 10-35 percent of women in Latin America and 13-45 percent of women in sub-Saharan Africa have experienced physical intimate partner violence at some time in their lives. Non-intimate partner sexual violence also shows high global prevalence, with at least one in five women suffering rape or attempted rape during her lifetime. Worldwide, it is estimated that violence against women is a serious cause of death and incapacity among reproductive — age women as is cancer, and it is a more common cause of ill-health among women than traffic accidents and malaria combined. The disempowering effects of violence against women are enormous.

Making progress since the women's conference, several countries have followed up their commitments with concrete measures to advance the status of women, examples of some recent action include:

Canada has introduced budgetary reforms benefiting women. Mexico has approved a national programme for women to promote equality. China is providing practical training to 10 million women in poor areas. In the USA, the president's interagency council on women

has been formed and a \$ 1.6 billion six-year programme has been launched to fight violence against women. In Japan, a Council for Gender Equality has been set up to formulate long-term policies on gender. Cote d'Ivoire has set up a bank to extend credit to women. Many countries have adopted legislative measures to protect women's rights

The required policy framework for gender equality and empowerment of women is already in place; it is not more recommendations that we need. The Platform for Action contains many critical commitments which have yet to be implemented at national level. In most cases the legislative changes, policies, programmes and activities which are needed to ensure full implementation of the goals of the United Nations on gender equality and the empowerment of women are already well known.

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3. Ibid; Article 3
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5. There are innumerable titles from this period, but the chief stimulus was Ester Boserup, *Woman's Role in Economic Development* (New York; St Martin's Press, 1970).
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7. According to the annual review of its status published by Andrew Byrnes, the Women's convention is subject to more reservation than any other, and the UK has entered more than any other country CEDAW annually repeats the urgent necessity for governments to lift these reservations to ensure that its spirit and function are respected.
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## Human Rights in a Third World : an overview

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**Abstract** : The present essay is an attempt at examining the concept and perspectives of human rights since the inception. An attempt will be made to trace the philosophical foundation of human rights since the days of Plato to the present and provide a perspective for the twenty-first century in the light of Third World experience. Therefore, the second section will deal with the history of human rights thinking. This will provide us with the insight about how human rights have been akin to the inherent desire for a dignified existence of human beings in the society. The third section will deal with human rights and democracy. In this section we will examine how, over the centuries, the quest for dignified living has led to the evolution of a system called democracy that can enable every body to live equitably and with dignity. The fourth section will deal with the problem of enforcing human rights in the context of third world societies. The final section will provide some concluding remarks. The essay, however, will be impressionistic in analysis.

**Key words:** protect human, exploitation, Philosophers

### Introduction

Since the dawn of civilization there has been some concerted effort to protect human beings from exploitation. Philosophers have attempted to articulate these protection mechanisms in the light of their ideas. In fact, the whole intent and purpose of human thinking is to provide protection to individuals from the rapacity of human beings. The middle of twentieth century, however, has witnessed a momentous change in the development of protection of individual in various shapes and shades.<sup>1</sup> The present century has further vindicated the need to strengthen such protection due to the massive development in the realm of science and technology that emaciates common people and makes power wielders more powerful.<sup>2</sup> In this context, the growth of the concept of Human Rights provides a fundamental basis for the sustenance of a harmonious living of individuals in the society.<sup>3</sup> This has come to occupy a

preeminent place not only in the social science literature but also in the society in general. Of late, the study of Human Rights has come to reckon itself as a separate discipline in Social Sciences.<sup>4</sup>

One element that is central to the concept of protection of individuals is the extent of state activity vis-a-vis individual. The relationship between state and individual provides the key basis for the protection of individuals and their rights.<sup>5</sup> The growth of social science, ever since the days of Sophocles (495-406 B.C.), has been focused on finding some balance between the state and individual. Successive Junkers have tried in their own ways to ensure protection to individuals from the exploitation by the ruler, notwithstanding whatsoever power they might entrust to the ruler for ensuring stability and security. This century, however, has reached the culminating point where democracy is the bye-word and human rights have become synonym of democracy.





The present essay is an attempt at examining the concept and perspectives of human rights since the inception. An attempt will be made to trace the philosophical foundation of human rights since the days of Plato to the present and provide a perspective for the twenty-first century in the light of Third World experience. Therefore, the second section will deal with the history of human rights thinking. This will provide us with the insight about how human rights have been akin to the inherent desire for a dignified existence of human beings in the society. The third section will deal with human rights and democracy. In this section we will examine how, over the centuries, the quest for dignified living has led to the evolution of a system called democracy that can enable every body to live equitably and with dignity. The fourth section will deal with the problem of enforcing human rights in the context of third world societies. The final section will provide some concluding remarks. The essay, however, will be impressionistic in analysis.

### **Human Rights and Democracy**

The evolution of democracy and human rights has been in tandem though, the two seem to compete and compliment with each other in ensuring freedom to individuals. The history of the evolution of human rights is the history of the growth of democracy in the world. While democracy has been the arrangement to enable individuals to enjoy human rights, lately human rights became a universal principle, notwithstanding whether it is a totalitarian or democratic society. Individuals have come to enjoy specific rights that are inalienable. The arrangement of democracy may

strengthen these rights, but dictatorial regimes also have come to accept certain inalienable rights for their citizens that were nonexistent in the middle-ages. The later part of 20<sup>th</sup> century, however, witnessed a tremendous growth in the clamor for democracy and human rights. Following decolonization and the emergence of more number of nation states, democracy and human rights gained wider currency. In the colonial times and before, democracy was prevalent in the western societies. Human rights came into existence in its first generation as a result of the elimination of authoritarianism and adoption of democracy.<sup>11</sup> The present century, in fact, has to celebrate the demise of authoritarianism and the onward march of democracy and human rights.

Today human rights have crossed the frontiers of the nation state and have assumed international dimensions. With the increasing democratization of the international system and greater involvement of non-nation state actors, there is a greater credence to human rights.

The most important aspect of the 21<sup>st</sup> century democracy is that it is no longer restricted itself to the political aspect of the society. It has spawned into other areas with greater force, mainly economic and cultural aspects. With the erosion of nation states and rise of multinational institutions in the economic, social, cultural and security sphere, human rights have become key components for the sustenance of liberal democracy. The rights of individuals are ensured not only through nation states but due to the entrenchment of multilateral institutions in these societies. Here questions may be asked as



to the universal character of human rights paradigm. Despite the contributions from all spectrums of humanity, there are still doubts about its acceptance by everybody, both from the western as well as eastern world. No matter whatever differing perspectives that might exist in the human rights paradigm there is a bottom-line, that need to accepted by all. Democracy has assumed a new dimension and so does human rights in its own way due to the differing perspectives.

The challenge of this century, however, is to make a balance between the movement for human rights and the rise of international terrorism (Prabha, 2000; Chitkara, 2001). It is more so in the newly emerging societies. The compromise between providing security to the citizens and ensuring human rights has to be carefully guarded. The western societies have also witnessed the crisis of democracy and human rights in the context of the rising terrorism. Individual freedom is curtailed for the sake of state security. The measure of curtailment may not be antithetical to human rights paradigm, but there is greater degree of restriction today, than a few decades earlier. In this context, it is relevant that we discuss<sup>1</sup> human rights in third world countries in the next section.

### **Human Rights and the Third World**

As the third world societies are embarking on the path of development, the process of democratization and economic growth seems to run counter to each other in most of the countries. There was a compromise of sorts in the beginning of decolonization though. With greater prosperity, however, there is an increasing clamor for more freedom and

democracy. In the march towards development the biggest casualty is human rights. Despite the efforts by the international institutions and international community, there is a tardy growth in the advancement of human rights in these societies.

Further, the emergence of international terrorism as a weapon to gain political power by the disgruntled elements in the developing societies of the east as well west has threatened the prospects of human rights in these societies. There is also the increase in the demand for self-determination by many communities in many countries. These communities most often use violence to achieve their goals. There is a thin line of wedge, however, dividing terrorists and freedom fighters. In the case of the former the fear and violence caused do damage to the intent and purpose of the objective and ideology they pursue. In the later case too the method of violence for the sake of self-determination also does bring much harm to their goals and objective. This, in any case, brings a lot of damage. The regime in power takes the advantage and engages in human rights violations for protecting its loyal citizens.

Besides the slow pace of growth of democracy and human rights in the third world societies, there is the problem of interpretation of the universal nature of the western perspective of human rights.<sup>13</sup> Principally the problem emerges from the use of the bogey of human rights by the western powers to bully third world countries. It is often believed that the rich countries use the human rights violations as a pretext to further their economic ends. Still more interesting is that the western world is



unmindful of human rights abuses in those countries that cater to their economic and security interests. There seems to be a double standard in the use of human rights as a weapon for furthering liberal democracy.

The fundamental issue that bothers the third world societies is that given the structural difficulties, too rigid adherence to the western human rights programs would stifle the development process. Rigid adherence of human rights pursuit in the third world countries also opens the floodgate for numerous groups and communities to fight for separate political entities. In the name of self-determination there would be chaos of sorts in these societies. The writ of the centralized state apparatus will erode and progress may be thwarted. The ultimate objective of freedom from want and privation, which is the basic human rights concern, will be lost. This does not imply that the pursuit of human rights in the third world should be abandoned altogether. Issues such as environment and labor standard in the context of third world situations would deprive the majority of people of the basic needs of livelihood. Poverty and unemployment make it difficult to conform to these newly emerging issues of human rights discourse. A middle path has to be found in order to ensure the basic needs of livelihood and minimum human rights for the citizens in the third world societies.

Another important dimension of human rights pursuit in the third world societies is the need for the growth of institutions and structures. There are some countries where the mechanisms for governance are still to be evolved. There are also some societies where the writ of the government over the entire

political system is yet to be felt. There are many less-developed countries where paucity of resources makes it difficult even to run the government, let alone enforcing human rights. These difficulties, however, do not make it an excuse for human rights violation nor do they entitle them to shy away from basic human rights obligations. Nevertheless, these are some of the issues that stand in the way of realizing the objective human rights paradigm in the third world societies.

### Conclusion

The discussions in the previous section drive home the need to have a new dimension to the discourse on human rights. There is no doubt that the foregoing sections highlight the growth and development of the concept of human rights since the ancient times till date. Theoretically, there is a formidable growth in the literature on human rights though. They are based on western institutions and structures. The perspective is also western oriented, although they seem to characterize universality. The fundamental problem with the so-called universal nature of the human rights paradigm is that it is not sensitive to the third world issues. For the west, it is human rights per se that is inseparable from modern polity. For the third world, however, development is the main concern, although human rights constitute an important aspect of it. There are some compromises which need to be reckoned when development is blended with human rights. Eradication of poverty and unemployment are the key elements of third world political process. For the sake of human rights people in the third world can not remain deprived of their basic needs, which, of course, is also one dimension of human rights.



There is no denying that modernity renders harmonization of cultures. The challenge is, now, how to modernize the third world societies and at the same time retain the respective cultural aspects. This has a direct impact on the discourse on human rights. Thus, the human rights paradigm needs a shift in its thrust to accommodate the third world sensibilities. There is a need to recast the human rights paradigm to make it really universal in character.

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## Electoral Reforms In India

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**Abstract** : *Electoral reforms Have been an issue of intense debate in contemporary India, particularly in the last two decades. The recent growth in electoral malpractices and the fact that none of the serious proposals for electoral reforms have ever got implemented have kept the issue alive. This has been a cause for concern for the election authority, political parties and the public in general. In view of this, it is appropriate to examine the working, on the basis of experience, and ascertain the distortions and search for legal, administrative measures to eliminate them.*

**Key words**: *political parties, Electoral Law, Constitution of India*

### Introduction:

The Constitution of India provides for a permanent and independent body, the Election Commission of India, and vests in it the 'superintendence, direction and control of the preparation of electoral rolls for the conduct of all elections to Parliament and to the Legislature of every State and of elections to the offices of the President and Vice-President' (Article 324). The Commission may have one or more than one member to be appointed by the President, i.e., the Executive. The Chief Election Commissioner enjoys a constitutional protection in manner of removal from the position, which requires parliamentary impeachment [Article 324(5)]. Apart from the Commission, the Constitution or the law does not provide for any other permanent structure to administer the elections. Administrative Officers at the State and district level are assigned additional charge to look after the elections; some of them are temporarily deputed to the Election Commission during the period of the general elections. In balance, this semi-autonomous and technically weak institutional apparatus has served the

Indian democracy better than many other institutions (e.g. the office of the Speaker, the UPSC or middle rung judiciary). This is not to deny that there have been a number of serious complaints of irregularities and partisanship involving the Election Commission but merely to recognise that the Election Commission has norm or where corruption begins from the top. The district and lower level functionaries are, of course, a different matter. In a number of States the partisanship of the local functionaries has become a regular feature. The paper discusses the major areas of electoral reform, the measures taken by the Election Commission and various proposals that have been put forth in various forums for ensuring free and fair elections and representatives of the elected candidates.

### Election Financing

In spite of the recommendations to curb the role of money power, the ground realities have defined a contrary movement, especially as regards the ceiling of expenditure. The Indian Electoral Law, under Section 77 of the Representation of the People Act, 1951,



requires that all candidates should disclose the correct account of all the expenditure incurred in connection with the elections and that they are bound to submit the accounts between the day on which they have been nominated for election and the day of declaration of the result thereof. Furthermore, Section 123(6) of the Act defines incurring of excessive expenditure in elections as a corrupt practice. It also lays down a limit on expenditure on elections. The spirit of the above section can further be seen in Section 78(1) of the Representation of the People Act, 1951. The maximum amount of election expenditure, which may be incurred by the candidate in various States, has been laid down under Rule 90 of the Conduct of Elections Rules, 1961. It specifies that mere non-disclosure of expenditure is not a corrupt practice but becomes so as it amounts to an expenditure in excess of the prescribed amount and contravention of Section 77 (1 & 2) of the Representation of the People Act, 1951, which falls within the ambit of Section 123 Clause 6.

In addition, failure to furnish an account of election expenses within the time limit prescribed under Section 77(6) of the Act, 1951 can lead to disqualification of membership to the Parliament or State Legislature, which is enforced by the President of India after seeking the opinion of the Election Commission. The President here acts in his/her capacity of a constitutional authority, to discharge constitutional obligations. But, according to Section 10A of this Act, the Election Commission itself has the right to disqualify a candidate, if it is satisfied that s/he has failed to submit an account of the expenses incurred within the specified time limit and in the manner required by

the Act. In fact, under Section 77 of the Act, the election returns are to be filed within 30 days of the publication of results. All accounts of election expenditure and other expenses are to be filed by the candidate with the concerned District Election Officer (DEO), as stipulated under Rule 89(1) of the Conduct of Election Rules 1961 and each District Election Officer is required to send his/her report about the filing of such accounts to the Election Commissioner's office. On receipt of this report from the District Election Officer, the Election Commission scrutinises the account. In cases of default, it issues notification to the candidates about their disqualification under section 10A of the Representation of the People Act, 1951, but before doing so, the Election Commission provides ample opportunity to the candidates to represent their cases. Valid for 3 years from the date of the order, the disqualification notification under Section 10A has to be published in the official gazette. In the final analysis, one of the most pressing needs of Indian democracy today is a certain level of institutionalised funding of elections. But this should, as far as possible, be in kind, to assist better monitoring and implementation. Furthermore, it should be adequate, for its purpose would otherwise be defeated; as, the main purpose of state funding is not only to reduce the cost of elections but also to curb illegal ways of political financing of elections, which are at present rampant. In fact, state funding will certainly ensure a healthy democratic functioning of parties, however limited the extent may be (Kumar, 1999).

### **Democracy within the Party**

While pronouncing his order in the Janata Dal symbol case on October





16, 1994, the Chief Election Commissioner, T.N. Seshan, warned the political parties that if they failed to hold their organisational elections according to their constitution, necessary action would be initiated according to the Election Symbols (Reservation and Allotment) Order. Thereby their status of being legitimate democratic parties could be in jeopardy. Some of the political parties particularly the Communist parties had reacted sharply and questioned the authority of the Chief Election Commissioner to interfere in internal party matters. In any case, these parties, when in power, are not perceived as votaries of democracy and free elections. The fundamental purpose of holding national elections is to find a set of persons who can represent the people, make laws and govern the country democratically. Elections provide a legislature and a government that are representative and draw their legitimacy from the consent of the people.

A necessary concomitant of representative democracy is the institution of political parties. After the insertion of the 10<sup>th</sup> Schedule in the Constitution, political parties have also received constitutional recognition. It is usually the parties that fight elections and even after the electoral battle is over, the roles of the government and the opposition are assumed by the political parties. Governments in our democratic polity have got to be party governments.

The role of political parties in elections and thereafter certainly necessitates that any reforms in the political system or in the electoral processes would have to start with the political parties. No party should be eligible to participate in the democratic processes of the nation's governance

unless its own internal organisation and functioning are fully democratic. The provision of the respective party constitutions must be strictly followed and elections to constitute various party bodies should also be held regularly. The dismal record of almost all our parties in this regard dictates the need for regulating and disciplining by enforceable law with provision for deregistration of defaulting parties.

### **Criminalisation of Politics**

Criminalisation of politics is one of the most urgent issues for the Parliament to consider and legislate to tackle the problem. The Commission, in its declared statistics of August 1997, revealed that nearly 40 Members of the Parliament present were involved in criminal cases pending against them, whereas nearly 700 Members of the Legislative Assemblies, out of the 4072 members, were involved in criminal cases and trials were pending against them (The Tribune, 21 Aug. 1997). The Election Commission suggested a series of steps including the filing of declarations by political parties with the Commission that they would not field candidates and give tickets to those who were convicted as criminals, even if imprisoned for a period less than five years for a cognizable offence, in any election. Another suggestion to enable the Commission to crack the whip was that powers be given to it to de-recognise and de-register political parties, which were found to field such convicts, who were imprisoned for five years or more, as candidates for the Parliament or Assembly elections, after giving them an opportunity to be heard. The Commission felt that the nomination form should contain a column seeking information if the candidate had ever been jailed and its





duration, criminal cases pending against the persons, and, if the person had been charge-sheeted for any offence. In the event of any person providing false information or suppression of any information, not only should the election be set aside, but it should be cancelled as well, and the person should be punished with imprisonment up to 5 years or fine or both.

In a significant order to curb the criminalisation of politics, the Election Commission on 28th August 1997 passed an order, which prohibited convicted persons, regardless of whether an appeal was pending in a higher court, from contesting elections. The Election Commission felt that though Section 8 of the Representation of the People Act, 1951 provided that any convict would stand disqualified from contesting elections to the Parliament and Legislatures for six years, those on bail or with an appeal pending were being allowed to contest. The Commission had referred to Article 324 of the Constitution and judgements of High Courts (Madhya Pradesh High Court in the Purshottam Kaushik v. Vidya Charan Shukla Case, the Allahabad High Court in Sachindra Nath Tripathi v. Doodnath Case and the Himachal Pradesh High Court in Vikram Anand v. Rakesh Singh Case) on Section 8 of the Representation of the People Act. It had directed the States, Union Territories and Chief Electoral Officers that disqualification of candidates under section 8 of the Representation of the People Act would commence from the date of conviction, irrespective of whether the person was out on bail. The Election Commission had asked the Returning Officers to get affidavits from candidates mentioning whether they were convicted by a court of law, beside the date of

conviction, the nature of offence, the punishment imposed and the period of imprisonment, on a prescribed form (The Indian Express, 29 Aug. 1997).

The Commission, in continuation of its desire to curb the menace of criminalisation, recommended to the Government sweeping changes in the election laws, suggesting that a person sentenced for more than six months should be debarred from contesting in elections for a period of six years and above. It further suggested that by clubbing Sections 8(1), 8(2) and 8(3) of the Act, it would make it mandatory for a person convicted by a Court of Law and sentenced to imprisonment for six months or more to be debarred from contesting elections for a period totaling the sentence imposed plus an additional six years (The Indian Express, 4 Sept. 1997).

### **Recommendations on Electoral Reforms: The Law Commission and the Election Commission**

The Law Commission of India, in its 170<sup>th</sup> Report, came out with several proposals relating electoral reforms, which are worth considering. One of the proposals relate to the introduction of the List System to cover the 138 additional seats to be created in the Lok Sabha, taking its total strength to 688. The suggestion made was to allocate the 138 seats to various States or territorial units and fill them from previously published lists of candidates nominated by recognised parties, in proportion to the total number of votes polled by each party in a State/territorial unit. The object was twofold: (a) to secure representation for a party which secures a large number of votes, but fails to win a proportionate number of seats and (b) to



enable eminent persons who do not like to contest to be thus elected.

It is not uncommon that a party secures a large number of votes polled in a State but still does not win a single seat in the general election. The List System helps such a party to some extent. It will benefit the leading parties, more than the smaller ones. Although the List System is desirable, the suggestion to increase the strength of the Lok Sabha needs to be carefully considered.

The Law Commission's suggestion for amending the Tenth Schedule of the Constitution to checkmate unprincipled defections and desertions under the guise of a 'split' is most welcome. The Commission suggests that once a candidate's elected to a party, s/he will remain thus till the dissolution of the House or the end of his/her membership and the concepts of 'split' and 'merger' should have to be given up. If one or more members decide to leave a party and join another, they should resign their membership of the House forthwith, and seek a fresh mandate on the ticket of another party. Another suggestion that the disputes arising under the Tenth Schedule be decided by the Election Commission under Article 103 or 192 as the case may be, and not by the Speaker/Chairperson of a House is equally good, as some of the Speakers have exercised their power under para 6 of the Tenth Schedule in a partisan manner.

Yet another important suggestion made by the Law Commission is the amendment of the Representation of the People Act, 1951, which now provides for disqualification on the grounds of conviction, for certain offences. The proposal is that on the framing of charges

by a criminal court for any of the specified offences, the accused should remain disqualified till s/he is acquitted. The Election Commission holds the same view. There are few connected suggestions aimed at checking the entry of criminals into Legislatures, which are good but not sufficient.

The need for a law mandating the political parties to maintain regular accounts of income and expenditure and have them audited every year and to have an authority to oversee the functioning of every political party has been long felt. In 1994, the Justice V.R. Krishna Iyer Committee suggested a law for the regulation of political parties. The Supreme Court has, in several decisions, pointed out the futility of prescribing a ceiling on election expenses, without removing the existing loopholes in the law (Law Commission of India, 1988).

The Commission suggests the deletion of explanation-I to sub section (1) of Section 77, which permits a political party or any other person interested in a candidate to spend any amount of money on his/her election and recommends the insertion of a new section, Section 78-A dealing with the maintenance of accounts by recognised political parties. It favours a partial state funding of the election expenses incurred by the parties and for this purpose suggests the insertion of Section 78-B, providing for the free supply of copies of the electoral rolls, diesel and petrol and reimbursement of the expenditure on microphones and loudspeakers. Although state funding to a much larger extent is desirable, financial constraints stand in the way (Rap, 1998).



The Election Commission is in favour of the expenditure incurred by a political party to be included in the election expenses of a candidate, for purposes of ceiling on election expenses. In fact, the Commission has been insistently pressing for such a reform, right since the mid-seventies. The Supreme Court of India has also, time and again, commented on the inadequacy of the existing provisions in this regard. The role of money power definitely, disturbs the level playing field in the election process between contesting candidates and contesting political parties. There is a great need to ensure that the role of money power in elections and in the election arena is curbed significantly, if not, totally eradicated.

The Election Commission is in favour of empowering itself to fix a ceiling on election expenses before every general election. The Election Commission, which is in touch with the ground realities, with the political system in the country and with the elections and electioneering that takes place in various constituencies, is best equipped to fix a ceiling on election expenses for various constituencies, before every general election. In 1998 the Election Commission came out with a proposal that the procedural delay in invoking Section 8A, the automatic disqualification of a person found guilty of corrupt practices, should be plugged through suitable amendments to the Representation of the People Act, 1951.

The Commission felt that Article 324 of the Constitution should be amended to provide that (a) there should be a maximum of two Election Commissioners, along with the Chief Election Commissioner; and (b) the method of appointment and the constitutional protection after

appointment, should be the same for the Chief Election Commissioner and other Election Commissioners. The Election Commission reiterated and urged early action on the need to have an independent Secretariat on the lines of the Lok Sabha and the expenses of the Commission should be 'charged' to the Consolidated Fund of India.

The Election Commission reiterated its proposal that the Commission should be specifically empowered under the statute to frame rules for disciplinary proceedings and impose suitable penalties on Election Officers, who are on deputation to the Commission and subject to its control, superintendence and discipline, if found guilty of acts of omission and commission while performing election duties, as mentioned in Section 13 CC of the Representation of the People Act, 1950 and Section 28 A of the Representation of the People Act 1951.

### **Government vs Election Commission**

In an effort to curb the growing menace of criminalisation of politics, the Delhi High Court, in a landmark judgement (November 2000 and as a result of a Public Interest Litigation filed by a group of committed individuals, under the aegis of Association for Democratic Reforms), has reinforced and strengthened the Election Commission's desire to cleanse the political system ridden with criminal elements. The Court has asked the Election Commission of India to inform voters about the criminal background of candidates contesting elections to the Parliament and Legislative Assemblies. The Court observed, "The Election Commission shall secure to the voters information whether a candidate is accused of any offence



punishable with imprisonment" (Judgement of the High Court of Delhi, C.W.P. No. 7257 Of 1999, dated 02<sup>nd</sup> November on Criminalisation of Politics).

Subsequently, the government prepared a draft poll bill which when passed by the Parliament could override the Election Commission's guidelines. The draft bill is silent on the need for candidates to declare their assets, liabilities and educational qualifications. This bill also provides for "disqualification of those candidates against whom there are two separate criminal proceedings concerning heinous offences charged by a court at least six months prior to filing the nomination". It further stipulates that a candidate will have to furnish information as to whether he/she has been accused of any offence punishable with imprisonment for two years or more in a pending case in which a charge has been framed by a court.

The bill is a complete dilution of what the Supreme Court had pronounced. In fact, the government was forced to come out with this draft bill (likely to be passed in the monsoon session), lest the Election Commission's guidelines which are far more stringent be implemented. It is thus perceived that though the ostensible purpose of the legislation is to implement the Supreme Court judgement, there is reason to worry that the actual object of the proposed law would be to dilute it in a manner which negates its impact. The reform bill doesn't address many other issues such as election financing and corruption, anti defection laws, reforms in electoral machinery, which have been long debated and call for urgent reforms. Unfortunately, the political elites don't seem to be serious with the agenda for

pursuing serious electoral reforms. In the absence of such initiative and vigour, the institution of civil society alone can bring about a sea change by electing representatives whose efforts find fruition in validating a vivacious democracy (Kumar, 2002).

### Conclusion

The Commission continues to carry forward the mantle of activism which it had donned during Seshan's era. Among the notable achievements in recent times have been the raising of the expenditure limit to Rs. 15 lakhs for a Parliamentary Constituency and Rs.6 lakhs for an Assembly Constituency, ensuring inner party democracy among all the recognised political parties, issuing the order on breakaway factions and awarding national and State recognition to breakaway groups, effectively enforcing the Model Code of Conduct, from the day of the announcement of the elections by the Election Commission, barring the entry of criminals in the electoral arena. It is, therefore, worth observing that the Commission has in the last decade moved largely from being a 'procedural' institution to a 'proactive' one, thereby discharging the onerous responsibility that has been entrusted to it by the Founding Fathers of the Constitution and the people of India. The role of the Election Commission of India in conducting free and fair elections, has become more crucial for the consolidation of India's democracy. This could be realised by strengthening the hands of the Election Commission and plugging those loopholes that permit the Executive to interfere with the working of the Commission. An Election Commission that is able to assert its role and stand up to the political pressures exerted by the Government of the day would



significantly contribute to enriching the quality and content of Indian democracy. In the light of the four decades of experience and experimentation with parliamentary democracy and with a view to strengthening the commitment of the system to democratic values and principles, a review of the organisation and functions of the Election Commission has today become necessary. Finally, the success of the reform(s) would depend upon the working of and adherence to the system on the part of the electoral machinery at all levels – the political parties, the candidates and the electorate. An independent press and enlightened public opinion have no substitute and their role is crucial in pushing through reforms.

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## Indian Constitution and Ambedkar

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**Abstract:** *The Constitution was designed to serve the needs of a modern society. It looked to the future rather than the past. Ambedkar did not wish to take India back to its past, but to take its place to the forefront of the comity of free and independent nations of the modern world. He felt the lack of a living democratic tradition in India. Indian society was not a society of citizens based on the equal consideration of individuals without regard for caste, creed or gender. To transform such society into one of citizens would be a very difficult task. The Constitution could provide a legal framework, but not sufficient condition for such a transformation. Ambedkar said that the principles embodied in the Constitution were the views of the present generation, and should not bind the succeeding generations.*

**Key words:** Ambedkar, Constitution, Drafting Committee

Ambedkar said that he came into the Constituent Assembly with no greater aspiration than to safeguard the interests of the Scheduled Castes. "I had not the remotest idea that I would be called upon to undertake more responsible functions. I was therefore greatly surprised," he said, "when the Assembly elected me to the Drafting Committee. I was more than surprised when the Drafting Committee elected me to be its Chairman".

The Constitution of India had to meet many competing claims and demands. Linguistic minorities asked for freedom of speech in the mother tongue and the redistribution of provinces on linguistic basis. Religious minorities asked for special safeguards. The task was made harder by the turmoil of the times. The Assembly met against a backdrop of partition of India, food scarcity, religious riots and refugee resettlement.

Ambedkar occupied a towering position as a leader of the backward classes. But he was also one of the makers of modern

India and the architect of its present constitutional order. His observations on constitutional morality, made at a critical juncture in India's social and political life, were of the utmost significance not only for the backward classes or the minorities, but for all Indians.

The Constituent Assembly met in an atmosphere of great expectation. The country had attained freedom after a long period of colonial rule. And there were great possibilities of constructing a new social order based on liberty, equality and social harmony. From being subjects of an alien power, Indians had become citizens in their own land.

The Constitution was designed to serve the needs of a modern society. It looked to the future rather than the past. Ambedkar did not wish to take India back to its past, but to take its place to the forefront of the comity of free and independent nations of the modern world. He felt the lack of a living democratic tradition in India. Indian society was not a society of citizens based





on the equal consideration of individuals without regard for caste, creed or gender. To transform such society into one of citizens would be a very difficult task. The Constitution could provide a legal framework, but not sufficient condition for such a transformation. Ambedkar said that the principles embodied in the Constitution were the views of the present generation, and should not bind the succeeding generations.

The Indian Constitution was created by Indians for India. That is why it has successfully served the Indian people for 70 years. It was not looked upon as something dead and not adjustable to a changing situation. It has been amended more than 100 times.

Ambedkar spoke about possible dangers to democracy India may confront in future. To maintain democracy the first thing was to hold fast to constitutional methods of achieving social and economic objectives. It means, he said, "we must abandon the bloody methods of revolution".

Black law's dictionary defines emergency "as a failure of social system to deliver reasonable conditions of life". The term emergency may be defined as "circumstances arising suddenly that calls for immediate action by the public authorities under the powers especially granted to them". Dr. B.R Ambedkar claimed that the Indian Federation was unique as during the times of emergency it could convert itself into an entirely unitary system. In India, the emergency provisions are such that the constitution itself enables the federal government acquire the strength of unitary government whenever the situation demands. During such urgent needs all the pacific methods should be exhausted

and emergency should also be the last weapon to use as it affects India's federal feature of government.

There are three types of emergencies under the Indian Constitution namely-

- National Emergency
- Failure of constitutional machinery in states
- Financial Emergency

### **National Emergency**

Article 352 of the Indian Constitution talks about the national emergency. National emergency is imposed whereby there is a grave threat to the security of India or any of its territory due to war, external aggression or armed rebellion. Such emergency shall be imposed by the president on the basis of written request by the council of ministers headed by the Prime Minister. When they are satisfied that they are satisfied that there is an eminent danger there of Every proclamation is required to be laid before each House of Parliament, it will cease to operate after one month from the date of its issue unless in the meantime it is approved by the parliament, the proclamation may continue for a period of 6 months unless revoked by the president. For further continuance of emergency the resolution has to be passed by either house of parliament by a majority of not less than two-third members of the houses. During the times of such emergency the executive, legislative and financial power rests with the centre whereas the state legislature is not suspended. The union government under Art.250 of the constitution gets the power to legislate in regards to subjects enumerated in the state list. Except Art20 and 21 all the fundamental rights





are suspended. Under Art.359 the president may suspend the right to move to the courts for enforcement of fundamental rights during the time of emergency. National emergency has been imposed thrice in the country- in 1962 at time of Chinese aggression, in 1971 during the indo-pak war, in 1975 on the grounds of internal disturbances.

### Failure of Constitutional Machinery in State

Article 256 talks about the failure of constitutional machinery in state also known as the President's rule. If the president on Governor's report or otherwise is satisfied that the situation has arisen that the government can't be carried in accordance with the constitutional provisions then, he may issue State emergency. President can declare emergency either by the report of Governor or he himself is satisfied that the situation is such that the emergency has to be imposed. But at times, President may declare emergency when a report is not received from the governor. This was done by President Venkataraman in 1991 in the state of Tamil Nadu even though he didn't receive a report from the governor. After the 42th Amendment of the constitution the state emergency was made immune from judicial review. But later in the 44th Amendment the legality of President's rule could be challenged. The proclamation relating to state emergency shall be laid before each House of Parliament unless both Houses approve it, the emergency shall cease to have effect after the expiry of a period of two months. Further the duration of proclamation can be extended to 6 months each time by both Houses of Parliament passing resolution approving its continuance. Beyond the period of an

year the proclamation can only be continued if the Election Commission certifies that it is not possible to hold election in the state or that territory. The consequences of state emergency are The president assume all the executive power of the state himself.

The state administration runs by him or any person appointed by him generally the Governor.

- During such proclamation, the state assembly is either dissolved or suspended. But the MLA's do not lose their membership of the Assembly.
- Parliament makes laws regarding the state list. The parliament only passes the budget for the state.
- The High court of the state functions independently.
- President also proclaims ordinances in the state.

During the state emergency the Union government has absolute control over the state except the judiciary. If one looks at the past instances of state emergency in the country, three common grounds emerge that have been invoked under Art.356- breakdown of law and order, political instability, corruption and maladministration.

In **Rameshwar Prasad V. UOI** (Bihar Assembly Dissolution Case) it was held that the presidential proclamation dissolving state assembly in Bihar under Art.356 was unconstitutional on extraneous and irrelevant ground. The court said that the state governor misled the centre in recommending dissolution of state assembly. In the historic case of **S.R Bommai V. UOI**, a full bench of the Karnataka High court produced different opinion about the imposition of the



President's rule in Karnataka, while in other states the court held that it was in violation of the constitution and would have restored the original position.

### Financial Emergency

The president under Article 360 of the constitution has the power to declare financial emergency if he is satisfied that the financial stability or the credit of India or any part of its territory is threatened. It has to be laid before both the Houses of Parliament and ceases to operate at the expiration of two months unless meanwhile approved by the resolution of Houses. During the operation of financial emergency, the executive authority of the union extends to the giving of directions to any state to observe certain specified canons or financial propriety and such other directions that the President may find necessary. The directions may include reduction of salaries or allowance of those serving a state, of all those in connection with the affairs of union including judges of high court and Supreme Court. There has been no occasion of financial emergency in India.

### Conclusion

During the period of emergency for the execution of power there might be infringement of Fundamental rights of individuals, which are judicially granted by the Constitution of India. The validity of actions must be reviewed to deter political gains and give way to political interest. Despite abuse of powers of the emergency provisions still have an important role to play in the conditions prevailing in India, though it still remains a controversial issue in the country. The contribution of Dr. Ambedkar in Indian Democracy is not to be forgotten. As a chairman of

the Constitutional Committee he gave a shape to our country of a complete Sovereign, Democratic and Republic based on adult franchise. Baba Saheb Ambedkar's name will be written in golden letters in the history of India as a creator of social justice. This fact is doubtless. He was not only the man of age and builder of the Constitution but also the creator of social justice and betterment of the downtrodden. He was one of the few sons in the History of India that he can be said to the gift of Indian freedom movement. If Mahatma Gandhi gave direction and lesson of morality then Baba Saheb gave shape to social aspect without exploitation. In true sense of the word, he gave democratic and anti caste aim. He spent his whole life for the betterment of the poor, exploited, untouchables and troubled classes. Thus, Dr. Ambedkar's contribution to the Indian Constitution is undoubtedly of the highest order. Indeed he deserved to be called the "father or the Chief Architect" of the Indian Constitution.

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2. AIR 1994 SC 1918
3. In case of dissolution, fresh elections are held for constituting a new legislative assembly in the state.
4. Those nine States include Rajasthan, Uttar Pradesh, Madhya Pradesh, Punjab, Bihar, Himachal Pradesh, Orissa, West Bengal and Haryana.
5. Those nine states include Uttar Pradesh, Bihar, Rajasthan, Madhya Pradesh, Punjab, Orissa, Gujarat, Maharashtra and Tamil Nadu.



6. S. R. Bommai v. Union of India (1994).
7. Constituent Assembly Debates, Volume IX, p. 133 and 177.
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9. Constituent Assembly Debates, Volume X, p. 361-372.
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11. Constituent Assembly Debates, Volume IX, p. 105.
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13. Ibid, p. 547.
14. Ibid, p. 177.
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## Ambedkar and human rights and Dalit rights

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**Abstract:** *He was also a true visionary and 'one of the world's greatest defenders and philosophers of human rights.' Dr. Ambedkar is one of the world's greatest defender and philosopher of human rights. He was a true visionary, contributing to a global evolution of this idea, to the legal enshrinement of rights, and to this day, he continues to inspire human rights defenders. His lifelong efforts to eradicate caste-based discrimination arguably count as his greatest achievement. Moreover, the language of 'human rights' was still in its infancy during his lifetime, even if the standards had earlier roots. First is the interdependence of human rights. A constant refrain in his writings is his call for 'liberty, equality and fraternity'. Equality and non-discrimination are clearly at the core of his conceptual framework of human rights. Yet, in contrast to the use of these principles in the French and American declarations, Dr Ambedkar placed social and economic equality alongside political and civic equality.*

**Key words:** *women in India, Equality, Dalit movement*

**Introduction :** In an unassuming street in London's posh Primrose Hill, there is a buzz about a particular house that was purchased last September by India's state government of Maharashtra, and opened as a museum and learning centre by Prime Minister Narendra Modi. Its blue plaque reads: 'Dr Bhimrao Ramji Ambedkar, 1891-1956, Indian Crusader for Social Justice, lived here 1921-22'. To Dr Corinne Lennox, he was also a true visionary and 'one of the world's greatest defenders and philosophers of human rights.' Dr Ambedkar placed social and economic equality alongside political and civic equality. ' He strived through efforts, including his proposed Hindu Code Bill, to secure rights for women in India in areas such as inheritance and divorce. Importantly, he was of course referring to all women, not just the progress of elite women, approaching gender equality as he was from the point of view of Dalit women. Today the voice

of women in the Dalit movement has been growing ever stronger, as has the voice of Dalit women in the women's movement, both nationally and internationally.

His birthday is widely celebrated in India, where he is best known for drafting the Indian Constitution, in which he embedded several provisions for the protection of rights of the most marginalised. His statue is dotted throughout the country but his leadership is most significant for the Dalits of India, who continue to occupy the lowest rungs of Indian society despite the elevated heights to which Dr Ambedkar, himself a Dalit, was able to reach. Dr. Ambedkar is one of the world's greatest defender and philosopher of human rights. He was a true visionary, contributing to a global evolution of this idea, to the legal enshrinement of rights, and to this day, he continues to inspire human rights defenders.



**Why call Dr Ambedkar a human rights defender?**

Some might see him narrowly as a defender of the rights of Dalits but not of human rights more broadly. His lifelong efforts to eradicate caste-based discrimination arguably count as his greatest achievement. Moreover, the language of 'human rights' was still in its infancy during his lifetime, even if the standards had Earlier roots. A proper examination of his writings and his actions show, however, that he was very much cosmopolitan in his philosophy of justice and in his legal and political work, which demonstrate his support to norms embodied in universal human rights as we have since come to know them

To illustrate my point, I will highlight three key progressive strands of his thinking on principles of human rights, and how this projected where the international human rights movement would go in the decades to follow

**First** is the interdependence of human rights. A constant refrain in his writings is his call for 'liberty, equality and fraternity'. Equality and non-discrimination are clearly at the core of his conceptual framework of human rights. Yet, in contrast to the use of these principles in the French and American declarations, Dr Ambedkar placed social and economic equality alongside political and civic equality.

For example, as India became an independent state, he said, 'On the 26 January 1950, 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. How long shall we continue to deny equality in our social and economic life? If we continue to deny it for long, we will do so only by

putting our political democracy in peril.' He was also critical of the efforts in Communist states of the period in supporting economic and social rights at the cost of liberty. The global human rights movement was dominated for decades by a focus on civil and political rights and only latterly brought economic and social rights more to the forefront of human rights advocacy. Dr Ambedkar was prescient in his recognition of the interdependence of civic and political rights with social and economic rights, even at a time when states were working to divide these norms across the two international human rights covenants.

**Second**, Dr. Ambedkar said, 'I measure the progress of a community by the degree of progress which women have achieved.' He strived through efforts, including his proposed Hindu Code Bill, to secure rights for women in India in areas such as inheritance and divorce. Importantly, he was of course referring to all women, not just the progress of elite women, approaching gender equality as he was from the point of view of Dalit women. The recognition of inequalities within the international women's movement itself is still something that we are grappling with, and which came relatively late to the gender equality debate. Emphasis on the concept of 'intersectionality' in gender discrimination is also fairly recent.

Today the voice of women in the Dalit movement has been growing ever stronger, as has the voice of Dalit women in the women's movement, both nationally and internationally. For example, Asha Kowtal, general secretary of the All India Dalit Mahila Adhikar Manch (All India Dalit Women's Rights Forum, or AIDMAM), led a group of Dalit women on a US tour last autumn,



bringing attention to the egregious human rights violations faced by Dalit women, and connecting with others in the global movement, such as the women leaders of Black Lives Matter

**Third,** Dr Ambedkar was visionary in his understanding that democracy alone is not a guarantee for the protection of the rights of minorities. He attempted to build into the constitution several protections for different minority groups in India (as later detailed along with other minority rights proposals in his 'States and Minorities' (1947). Many of his efforts in this regard were blocked, including by Gandhi, pushing him to settle only for reserved seats for Dalits in government under the Poona Pact (1932). This is still an area of human rights where there is a great deal of misunderstanding of how protecting minority groups from discrimination through various tools, such as affirmative action 'reservations' used in the public sector in India today, is essential to members of those groups fulfilling their human rights. Far from being a privilege, these measures are a basic tool for achieving substantive equality in the face of discrimination. In the words of Dr Ambedkar, 'Discrimination is another menace which must be guarded against if the fundamental rights [of the Indian Constitution] are to be real rights'.

**Conclusion:** The global Dalit movement continues to strive towards these aims in their struggle to eliminate caste-based discrimination, to achieve fulfilment of their human rights and for the restoration of dignity and justice. Leaders of this movement look to Dr Ambedkar for inspiration, putting into practice his famous mantra: 'My final words of advice to you are educate, agitate and organise; have faith in yourself'. Indeed, his words

could be a rallying cry for human rights defenders everywhere.

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## Dr.B.R. Ambedkar and Women Rights

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**Abstract:** *Dr. B. R. Ambedkar, author of our Indian constitution, took certain constructive and much needed steps in favor of Indian women to make them independent and socially strong and today we can see the revolutionary change in the position and image of Indian women. Our Indian constitution was written in an era when the social condition of Indian women was very poor and need an urgent reform. She was mentally and physically tortured in the society. She was struggling to find her social status and a respectable place in the society. At that time Indian women were in a need of some laws in order to improve their social position and to ensure proper safety against mental and physical torture. The principle of gender equality is enshrined in the Indian Constitution in its Preamble, Fundamental Rights, Fundamental Duties and Directive Principles. The Constitution not only grants equality to women, but also empowers the State to adopt measures of positive discrimination in favour of women.*

**Key words:** *Indian Constitution, women development , oppressed, depressed, exploited, illiterates*

### Introduction

**Dr. B. R. Ambedkar**, author of our Indian constitution, took certain constructive and much needed steps in favor of Indian women to make them independent and socially strong and today we can see the revolutionary change in the position and image of Indian women. Our Indian constitution was written in an era when the social condition of Indian women was very poor and need an urgent reform. She was mentally and physically tortured in the society. She was struggling to find her social status and a respectable place in the society. At that time Indian women were in a need of some laws in order to improve their social position and to ensure proper safety against mental and physical torture. The principle of gender equality is enshrined in the Indian Constitution in its Preamble, Fundamental Rights, Fundamental Duties and Directive Principles. The Constitution not only grants equality to women, but also empowers the State

to adopt measures of positive discrimination in favour of women.

### Rise of Ambedkar

With the rise of Polar Star from tatters in Marashtra , named Dr BR Ambedkar

(1891-1956 ) women got their real emancipator .The Manusmiriti was burnt in full public view by Dr Ambedkar on 25<sup>th</sup> December 1927, thus he blew bugle of fight against discrimination and exploitation on the basis of one's caste, creed , sex or place of birth. His principle of life was to speak, work & fight for the just cause of oppressed, depressed, exploited, illiterates, ill fed & ill treated men & women irrespective of their caste or social status, place of birth affiliations and without caring for his personnel life discomforts. Till then woman was considered lowest of the low in the Indian society, so he fought a very difficult battle for their cause. On March 19<sup>th</sup> & 20<sup>th</sup>, 1927 he addressed a huge meeting of depressed classes, including women, and





gave strong call for liberation of women. He advised them to attend more to their development of mind and the spirit of self help; He said that education was as necessary for development of women as was for men. He declared "As you are, so shall be your children". While addressing largely attended Depressed Classes Women conference on 18<sup>th</sup>, 19<sup>th</sup> July 1942, he said, "He measured the progress of a community by the degree of progress made by the women of that community. He advised, let every girl who marries, stand by her husband, claim to be her husband's friend and equal and refuse to be his slave. He advocated avoiding early marriage and producing too many children. Give proper education to your children, so that they live a dignified life". Dr Ambedkar advocated for equal wages for equal work without discrimination on the basis of sex or caste, besides grant of paid maternity leave to expecting mothers. While strongly supporting proposed maternity benefits to women in Bombay Legislative Council in 1928 he said "---- it is in the interest of the Nation that the mother ought to get a certain amount of rest during the pre-natal period and also subsequently"

### **Role of Dr. Ambedkar in women's liberation**

Dr. Ambedkar continued the pioneering work of Mahatma Jyotiba Phule and his wife. Right from the beginning of his struggle for the eradication of caste prejudices, he started involving women in the struggle. He realised that the real progress of the mulnivasi could not be achieved without liberating the women themselves. He started motivating the women. His first demand of adult franchise, which was met in the early 20s after resistance from the brahmins, gave

voting rights to untouchables as well as to women. That was the beginning of an era of liberation for women.

Dr. Ambedkar then brought women, the mulnivasi women in particular into the struggle. In December 1927 during the Mahad Tank struggle, on the first day (of the second leg) when the procession was taken out, women marched in the procession along with men. Second day, Dr. Ambedkar exclusively addressed women. He told them to participate in the struggle against the tyranny of caste system. He emphasized to them that men alone cannot fight this menace. The main theme of his speech was "Importance of participation of women in the struggle of depressed." He also wanted to prepare the women for a cultural change. He told them to change their style of dressing, to do away with unwanted ornaments, which they used to wear all the time and told them to send their girls to school, keep cleanliness etc. His speech was so effective that women dropped the unwanted ornaments in that meeting itself. Next day the women could be seen with their style of dressing changed completely. Thus Dr. Ambedkar brought about a revolutionary change in the attitude of mulnivasi women. That gave an extra boost to his movement.

Dr. Ambedkar had also been encouraging women to organise themselves. One such historic women's conference was held on 20 July, 1942 at Nagpur. Some 25,000 mulnivasi women participated in the conference. Dr. Babasaheb Ambedkar was highly impressed by the large gathering. In his speech he told the women to be progressive and told them to abolish traditionalism, ritualism and customary habits, which were detrimental to their progress. He also



advised them not to indulge in early marriages, not to infuse inferiority complex among the children.

Through the constitution of India, as the chairman of the constitution drafting committee, Dr. Ambedkar was instrumental in granting equal status to all the citizens irrespective of sex, religion etc. Thus the women, contrary to their low status as per Hindu law books, were for the first time got equal status lawfully.

The next landmark, pioneering work, which Dr. Ambedkar did was the "Hindu Code Bill". He introduced this bill in the parliament on the promise from Jawaharlal Nehru that the bill will be passed as it is. He basically prepared this bill to empower women by way of giving property rights and giving rights in many other matters like marriage, adoption, divorce etc. However the orthodox Arya Brahmins who had the mindset of Manu Smriti did not allow this bill to be passed in parliament as it is. This bill was so dear to Dr. Ambedkar that he resigned from the Govt. in protest against the dropping of the bill. After his resignation, the bill was passed in bits and pieces.

The property rights section was immediately passed. This itself was a landmark in empowering women. The entire credit for this goes to Dr. Ambedkar. The other sections of the Hindu Code Bill were passed in the form of following acts:

Hindu Marriage Act 1955,  
Hindu Succession Act 1956,  
Hindu Minority and Guardianship Act 1956,  
Adoption and Maintenance Act 1956.

### Some legislative acts for women at one place

Let me also share the name of some of the legislative acts which are available in India to protect women's rights against harassment. These acts are like a boon to women at large to protect their dignity in society. Please have a look:

- 1) Dowry Prohibition Act, 1961
- 2) The Protection Of Women From Domestic Violence Act, 2005
- 3) The Commission Of Sati (Prevention) Act, 1987
- 4) The Immoral Traffic Prevention Act, 1956
- 5) Civil Procedure Code, 1973
- 6) Indian Penal Code, 1960
- 7) Hindu Marriage Act, 1955
- 8) Child Marriage Restraint Act, 1929
- 9) The Medical Termination Of Pregnancy Act, 1971
- 10) National Commission Of Women Act, 1990
- 11) The Minimum Wages Act, 1948
- 12) Bonded Labor System Abolition Act, 1976
- 13) The Special Marriage Act, 1954
- 14) Foreign Marriage Act, 1969
- 15) Indian Divorce Act, 1969
- 16) The Indecent Representation of Women Prohibition Act, 1986
- 17) Guardians & Wards Act, 1869
- 18) Equal Remuneration Act, 1976

The above list is not conclusive but inclusive. These acts have given ample provisions to ensure the protection of women rights like minimum wages, protection from domestic violence, right of equal remuneration, prevention from immoral trafficking, prevention from indecent representation of women etc. So there is no doubt that our judiciary and



legislature has taken various effective steps to ensure the dignity of women.

### **Parliamentary provisions to ensure dignity of women**

After Independence there was need to introduce some statutory laws to ensure safety and protection of women. Keeping in view this requirement, just like constitutional provisions, various parliamentary steps have also been taken by the law of India in order to ensure dignified life to the Indian Women. Parliamentary steps means and includes the enactment of various laws and statutory acts to protect the interest of women and to stop the crime against women. These acts have proved really useful towards progress and safety of women in society. In order to ensure adherence to constitutional provisions for women welfare, there was a need to enact specific laws by the state and central Government. Although a women can be victim of any crime in society and in fact all crimes cannot be classified as a crime against women except few crimes which affects a women largely

**Conclusion:** Due to the revolutionary changes brought by our constitution and efforts made by Indian women, they have earned themselves a respectable position in the society. Now they are treated equally with men. Today women are everywhere and to be precise women are in space, women are in corporate and women are in politics, women are in entertainment field, women are in defense field and the list goes on.

It is indeed a matter of pleasure that the position of women has improved in the last four decades. But still somewhere I feel that the presently Indian women are again a bit struggling to maintain their dignity and freedom. Mental and physical

torture of women has again become common and that is why they have started feeling unsafe. As per my personal understanding with the proper knowledge of legal and constitutional rights of a woman their position can be further strengthen in the society. There are lots of provisions in our law which protects a woman from mental and physical torture.

To conclude I would like to say that Indian women has come a long way and prove that she is capable of doing anything and equal partner in the growth and prosperity of the nation. Women are one of the pillars of the society and it would be very difficult to imagine society without the presence of women. Now it is high time for all of us to understand the power of women. Even our judiciary and legislature has also accepted the fact that women are one of the most important elements of society and their exploitation would not be accepted at any cost. There is one saying that behind every successful man there is a woman. This saying is enough to prove that man and women both are necessary element of society. So we must give them due care and respect and understand their efforts towards welfare of the society at large.

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## Ambedkar and the Indian constitution

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**Abstract:** *Bharat Ratna Babasaheb Dr. B.R. Ambedkar, the Chief Architect of Constitution of India, is the man of millennium for social justice, in the sense that he became the deliverer of or the Messiah of the Dalits. He was the man of millennium for social justice, since he was the first man in history to successfully lead a tirade of securing social justice to the vast sections of Indian humanity, with the help of a law, which practically repealed the concerned portions of Hindu scriptures. Social justice found useful for everyone in its kind and flexible form. In this sense social justice holds the aims of equal opportunity to every citizen in the matter of social & economical activities and to prevent inequalities.*

**Key Words:** *Social Justice, Constitution, Inequality*

### Introduction

The constitution of India was adopted on November 26, 1949. Some provision of the constitution came into force on same day but the remaining provisions of the constitution came into force on January 26, 1950. This day is referred to the constitution as the "date of its commencement", and celebrated as the Republic Day. The Indian Constitution is unique in its contents and spirit. Though borrowed from almost every constitution of the world, the constitution of India has several salient features that distinguish it from the constitutions of other countries. Bharat Ratna Babasaheb Dr. B.R. Ambedkar, the Chief Architect of Constitution of India, is the man of millennium for social justice, in the sense that he became the deliverer of or the Messiah of the Dalits, the erstwhile untouchables, Other Backward Classes (OBCs), and women,

constituting 95% of Hindu population. That big segment of population had been forced to live at a sub-human level from time immemorial, under caste system, sanctioned by Hindu scriptures. He was the man of millennium for social justice, since he was the first man in history to successfully lead a tirade of securing social justice to the vast sections of Indian humanity, with the help of a law, which practically repealed the concerned portions of Hindu scriptures.

Social justice denotes the equal treatment of all citizens without any social distinction based on caste, colour, race, religion, sex and so on. It means absence of privileges being extended to any particular section of the society, and improvement in the conditions of backward classes (SCs, STs, and OBCs) and women. Social Justice is the foundation stone of Indian Constitution. Indian Constitution makers were well



known to the use and minimality of various principles of justice. They wanted to search such form of justice which could fulfill the expectations of whole revolution. Pt. Jawahar Lal Nehru put an idea before the Constituent Assembly:

“First work of this assembly is to make India independent by a new constitution through which starving people will get complete meal and cloths, and each Indian will get best option that he can progress himself.” Social justice found useful for everyone in its kind and flexible form. Although social justice is not defined anywhere in the constitution but it is an ideal element of feeling which is a goal of constitution. Feeling of social justice is a form of relative concept which is changeable by the time, circumstances, culture and ambitions of the people. Social inequalities of India expect solution equally. Under Indian Constitution the use of social justice is accepted in wider sense which includes social and economical justice both. According to Chief Justice Gajendragadkar:

“In this sense social justice holds the aims of equal opportunity to every citizen in the matter of social & economical activities and to prevent inequalities”. The Constitution of India has solemnly promised to all its citizens justices-social, economic and political; liberty of thought expression, belief, faith and worship; equality of status and of opportunity; and to promote among the all fraternity assuring the dignity of the individual and the unity of the nation. The Constitution has attempted to attune the apparently conflicting claims of socio-economic justice and of individual liberty and fundamental rights by putting some relevant provisions.

Article 19 enshrines the fundamental rights of the citizens of this country. The seven sub-clauses of Article 19(1) guarantee the citizens seven different kinds of freedom and recognize them as their fundamental rights. Article 19 considered as a whole furnishes a very satisfactory and rational basis for adjusting the claims of individual rights of freedom and the claims of public good.

Articles 23 and 24 provide for fundamental rights against exploitation. Article 24, in particular, prohibits an employer from employing a child below the age of 14 years in any factory or mine or in any other hazardous employment. Article 31 makes a specific provision in regard to the fundamental right to property and deals with the vexed problem of compulsory acquisition of property.

Article 38 requires that the state should make an effort to promote the welfare of the people by securing and protecting as effectively as it may a social order in which justice social, economic and political shall inform all the institutions of national life. Article 39 clause (a) says that the State shall secure that the operation of the legal system promotes justice, on a basis of equal opportunity, and shall, in particular provide free legal aid, by suitable legislation or schemes, or in any other way, to ensure that opportunities for securing justice are not denied to any citizen by reason of economic or other disabilities.

Article 41 recognizes every citizen's right to work, to education and to public assistance in cases of unemployment, old age, sickness & disablement and in other cases of



undeserved want. Article 42 stresses the importance of securing just and humane conditions of work and for maternity relief. Article 43 holds before the working population the ideal of the living wage and Article 46 emphasizes the importance of the promotion of educational and economic interests of schedule castes, schedule tribes and other weaker sections.

The social problem presented by the existence of a very large number of citizens who are treated as untouchables has received the special attention of the Constitution as Article 15 (1) prohibits discrimination on the grounds of religion, race, caste, sex, or place of birth. The state would be entitled to make special provisions for women and children, and for advancement of any social and educationally backward classes of citizens, or for the SC/STs. A similar exception is provided to the principle of equality of opportunity prescribed by Article 16 (1) in as much as Article 16(4) allows the state to make provision for the resolution of appointments or posts in favour of any backward class of citizens which, in the opinion of the state, is not adequately represented in the services under the state. Article 17 proclaims that untouchability has been abolished & forbids its practice in any form & it provides that the enforcement of untouchability shall be an offence punishable in accordance with law. This is the code of provisions dealing with the problem of achieving the ideal of socio-economic justice in this country which has been prescribed by the Constitution of India.

### **Challenges in social justice**

After 70 years of independence, 13th Five Year Plans, hundreds of laws leading to a veritable forest of rules offering a variety of special facilities to the underprivileged ranging from scheduled castes and tribes to women, in matters of education, employment, housing, etc. social justice is far from a reality. 53% of over 965 million people are under the poverty line i.e. unable to spend even a dollar a day on bare necessities. A mere 16% of households enjoy the 'luxury' of electricity, drinking water and toilet facilities. This percentage is 3.9% if only rural households are taken into consideration. 71% of our women are illiterate. Barring a few states like Kerala and Tamil Nadu, rural health care is a sham and almost non-existent.

### **Where Does The Solution Lie-**

The solution to social injustice lies within us only. We should be aware of the expressions the poor, the backwards, social justice which are being used to undermine standards, to flout norms and to put institutions to work. The need of hour is to ensure the proper and balanced implementation of policies so as to make social justice an effective vehicle of social progress. While Liberalism puts freedom first it is conscious of the fact that such freedom is hollow unless it is accompanied by a sense of security and equality. A liberal social policy should aim at providing the most disadvantaged with access to opportunities and, at the same time create a social net that strengthens their ability to cope with crises.

### **Judiciary and social justice-**

The judiciary under our Constitution is watchdog of the





Constitution. It looks into both law making and the law implementation by the other two wings of the Constitutional democracy. The functions and role of these institutions are essential for successful operation of Constitutional democracy in our country. A democracy means and provides a government by discussion. The representatives of people voice the wishes of the electorate for smooth operation of the socio-economic development thinking and their policy making. At this stage, it will not be out of the way to examine what constitutes a Constitution.

The judiciary is the protector of civil rights, it decides cases, it is the custodian of fundamental rights, it is the guardian of the Constitution, its role in a federal system as the arbitrator is well known and the power of judicial review has reposed faith of the people in the judiciary. Both legislative anti-people law making and the executive excesses can come under judicial scanner.

The importance of judiciary is more for the citizens than for the States. The judicial system is a part of the judicial process. According to Alan Ball (1978) there are two main reasons why this point, that the judicial system is part of the political process has to be emphasised. Firstly, liberal democratic theory has traditionally put a premium on the necessity of protecting the citizen from a too powerful state and therefore emphasised the impartiality of the judicial process, to increase the independence of the judiciary and to deepen the respect and confidence with which judicial decisions are received. Secondly, it has led to the emphasising of the aspects of the doctrine of separation of powers, both to prevent too much

concentration of political power in the hands of government and guard against the 'excesses of democracy' or the 'tyranny of the majority'.

In Indian political system, the judiciary has carved out a very significant space for itself. The transition from a feudal to a democratic order and from colonial bondage to a free society needed an institution to protect individual's life, liberty and property. These natural rights make meaning to the living in a democratic order. Without freedom and protection an individual cannot survive despite phenomenal progress in all walks of life.

The Supreme Court in *Minerva Mills v. Union of India*, observed, There is no doubt that though the courts have always attached very great importance to the preservation of human liberties, no less importance has been attached to some of the Directive Principles of State Policy enunciated in Part IV.... The core of the commitment to the social revolution lies in parts III and IV. These are the conscience of the Constitution. The Court said that, rights in Part III are not an end in themselves, but are the means to an end, the end is specified in Part IV. Together, the two realize the idea of justice, which the Indian State seeks to secure to all its citizens. The Supreme Court through its decisions has tried to realize this goal of constitutional justice.

In *Bandhua Mukti Morcha v. Union of India*, the Court, while decrying in strongest possible terms the practice of bonded labour, held that Right to life, under Article 21 of the Constitution means right to live with dignity, and that this evil practice was a clear violation of





that. Similarly, in *State of H.P. v. Ummed Ram Sharma*, the Court held that access to roads in hilly areas is access to life, and the failure of the state to provide roads, in such regions amounts to denial of right to life to the people of the region. Then in *Vishakha v. State of Rajasthan*, it held that sexual harassment of a woman at workplace, is a denial of both her right to life and personal liberty under Article-21, as well as amounted to discrimination on the basis of sex, and thus violative of right to equality guaranteed under Articles 14 and 15. The Court went on to issue elaborate guidelines to protect women from sexual harassment at workplace. Also, *Paschim Banga Khet Mazdoor Samity v. State of West Bengal*, failure on the part of the Government hospital to provide timely medical treatment to a person in need of such treatment has been held to be a violation of his right under Article-21. In *Rural Litigation Entitlement Kendra v. State of U.P.*, as well as *M.C. Mehta v. Union of India* the Court held that, right to life includes right to live in a clean and healthy environment. Then in *Mohini Jain v. State of Karnataka* as well as *Unnikrishnan v. State of A.P.*, observing that a man without education was no better than an animal, the Court held right to education was an essential ingredient for a dignified and meaningful life. In *Hussainara Khatoon v. Home Secretary, State of Bihar (I-V)*, turning its attention to the plight of under-trial prisoners languishing in jails, for years together, for want of proper legal aid, delay in conduct of trials, etc. held that, failure of the State to provide legal representation and accused person, amounted denial of personal liberty without a just, fair and reasonable procedure established by law. Earlier in

*Maneka Gandhi's case*, the Court had held that a procedure under Article 21 must be a right, just, fair and a reasonable procedure and that it must also satisfy the test of reasonableness in Articles 14, as well as 19, besides Article 21. On this basis the Court decried the practice of handcuffing of prisoners (both under-trials as well as convicts), in *Prem Shanker v. Delhi Administration*. Recently, in *Smt. Selvi v. State of Karnataka*, the Court held that conducting of narco-analysis, polygraph test, etc. on accused persons, without their consent, was violation of both Articles 20 as well as 21, for it amounted to compelling a person to give evidence against himself, which was prohibited by Clause (3) of Article 20, and was not a just and a reasonable procedure under Article 21. In continuation of this trend of Court has also frowned upon custodial torture of the accused/convict and has issued elaborate guidelines to protect the accused/convict from custodial torture, in *D.K. Basu v. State of West Bengal*. Recently, in *State of West Bengal v. Committee for protection of Democratic Rights, West Bengal*, dismissing the appeal of the Government of West Bengal, against an order of the High Court, transferring the investigation of case involving violence and killing on the part of the ruling party in the State from the State police to C.B.I. the Court held that failure on the part of the police to carry out proper investigation so as to bring culprits to book, was a violation of the rights of the victims of that violence, for the State is under an obligation to ensure that a person committing a crime is apprehended and punished.

The above narration contains merely illustrative instances, where



Court has tried to ensure that the Constitutional guarantee of justice in social, economic and political, is secured to people of India. However, there is still a long road to be traversed before it can be said that the State which the framers of the Constitution sought to create, has succeeded in fulfilling their aspirations.

### Conclusion

When India is passing through social and caste discrimination, economic crisis, unemployment, communalism and lack of basic needs, a party of substance and difference is needed which acknowledges and addresses the problems of social and economic deprivation. Social justice apart from economic and political justice is the pre-requisite. These can be strengthened through the constitution force which binds the people in every aspect. However, the sting of inequality that is prevailing through casteism can be eradicated only when the mind set of an individual towards others changes.

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## Dr. Ambedkar's Contribution towards Women's Rights in India

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**Abstract:** *Dr.Ambedkar's contribution was great in the field of women empowerment who advocated for the liberation of women and gender equality in India. If there are any persons worked for women liberations in India, they were none other than Buddha, Dr.BabasahebAmbedkar, E.V.RamaswamyPeriyar and JyothiraoPhule. Without Dr.Ambedkar ,atleast whatever so changes the position of women today in India would be only question mark. There were many leaders fought for the women's rights in India. Most of them were failed in their action. But Dr.Ambedkar was the only person who changed the effort via law. While drafting the constitution of India, Dr.Ambedkar was the prime mover of the welfare of women.*

### Key words:

### Introduction

Dr. Ambedkar started his movement in 1920. He stated "We shall see better days soon and our progress will be greatly accelerated if male education is persuaded side by side with female education. Dr. Babasaheb spent his life for the betterment of women even involved in bad practices and professionals like prostitutions. The greatest example of it was seen in Kamathipura. There was a person named David who was the mediator working in brothel. He left his profession persuaded by the thoughts and teachings of Dr. Babasaheb Ambedkar. He evoked the entire prostitute to give up their profession and lead the life of honour. In the Manu Smriti, Manu not only shows contempt for women but goes on to degrade them as slaves, devoid of intellect; denies them the right of education and the right to property; and forbids them from performing sacrifices. Being India's first Law minister and chairman of drafting Committee of the Constituent Assembly, Dr. Ambedkar

thought it appropriate, rather his duty, to free women from the age old thralldom by reforming the Hindu social laws created by Manu. He, therefore, took initiative to draft and introduce the Hindu Code Bill in the Constituent Assembly. Dr. Ambedkar tried an adequate inclusion of women's right in the political vocabulary and constitution of India is: **1.** Article14 - Equal rights and opportunities in political, economic and social spheres **2.**Article 15 prohibits discrimination on the ground of sex. **3.** Article 15(3) enables affirmative discrimination in favour of women. Article 39 - Equal means of livelihood and equal pay for equal work. **4.** Article 42 - Human conditions of work and maternity relief. **5.**Article 51 (A) (C) - Fundamental duties to renounce practices, derogatory to the dignity of women. **6.**Article 46 - The state to promote with special care, the educational and economic interests of weaker section of people and to protect them from social injustice and all forms of exploitation. **7.**Article 47 - The state to



raise the level of nutrition and standard of living of its people and the improvement of public health and so on. Article 243D (3), 243T (3) & 243R (4) provides for allocation of seats in the Panchayati Raj System

#### **Hindu code bill:**

Dr. Babasaheb Ambedkar resigned from the post of the first Law Minister of India when his noble "Hindu Code Bill" A women's rights for Indian women dropped by then prime minister Nehru. But none of the women's organisation talks about it. For three years, he fought to get the bill passed. It was the greatest ever social reform in India. It is nothing but declaration of Women's Rights. It spoke of giving back dignity to Indian Women and giving equal rights to men and women. They are Rights to Property, Order of Succession to property, Marriage, Divorce, Guardianship.

Although Dr. Babasaheb Ambedkar could not succeed in getting passed the full Hindu Code Bill, he successfully laid the foundation of Equality for the women in India in all spheres of life. Due to his efforts the women are holding high positions in all fields including Engineering, Medical, Army, Airforce, Navy, Police, Administration, Politics, etc.,

#### **He framed many laws for women in India as follows:**

Dearness allowance, Women labour welfare fund, ESI, Provident fund Act, Women labour protection Act, Maternity benefit for women labour bill, Divorce Act, Right over parental property, No marriage before age of 18 years, Maintenance allowance from husband on getting legally separation, Window can adopt a child, Mother can change

guardian of minor by will, Restoration of Ban on Women Working Underground in Mines, Etc.,

#### **"RIGHT TO VOTE (Equal for all Women and Men in India) i.e, 'ADULT FRANCHISE' was given by Dr. Babasaheb Ambedkar:**

25<sup>th</sup> January was observed as the National Voters Day in our Nation. Well..!! Firstly I would like to say one thing, atleast to spread something awareness about our constitutional right (Article 326) i.e., "Right to Vote" to some people. Now all Indians have Right to Vote without bias in gender, caste, class, literacy or religion. It was "Founding Father of Modern India" Revolutionary Dr. Ambedkar who voiced as the first person in India for the 'Universal Adult Franchise' before the south borough commission. Later before the Simon Commission for all Indians without bias in gender, caste, class, literacy and religion.

Today our constitution granted voting rights to all Indian Women as a right because of him. But before Independent India, It is not easy task for everyone 'Right to Vote' even men also. Mostly the 'Right to Vote' was given only to those The Rich, The Landed, and the Tax Payers. Some people may claim Montagu-Chelmsford Reforms granted votes to women. But it was under condition (like man) to some women in province only not for whole part in India.

- Dr. Ambedkar started his movement in 1920. He stated "We shall see better days soon and our progress will be greatly accelerated if male education is persuaded side by side with female education.



- Dr.Ambedkar spent his life for the betterment of Women even involved in bad practices and professional like Prostitution.
- Being India's first Law Minister and Chairman of Drafting committee of the Constituent Assembly, Dr.Ambedkar thought it appropriate, rather his duty, to free women from the Age old thralldom by reforming the Hindu Social Laws created by Manu. He therefore took initiative to draft and introduce the Hindu Code Bill in the Constituent Assembly.

#### **Constitutional provisions for women**

- Dr.Ambedkar tried an adequate inclusion of womens right in political vocabulary and constitution of India are
  - Article 14 – Equal Rights and Oppurtunities in Political ,Economical and Social spheres.
  - Article 15- Prohibits discrimination on the ground of sex.
  - Article 39- Equal means of livelihood and equal pay for equal work.
  - Article 42- Human conditions of work and maternity relief.
  - Article 51(A)(C)- Fundamental duties to renounce practices, Derogatory to the dignity of Women.
  - Article 46- The state to promote with special care, Educational and Economic interest of weaker section of people and to protect them

from social injustice and all forms of exploitation.

Ambedkar's defense for women as the Law Minister of free India appeared in the form of the Hindu Code Bill in parliament on 11<sup>th</sup> April 1947, The Bill couldnot with stand the opposition from the Hindu Orthodoxy. The Bill tried to codify the Hindu Laws which were in a scattered form.

#### **Conclusion:**

Dr.Ambedkar's protest against the failure of the Bill resigned his seat in the cabinet. Although his efforts did not , entirely go waste. Later the original bill was split into four different Bills with slight changes. Those were passed as , Hindu Marriage Act 1955, The Hindu Succession Act 1956, The Hindu Minority and Guardianship Act 1956, The Hindu Adoption and Maintenance Act 1956, Lord Casey said,Ambedkar stands as the "Fountain head of Wisdom and Knoweldge" in Modern India.



## Dr. B.R.Ambedkar - The Indian Constitution Maker and A Torchbearer of Political Power to Bahujans

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**Abstract:** *in this paper an attempt is made to present Dr. B.R.Ambedkar- The Indian Constitution Maker and A Torchbearer of Political Power to Bahujans. The bahujans who are now subjects of the country are the inheritors of the Naga clan who once ruled this country (SC/ST/BC) Minorities-85 percent of the country's population But they are now divided in to many castes and rendered poor, destitute and helpless. Therefore Dr. B.R. Ambedkar advocated that political power is the ultimate goal for the solution of all their problems and felt that the real democracy and socialism could prevail only under their regime, in the country. Dr. Ambedkar told the Dalit leaders and the masses that, "Dalits should become the ruling community and political power is the only key to achieve that. The shift of Dalit leadership from social reform to achieving political power has also been substantiated by many social scientists.*

**Key words:** *bahujans, Constitution Maker, social scientists*

### Introduction

The Father of Indian Constitution Bharata Ratna Dr.B.R.Ambedkar has achieved wonderful victories in various fields. Millions of people accepted him as their role model. They have transformed and transforming themselves as historical figures leaving their special mark in different fields. Dr.B.R.Ambedkar took up the most injustice and deprivation of the dalits from all opportunities due to caste discrimination in twentieth century India . Dr.B.R.Ambedkar was a great lover of books. He used to say I love books more than I love my wife and children. Dr. B. R. Ambedkar possessed a very big personal library in even, in those days in India. The entire ground floor of his house "Rajagriha" in Bombay was devoted to this library. According to an estimate there were 45 thousand books in the floor. He read every important book with much concentration.

### Father of Indian constitution

Dr.B.R.Ambedkar was familiar with every letter of constitutions of countries like United States, England etc. He had a complete knowledge over constitutions of 16 countries. It is for this reason that he was chosen as chairman for Drafting committee of constitution of India though, members of the committee (1+6) have not co-operated with him due to their personal affairs, he worked alone for 2 years 11 months 18 days restlessly without caring for his deteriorating health and prepared an admirable constitution for our country. As the president of constituent Assembly Ambedkar received appreciation for his untiring efforts from the first president of India, Dr. Rajendra Prasad, Mr. T. T. Krishnamachary member of the Drafting committee of Indian constitution and the first Home Minister of India, Justice Koka subbarao, the former chief justice of supreme court. They paid glowing tributes to him stating that the country is indebted to Dr. B.R. Ambedkar forever for drafting Indian constitution despite his ill health Dr. Nelson Mandela, a





Nobel Prize (for peace) awardee, admired Dr. Ambedkar for drafting such a great constitution for their country south Africa. It reveals the greatness of our constitution and talent, genius and efficiency of its writer as it is followed for 6 decades without any interruption by the people of Indian with necessary amendments in spite of many castes 6000 religions and languages.

### **Real democracy and socialism**

The bahujans who are now subjects of the country are the inheritors of the Naga clan who once ruled this country (SC/ST/BC) Minorities-85 percent of the country's population But they are now divided in to many castes and rendered poor, destitute and helpless. Therefore Dr. B.R. Ambedkar advocated that political power is the ultimate goal for the solution of all their problems and felt that the real democracy and socialism could prevail only under their regime, in the country. To achieve this goal he suggested that all the bahujans should fight united with one agenda and with one flag / symbol. In his attempt to achieve this goal, he started independent labour party (1937), Scheduled casted federation (1942) and Republican party of India (1956) based on the contemporary and social situations. Independent Labour party demonstrated the unity of bahujans by winning 15 seats out 17 in 1937 Assembly elections of Bombay. Unfortunately, some bahujans proved to be stooges of the brahminical conspiracies of the upper caste Hindus in later period and have become the caravans of their flag bearers. They distanced themselves away from the political power, In spite of all this we wish that all bahujans feel that Mahatmapule and Babasaheb Ambedkar are path finder's of their bright future to move ahead as a single

political entity to capture the political power and work for the welfare of all bahujans and Indians.

### **Constitutional Vision**

"I wish my people should remain as Indians first and last, they should not become others" asserted Dr. Ambedkar, A close examination of his speeches at Round Table conferences (1930-32) representations submitted to the British Viceroy, the reports given to the Stafford, Cripps and Simon oppressed. His aspiration to provide opportunities to SC & STs, 25% of population of the country in polities, economy, and in the areas such as social, ethical and religion, his proposition of Principle of one man one vote - one poor demonstrate his Indianness and humanism. Not championing the cause of a separate dalitistan as Jinnah demanded for Pakistan, his hiving up of the demand for separate constituencies for SC/STs (Which he achieved by the British through communal Award) to save the life of Gandhi, his commitment to write constitution alone without caring for his health his preparation of Hindu code Bill for the empowerment of women who from the 50% of the country's population, resigning the ministry for the defeat of the same bill, his embracing Buddhism which is our ancient national religion rejecting foreign religions, his planning for national projects like Bhakranangal and Damodar valley, selection of national symbol designing the national flag are clear testimonies to his constitutional vision. Dr. Ambedkar told the Dalit leaders and the masses that, "Dalits should become the ruling community and political power is the only key to achieve that. The shift of Dalit leadership from social reform to achieving political power has also been substantiated by many



social scientists. For instance, Rudolf and Rudolph (1987), Lych (1974), Joshi (1982) have given different versions for this shift of dalit leadership and they argued that this has occurred because of the development of liberal and democratic values fostered by the Constitution of India.

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## Democracy and women rights in India

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**Abstract** : *Today women enjoy equal legal access to health care, education, civic participation, and economic justice as a result of generations of advocacy on behalf of women. However, despite gains in gender equality over the past century, women are still victims of harassment, assault, and discrimination in the workplace and at home. As Lenora Lepidus observes, barriers to full equality for women continue to exist in our society, and yet the call for advancement and reform can go unanswered. There are many who have dedicated their lives to the furthering of women's rights, yet advocates are still needed in the field of women's rights to continue important this work.*

**Key words:** *harassment, assault, and discrimination*

### Introduction

The term "women's rights" encompasses many different areas, making it among the most difficult areas of law to define. Women's rights are most often associated with reproductive rights, sexual and domestic violence, and employment discrimination. But women's rights also includes immigration and refugee matters, child custody, criminal justice, health care, housing, social security and public benefits, civil rights, human rights, sports law, LGBT rights, and international law. Often feminist leaders today focus on areas of intersection between women's rights and other issue areas and consider these areas of intersection as one larger movement for social justice. These areas of overlap offer an opportunity for lawyers to focus on many areas of social policy important to them. For example, if you work for an immigrant rights group or for a labor union, you can find areas of overlap with women's rights whenever women are involved. You can be an advocate for women's rights from a many of types of organizations, because when a woman is involved, women's rights are involved.

This guide will mainly focus on the traditional "women's rights" areas, and discuss the variety of opportunities, issue areas, and practice settings to advocate for women's rights. However, there are an infinite number of women's issues to fight for, and an equally large number of avenues in which to advocate for equal justice. Be creative in your thinking, spread wide your research, and find the issue and practice area in which you can most effectively achieve your goals.

### Basic Rights for Women

Many states have established Governor's Commissions or Task Forces on Women's Issues, most dealing with domestic violence. For example, Massachusetts has a Governor's Commission on Domestic Violence that coordinates state programs and initiatives on community responses to domestic violence. Illinois has a Governor's Commission on the Status of Women in Illinois, which initiated and was responsible for the passage of the Illinois Gender Violence Act giving victims of domestic violence, rape and sexual assault a civil right of action



against their perpetrators. Even if you do not want to directly work at your state's commission on women's rights, remember these offices as resources with links to other organizations about women in your state.

Attorney General's Offices can offer interesting work on women's rights issues. Some have established divisions focused on women's rights that do policy work on economic and violence issues affecting women in particular. Other divisions of an Attorney General's Office will deal with women's issues as well, such as abortion rights, consumer advocacy, health care issues, and poverty law.

Opportunities exist at the local level of government to work on women's rights through mayoral offices and prosecutor's offices. Some mayors make fighting violence against women a priority, and have dedicated offices to combat domestic violence. State's Attorneys and District Attorneys prosecute sex crimes on the local level, bringing justice on behalf of victims of rape and sexual assault. Programs created in these offices to support crime victims throughout the difficult trial process have made enormous differences in the willingness of these victims to cooperate with the prosecution of the case. Consider volunteering as a courtroom advocate to work with female witnesses and help them navigate the criminal justice system.

### **Legal Rights for Women**

Although not intended in the formulation of laws, some criminal laws are applied to men and women differently. While there are other examples of ways criminal laws are applied in different ways to men and

women, the prosecution of women for drug-related offenses can have unintended consequences for women. With the mandatory sentencing practices enacted during the war on drugs, women are increasingly being incarcerated for, what is often, very limited involvement in drug trafficking. For example, if a woman owns the car used to carry drugs, or answers the telephone for someone else in the household involved in drug selling, the woman is at risk of being prosecuted based on the amount of drugs involved rather than the level of her participation. Because women often have such limited involvement with the drugs themselves, they can have little information to bargain with or offer in a plea bargain. As a result, men with more intricate knowledge of the drug transaction are offered pleas and spend less time incarcerated than women. While the intention of the war on drugs was not to imprison women with limited if any involvement in the drug operations, that has been the unfortunate reality. Lawyers can work defending women accused of involvement with drugs, and legislation reform.

### **Household Violence on Women**

Domestic violence against women permeates every aspect of life for victims of abuse in the home. It includes physical, emotional, and sexual abuse by a partner. Domestic violence is a complicated problem and once a victim finds the strength to leave her abuser, she encounters a variety of problems requiring legal support. There are a number of legal hurdles women have to jump through after leaving their attacker.

One of the greatest challenges facing victims of domestic abuse is loss of



housing. Because of the coercive and controlling tactics used by abusers, women can be cut off from family, friends and other support networks. In Minnesota in 2003, 46 percent of homeless women reported that they had stayed in an abusive relationship because they had nowhere to go. When victims decide to leave their abuser and go to a shelter, they may encounter time limitations on their stay at the shelter. Some landlords refuse to rent units to victims or evict women when they learn of a domestic violence situation. In addition to direct representation of women in obtaining restraining orders, legal advocates can work to prevent discriminatory rental practices, ensure adequate funding for shelters, and other reforms at both the local and national level.

### **Domestic Law on Women**

Family law encompasses, among other practices, child custody, child support, protection from abuse orders, and divorce—all of which involve women. Women involved in family law proceedings need counsel in obtaining legal protection from abuse for themselves and their children. In custody, support, and protection proceedings, low-income women in family court typically rely upon legal support from local legal services offices to represent them. Legal services lawyers can make improve daily lives of individuals through family law practice supporting women. Reform through policy and impact litigation can protect the rights of mothers and women on a larger scale.

### **Human trafficking and sex workers**

Human trafficking continues to victimize young women and girls

internationally. Low levels of education, economic instability, and limited English competency often make women vulnerable to predatory traffickers, who coerce their victims with false promises for employment. Taken from their homes to other countries to serve as sex workers or domestic servants, women and girls are exposed to physical, sexual and psychological force routinely. Sometimes traffickers and employers deny women and girls their identification documents to prevent them from escaping. Legal advocates work to call attention to these injustices from governments around the world, demand punishment of those involved in trafficking, and return women and girls to their homes.

### **International women's rights**

Organizations both in the United States and abroad are increasingly calling for vigilance in respecting and advocating for the rights of women abroad. Just as in the United States, violence against women is a systemic problem in many areas of the world. In some war-torn countries in Africa, women are raped repeatedly by militants and often infected by HIV/AIDS. In other countries, men beat women regularly, with few, if any, consequences from law enforcement. Often there are stigmas attached to victims of sexual and domestic violence, discouraging victims from reporting crimes of this nature. Legal advocates in the United States can fight for increased awareness of violence against women as violations of human rights.

### **Sexual harassment**

Sexual assault and rape pose a great threat to women. Victims of such crimes



are in need of attorney advocates to protect their individual rights as women and to support policy on behalf of victims across the nation. State's Attorneys and District Attorneys prosecute sexual assailants and are involved in cases regarding sexual assault on an individual level. In some states, upon arrival at a hospital, rape victims are not informed about emergency contraception. Some women's rights activists are currently working to standardize the information provided to rape victims about their rights and the choices they can make about their health and recovery.

In largely agrarian economies, arable land is the most valued form of property and productive resource. It is a wealth-creating and livelihood-sustaining asset. For a significant majority of rural households it is the single most important source of security against poverty. Traditionally, it has been the basis of political power and social status. For many, it provides a sense of identity and rootedness. It is an asset that has a permanence that few other assets possess. In some communities, ancestral land also symbolically stands for continuity of kinship and citizenship. While many of these links are well recognized at the *household* level, their importance specifically for *women* has received little attention. Indeed, the issue of women's rights in land (and more generally in property) has been, until recently, largely neglected in both research and policy. In fact, in almost all developing countries, large-scale surveys and agricultural censuses collect property related information only by households, without disaggregating by gender. Nepal is a recent exception where such data will now be collected in its census. In most of South Asia, including India, therefore, we

still have to depend on small-scale surveys and village studies to assess women's access to land. These sources reveal that typically few women own arable land and even fewer effectively control some.

The social and economic implications of this are wide-ranging. Millions of women in Asia, Africa, and Latin America depend critically on land for a livelihood. The typical process of agrarian transformation under which labor shifts from agriculture to non agriculture has been slow and gender biased. In many countries, those who have moved to nonfarm work are largely men, while women have remained substantially in agriculture. Hence a disproportionate number of those still dependent on land are women. In India, for instance, 58 percent of all male workers but 78 percent of all female workers, and 86 percent of all *rural* female workers, are in agriculture. Indeed the *gender gap has been growing*. Women's domestic work burden, lower mobility, lesser education, and fewer investable assets limit their entry into non agriculture, and also their range of nonfarm options. Moreover, the nature of women's agricultural work is, to a greater extent than for men, casual in nature. Relative to men, women also continue to have lower real wage rates and lower average real wage earnings in both agriculture and non agriculture.

### Land Rights for Women

Rights (in any form of property) are defined here as claims that are legally and socially recognized and enforceable by an external legitimized authority, be it a village-level institution or some higher-level body of the State. Land rights can stem from inheritance, transfers from the State, tenancy arrangements, land





purchase, and so on. They can be in the form of ownership or usufruct (rights of use), and can encompass differing degrees of freedom to lease out, mortgage, bequeath, or sell.

Three additional distinctions are relevant here. First, there is a difference between the legal recognition of a claim and its social recognition, and between recognition and enforcement. A woman may have a legal right to inherit property, but this may remain merely on paper if the claim is not recognized as socially legitimate or if the law is not enforced. Second, there is a distinction between ownership and effective control. It is sometimes assumed incorrectly that legal ownership carries with it the right of control in all its senses. In fact, legal ownership may be accompanied by restrictions on disposal, as among the Jaffna Tamils of Sri Lanka and several communities in Latin America, where a married woman needs her husband's consent to alienate the land she legally owns. Third, we need to distinguish between rights vested in individuals and those vested in groups.

In contrast, direct land transfers to women are likely to benefit not just women but also children. Evidence both from India and from many other parts of the world shows that women, especially in poor households, spend most of the earnings they control on basic household needs, while men spend a significant part of theirs on personal goods, such as alcohol, tobacco, etc. (Dwyer and Bruce 1988). This, in turn, affects child welfare. Children in rural India are found more likely to attend school and receive medical attention if the mother has more assets (Duraisamy 1992). Women without independent resources are highly vulnerable to poverty and destitution in

case of desertion, divorce, or widowhood. In parts of western and north western India, not uncommonly, rural women even from rich parental and marital families, deprived of their property shares when widowed, can be found working as agricultural laborers on the farms of their well-off brothers or brothers-in-law. The fate of deserted and divorced women is worse.

### **Social Status of Women Rights**

Unless and until women's claims begin to be seen as socially legitimate, parents who have a male bias are likely to use the right of making wills to disinherit daughters, even if the laws are made fully gender-equal. Similarly, efforts are needed to change conservative or negative perceptions about women's appropriate roles and abilities, and to challenge social norms that restrict women's public mobility and interaction. For instance, the problem posed by women's marriage outside the natal village arises only partly from the distances involved and mostly from social strictures on women's mobility, and social perceptions about women's lesser abilities and deservedness. Men are seldom denied their property rights even if they migrate to distant parts (as many men, especially younger ones, do to seek jobs in cities.

Although social attitudes, norms, and perceptions are not easy to alter, certain types of interventions could further the process. For instance, government initiatives to transfer land titles and infrastructural support to women farmers would have a notable demonstration effect. Interventions to strengthen extra family economic support for women, including through a government social security scheme,



would help reduce women's dependence on relatives and especially on brothers in whose favor women often forgo their claims. Overall, economic support would also enhance women's ability to challenge inequalities in the family and community.

### Conclusion

A number of South Asian women's groups also have been arguing for gender equality in inheritance laws by emphasizing that their constitutions promise equal treatment of women and men. Finally, given that this issue is significant and relevant for women in many countries, there is scope here for sharing experiences and strategies for change; for building horizontal linkages between groups with similar goals; and for inter-national coalitions both between South Asian countries and between South Asia and other parts of the globe. This would be facilitated by emerging international support for women's claims in property. The Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) has focused on equality in property as one of its important directives. The United Nations Conference on Human Settlements at its Istanbul meeting in 1996 also focused centrally on women and land. Since then the Huairou Commission in conjunction with the UNDP, Habitat, WEDO, and the Women's Caucus of the UN Commission on Sustainable Development has held several discussions with women's groups world-wide, to examine regional progress in enhancing women's access to land and property. The Huairou Commission is also re-requesting support for a global campaign to promote women's claims in land and property, and in housing rights for the urban poor under the auspices of

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## Ambedkar and the Indian constitution with special references to uniform civil code and article 370

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**Abstract:** Upon India's independence on 15 August 1947, the new Congress-led government invited Ambedkar to serve as the nation's first Law Minister and he accepted the offer after consideration. It was time for India to have its own constitution and the Congress-led government was looking for the right person to draft the constitution of India. On 29 August 1947, he was chosen and was appointed Chairman of the Constitution Drafting Committee, and was entrusted the responsibility of writing the constitution by the Assembly. Granville Austin described the Indian Constitution drafted by Ambedkar as 'first and foremost a social document'. 'The majority of India's constitutional provisions are either directly aimed at furthering the aim of social revolution or attempt to foster this revolution by establishing conditions necessary for its achievement. The text prepared by Ambedkar provided constitutional guarantees and protections for a wide range of civil liberties for individual citizens, including freedom of religion, the abolition of untouchability, and the outlawing of all forms of discrimination. Ambedkar argued for extensive economic and social rights for women, and won the Assembly's support for introducing a system of reservations of jobs in the civil services, schools and colleges for members of scheduled castes and scheduled tribes and Other Backward Class, a system akin to affirmative action. India's lawmakers hoped to eradicate the socio-economic inequalities and lack of opportunities for India's depressed classes through these measures. The Constitution was adopted on 26 November 1949 by the Constituent Assembly.

**Key words:** constitution, constitutional guarantees, adopted, draft, uniform civil code.

The **Constitution of India** is the supreme law of India. It lays down the framework defining fundamental political principles, establishes the structure, procedures, powers and duties of government institutions and sets out fundamental rights, directive principles and the duties of citizens. It is the longest written constitution of any sovereign country in the world. The nation is governed by it. B. R. Ambedkar is regarded as its chief architect.

It imparts constitutional supremacy and not parliamentary supremacy, as it is not created by the Parliament but, by a constituent assembly, and adopted by its

people, with a declaration in its preamble. Parliament cannot override the constitution.

It was adopted by the Constituent Assembly on 26 November 1949, and came into effect on 26 January 1950. With its adoption, the Union of India became the modern and contemporary Republic of India replacing the Government of India Act, 1935 as the country's fundamental governing document. To ensure constitutional autochthony, the framers of the constitution repealed the prior Acts of the British Parliament via Article 395 of the constitution. India celebrates its coming



into force on 26 January each year, as Republic Day.

It declares India a sovereign, socialist, secular democratic republic, assuring its citizens of justice, equality, and liberty, and endeavours to promote fraternity among them.

It is drawn from many sources. Keeping in mind the needs and conditions of India its framers borrowed different features freely from previous legislation viz. Government of India Act 1858, Indian Councils Act 1861, Indian Councils Act 1892, Indian Councils Act 1909, Government of India Act 1919, Government of India Act 1935 and the Indian Independence Act 1947. The last legislation which led to the creation of the two independent nations of India and Pakistan provided for the division of the erstwhile Constituent Assembly into two, with each new assembly having sovereign powers transferred to it, to enable each to draft and enact a new constitution, for the separate states.

#### Support to uniform civil code:

During the debates in the Constituent Assembly, Ambedkar demonstrated his will to reform Indian society by recommending the adoption of a Uniform Civil Code. Ambedkar resigned from the cabinet in 1951, when parliament stalled his draft of the Hindu Code Bill, which sought to enshrine gender equality in the laws of inheritance and marriage. Ambedkar independently contested an election in 1952 to the lower house of parliament, the Lok Sabha, but was defeated in the Bombay (North Central) constituency by a little-known Narayan SadobaKajrolkar, who polled 138,137 votes compared to Ambedkar's 123,576. He was appointed to the upper house, of parliament, the Rajya Sabha in

March 1952 and would remain as member till death.

**Uniform civil code** is the proposal to replace the personal laws based on the scriptures and customs of each major religious community in India with a common set governing every citizen. Article 44 of the Directive Principles sets its implementation as duty of the State.

#### Lets take for a case:

1. It's lawful for a Muslim man to keep more than one wife but not for a Hindu man. Of course no woman Hindu or Muslim can have more than 1 husband in our patriarchal society.
2. Hindus can form an undivided family (**HUF**) to manage their assets better and in the process reduce their taxes but not Muslims or Christians.
3. Christians can't file for divorce before completion of 2 years of marriage while other communities can do so after 1 year of marriage.
4. Christian women get no share in the property of deceased children while different rules apply to other communities.

#### These observations prompt one to ask, *whose law is it anyway!*

This chaotic situation is the result of **religious laws** governing matters relating to marriage, divorce, succession, inheritance, maintenance etc.

The question of **uniform civil code** had been raised time and again since independence but post *Supreme Court judgment in 1985 on "the maintenance a divorced Muslim woman would be entitled to receive"*, this question



has acquired a distinct communal overtone.

On December 2, 1948, Dr. B.R. Ambedkar, seen as one of the architects of the Constitution, defended the state's endeavour to put in place a uniform civil code in future by including it among the Directive Principles of State Policy.

But this couldn't be done by force, he told the Constituent Assembly, adding that it would be "mad" to introduce it by "provoking Muslims." This was days after he had suggested, on November 23, 1948, that the future Parliament could extend it to those who voluntarily agreed to be bound by it.

"I personally do not understand why religion should be given this vast, expansive jurisdiction so as to cover the whole of life and to prevent the legislature from encroaching upon that field. After all, what are we having this liberty for?" Ambedkar told the Constituent Assembly. "We are having this liberty in order to reform our social system, which is so full of inequities, so full of inequalities, discriminations and other things, which conflict with our fundamental rights."

He, however, added that the provision wasn't an "obligation" on the state to introduce a common civil code but just gave the state the power to move towards it. "No one need be apprehensive... that if the state has the power, the state will immediately proceed to execute... that power in a manner that may be found to be objectionable by the Muslims or by the Christians or by any other community..." he said.

On November 23, 1948, he disagreed with an amendment suggested by some Muslim members that nothing in the

provision should affect the personal law of citizens. He, however, suggested that a possible shift to a common civil code could be voluntary for a beginning, meaning only those agreeing to be bound by it be brought under it.

**Article 370 gives special status to Jammu and Kashmir and special provisions in the constitution under this article are:**

(1) Notwithstanding anything contained in this Constitution,—

(a) the provisions of article 238 shall not apply now in relation to the state of Jammu and Kashmir.

(b) the power of Parliament to make laws for the said state shall be limited to—

(i) those matters in the Union List and the Concurrent List which, in consultation with the Government of the State, are declared by the President to correspond to matters specified in the Instrument of Accession governing the accession of the State to the Dominion of India as the matters with respect to which the Dominion Legislature may make laws for that State; and

(ii) such other matters in the said Lists as, with the concurrence of the Government of the State, the President may by order specify.

(c) the provisions of article 1 and of this article shall apply in relation to that State;

(d) such of the other provisions of this Constitution shall apply in relation to that State subject to such exceptions and modifications as the President may by order specify:





Provided that no such order which relates to the matters specified in the Instrument of Accession of the State referred to in paragraph (i) of sub-clause (b) shall be issued except in consultation with the Government of the State:

Provided further that no such order which relates to matters other than those referred to in the last preceding proviso shall be issued except with the concurrence of that Government.

**(2)** If the concurrence of the Government of the State referred to in paragraph (ii) of sub-clause (b) of clause (1) or in the second provision to sub-clause (d) of that clause be given before the Constituent Assembly for the purpose of framing the Constitution of the State is convened, it shall be placed before such Assembly for such decision as it may take thereon.

**(3)** Notwithstanding anything in the foregoing provisions of this article, the President may, by public notification, declare that this article shall cease to be operative or shall be operative only with such exceptions and modifications and from such date as he may specify. Provided that the recommendation of the Constituent Assembly of the State referred to in clause (2) shall be necessary before the President issues such a notification.

The clause 7 of the Instrument of Accession signed by Maharaja Hari Singh declared that the State could not be compelled to accept any future Constitution of India. The State was within its rights to draft its own Constitution and to decide for itself what additional powers to extend to the Central Government. The Article 370 was designed to protect those rights. According to the constitutional scholar A. G. Noorani, the Article 370

records a "solemn compact." Neither India nor the State can unilaterally amend or abrogate the Article except in accordance with the terms of the Article.

Article 370 embodied six special provisions for Jammu and Kashmir

It exempted the State from the complete applicability of the Constitution of India. The State was allowed to have its own Constitution.

Central legislative powers over the State were restricted to the three subjects of defence, foreign affairs and communications.

Other constitutional provisions of the Central Government could be extended to the State only with the concurrence of the State Government.

The 'concurrence' was only provisional. It had to be ratified by the State's Constituent Assembly.

The State Government's authority to give 'concurrence' lasted only until the State Constituent Assembly was convened. Once the State Constituent Assembly finalized the scheme of powers and dispersed, no further extension of powers was possible.

The Article 370 could be abrogated or amended only upon recommendation of the State's Constituent Assembly. Once the State's Constitutional Assembly convened on 31 October 1951, the State Government's power to give 'concurrence' lapsed. After the Constituent Assembly dispersed on 17 November 1956, adopting a Constitution for the State, the only authority provided to extend more powers to the Central Government or to accept Central institutions vanished. Noorani states this understanding of the constitutionality of



the Centre-State relations informed the decisions of India till 1957, but that it was abandoned afterwards.

### Presidential orders

In exercise of the powers conferred by clause (1) of article 370 of the Constitution, the President, with the concurrence of the Government of the State of Jammu and Kashmir made *The Constitution (Application to Jammu and Kashmir) Order, 1950* which came into force on 26 January 1950 and was later superseded by the *Constitution (Application to Jammu and Kashmir) Order, 1954* which came into force on 14 May 1954. The 1954 Presidential Order was a subsequent to the '1952 Delhi agreement' reached between Nehru and the then Prime Minister of Jammu and Kashmir Sheikh Abdullah, that dealt with the extension of Indian citizenship to the J&K "state subjects", and in that order, the Article 35A is added to the Constitution of India to empower the Jammu and Kashmir state's legislature to define "permanent residents" of the state and provide special rights and privileges to those permanent residents.

In addition, 47 Presidential orders have been issued between 11 February 1956 and 19 February 1994 making various other provisions of the Constitution of India applicable to Jammu and Kashmir. All these orders were issued with the 'concurrence of the Government of the State'. The effect of these orders has been to extend 94 of the 97 subjects in the Union List (the powers of the Central Government) to the State of Jammu and Kashmir, and 260 of the 395 Articles of the Constitution of India. This process has been termed the 'erosion' of the Article 370.

### Applicability of Indian laws to Jammu and Kashmir

Acts passed by Indian Parliament have been extended to Jammu and Kashmir over a period of time.

All India Services Act, Border Security Force Act, Central Vigilance Commission Act, Essential Commodities Act, Haj Committee Act, Income Tax Act, The Central Laws (Extension To Jammu And Kashmir) Act, 1956, The Central Laws (Extension To Jammu And Kashmir) Act, 1968.

Dr. Ambedkar was strictly opposed to Article 370, and a bold and honest person as he was, he had no reservations in explaining why:

"You wish India should protect your borders, she should build roads in your area, she should supply you food grains, and Kashmir should get equal status as India. But Government of India should have only limited powers and Indian people should have no rights in Kashmir. To give consent to this proposal, would be a treacherous thing against the interests of India and **I, as the Law Minister of India, will never do it.**" This is what Dr. Ambedkar said to Sheikh Abdullah, the founder of National Conference, and one of the most prominent leaders of Kashmir at the time of Independence.

### Conclusion

BJP leader Subramanian Swamy claimed that Dr BR Ambedkar, father of Indian Constitution, and most of the Congressmen were against Article 370 and it was only Prime Minister Jawaharlal Nehru who imposed it. Addressing a gathering at SaiSabhagraha, Swamy said, "Nehru's decision was illegal. He did not take permission from the cabinet. When the



issue came up for discussion in constituent assembly, Dr Ambedkar was so disgusted that he did not take part in it." The BJP leader also stressed that India should implement uniform civil code (UCC). "If Muslims in US, Australia and France can accept it then why can't Indian Muslims do it. In Turkey and Tunisia, Muslims are not allowed to marry twice. Even in Pakistan a man has to take permission from a special tribunal to marry twice," he said. Swamy asked if Muslims wanted a separate civil code then why not they asked for a separate criminal code. "If a Muslim thief is caught he is sent to jail like a Hindu. His hands are not chopped off as per Sharia," he said.

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## Textile Art among Mala Caste in Andhra Pradesh: A Folklore Perspective

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**Abstract:** *The current paper is based on the field experience during course of material collection to the Ph.D research work. The main focus of the study is to understand the Textile Art among Mala Caste in Andhra Pradesh within the framework of folklore perspective. Whenever we refer textile production has been associated with Padmashali, Devanga and Nethakani are among the popular and there are more than 30 communities involved in textile related art weaving works. It is also important to note that the Mala community is majorly associated with handloom weaving art. It is patronized to know that the Padmashalies, Devangas and other agricultural production communities are highlighted more and Dalits communities are neglected categorically. In the present paper focuses to bring out Mala community involvement in textile weaving art is more than the Padmashali and other communities*

**Key words:** *handloom, Dalit Cooperative Societies, Scheduled Castes*

### Introduction

Telugu speaking people of Madras State belongs to Rayalaseema, Datta mandalas became Andhra Pradesh On 1<sup>st</sup> October 1953. After accepting states reorganization bill new states formed on the basis of linguistic states. In Hyderabad state those who speak Marathi became Maharashtra, those who speak kannada became Karnataka remaining Telugu speaking people of Nizam state were part of Andhra Pradesh. That is how on 1<sup>st</sup> November 1956 the then Telangana region of Hyderabad State and Telugu speaking people belongs to madras state became a separate state with Hyderabad as the capital city. Neelam Sanjeevareddy became first chief minister of Andhra Pradesh. After 58 years on 2<sup>nd</sup> June 2014 states were reorganization happened due to separatist movement. Hyderabad will be united capital for 10 years to both Telangana and Andhra Pradesh states. Foundation of new capital city called

Amaravathi for Andhra Pradesh state being laid by the government on 1<sup>st</sup> October 1953.

Language, Cultural, dance and cinema and other art forms are popular in Andhra Pradesh State. Some of the popular art forms are known its excellence in yeti koppaka village of Vishakhapatnam and Kondapalli of Krishnan district are famous for wooden toys along with these textile industries has also grown rapidly. After observing the historical documents, it has been observed by the researchers that the Scheduled castes used to be handloom weavers. It has been observed that the Scheduled Castes have been in handloom weaving since the time of Indus valley civilization. The 'Madiga' community from the Scheduled Castes used to skin the animals and make leather slippers from the skin that they have skinned from the animals. These slippers are used by these 'Madiga' community people in the barter trade as an exchange for other



products produced by other caste groups. The remaining Scheduled Castes, except 'Madigas' used to engage in the handloom weaving, and used to supply the handloom garments to OCs and OBCs. They used to exchange these handloom products with other products, especially food grains produced by the other caste groups. Apart from engaging in the handloom production, the scheduled castes also used to engage in agriculture. Historically, the scheduled castes have been the drivers of production mechanism. The weaving community could only weave cloths if and only they are supplied with yarn by the farming community. But the scheduled castes, especially 'Malas'<sup>1</sup> are different from the weaving community in a sense that these communities used to cultivate yarn. The scheduled communities engage in the production of yarn at every stage; sowing the cotton in the field, cultivating the cotton, processing the cotton, carrying it to the spinning mills, lining the cotton, preparing yarn etc., stages of yarn production. Hence, it can be observed that the 'Mala' community is different from other scheduled caste weaving community in a sense that the 'Mala' community used to engage in the production of yarn from cultivating of yarn to preparation of yarn for the handloom industry whereas the other scheduled castes used to only weave the yarn produced by the 'Mala' community of the scheduled castes.

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<sup>1</sup> Sydney Nicholson, S. (1926). Social Organization of the Mala-An Outcaste Indian People, *The Journal of the Royal Anthropological Institute of Great Britain and Ireland*, Vol. 56, Pp. 91-103.

Most of the 'Mala' weaving communities are from North India. 'Mala' community based trade unions and co-operative societies are there in Uttar Pradesh. There are certain rights groups based in Delhi to fight for the rights of these 'mala' weaving community. Similarly, the 'Mala' weaving community people are there in Kerala also. Around 1000 handloom units are there in the state of Kerala maintained by the 'Mala' and backward caste weaving communities. And all these handlooms are maintained by women from these communities. Even the family is run the women in these communities. A 60 year old male individual is designing the designs that are required for these 1000 handloom units. In the north-eastern side of Assam the weaving is done by the scheduled tribe people. Around 37 percent of the weavers from India are from scheduled castes as per government statistics. The remaining 63 percent weavers are from non-scheduled castes.

Around 11 percent of scheduled caste weaving community are from the Telugu speaking states of Andhra Pradesh and Telangana. Scheduled caste weavers are there in Karimnagar and Pochampally areas of Telanaga state. It can be said that the scheduled caste weaving community is spread in all areas. Statistics related to the scheduled caste weaving community is available with Hyderabad co-operative society, textile department, handloom department, and development commission of India. The year wise data related to the handloom weaving communities from scheduled castes and backward castes are available with these departments.

Scheduled caste weavers are spread around the Cheerala area of the Prakasam district. Non-weaving



scheduled castes are more in Telangana. Marriages also take place between weaving and non-weaving community scheduled castes. But in the regions of Andhra Pradesh marriage relations take place between 'Mala' and 'Madiga' communities of the scheduled castes. But only a section of 'malas' and 'madigas' engage in marriage relations because of the low level of awareness. Otherwise, most of the 'malas' and 'madigas' marry within their own community. Most of the yarn produced by the 'Mala' weaving community is purchased by the backward caste master weavers only. Some of them sell their product to the cooperative societies and some of them sell their products in the exhibitions. According to British authorized documents between 1750s and 1850s, 'Mala' weaving community used to engage in textile trading. The "Khadi-Arthasastra" also says that 'mala' communities used to engage in weaving. The book also explains in detail about different types of weavings that the mala community used to engage in. But the mala weaving communities do not have any special book that refers to their role in the weaving. Even the epics also do not mention about the role of the mala community in weaving.

**Mala Weaving Community:** Around 3000 mala weaving community people are there around Cheerla area of Andhra Pradesh. Many villages around this area occupied by mala weaving community. Mala community people from areas like *Jandrapeta, Krishna Nagar, Vetapalem, Pedda Mala Palle, Thotavaari Palem, Lakshmi Puram, Sipayepeta etc.*, engage in weaving and other related activities.

**Weaving related activities carried out by Mala communities:**

1. Bailing cotton
2. Applying gruel, coconut oil etc., to the yarn to make it stiff
3. Making yarn
4. Printing
5. Winding thread on to cones
6. Winding the warp on a warping mill
7. Spreading the warp on the raddle
8. Winding the warp onto the warp beam
9. Putting the yarn into the reed

'Mala' weaving community also engage in making holes on the design cards supplied by the designer. The designers design different weaving designs on the cards and give it to the weavers. The weavers have to make wholes on the designing cards to execute the design. These holes are made by the mala weaving community. Scheduled castes around Cheerla area regular engage in this activity. The difference between scheduled caste weaving community and other weaving communities is that the scheduled caste weaving communities engage in weaving related works from starting to the end whereas the other weaving communities engage in certain stages of weaving only.

**Dalit Cooperative Societies:**

Around 90 percent of the 3000 or something weaving community in and around Cheerla area belongs to the Scheduled Caste community. There are two scheduled caste societies in Prakasam district; (1) Ambedkar weaver society and, (2) a non-governmental organization. These societies are in *Thatipatti* village. Around 300 scheduled





caste weaving communities are there in this area. Scheduled caste weaving communities from surrounding areas like *Kattavaaripalem*, *Poniki*, *Thotavaaripalem*, *Gangavaram*, *Aarukattavaaripalem* are members of these two cooperative societies. All these areas are spread within a 30 kilometer radius to the Cheerla town. Malal weaving community people are in the Ongole road area also. Apart from these two cooperative societies there are other cooperative societies in Andhra Pradesh which are as follows...

1. Four SC Cooperative Societies in Guntur district
2. Harijan Society in Mangalagiri of Krishna district  
(Saraswati Society of BCs is adjacent to it)
3. Ambedkar Society in Pirangipuram  
(Gandhi Society of BCS is adjacent to it)

Around 25% of the members in the SC cooperative societies are BCs and the rest 75% are SCs.

4. Two cooperative societies in Macherla
5. Three scheduled caste cooperative societies in Krishna district

Around 20% of the scheduled castes in the united Andhra Pradesh are engaged in the weaving profession. Weaving communities visit exhibitions through these societies. Dalit weavers are working as mentors in National Institute of Rural Development (NIRD). NIRD is making a study on the conditions of the mala weaving community. And in the process,

the NIRD has selected the 'Dalit Weavers Center' in Cheerla as the best model organization. The NIRD also utilized the services of these organization by making the members of this organization to visit other areas to present about the best possible ways of weaving to other people. Similarly, the Rural Technologies Park (RTP) also exhibits the sarees made in Cheerla area. Non-Dalit cooperative societies have named their societies against their local goddess like *Maaramjaeya*, *Bhavanarushi*. But Dalit cooperative societies have been running their cooperative societies in the name of Dalit cooperative societies only.

**Interview with Prakash Rao (Dalit Master Weaver):**

Prakash Rao got married at the age of 23. Cheerla is his mother-in-law's home town. He was unemployed when he came to Cheerla. His wife has weaving related skill. So, both of them started working on a rented handloom machine. He also employed two girls from 'Devanga' caste and used to pay them wages for their help in weaving on the handloom. The handloom machine is placed in the house that Prakash Rao has been staying by paying rent. Initially he used to face difficulties in getting yarn for weaving. So, he used buy yarn on his own and started weaving cloths. The owner of the house that Prakash Rao was staying used to be a master weaver, and he used to buy the products of Prakash Rao. He used to get INR 120 for each yard of cloth that he used to weave. And he used to weave two yards of cloth each day. In 1987-88 a family could survive for a couple of weeks with INR 240.

**Dalit Handloom Weavers' Development Society, Cheerla:** Dalit handloom weavers' development society is part of an NGO. It was started by the



peoples' society. This peoples' society conducts all type of handloom weaving related activities. The NGO, with the help of the peoples' society has been active in pressuring the government to see to that the Dalit weaving community gets the required benefits from the government. Another society called '*Dalit Mahila Karmika Sangam*' (*Dalit Women's Workers' Society*), composed of women Dalit weavers is also active in Cheerala. This society works for the rights of the women Dalit weavers.

### **Conclusion**

The products which are manufactured by the weavers will give to APCO. Weavers need to wait 2 to 3 months of time to give designed goods to APCO. Sometimes the middle man plays all mischief tricks to sell the goods to APCO. These people take the bribe and show the low quality goods as high quality products. And they sell these products in APCO for the 30 per cent discount. There is no need of talking separately about the corporative societies. Among they themselves have many internal fighting's and misunderstandings. For the name sake there are around 200 corporative societies but none is functioning properly. If anyone starts the cooperative societies with the coloration of government will give the lakh or two lakh rupees to support to start the weaving and to bring the basic goods to start the process.

Many Dalit weavers do not take many from the government. For that they have their own reasons and problems. Generally the governments used to give the one lakh rupees. But in that one lakh the weavers could not able to get the necessary and basic machinery to start the weaving process. At least the weavers needed the amount of around one lakh

and twenty-five thousand rupees. Here the amount which is government will give only one lakh rupees. This amount no use for the Dalit weavers to start their own weaving process. Even if they have taken one lakh from the government they need to borrow remaining amount of twenty-five thousand from the outside. Due to this technical problems many Dalit weavers depending on the NGO's to start their weaving process.

The Dalit weavers in Chirala believe to lead their livelihood in weaving. But the Dalit weavers are facing so much discrimination even in the weaving work. The Dalit weavers were ill-treated and they were not all considered as the weavers. The senior Dalit master weaver said that Padmashallilu and Devanghlu community weavers only considered as weavers at present times. The Dalit weavers are discriminated in such way and they are no more considered as weavers in Chirala today. The weavers are issued an ID cards by the governments. But this ID cards issued only to the BC community weavers even if they are not in the weaving. Even if SC's are in the weaving they are not issued the ID cards. So much discrimination is shown to the Dalit weavers in Chirala.

In this horrifying situation Dalit weavers society member Prakash Rao taken initiation and made sure that all the Dalit weavers got the Health Insurance cards under the government welfare scheme. If they pay 50 or 100 rupees for every month they will be getting the insurance coverage up to amount of 15000 rupees. Under this insurance scheme as a in patient in the hospital can get the amount up to 7500 for the purchasing the medicines. And at the same as a outpatient they can they avail this



insurance facility to buy the medicines up to 7500 rupees. The Dalit weavers and Dalit weaver's organizations are fighting for the equal rights and facilities for everyone in the weaving. They demand for the same importance and prominence should be given to the Dalit weavers as same as BC community weavers.

Besides the societies of weavers the government runs a cluster programmes. The central government runs this cluster programmes. To participate in this cluster programmes the weaver should maintain the latest designs, use of new technologies and goods should be like a exported quality. The Dalit weavers should be given proper traininning and more opportunities under this cluster programmes. The share of the Dalit community in Chirala population is 16 per cent. And in that 11 per cent of Dalits were in the weaving. These statistics which shows that more number of Dalits were in the weaving. That's the reason the Dalits are demanding for 37 per cent reservation for them in the cluster programmes. They seek for the 30 to 50 per cent of contribution in the cluster programmes. As of now there is no much existence of the Dalit weavers in the cluster programmes. They claim that the quota and share of the Dalit weavers too enjoyed by the BC community weavers. Need to be invested 25 to 50 lakhs rupees to participate in the cluster programmes. In this scenario it's an unimaginable thing for the Dalit weavers. In this regard they are pleading to the governments to avail these facilities through the banks.

The Dalit weaver's society in Chirala organizing good number of meetings to bring the changes in the policies matters of weaving. They conduct different meetings and workshops to bring the awareness among the Dalit weavers. Till

today the Dalit weaver's society has taken steps to bring the change and development in the lives of Dalit weavers. They have given representation and memorandum to central and state governments. They have met the concerned ministry and explained the concerned issues to them. But still today there is no change in the lives of Dalit weavers.

The number of Dalit community is in the weaving has coming down day by day. It's also because of the less livelihood opportunities in weaving. And basically there is no financial support to the Dalits in weaving. Always they are depending on the BC community for their work. New designs and varieties were designed only by the BC community weavers. Dalit community weavers are lacking in the design of new designs and varieties. Due to the lack of training and much exposure in the field they could not able to design the new varieties.

Always BC weavers were given the more preference and more chances. Whenever there is a new order they will be given the first preference. If any new contract that they needed 100 saris they will provide everything and given the order. These practices are giving the more wages to BC community weavers than the Dalit community weavers. Such times BC weavers use the 'baaru' to weave the sari. From this baaru they get the 5 to 6 saris. Baaru means it will have 4 to 5 saris. And those 5 saris will come with the blouse too in that baaru. If it is 6 saris there won't be blouse in that baaru. It costs 4 to 5 thousand to weave the one baaru and it takes minimum one week to 10 days. These kind good orders will not reach the SC community weavers. If they are getting more orders then they will give some items to the Dalit community



weavers which are really will not give much profit.

Some among those items are shirtings, lungis and etc. These items will give them very less wages. The rupees 1000 paid for the shirting. But for this Mazdur will take the minimum of 10 days. If this work has done by a wife and husband their minimum wages for day is only 50 rupees. These are the things in Chirala literally made Dalit weavers lives miserable and they could not able to lead their livelihoods.

Some Dalit weavers are looking for some alternative jobs which can help them to lead their livelihood. Mainly these people going for the agriculture works to sustain the lives. Whenever they are free they will spend the time on the looms by weaving the some products. Lack of the employment opportunities in weaving many is quitting the weaving.

#### ***Steps To Develop The Weavers:***

- There should be some who should give designs and ask for the weaving.
- The weavers should adopt the new designs in quick succession and there should be people who can buy and market the new products in the market.
- They should develop the design which is expecting by the cluster.
- The weaver should develop the new design by his own and should market by himself only.
- The governments should provide the opportunities to participate in the exhibitions and give them some subsidies to develop them.

- In the future BC community weavers too will follow the footsteps of the Dalit weavers and go away from the weaving.
- The surveys which have done by central government through the NGO's said and submitted their report that in the coming years the weavers will drastically reduce day by day.
- In the Dalit community weavers leaving the weaving and migrating to distance places for the works.
- BC community weavers are managing the family and children education in planned manner. These weavers giving the education to children and helping them to settledown in their lives. In each BC weavers family we can see that there are engineers, doctors, lectures and teachers.
- There are 23000 weavers in the Chirala around 5 to 6 years back. Among them 11000 weavers have their own looms. The remaining weavers depend upon them and lead their livelihood. The senior weavers express their fear that in coming 5 to 6 years the number of looms will reduce to around 5000.
- As per the reports of NGO's every child of the weavers family are studying. They are educating them to complete their intermediate and graduation. Educating their children till get the good jobs. Many weaver family children are getting the jobs in Hyderabad, Bangalore, Bombay, Pune and Delhi. After



settling down in the cities they are taking away their family too. That's the reason the weavers are decreasing gradually.

- Only high skill laborers can only managing to continue in weaving process.
- According to the age pattern there are only 10 per cent weavers are 25 years old and 90 per cent of them are 40 years old. In the coming years these weavers will reduce to only 10 per cent.
- Every year weavers has to work on their daily wages only.
- The government should recognize and will have the list of master weavers.
- All the weaving societies should work under the one umbrella.
- Every society should conduct their own survey and come up with the address the problems of weavers.
- The every home included in the survey and gathered the information going each and every home. To extract the data from the families needed to ask the few questions. They are like how many children you have, what they are studying, how much they are yearning, how much amount you spend for their education, how much you spend for the family wealth and how they spend for the clothes.

programmes should be initiated by the government.

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Overall the construct research study has to do on the weavers. By the research we can come to know the conditions and situations of the weavers. All these



## Ambedkar and Indian Democracy: Philosophical Perspective

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**Abstract** : Democracy is a form of political system which is central to the modern world or society. Not only a political system but also the people centric government. Therefore democracy should be understood in terms of welfare government. Philosophy seeks to adopt a systematic approach and is generally based on rational argument while addressing issues connected with existence, knowledge, values, reason, mind, and language. "Philosophy is the study of problems which are ultimate, abstract and very general. These problems are concerned with the nature of existence, knowledge, morality, reason and human purpose"<sup>1</sup> Ambedkar's philosophy has roots in religion and he derived his philosophy from his master, the Buddha which brings out conceptualistic pragmatism. For Ambedkar justice is liberty, equality and fraternity and utility is the criteria for evaluating the Hindu religion. His approach is close to John Stuart Mill's Utilitarianism, according to which there is no antagonism between justice and utility. Ambedkar maintains that the difference between the two is one of emphasis. While the utility approach is society centric, justice approach is individual centric. Ambedkar was basically a social philosopher and Humanitarian, interested in the uplifted of downtrodden in particular and the masses in general. This paper brings out how Dr. B. R. Ambedkar's philosophy is deeply embedded in and encompasses democratic thoughts.

**Key Words:** Democracy, Downtrodden, Humanitarian, Liberty, Philosophy, Pragmatism.

<sup>1</sup> Jenny Teichmann and Katherine C. Evans, *Philosophy: A Beginner's Guide* (Blackwell Publishing, 1999), p, 1.





## Introduction

Ambedkar's philosophy is a philosophy of profound and original insights. The main characteristic is that the Ambedkar's philosophy is not a pontification of certain idealistic and unfathomable abstract ideas and thinking but it is exposition of logical reasoning and conclusions which form the fabric of a rational and just society, and such exposition has resulted from the keen and critical observation of the social structures. Social process aims to impact a social transformation through analytical thinking and reasoned arguments. This philosophy is based on effervescent expositions of liberty, equality and fraternity, seeking to banish servitude. Thus this is an exercise in the exposition of the social and moral philosophy of Babasaheb.

Ambedkar was a firm believer in democracy. For him democracy was an ideal to be pursued in all circumstances and in all claims. "Democracy must learn that its safety lies in having more than one opinion regarding the solution of any particular problem and in order that people may be ready to advice with their opinions, democracy must learn to give a respectful hearing to all those who are worth listening to"<sup>2</sup>. This statement lays emphasis on democracy which acceptance of diverse views and work towards a respectful conformity.

## Indian Democracy- Preamble of Indian Constitution

Democracy is a form of government in which people are ruled by their own

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<sup>2</sup> Ambedkar, B. R, (1989), *Writings and Speeches*, Education Department, Government of Maharashtra, Bombay, Vol. 17, Part-III, p, 169.

elected representatives. It is the government of the people, for the people and by the people. In this structure of government, it is the people who are highest and self-governing. They have power over the government. They are open to elect a government of their own choice. Individual's free will of choice is the central part of democracy.

We, the people of India, having solemnly resolved to constitute India into a Sovereign Socialist Secular Democratic Republic and to secure to all citizens:

**Justice**, social, economic and political;

**Liberty** of thought, expression, belief, faith and worship;

**Equality** of status and of opportunity; and to promote among them all

**Fraternity** assuring the dignity of the individual and the unity and integrity of the Nation

In our constituent assembly this twenty-sixth day of November, 1949, do hereby adopt, enact and give to ourselves this constitution.

Later, this preamble has been amended in 1976 by 42<sup>nd</sup> amendment of Indian constitution we also added words Socialism and Secularism and we have declared that Indian state as '**Welfare State**'. This is the central to philosophy of Dr. Babasaheb Ambedkar which is reflected in Indian constitution.

## Ambedkar's Philosophy

Ambedkar believed that the education only can bring freedom, justice, equality, awareness, truth for fearlessness. Besides, character is important for him.



"I am a man of character"<sup>3</sup> he wrote. In this regards he continued that educated man without character and humility is more dangerous than beast. If his education was detrimental to the welfare of the poor, he remarked, the educated man was a curse for society. Ambedkar emphasized that "character is more important than education". In the words of Ambedkar, "the rule in life, they should keep in mind, was that they must cherish a noble ideal. Whatever might be one's ideal either of national progress or self-development, one should patiently exert oneself to reach it. He further said that one should concentrate one's mind and might on one's goal. Man must eat to live and should live and work for the wellbeing of society"<sup>4</sup>. It clearly says that man should develop in the state. This is what our constitution precisely mentions. In our constitution we have declared that liberty, equality and justice as fundamental rights to provide all citizens of India through democratic political system.

The philosophy of Ambedkar envisages education to be a means of social engineering and social transformation for removal of inequalities from society and means for empowerment of the depressed classes. "...ours is a battle, not for wealth or power, it is a battle for freedom. It is a battle for the reclamation of human personality which has been suppressed and mutilated by the Hindu social system

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<sup>3</sup> Ambedkar B. R. (1989). *Writings and Speeches*. Education Department, Government of Maharashtra, Bombay, Vol. 17, Part-I, p, 211-213.

<sup>4</sup> Ambedkar B. R. (1989). *Writings and Speeches*. Education Department, Government of Maharashtra, Bombay, Vol. 17, Part-III, 193.

and will continue to be suppressed and mutilated. If in the political struggle, the Hindus win and we will lose. My final word of advice to you is to educate, agitate and organise, have faith in yourselves and not lose hope"<sup>5</sup>.

Ambedkar considered that education should be pragmatic in nature. He felt education was essential for material progress. He dealt upon at length on the banalities in Hindu education. He elucidated the fact that the study of Vedas was prohibited for the common masses and was restricted only to a few privileged sections of society like Brahmins and this had given rise to denial of the right to read and write. Ambedkar severely criticised, condemned and overruled the rules formulated by Manu on the right to learn and teach the Vedas. He condemned this archival prohibition on the spread of knowledge and learning of Vedas. Hence, with his keen sense of rationalism and reason, he could not endorse the education as envisaged in the Hindu scriptures. However, he was a strong advocate for the right to education for all. The education he envisaged was the one which would enable the individual to achieve equal rights, self respect, material progress and morality. This has to be seen as an education which is a continuous process. This kind of education which Ambedkar envisaged had the potential for social, cultural, moral and spiritual upliftment. Hence, education can only bring the changes in any society which is based on the rationality.

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<sup>5</sup> Address at all India Depressed Classes conference held at Nagpur on 18th & 19th July 1942



## Conclusion

Ambedkar's call to the depressed classes has been: "educate, organise and agitate". Thus, "education" is the first requirement. Ambedkar always considered that education makes man fearless, teaches unity, makes him understand the birth - rights and teaches him to struggle and fight for freedom. He was of the opinion that education must make people capable, teach equality and morality. It should safeguard the interests of humanity, disseminate knowledge and invoke the feeling of equality in society. If it does not, it cannot be termed as education. Ambedkar's philosophy of morality guides his concepts on education in democracy. In this context, Ambedkar advocated an educational system that helps one to realise one's full potential, gain opportunities for employment and living and imbibe the values of equality and justice. He also considered education as means for developing the feeling of fraternity. For this, he spoke about settling up by hostels for the depressed class students. This kind living of together is the symbol of unity and it shows the adjustment of the individual child in a social group. Ambedkar's philosophy deeply influenced the social, legal, cultural and political life of India. While Ambedkar addressed the problems of the depressed classes only, the impact of his philosophy has been so vast that a new era of concern for social justice and the recognition of fundamental rights have sprung up. The Fundamental Rights have been guaranteed to all citizens of the country, mainly due to the Ambedkar's philosophy. The philosophy of Ambedkar has become a matter for study on alleviation of the misery of millions of oppressed classes in Asia.

Therefore, Ambedkar's philosophy is the philosophical base for our Indian democracy. Ambedkar was a philosopher with astounding views on education, morality, and social transformation. He was a man who led the Indian masses into a new world of hope, social order and morality which lead to a sound (real) democratic system.

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## Bharat Ratna Dr. B.R. Ambedkar's views on democracy and its Relevance to the Presnet Scenario

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**Abstract:** *Democracy, from common man's perspective is nothing but freedom, liberty. However, to understand the true meaning and importance of the concept of Democracy we have to depend upon the ideas of Bharata Ratna Dr. B.R. Ambedkar, the Chief Architect of Indian Constitution. This article is an attempt to analyze the views of Dr. B. R. Ambedkar on Democracy and to study position of Ambedkar on issues whose relevance is even felt at present.*

**Keywords:** *Dr. Ambedkar, Democracy, Constitution, Relevance*

### Introduction

The Indians' sense of their rich cultural heritage, their record of professional achievements in the arts and sciences of the modern world, and their faith in their ability to govern themselves, combined to give them a national maturity that allowed a reasoned approach to the creation and working of government."

Thus wrote Granville Austin, renowned scholar of the Indian constitution and constitutional assembly debates, in his famous book, 'The Indian Constitution: Cornerstone of a Nation.'

In his book he described the Indian constitution as "first and foremost a social document," one that embodied the objectives of a "social revolution."

2016 is the 125th year of birth anniversary of legendary Indian Legal Philosopher apart from him being economist, politician Dr. B. R. Ambedkar, who played a vital role in framing the Constitution of India. The democratic nature of India flows from Constitution of India, adopted by the constituent

assembly of containing politico-legal scholars like Dr. B. R. Ambedkar, Dr. B. N. Rau, A. Ayyangar, Alladi Krishnaswami Ayer etc. Dr. Ambedkar's contribution in the framing of democratic Constitution of India is enormous and long lasting.

### Democracy from Dr. Ambedkar's perspective:

Commenting on the Democracy, Dr. Ambedkar said, "There is one thing which I think is very necessary in the working of democracy and it is this that the name of democracy there must be no tyranny of the majority over the minority. The minority must always feel safe that although the majority is carrying on the government, the morality is not being hurt, or the minority is not being hit below the belt."

He further stated that, "Democracy is not a form of government, but a form of social organization." Dr. Ambedkar always had the socialistic approach which is clearly visible in his statements about democracy. He believed that, Democracy essential in



imparting social justice. He laid down certain conditions in this regard. They are as follows;

- There should not be glaring inequalities in society, that is, privilege for one class;
- The existence of an opposition;
- Equality in law and administration;
- Observance of constitutional morality;
- No tyranny of the majority;
- Moral order of society; and
- Public conscience.

In views of Dr. Ambedkar, Political democracy cannot succeed without social and economic democracy. For him, the best mode of achieving socio-economic democracy is to achieve political democracy at the first instance. The importance of ideas of political social and economic democracy lies in the fact that, rights cannot be enjoyed by the citizens of any nation in the absence of them. The coexistence of all three democracies is imperative to achieve the goals of equality and fraternity as enshrined in the preamble of our Constitution. Underlining the importance of democracy, Dr. Ambedkar stated that, "It seems to me that there lies on us a very important duty to see that democracy does not vanish from the earth as the governing principle of human relationship. If we believe in it, we must both be true and loyal to it. We must not only be staunch in our faith in democracy, but we must resolve to see that whatever we do not help the enemies of democracy to uproot the principles of liberty, equality and fraternity"

### **Reflection of principles of democracy in Indian Constitution:**

The preamble of Indian Constitution recognizes India as a Democratic nation endeavoring to secure to the citizens of India, Justice, liberty, equality and Fraternity. The Constitution of India with long parliamentary debates drafted by the committee of wise people headed by Dr. B.R. Ambedkar borrowed from various Constitutions of the world over and Government of India Act, 1935 enacted during British days and having undergone more than 102 amendments, now comprises of 39 5 Articles divided in 12 Parts and 12 Schedules, which broadly imbibes and adopts democratic values.

### **Democracy in Indian Context:**

According to Ambedkar, democracy means fundamental changes in the social and economic life of the people and the acceptance of those changes by the people without resorting to disputes and bloodshed. He wanted to establish the principle of one man, one vote and one value not only in the political life of India but also in social and economic life. He wanted political democracy to be accompanied by social democracy. He gave central importance to social aspects of democracy over political aspects, unlike many others whose discourse on democracy is confined to the political and institutional aspects. Ambedkar paid greater attention to social linkage among people than separation of powers and constitutional safeguards for democracy. The concept of power contained in his thinking has a direct relationship between social power and political power. He was conscious of the social and economic inequalities which corrode the national consciousness of the Indian people. Ambedkar said, "We must





make our political democracy a social democracy as well. Political democracy cannot last unless there lies at the lease of it social democracy”.

He says, “Democracy cannot function in the absence of basic civil liberties – which enables the community to vindicate itself against the state furthermore, the right to criticize, if it is to be effective, must include the right to organize opposition through political parties. Representative democracy is essentially procedural. It is characterized by free expression, free parties and free election.” To Ambedkar, “Political parties are indispensable in parliamentary democracy, for democracy without a party system is unconceivable. There should be a regular party system.” Ambedkar preferred that at least two parties are essential in democracy for its fructification. A party in power and A party in opposition.

Dr. Ambedkar was one of the admirers of freedom and self-government of India. And he stood for a democratic system of administration. Dr. Ambedkar preferred the elected rulers or the government to hereditary rulers for a good and democratic administration. He emphasizes that the administration must be free of corruption and dishonest ways of administrating things.

Corruption is one of the biggest challenges before the Indian Democracy in today’s era. Misuse of public offices for personal gain goes against the basic tenets of Indian Democracy. In the words of Hon’ble Supreme Court, corruption in our country not only poses a grave danger to the concept of constitutional governance, it also threatens the very foundation of the Indian democracy and the Rule of Law.

The magnitude of corruption in our public life is incompatible with the concept of a socialist secular democratic republic. It cannot be disputed that where corruption begins all rights end. Corruption devalues human rights, chokes development and undermines justice, liberty, equality, fraternity which are the core values in our Preambular vision.

Criticizing the system of caste in India, Dr. Ambedkar believed that, caste divides the society, thereby resulting in absence of equality and hampering the existence of true democracy as enshrined above in the words of Dr. B.R. Ambedkar.

Ambedkar fought against caste and injustice because he found that there were no human rights for a large majority of the people. He rebelled against such a social organization. He wanted to vitalize the masses in India, for equal human rights. For removing the social, economic, political and religious disabilities of the untouchables, it was necessary to establish Government of the people, for the people and by the people. Only under a democratic system of government could social economic, political and religious freedom he ensured equally to every man and woman. His ultimate aim of life was to create a “real social democracy”.

### **Conclusion:**

In the views of Dr. Ambedkar “Indian Democracy is workable, it is flexible and it is strong enough to hold the country together both in peace and in war time. However the journey of Indian Democracy has not been smooth and easy and it has time and again, faced many challenges like emergency (1977) to recent debates on tolerance and intolerance. There are still unresolved



challenges before Indian Democracy. The thoughts of Ambedkar provide an answer to the question of whether we achieve religious tolerance, equality, gender respect, justice and peace in the light of political philosophy of Bharata Ratna Dr. B.R. Ambedkar whose memory will ever guide the nation on the part of liberty, equality, fraternity, justice which are core values of Democracy.

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## B.R.Ambedkar and his Philosophy on Indian Democracy:

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**Abstract:** *The main goal of the study is to analyze and evaluate critically the idea of B.R.Ambedkar, the great Indian constitution maker, regarding Indian democracy and to capture the position of Ambedkar on issues whose relevance is even felt at present. Analyzing the idea of democracy of Ambedkar in details, it can be found out that Ambedkar had unshakeable faith in democracy. In his conception of exploitation less society, democracy has an extra-ordinary role which he defined as 'one person, one vote'; and 'one vote, one value'. Democracy means empowerment of any person for participating in the process of decision-making relating to her/him, democracy means liberty, equality and fraternity - Ambedkar's definition of democracy had such a tone. This research gives closer and analytical insight into the thoughts of Ambedkar and provides an answer to the question of whether we, the Indian, achieve religious tolerance, human equality and freedom, true democracy, gender respect in the society, justice and peace in the light of political philosophy of Ambedkar whose memory will ever guide the nation on the path of justice, liberty and equality.*

**Key words:** *exploitation, religious tolerance, human equality*

### 1. Introduction:

Dr. Bhimrao Ramji Ambedkar (1891-1956), 'a symbol of revolt' (as mentioned by Pandit Jawaharlal Nehru, the first Prime Minister of independent India), was one of the front-ranking nation-builders of modern India. He is popularly known as the 'pioneer' who initiated the 'liberation movement' of roughly sixty-five million untouchables of India. Yet, Dr. Ambedkar, the chief architect of Indian Constitution, notwithstanding all handicaps of birth, has made, by pursuit of knowledge in the humanities, social sciences, politics and law, an indelible imprint on the body politic of the country. A glance of his copious writings would evidently show that despite his preoccupations with the problems of the *dalits* (Untouchables), Ambedkar has in his own way, made significant

contributions to the contemporary political ideas.

B.R.Ambedkar stood apart from his well-known famous contemporaries of India in three respects. First, being a great scholar, social revolutionary and statesman, he had in himself a combination of these attributes that one rarely possesses which made him distinguished from other intellectual personalities of that time. As an intellectual, gigantic personality and creative writer, he had imbibed knowledge that was truly encyclopedic. The range of topics, width of vision, depth and sophistication of analysis, rationality of outlook and essential humanity of the arguments that he came-up with made him different from his illustrious contemporaries.



Secondly, Ambedkar never wrote merely for literary purpose. In his scholarly pursuit as in his political activities, he was driven by a desire to comprehend the vital issues of his time and to find solutions to the problems of Indian society. With this motivation, he intervened, at times decisively in shaping the social, economic and political development of the nation during its formative stage. There was hardly any issue that arose between the early 1920s and the mid-1950s in India to which Ambedkar did not apply his razor-sharp analysis, whether it was the question of minorities, reorganization of states, partition, constitution or the political and economic framework for an independent India.

The third unique aspect of Ambedkar lies with the nature and kind of questions he delved into. What is probably most important in a thinker and intellectual is not so much the answer they provide but the question they raised. Ambedkar raised the questions that were simultaneously relevant and uncomfortable. Relevant as they were critical for the nation-in the making and uncomfortable as very few were willing to acknowledge the existence of those issues. Ambedkar raised certain pressing issues in his characteristic style that no one was willing to take up or deal with. In course of his public life over three decades, Ambedkar was fully convinced that politics should be the instrument to fight for justice in adorning all sections of the Indian people with freedom. As such, he tirelessly worked towards the goal of justice for the untouchables in an unjust society, mainly through political means. In the course of these activities, Ambedkar developed his own ideas about society and politics of the contemporary

India. Viewed from the subject of political science, those ideas obviously merit attention. But, scholars who have worked on Ambedkar's different ideas fail to bestow due importance on these aspects of his thinking. As a background to this article, it has been considered appropriate to present the position of Ambedkar on the central issues with which Ambedkar was preoccupied and the issues, which continue to confront the Indian society and its polity and economy. The present study is a humble attempt to make a comprehensive and objective analysis of philosophy of B.R.Ambedkar regarding Indian democracy keeping in minds the gaps and lapses in the existing literature on Ambedkar.

In this article, an attempt has been made to provide an insight into B.R. Ambedkar's idea on democracy. He was a true democrat and advocated a democratic society based on the principles of natural justice, equity and classification according to aptitude, ability and profession. The roots of democracy lie not in the form of Government but in the social relationships. He considered caste system in India as a serious obstacle in the path of democracy. He said "The first condition precedent for the successful working of democracy is that there must be no glaring inequalities in the society. Secondly, there must be statutory provisions to mitigate the sufferings and to safeguard the interest of the suppressed and oppressed people.

The society must be based on the principles of liberty, equality and fraternity in order to ensure social endosmosis". According to him, economic inequalities are inherent in the capitalist economy which makes political equality



assured by democracy worthless. Thus, according to Ambedkar, the failure to recognize that political democracy cannot succeed where there is no social and economic democracy has vitiated parliamentary democracy. Ambedkar maintained therefore that though "parliament democracy developed a passion for liberty, it never made a nodding acquaintance with equality. It failed to realize the significance of equality and did not even endeavor to strike a balance between liberty and equality, with the result that liberty swallowed equality and left a progeny of inequalities"

## **2. General connotation of Democracy:**

Democracy is the most valued and also the indistinct political terms in the modern world. The ancient Greek word 'democracy' means rule by the *demos*, which can be translated as either 'the people; or 'the mole' depending on one's ideological preference. By itself, democracy means little more than that, in some undefined sense, political power is ultimately in the hands of the whole adult population and that no smaller group has the right to rule. Democracy can only take on a more useful meaning when qualified by one of the other word with which it is associated, for example, liberal democracy, representative democracy, participatory democracy or direct democracy. Although all free societies are democratic, democracies can fail to protect individual freedom. Countries are generally considered democratic to the extent that they have fair and frequent elections in which nearly all adults have the right to vote, citizens have the right to vote, citizens have the right to form and join organizations and to express themselves

in alternative sources of information existed. Architects of democracy must determine the constitutional structure that best suits the needs of a particular country, alternative forms of constitutional democracy include parliamentary versus presidential forms of government, plurality versus proportional representation system and federal versus unitary systems.

In a Parliamentary system, the Prime Minister is elected by the parliamentary process and can be removed from office by a vote of no confidence from the Parliament. Executive and legislative powers are fused in a Parliamentary System. In a Presidential system, the President is elected directly by the people and there is a formal separation of powers.

In the mid 1970's the third wave of democratization began in southern Europe – Portugal, Greece and Spain. It spread throughout Latin America, as the military returned to the returned to the barracks. It moved into Asia, with India, Pakistan, Turkey, the Philippines and South Korea restoring democracy. Finally, the spread to the communist countries of Eastern Europe. Between 1974 and 1990, some thirty countries made transitions from authorization to democracy, approximately doubling the world's number of democracies. The third wave of democratization occurred, in most cases, through negotiations, elections and nonviolence.

## **3. B.R. Ambedkar's idea of Democracy in Indian context:**

According to Ambedkar, democracy means fundamental changes in the social and economic life of the people and the acceptance of those changes by the people without resorting to disputes and



bloodshed. He wanted to establish the principle of one man, one vote and one value not only in the political life of India but also in social and economic life. He wanted political democracy to be accompanied by social democracy. He gave central importance to social aspects of democracy over political aspects, unlike many others whose discourse on democracy is confined to the political and institutional aspects. Ambedkar paid greater attention to social linkage among people than separation of powers and constitutional safeguards for democracy. The concept of power contained in his thinking has a direct relationship between social power and political power. He was conscious of the social and economic inequalities which corrode the national consciousness of the Indian people. Ambedkar said, "We must make our political democracy a social democracy as well. Political democracy cannot last unless there lies at the base of it social democracy". Ambedkar paid serious attention to religious notions that promote democracy. Ambedkar viewed the religious foundation of caste as the fundamental obstacle to democracy in India on the one hand and the Buddhist doctrine of liberality, equality and fraternity as the foundations for democracy on the other hand. He writes, "It is common experience that certain names become associated with certain notions and sentiments, which determine a person's attitude toward men and things. The names, *Brahmin*, *Kshatriya*, *Vaisha* and *Shudra* are hierarchical divisions of high and low caste, based on birth and act accordingly". Ambedkar thinks of democracy from the viewpoint of practical life. He belongs to the realistic school of political scientists. He is not bothered about the principles and theories of political science. During the

national improvement, his aim has to have justice and freedom for the people in the real sense. He aspired for having a government of the people, for the people and by the people. According to Ambedkar, democracy means no slavery, no caste, no coercion. He wants free thoughts that choice and capacity to live and let live, which his conscience, would be the right path to democracy. Ambedkar says "Democracy is a mode of associated living. The roots of democracy are to be searched in social relationship, in terms of the associated life between the people who form the society".

Ambedkar is the greatest political thinker. Outwardly this may seem strange that in India, life was the monopoly of the *Brahmin* caste and was completely denied to other castes for thousands of years. However, here no contradiction is involved. It was the very privileged position assigned to the *Brahmin* that became the cause of the retardation. In Indian society, property, illiteracy, caste distinctions as the positive dangers to democracy. In these situations, educational facilities and economic help should be provided for those who are illiterate and backward on one hand and on the other, who want to wipe out the roots of caste system in order to safeguard the interest of democracy. Ambedkar says, "If you give education to the lower strata of the Indian society which is interested in blowing up the caste systems, the caste system will be blown up". At the moment, the indiscriminate help given to education by the Indian Government and American foundation is going to strengthen the caste system. Giving education to those who want to blow up caste system will improve prospect of democracy in India and put democracy in safer hands.





In Indian society, class structure is a positive danger to democracy. This class structure made a distinction of rich and poor, high and low, owners and workers, an permanent and sacrosanct parts of social organization. "Practically speaking in a class structure there is, on the other hand, tyranny, vanity pride, arrogance, greed, selfishness and on the other, insecurity, poverty, degradation, loss of liberty, self reliance, independence, dignity and self respect." According to Ambedkar, the aim of democracy is essentially need for the interest of society as a whole, and not for any class, group or community. Therefore, Dr. Ambedkar, while speaking on "conditions

precedent for the successful working of Democracy", in Poona, emphasized that, "The first condition which I think is a condition precedent for the successful working of democracy is that there must be no glaring inequities in the society. There must not be an oppressed class. There must not be a suppressed class. There must not be a class which has got the entire privileges ad a class which has got all the burdens to carry. Such a thing, such a division, such an organization of society has within itself the germs of a bloody revolution and perhaps it would be impossible for democracy to cure them." To him, real democracy is opposed to the suppression of minorities. The suppression and exploitation of minorities in any form is the negation of democracy and humanism. If suppression is not stopped, then democracy degenerates into tyranny. Ambedkar holds that the individual in society is an end in him and he has certain inalienable right in social relationship, which must be guaranteed to him by the consumption on certain reasonable conditions and be protected by the state. The democratic

principles of life, liberty and pursuit of happiness are considered to be the essentials of human life in Ambedkar's concept of democracy. He attaches more importance to human well being and The effective opposition is an important factor in the working of a successful democracy. Democracy means a veto power. There are two aspects of the veto power, one is the long term veto of five years and the other -an immediate one. There must be people in the parliament immediately ready there and then to challenging Government.

Secondly, there must be equality in law and administration for efficient functioning of democracy and there is need of a permanent civil service for implementing the policy of the Government .The importance of free opposition and consent is a needful requirement of popular Government, Ambedkar says "Democracy is unrealizable without freedom of political discussion. A right to vote gives a man no real part in controlling government unless is free to form his own opinions about his vote, to near what others have to say about the issues and to persuade others to adopt his opinion." Democracy to Ambedkar is "a form and a method of government whereby revolutionary changes in the economic and social life of the people are brought about without bloodshed." In democracy, there should be no tyranny of the majority over the minority. The minority must always feel safe that although the majority carrying on the Government, the minority will not be hurt and that the minority will not be imposed upon. Ambedkar appreciated Harold Laski for his insistence on the moral order as a basic necessity of democracy. He says that if there is no moral order, democracy will get to pieces.



It requires a "Public conscience". "A political democracy without an economic and social democracy is an invitation to trouble and danger". Social democracy alone can assure to the masses the right to liberty, equality and fraternity. So, democracy is not only a form of government but a way of life through which social justice can be established. Social justice ensures that society should promote the welfare of all. Democracy is a dynamic attitude towards human life. It attaches a great importance to virtues like tolerance and peaceful methods. Thus, parliamentary democracy involves non-violent methods of action, peaceful ways of discussion and acceptance of decision with faith and dignity. There are two other pillars on the which parliament system rests. This system needs an opposition and free and fair elections. Ambedkar says, " In a Parliamentary democracy, there should be at least two sides. Both should know each other well. Hence a 'financial opposition' , is needed opposition which is the key to a free political life. No democracy can be without it." In modern times, Dr. Ambedkar appears to educate and enlighten people to adopt the fair means for a change of government. "Election must be completely free and fair. People must be left themselves to choose whom they want to send to the legislatures."

The consequences of the caste system on politics and election are quite obvious. Caste are so distributed that in any area there are major castes carrying the seats of Assemblies and Parliament by sheer communal majority voting is always communal, because the minority communities are coerced and tyrannized for casting their vote in former of a particular candidate.

The democratic principles of life, liberty and pursuit of happiness are considered to be the essentials of human life in Ambedkar's concept of democracy. He attaches importance to human well being and human rights. The essence of democracy, to Ambedkar, is that as many members of a society as far as possible should share in the exercise of human rights. It means that there should be equal opportunities for all citizens and harmony among the claims of each person. Discrimination in human rights is the very negation of social and political democracy. Thus, Ambedkar puts emphasis on equality, and liberty of human rights. According to Ambedkar, parliamentary democracy has all the marks of a popular Government, a government of the people, by the people and for the people. In parliamentary democracy, there is the executive who is subordinate to the legislative and bound to obey the legislative. The Judiciary can control both the executive and legislative and keep them both within prescribed bounds. Ambedkar says, parliamentary democracy has not been at a standstill. It was progressed in three directions. It began with equality of political rights by expanding in the form of equal suffrage. Secondly, it has recognized the principle of equality of social and economic opportunities. Thirdly, it has recognized that the state cannot be held at bay by corporation which is anti-social in their purpose. Parliamentary democracy produces the best result in the long run, because it assigns great significance to virtues like ability and cooperation, mutual respect and self help, discipline and devotion to work, for the happiness of the millions of people. The system of parliamentary democracy, thus, embodies the principle of change and continuity to which Ambedkar attaches great



importance. To him, only the spirit of the people can help parliamentary democracy to function well. People and democracy are closely related to each other. Ambedkar says, democracy is another name for equality. It is, therefore, a matter of some surprise that there has been a revolt against parliamentary democracy although not even a century has elapsed since its universal acceptance and inauguration. There is revolt against it in Italy, in Germany, in Russia and in Spain, and there are very few countries in which there has not been discontent against parliamentary democracy. Why should be this discontent and dissatisfaction against parliamentary democracy? There is no country in which the urgency of considering this question is greater than it is in India. India is negotiating to have parliamentary democracy of the erroneous ideologies which have been responsible for the failure of parliamentary democracy. I have no doubt that the idea of freedom of contract is one of them. The idea became sanctioned and was upheld in the name of liberty. Parliamentary democracy took no notice of economic inequalities and did not care to examine the result of freedom of contract on the parties to the contract, in spite of the fact that they were unequal in their bargaining power. It did not mind if the freedom of contract gave the strong opportunity to defraud the weak. The result is the parliamentary democracy in standing out as a protagonist of liberty has continuously out as a protagonist of liberty has continuously added to the economic wrongs of the poor, the downtrodden and the disinherited class.

Ambedkar says, the second wrong ideology which has initiated parliamentary democracy is the failure to

realize that political democracy cannot succeed where there is no social and economic democracy. Some way question this proposition. To those who are disposed to question it, I will ask a counter question. Why parliamentary democracy collapsed so easily in Italy, Germany and Russia? Why did it not collapse so easily in England and the U.S.A? To any mind, there is only one answer – namely, there was a greater degree of economic and social democracy in the latter countries than it existed in the former. Parliamentary democracy developed a passion for liberty. It never made even a nodding acquaintance with equality. It failed to realize the significance of equality and did not even endeavor to strike a balance between liberty and equality. Ambedkar says, 'I have referred to the wrong ideologies which in my judgment have been responsible for the failure of parliamentary democracy. All political societies get divided into two classes – the rulers and the ruled. If the evil stopped here, it would not matter much. But the unfortunate part of it is that the division becomes stereotyped and stratified so much so that the rulers are always drawn from the ruling classes and the class of the ruled never becomes the ruling class. People do not govern themselves, they established a government and leave it to govern them, forgotten that is not their government. That being the situation parliamentary democracy has never been a government of the people or by the people, and that is why it has never been a government for the people. Parliamentary democracy, notwithstanding the paraphernalia of a popular government, is in reality a government of a hereditary subject class by a hereditary ruling class. It is those vicious organization of political life which



has made parliamentary democracy has not fulfilled the hope it held out the common man of ensuring to him liberty property and pursuit of happiness.' Dr. Ambedkar was one of the admirers of freedom and self-government of India. And he stood for a democratic system of administration. Dr. Ambedkar preferred the elected rulers or the government to hereditary rulers for a good and democratic administration. He emphasizes that the administration must be free of corruption and dishonest ways of administrating things. He says, everyone must share the responsibilities for the successful working of the democratic institutions in the land, otherwise; the feelings of public welfare and co-operation would not be strengthened. He says, "Democracy cannot function in the absence of basic civil liberties – which enables the community to vindicate itself against the state furthermore, the right to criticize, if it is to be effective, must include the right to organize opposition through political parties. Representative democracy is essentially procedural. It is characterized by free expression, free parties and free election." To Ambedkar, "Political parties are indispensable in parliamentary democracy, for democracy without a party system is unconceivable. There should be a regular party system." Ambedkar preferred that at least two parties are essential in democracy for its fructification. "A party is necessary to run government. But two parties are necessary to keep government from being a despotic. A democratic government can remain democratic only if it is worked by two parties – a party in power and a party in opposition." Ambedkar fought against caste and injustice because he found that there were no human rights for a large majority of the people. He rebelled

against such a social organization. He wanted to vitalize the masses in India, for equal human rights. For removing the social, economic, political and religious disabilities of the untouchables, it was necessary to establish Government of the people, for the people and by the people. Only under a democratic system of government could social economic, political and religious freedom he ensured equally to every man and woman. His ultimate aim of life was to create a "real social democracy". The concept of his social democracy included human treatment and human rights to all, without which it can be no sure and stable political life anywhere. The 19th century meaning of democracy is that each individual should have a vote, does not stand up to full test of social and political democracy. Without social democracy, neither political liberty, nor the unity of the nation can be maintained. According to him, political democracy rests on four premises: - these are –

- i) "The individual is an end in himself.
- ii) The individual has certain inalienable rights which must be guaranteed to him by the constitution.
- iii) The individual shall not be required to relinquish any of his constitutional rights as a condition precedent to the receipt of a privilege.
- iv) The state shall not delegate powers to private persons to govern others."

The dignity of the individual, political liberty, social progress and human rights are necessary constitutional safeguards which form Ambedkar's basic decent democratic ideals in the political democracy.



To him, the ground plan means the social structure of a community to which the political plan is sought to be applied. Political democracy and liberty are nothing if not beaked and bucked up by equal social patterns, because the political structure rests on the social structure. "Indeed, the social structure," he says "has a profound effect on the political structure. It may modify it in its working. It may nullify it or it may even make a chery of it." It is therefore, essential that before passing any Judgment on any scheme of political relationship even making plans for economic reforms, the people must consider the ground plan that means social relations, Democracy should be regarded as both a social and a political method. "The soul of Democracy", he says, "is the doctrine of one man, one value". This principle finds intrinsic worth in the individual personality of each man in political and social relation. This stands for the economic well being of the people, without which democracy, to him, has no value." The sum of democracy, according to him, essentially consists in the economic welfare of all men living in a particular society, besides its realization in political relation. Otherwise, democracy would kill its own soul and democracy without soul would be useless, unrelated to human aspirations. In India, to Ambedkar, the people have not realized that it is equally essential to prescribe the shape and form of the economic structure of society for the benefit of the majorities of men. They have not escaped hopes for economic democracy and emancipation, one vote after the long five years, has no meaning to the starving man. It has no significance to the man who is always exploited, rebuked and repressed. It has no value to him for whom there is no

sympathy, no love and no give and take of life's hopes.

#### 4. Summary & Conclusion:

The main goal of the study is to analyze and evaluate critically the idea of Ambedkar regarding Indian democracy and to capture the position of Ambedkar on issues whose relevance is even felt at present. A detailed analysis of his life and mission reveals that Ambedkar held the basic and fundamental norm, to be equality- social, economic and political, from which he proceeded to lay down a collection of 'ought' propositions; in this hierarchy of 'ought', the initial fundamental 'ought' on which the validity of all the other ultimately rests, the fundamental norm seems to be the social equality, the justification for the rest of the legal reforms and changes he persistently fought for. It was a society full of social inequalities in which Ambedkar was born. The humiliation he experienced in such an in egalitarian society bore on imprint in all thought his life. Analyzing the idea of democracy of Ambedkar in details, it can be found out that Ambedkar had unshakeable faith in democracy. *Ambedkarism* is of great relevance to Indian society even today in achieving social justice, removal of untouchability, in establishing equality and freedom and true democracy. Democratic socialism is the key note of his political thought and constitutionalism is the only way to achieve it. In conclusion, it can be said that this research gives closer and analytical insight into the thoughts of Ambedkar and provides an answer to the question of whether we, the Indians, achieve religious tolerance, human equality and freedom, true democracy, gender respect in the society, justice and peace in the light of political philosophy



of Ambedkar whose memory will ever guide the nation on the path of justice, liberty and equality.

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## Leadership vision of Dr. B R Ambedkar

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**Abstract:** *Dr. Babasaheb Ambedkar was brilliant intellectual, powerful orator, prolific writer, the maker of India's constitution, and a profoundly significant revolutionary who championed human rights and human dignity as a true path-finder towards a higher human civilization. Dr. B.R. Ambedkar was a man with a mission in his life. Leadership was forced upon Dr. B.R. Ambedkar because he was born in a poor untouchable family. He suffered all the pangs of an untouchable. When he experienced inhuman treatment, he resolved to fight out and eradicate the evil system of untouchability. He has popularly known as the pioneer who initiated the liberation movement of roughly 65 million untouchables of India. He was a scholar as much as a "man of action". He was in the favour of education and equal rights for everyone. He has been regarded as a ray of hope, for downtrodden in India. His vision of democracy and equality was closely related to good society, rationality and the scientific outlook. Thus Ambedkarism is the great relevance to Indian society to achieve social justice, removal of untouchability, in establishing equality and true democracy. The objective of this paper is leadership vision of Dr. B R Ambedkar for present Indian society.*

**Keywords :** Multifaceted, Personality, Intellectual, Leadership, Nation, Society.

**Introduction:** Babasaheb Ambedkar was brilliant intellectual, powerful orator, prolific writer, the maker of India's constitution, and a profoundly significant revolutionary who championed human rights and human dignity as a true path-finder towards a higher human civilization. Dr. B.R. Ambedkar was a man with a mission in his life. The mission was the eradication of untouchability and securing political, economic and social justice through appropriate political movement.

Leadership was forced upon Dr. B.R. Ambedkar because he was born in a poor untouchable family. He suffered all the pangs of an untouchable. When he experienced inhuman treatment, he resolved to fight out and eradicate the evil system of untouchability.

Dr. Ambedkar (1891-1956) came from western India, from a caste of Mahar, the

largest untouchable caste in the area now called Maharashtra. From this caste, Dr. Ambedkar emerged a champion of the untouchables in India and influenced the national movement for independence in order to give it a social content and also the socio-political policies of independent India.

The life history of Dr. Ambedkar was the relentless struggle of a downtrodden community in our country against social tyranny. By his courageous struggle and dedicated life, he raised himself to greatness, and was a constant source of inspiration to his fellowmen. The study made an attempt to know his leadership visions

Though Dr. Ambedkar started his career as a leader of the Depressed Classes, and had a limited goal of improving their lot he tried to see that they enjoyed the benefits of liberty,



equality and fraternity. He became an all-India leader, a great social revolutionary and the chief architect of the Constitution of India.

## RESEARCH METHODOLOGY

The research is based on the secondary data collected through various resources like journals, books, and web sites. The objective of this paper is leadership vision of Dr. B R Ambedkar for present Indian society. Dr. Ambedkar main contribution with leadership skills states the below

### 1. Dr. Ambedkar and Nationalism

Dr. Ambedkar was an iconoclastic social reformer who at the very formative years of his career realized what it meant to be an untouchable and how struggle against untouchability could be launched. The social reform movement of the caste Hindus could not win him to its side because of his existential understanding of the pangs of untouchability. The issue of untouchability, for social reformers, was a mere problem. This problem was exterior to them in the sense that it affects only the untouchables. They themselves had never experienced the sinister blows of untouchability.

He built a strong case against the "Janama" (birth) thesis of the untouchability which foreclosed all the ways for Dalit emancipation. He exhorted its victims to oppose it tooth and nail. He said, "It is disgraceful to live at the cost of one's self respect. Self-respect is most vital factor in life. Without it, man is a mere cipher. To live worthily with self-respect one has to overcome difficulties. It is out of hard and ceaseless struggle alone that one derives strength, confidence and recognition". He drew a

distinction between merely living and living worthily. For living a worthy life, Ambedkar said, society must be based on liberty, equality and fraternity. For Ambedkar, social tyranny is more oppressive than the political tyranny and "a reformer who defies society, is a much more courageous man than a politician, who defies government".

Dr. Ambedkar's views on Indian nationalism in opposition to the dominant discourse of Hindu nationalism as represented by Raja Rammohan Roy, B.G. Tilak, Mahatma Gandhi, Jawaharlal Nehru, Golwalkar and Shyama Prasad Mookerjee on the one hand, and Communist-secular-socialist nationalism represented by M.N. Roy, R. P. Duta, T. Nagi Reddy and E.M.S. Namboodripad on the other, are not only distinct but also original. Hindu nationalism in essence aims at strengthening the Brahmanical supremacy in the post-colonial India. The communist-secular-social nationalism though based on abolition of class, its ideologues like that of the Hindu nationalism also belonged to the upper-castes and were myopic to the Dalits tribulations.

Ambedkar believes that for the success of machinery and modern civilization or for rational economic relationship, democracy is essential. A society, which does not believe in democracy, may be indifferent to rational human relationships. He thinks that a non-democratic society may well content itself with a life of 'leisure and culture' for the few and a life of 'toil and drudgery' for the many; but a democratic society must assure a life of leisure and culture to each one of its citizens so that they may live a life of happiness, peace and prosperity. In the same breath what bothers Ambedkar



as the greatest hurdle on the way to democracy is the widening of the gulf between the 'learned' and 'ignorant class' and 'leisure' and 'laboring class'. These are what he calls as 'national class distinctions' that cannot be obliterated root and branch. Ambedkar's emphasis on the rational basis of economic relationship involves the two fundamental concepts: the concept of 'statesocialism' and the concept of 'constitutional law and parliamentary democracy

## 2. Ambedkar Idea of Equality

He incorporated the values of liberty, equality and fraternity in the Indian Constitution. Based on the belief that any scheme of franchise and constituency that fails to bring about representation of opinions as well representation of persons falls short of creating a popular government, he submitted the Constitution with a warning. He said in his speech delivered in the Constituent Assembly on 25th November 1949, "Political democracy cannot last unless there lies at the base of it social democracy." By social he means a way of life, which recognizes liberty, equality and fraternity as principal of life. He further said: "On 26th January 1950, we are going to enter into a life of contradictions. In politics we will have equality and social and economic life we will have inequality. In politics we will be recognizing the principal of one man one vote and one vote one value. In our social and economic life, we shall, by reason of our social and economic structure, continue to deny the principal of one man one value. We must remove this contradiction at the earliest possible moment or else those who suffer from inequality will blow up the structure of

political democracy which this Assembly has so laboriously built up."

Ambedkar believed primarily in the efficacy of law and legislation, and he struggled to evolve a constitutional mechanism to fashion India of his dreams, where quality, liberty and fraternity would have an unhindered play. In Ambedkar's vision of India, all citizens would be equal before law; they have equal civic rights, equal access to all institutions, conveniences and amenities maintained by or for the public; they possess equal opportunities to settle or reside in any part of India to hold any public office, or exercise any trade or calling, here all key and basic industries would be owned by the state. He pleaded for special privileges and safeguards for the Dalits as scheduled Castes. In short, he demanded equality, which would not only lead, to the redressed of the past wrongs but also provide sufficient leverage, may be by way of compensation, as seabed to ensure their leveling up. – B.R. Ambedkar, his life, work and relevance.

## 3. The Hindu Code Bill, 1948

In 1948 when the Hindu Code Bill was introduced in parliament and debated on the floor of the house, the opposition was strong against the Bill. Ambedkar tried his level best to defend the Bill by pointing out the Constitutional principles of equality, liberty and fraternity and that in the Indian society characterized by the caste system and the necessary for a social change in which women have equality in a legal frame system and the oppression of women since women are deprived of equality, a legal frame work is necessary for a social change in which women have



equal right with men. However, the Bill could not withstand the opposition from the Hindu orthodoxy. In reality, the Bill was a threat to patriarchy on which traditional family structure, was bounded and that was the major reasons behind the opposition. Therefore, on the eve of the first elections in 1951 Prime Minister Jawaharlal Nehru dropped the Bill by saying that there was too much opposition. On this issue the then Law Minister Dr. Ambedkar resigned. His explanations for resignation show how the parliament of independent India deprived its women citizens of even basic rights. His resignation letter dated 27th September 1951.

Although most of the provisions proposed by Ambedkar were later passed during 1955-56 in four bills on Hindu 'marriage' succession, minority and guardianship and maintenances and later in 1976 some changes were made in Hindu law it still remains true that the basic rights of women have yet to be restored to them even after fifty years of the working of the Indian Constitution based on the principle of liberty, equality and justice to all Indian citizens. However, the Hindu code Bill helped the resurgence of feminist movement in India. This crusade of Ambedkar to emancipate women from injustice inspires the women leader in parliament to keep the issue alive until its enactment. This was the starting point for women to recognize their position and pursue rights movement by acquiring strength from second wave feminism started in the early 1960s.

#### 4. Social Justice

B.R. Ambedkar on Social Justice  
As earlier referred to, "Justice", for

Ambedkar, "is simply another name for liberty, equality and fraternity." This forms the corner-stone of Ambedkar's concept of social justice. It upholds the dignity of human personality. As the chief architect of India's Constitution, he got it shaped clearly on the values of justice, liberty, equality, fraternity and dignity of man. These ideals of social justice denote brotherly relations of a citizen with every other citizen in our society; and it abhors caste-barriers between man and man; and demands respect for all citizens from everyone. The spirit of social justice here gives significant place to mutual regard and responsibility in social life. What does social democracy mean? It means a way of life which recognizes liberty, equality and fraternity as the principles of life. These principles of liberty, equality and fraternity are not to be treated as separate items in a trinity. They form a union of trinity in the sense that to divorce one from the other is to defeat the very purpose of democracy

#### Dr. Ambedkar's Leadership Vision

Throughout his life Dr. Ambedkar came before his countrymen and before the world as a professor, a lawyer, an erudite person, a legislator, a constitutionalist, a social reformer, a political leader, a cabinet minister a constitution-maker and above all a community leader.

#### Foresight:

Dr. Ambedkar personally experienced the pangs of an untouchable. So the ways of his predecessors to remove untouchability were discarded by him. In 1928 he established Depressed Class Education Society to organize the



Depressed Class on sound basis. He established People's Education Society and started many colleges in Bombay and Aurangabad. In 1956, in the changed circumstances, he formed the Republican Party of India-not a communal party.

He had the foresight to visualise that the British are going to withdraw from India. He made a compromise with the Congress and with the support of the Congress, became the Chirman of the Drafting Committee of the Constitution. Any portfolio from finance to defence and home to industry would have been ably handled by Dr. Ambedkar.

#### **Courage:**

When Dr. Ambedkar led the morcha to the Mahad Tank he was aware that all satyagrahis would be beaten. But he did not swerve from the chosen path. In the first general strike of the textile workers in 1928 he supported the strike wave. In the agitation against the anti-strike bill the independent Labour Party, joined hands with Communists. When the struggle for the United Maharashtra was going on, he opposed it; but when he found that separation of Bombay city was harmful to the interests of Marathi-speaking people, he supported 'Maharashtra with Bombay' agitation.

#### **Capacity to take his followers:**

Dr. Ambedkar had the capacity to take his followers with him and guide them. At Mahad and at Nasik Kala Rama Mandir, he led the satyagraha offered by age-old social tyranny. Nobody expected immediate success but he created confidence in the minds of his followers.

#### **Ability to grasp seriousness of the situation:**

Dr. Ambedkar grasped the seriousness of the situation at the second conference Mahad in December, 1927.

#### **The poona pact was a set-back to him, but he satisfied his followers.**

His acceptance of the membership of the Viceroy's Executive Council was criticized by many but he defended his action on the ground that by his action, indianisation of services might be facilitated.

**Confidence:** Dr. Ambedkar had the ability to create confidence in the minds of his followers and establish credibility.

#### **Personal integrity:**

Dr. Ambedkar's personal integrity in public life, uncorrupt softness character-were beyond doubt. Even his enemies never questioned about this. After his resolve to renounce Hinduism, he discarded several offers about joining some other religions, remained firm and did not sacrifice his liberty. He set aside many jobs and played the role of a dedicated worker for the uplift of the downtrodden.

#### **Profound scholarship:**

Dr. Ambedkar studied social as well as political problems facing India. His scholarship was bookish, but it was oriented towards society. In the midst of public life he maintained his scholarship.

#### **Conclusion:**

Though Dr. Ambedkar started his career as a leader of the Depressed Classes, and had a limited goal of improving their lot he tried to see that they enjoyed the benefits of liberty,



equality and fraternity. He became an all-India leader, a great social revolutionary and the chief architect of the Constitution of India.

Dr. Ambedkar as a leader of the masses went ahead of his followers. He joined mass movements but when he was not backed by mass movements, he became isolated and pro-government and communal tendencies became dominant.

Leadership was forced upon him; because he was born in a poor untouchable family. He suffered all the pangs of an untouchable. When he experienced such inhuman treatment, he resolved to fight out and eradicate the evil system of untouchability. By temperament he was not after leadership, but the leadership was thrust upon him and he did his job by sacrificing everything for it. In his speech at Khatmandu on 20 November, 1956, he remarked, "it is, therefore quite necessary for those who believed in the Buddhism to tackle the younger generation, and to tell them whether Buddhism can be a substitute for communism. It is then only that Buddhism can hope to survive." It is erroneous to paint him as a leader who did a monumental task of keeping his brethren aloof from communism.

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