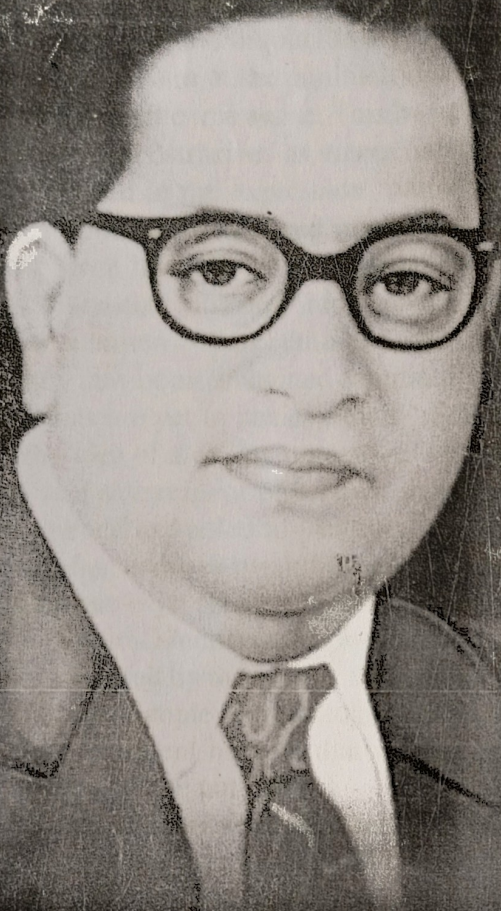




DR. BABASAHEB AMBEDKAR: THE MAN BEYOND THE TIME



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A STUDY OF DR. AMBEDKAR'S CONTRIBUTION TO INDIAN CONSTITUTION.

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Introduction :

Dr B.R. Ambedkar, a prominent Indian thinker and social reformer, is widely lauded as an emancipator of the untouchables. He was also keenly interested in reshaping India for which he set his aim at the annihilation of caste which he regarded as essential for making India a nation in the true sense. This he held to be impossible so long as a large number of its citizenry remain ostracised as untouchables. Sometimes, the words 'nation' and 'state' tend to be combined in the expression 'nation-state'. But the two have different connotations: State is a politically organised institution having monopoly of power over the inhabitants within a given territory.¹ It is not necessary that every person under a state feels that he belongs to a nation. 'Nation' represents a spirit of homogeneity towards fellow inhabitants sharing a common culture, ethnicity, race, religion and language or any one of these. This community may be an 'imagined community' or 'abstract community' or 'self defined group'.² some nations are yet to achieve their 'right to self-determination' and so do not constitute states. The idea of a nation-state arises out of the simple fact that a nation should possess a territory and sovereignty of its own. A nation has diverse features, but it usually has two forms—cultural and political—culturally homogeneous and politically sovereign. Therefore, nation-building involves two primary wings: a political authority and an integrated community. Ambedkar, however, 'did not believe that nations had to be necessarily based on a common religious-cultural identity; there were in fact several examples of multicultural nations'.³ Yet a spirit of unity felt by the bulk of the population would seem to be necessary and Ambedkar wished to bring people in India together through the elimination of caste differences. As he put it, 'My confident hope is that we can be a nation provided proper process of social amalgamation can be put forth.'⁴

Ambedkar has been criticised over his non-participation in the struggle against the colonial power by Arun Shourie, an eminent journalist, in his *Worshipping False Gods* (1997). Shourie argues that Ambedkar did not participate in the freedom struggle since Ambedkar felt that the Dalits in this country would have to live under the authority of the Hindus in an independent India. In the words of Sunil Khilnani, his book is an extended—indeed, overextended—bitter polemic against those who driven by current political ambitions, wish to rewrite the history of Indian nationalism

and the early years of the foundation of the Indian republic. More specifically, Shourie takes to task those who downgrade the prominent role of Indian leaders such as Mahatma Gandhi and Jawaharlal Nehru, while elevating lesser figures like B.R. Ambedkar.⁵ Gopal Guru another critic speaks of Shourie's or 'author's extra-academic intention and the serious distortions in the book of Ambedkar's understanding of the national movement'.⁶ What is

missing in Shourie's argument is an understanding of the fact that so long as a large portion of the profane people in India, the Dalits, remained socially peripheral, India could not fight unitedly against the colonisers. Ambedkar was aware that social solidarity was the key to struggle against colonialism. Without achieving social solidarity among different religious groups, castes and communities, the struggle against colonialism would not be successful. In this context, it would be interesting to quote the Communist leader B.T. Ranadive, who said, 'The anti-imperialist struggle, the growing sense of national unity, the anti-caste agitations and the revolt, were all parts of a single process—the formation of a modern nation, with its different sections demanding equality and common status in new polity.'⁷ At the time of the freedom struggle, when most of the Congress leaders laid emphasis on political aspects of nationalism, Ambedkar put the emphasis on social justice, namely, securing equality for all.⁸ Ambedkar's own version of nationalism demanded freedom from internal serfdom, oppression, subjugation and exploitation. This was not a smaller matter than freedom from British rule since 'freedom from an alien rule was no more significant than the freedom from internal forms of slavery, oppression and exploitation'.⁹ Ambedkar, indeed, did support British rule, but only till the point it was needed for the progress of India within Indian society. He did not favour British rule for ever. As his editors say: During the British rule, issue of political independence got precedence over social reform and therefore social reform continued to remain neglected. He [Ambedkar] calls upon the Hindus to annihilate the caste which is a great hindrance to social solidarity and to set up a new social order based on the ideals of liberty, equality and fraternity in consonance with the principles of Democracy.¹⁰

Ambedkar understood that development of all, particularly of the oppressed sections in society, was needed for India to become a true nation. Ambedkar's conception of nation-building implied pursuit of a development policy which must be wholly inclusive. For the uplift of the oppressed sections of society, there should be legal rights and constitutional safeguards. The lowest sections of people faced discrimination in access to socio-economic and educational opportunities which were monopolized mainly by the 'entrenched castes'.¹¹ Therefore, specific opportunities must be assured to the oppressed castes. Ambedkar was keen to secure equal rights for all which he called 'citizenship rights'. Ambedkar had in mind his own mechanism for ensuring equal rights for the unprivileged, without any condescension from the higher castes. According to him, The Jatpat-Tod [ak Mandal ['organisation to break the caste system'], I was given to understand, to be an organization of Caste Hindu Social Reformers, with the one and only aim, namely to eradicate the Caste System from amongst the Hindus. As a rule, I do not like to take any part in a movement which is carried on by the Caste Hindus. Their attitude towards social reform is so different from mine that I have found it difficult to pull on with them.¹² Ambedkar's path for safeguarding equal rights for the untouchables involved: first, raising the position of the untouchables in relation to other castes; second, securing for untouchable equal rights with others; and third, ensuring equal rights for all. Equal rights could only be ensured through 'annihilation of caste' by the termination of endogamy. Ambedkar declared: 'As I have established before, endogamy is the only characteristic of Caste and when I say Origin of Caste I mean The Origin of the Mechanism for Endogamy.'¹³ Moreover, equal rights will not be adequate unless

equality in opportunity is secured. In other words, disparities in society in terms of resources ultimately pervert equal rights howsoever guaranteed. Thus, he was keen for first, legal safeguards against discrimination, and second, reservation in employment for the discriminated groups.

How can the rights of the people be ensured to those who are unprivileged? Ambedkar argued that it can be done only through the codified law. For nation building, rights of the unprivileged or underprivileged must be expressly provided for. He wrote: Soon after it became definite that the framing of the future Constitution of India was to be entrusted to a Constituent Assembly, the Working Committee of the All-India Scheduled Castes Federation asked me to prepare a Memorandum on the Safeguards for the Scheduled Castes for being submitted to the Constituent Assembly, on behalf of the Federation. I very gladly undertook the task.¹⁴ In the memorandum on the safeguards for the Scheduled Castes entitled 'States and Minorities', Ambedkar expressed his concern regarding constitutional safeguards of the minorities and Scheduled Castes.¹⁵ For Ambedkar, the Scheduled Castes were to be dealt with as minorities. He said, 'Those who hold the view that the Scheduled Castes are not a minority might say that in this matter I have gone beyond prescribed bounds.'¹⁶ Since the Scheduled Castes tend to undergo more hardships than other citizens and other minorities, so 'Scheduled Castes are more than a minority and that any protection given to other citizens or to the minorities will not be adequate for the Scheduled Castes'.¹⁷ Both the minorities and Scheduled Castes, he said, require safeguards against 'the tyranny and discrimination of the majority'.¹⁸ As the first law minister of Independent India, he initiated the Hindu Code Bill which was so much to raise women's position in Hindu Law, in respect of marriage, inheritance and property. Then, Ambedkar was not only a leader of the Dalit but a liberator of all the oppressed.

Ambedkar held that social solidarity among the Indians could never be secured unless equal access to income, capital assets and economic opportunities. Since India was in his time primarily an agrarian country, so he particularly studied the agricultural problem, though he was also, concerned about industrialization. According to Ambedkar, land holdings were concentrated in the hands of a few people in India, a monopoly which needed to be addressed. Some thoughts of Ambedkar regarding economic reform were expressed in the manifesto of the Independent Labour Party (ILP), a political party formed by Ambedkar. These are principle of state management and ownership of industry wherever it was in the interest of the people, bringing legislation to regulate the employment of factory workers, including fixing their work hours, making payment of adequate wages, providing for bonus, pension schemes; and social insurance.¹⁹ According to Ambedkar, concentration of land or 'monopoly' in agricultural capital might affect the productivity of agriculture which is related to the size of holdings, capital, labour and other factors. The idea of democratic socialism has been reflected in his prescriptions for solving economic problems. He advocated collective farming through regulations issued by the government, agriculture to be treated as a state-owned industry. He advocated nationalisation of manufacturing industry as well. He urged reform of the taxation system and argued that land revenue should be more flexible and subject to revision from time to time.²⁰ Ambedkar also said that the salvation of the depressed class lay in 'higher

education, higher employment and better ways of earning a living' since education and economic development are closely linked.²¹ For promotion of education of depressed classes, he established 'Depressed Class Education Society' in 1928. Apart from education, he laid emphasis on the character building. An educated man without character, to him, was no less dangerous than a beast.²² Ambedkar was interested in the question as to how individual opinion could lead to public action. He tried to resolve the much debated issue on individuality versus collectivity. According to him without personal participation, democracy could still be government for the people but not government by the people. He wrote: As the Government is the most important field for the exercise of individual capacities, it is in the interest of the people that no person as such should be denied the opportunity of actively participating in the process of Government.²³ Ambedkar held that the representation system in India should be in accordance with the social division of the whole population of India. He argued that since the Indian population was divided into many religious groups—Hindus, Muslims, Christians, Jews and Parsees; and Hindus, the last divided into—touchables and untouchables,²⁴ popular government must reflect the distinct interests of all these groups. So Ambedkar proposed separate electorates for separate communities.

A separate electorate does not imply a separate nation or separate state, but simply follows from the principle that the people of a community should be able to choose their representatives from their own community. He advocated reservation for the representation of various religions as well as Hindu untouchables in legislature, executive and public service. In his opinion this was the only way to solve the communal problem in India.²⁵ Ambedkar saw tolerance of religious plurality as essential for the foundation of prospective Indian nation, as, according to him, 'the process of creating a nation is linked to a thorough critique of the Brahmanic aspects of Indian tradition and a recognition of non-Brahman contributions, such as those of Buddhism, as a basis for religious plurality'.²⁶

Conclusion :

Democracy is not only a political doctrine but a social doctrine also. Democracy is, probably, the best way to initiate nation-building in every multicultural, multiethnic or multilingual state. Democracy should guard against the 'tyranny of the majority' to protect minority, whether caste based, religious, linguistic, ethnic. That is why Ambedkar opposed 'tyranny of the majority' and any concentration of power. It was a major concern of his 'who always emphasised that political democracy would be incomplete without economic and social democracy'.²⁷ Ambedkar's scheme of separate electorates for Dalits had an arguable case, but his extension of the principle to religious communities could provoke the objection that he was unduly giving precedence to religious affiliation over other concerns, such as of class, language, etc. As the minister in charge of drafting the Indian Constitution Ambedkar was able to so frame several provisions of it to secure its secular character and protect the interests of Dalits and minorities. To this extent, despite many amendments to the draft that he presented, our Constitution still bears signs of his dreams for the nation.