

**BABASAHEB BHIMRAO RAMJI AMBEDKAR –
A SOCIAL REVOLUTIONARY (1891 – 1956)**

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ABSTRACT

Among the galaxy of stalwarts born in the 19th century, who played a pivotal role in shaping the destiny of free India and left an indelible imprint on our national life and polity, the name of Bhimrao Ramji Ambedkar shines like a star. An architect of our Constitution, a Messiah and Champion of the downtrodden, a rebel against all forms of social and economic iniquities and described by Mahatma Gandhi as a “Patriot of Sterling Worth”. Ambedkar attained the pinnacle of glory neither of his personality, struggle, sacrifice, selflessness, erudition, dedication, devotion and commitment. Bhimrao Ramji Ambedkar, affectionately called ‘Babasaheb’ by millions of his admirers and followers. B.R. Ambedkar has been an outstanding and multifaceted personality of India. He was a great academician, patriot, prolific writer, research scholar, an economist, a political scientist, and reformer, an Indian Jurist, an anthropologist, a historian, an orator and a Constitutionalist of world repute. He stood for all political, social and cultural activities which increased the cause of human progress and happiness. He was the first man who understood the necessity for a democratic system in India and analysed the social, economic and political system of India in relation to other countries. He was the soul for the Constitution of India. He crusaded for the betterment of the oppressed and depressed classes. He was one of the illustrious sons of India, who struggled throughout his life to restructure the Indian society on the egalitarian and humanitarian principles. He was the first Indian political thinker who realized the necessity and applicability of the western pattern of democracy to India. He was indeed a crusader of the downtrodden and a saviour of the untouchables. He dedicated his entire life to the cause of dalits, untouchables and marginal sections of society in particular and to the cause of inclusive democracy in general.

Keywords: Architect of Constitution, downtrodden, Dalits, multifaceted personality, untouchables,

Democracy

Introduction

The Constitution of India is the supreme law of India. It lays down the framework defining fundamental political principles, establishing the structure, procedures, powers and duties of the government and spells out the Fundamental Rights, Directive Principles and duties of citizens. It came into effect on 26th January 1950. It declares the Union of India to be a Sovereign, Democratic, Republic, assuring its citizens, of justice, equality and liberty; the words “Socialist”, “Secular” and “Integrity” were added to the definition in 1976 by Constitutional Amendment. It is the longest written constitution of any sovereign country in the world, containing 395 articles, 12 schedules and 94 amendments.

Father of Indian Constitution

Bhimrao Ambedkar has been an outstanding contributor by drafting the Constitution of India and he became a ‘Champion of Human Rights’. He was appointed as the India’s first Law Minister. He is still considered as the Father of the Indian Constitution. His contribution in the Second Round Table Conference and its Federal Structure Committee which was well connected with the drafting of the new Constitution of India was highly appreciated. He was selected to the Federal Structure Committee not by the Indian National Congress but by the British after making of the Constitution of India was by no means an easy task. It required the highest statecraft, statesmanship, scholarship, and intellectual acumen endowed with a flood of knowledge of the history of nations in the given context, and the working of Constitutions in the democratic, totalitarian, dictatorship and other forms of Governments. Owing to his seminal role in the framing of the Indian Constitution, Bhimrao Ambedkar is popularly known all over India as the ‘Chief Architect of the Indian Constitution’.

Chairman of Drafting Committee

Upon India’s independence on 15th August 1947, the new Congress – led Government invited Ambedkar to serve as the nation’s first Law Minister, which he accepted. Considering the depth of his acumen and scholarship, on 29th August 1947, Ambedkar was appointed as the Chairman of the Drafting Committee that was constituted by Constituent Assembly to draft a constitution for Independent India.

The Draft Constitution was completed at the end of February 1948 was finally accepted and passed by the Constituent Assembly. Granville Austin has described the Indian Constitution drafted by Ambedkar as ‘first and foremost a social document’. Beside drafting India’s Constitution, Ambedkar had revised and submitted the Hindu Code Bill in October,

1948. In 1941, the British Government of India, had constituted a committee under Chairman of B.N. Rao for the purpose of revising and codifying the Hindu Law. The revised Hindu Bill gave a Hindu woman the right to inherit property.

Contribution in making of Constitution

Fundamental Rights

Ambedkar was a champion of Fundamental Rights said:

“I came into the Constitution Assembly with a greater aspiration than to safeguard the interest of the Scheduled Castes. I had not the remotest idea that I would be called upon to undertake more responsible function. I was, therefore, surprised when the assembly elected to me the Drafting Committee. I was more than surprised when the Drafting Committee elected me to be its chairman”. Part III of the Indian Constitution guarantees the Fundamental Rights to the citizens. Some of the Fundamental Rights contained in Articles 15 (2), 17, 23, and 24 are also enforceable against individuals as they are very significant rights relating to the prohibition of discrimination on grounds of religion, race, caste, sex or place of birth, etc. 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 outlawing all forms of discrimination. Ambedkar argued for extensive economic and social rights for women.

Ambedkar was rather more instrumental in incorporating Article 17 which provides for the ‘Abolition of Untouchability’ whereby ‘Untouchability’ is abolished and its practice in any form is forbidden. The enforcement of any disability arising out of ‘Untouchability’ shall be an offence punishable in accordance with law. Based on this article, the Civil Rights Protection Act 1965 and the Prevention of Atrocities (Scheduled Castes and Scheduled Tribes) Act 1989 was enacted by the Parliament for the protection of Dalit rights. Even though, caste - based discrimination and violence still remains a fact of life in today’s India, there has been considerable progress for the historically disadvantaged sections of society.

He took all care to enshrine the progressive ideas and ideals of the National Congress into the Constitution. 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. Though he made an outstanding contribution in framing the Constitution of

India, his efforts in enacting the Article 32 in the Constitution which guarantees a citizen the Fundamental Right to move the Supreme Court directly for enforcement of his or her Fundamental Rights was a noteworthy one. The rationale was to secure speedy and inexpensive justice to orders or Writs in the nature of Habeas Corpus, Mandamus, Certioraris, etc. or any other appropriate remedy, as the case may be, for the enforcement of Fundamental Rights guaranteed by the Constitution. Ambedkar regarded this provision as “the Soul of the Constitution and the Heart of it”.

Parliamentary Democracy

According to B.R. Ambedkar, ‘The Parliamentary system differs from a non - Parliamentary system, as the former is more responsible than the latter, but they also differ as to the time and agency for assessment of their responsibility. He was a strong advocate of the Parliamentary form of Government right from the inception of the Government of India Act of 1935. He firmly believed that the Parliamentary system of Government alone can usher in an egalitarian society through the application of the principles of social democracy. Ambedkar’s social democracy comprised politicians, political parties with high standards of political morality, honesty and integrity and strong and highly responsible opposition parties committed to the cause of the downtrodden and depressed classes. The Preamble of the Indian Constitution drafted by Ambedkar echoes the principles of Parliamentary democracy ensuring to “secure to all its citizens - Justice, Social, Economic and Political; Liberty of Thought, expression, belief, faith and worship, Equality of status and opportunity and to promote among them all - Fraternity....”

Hence, Ambedkar was a strong advocate of the federal structure of the Union and States, he also did great service to the nation by proposing the institution of a unified judicial system and common All India Services with a view to strengthen national unity and integrity.

Protective Discrimination Scheme

The real contribution of Ambedkar is reflected in the Protective Discrimination Scheme or the Reservation Policy of the Government envisaged under some provisions of Part III and many of Part IV dealing with the constitutional mandate to ameliorate the condition of the Scheduled Castes and Scheduled Tribes and other backward classes. Provisions like Articles 15(4), 16 (4) and Article 30 dealing with the protection of minorities are some of the notable examples of Part III and Part XI, and Schedule V and VI dealing with

the upliftment of the Scheduled Castes and Schedule Tribes speak clearly about the substantial and significant contribution of Ambedkar for the development of untouchables. Ambedkar made his mission to uplift the untouchables and other downtrodden masses from the unequal position of inferiority to that of equal position of parity in socio - economic status with high - caste Hindus. For achieving this goal, the Reservation Policy or the Scheme of Protective Discrimination was advocated and implemented by him for ten years (from the date of enforcement of Constitution) at least to ameliorate the conditions of the downtrodden sections of Hindu society.

State Socialism

Ambedkar advocated his economic doctrine of ‘State Socialism’ in the draft Constitution. He proposed state ownership of agriculture with a collectivized method of cultivation and a modified form of State Socialism in the field of industry. But due to strong opposition in the Constitution Assembly, he could not incorporate his scheme of State Socialism under the Fundamental Rights as a part of the Constitution.

The core of Ambedkar’s political thinking is contained in his statements like – ‘rights are protected not by law but by the social and moral conscience of society’, Democracy is essentially a form of society, a mode of associated living. Ambedkar knew that mere adoption of a democratic system of Government in the Constitution would not be sufficient. Equality in society, equality before law and administration, constitutional morality, lack of tyranny of the majority and developing public conscience are conditions for the success of Democracy in India. The foremost condition for Democracy, in Ambedkar’s opinion, is equality in society, as equality is the foundation stone, where the nations of liberty and fraternity develop.

Constitutional Morality

- In Ambedkar’s perspective, Constitutional Morality would mean effective coordination between conflicting interests of different people and administrative cooperation.
- It will help to resolve the conflict amicably without any confrontation amongst the various groups working for the realization of their ends at any cost.

- According to him, for India, where society is divided on the basis of caste, religion, language, and other factors, a common moral compass is needed, and the Constitution can play the role of that compass.

Democracy

- He had complete faith in democracy. While dictatorship may produce quick results, it cannot be a valid form of Government. Democracy is superior as it enhances liberty. He supported the Parliamentary form of Democracy, which aligns with other national leaders.
- He emphasized ‘Democracy as a way of life’, i.e., Democracy not only in the political sphere but also in the personal, social and economic sphere.
- For him Democracy must bring a drastic change in social conditions of society, otherwise the spirit of political democracy i.e., ‘one man and one vote’ would be missing. Democratic Government can arise only from a democratic society, so as long as caste hurdles exist in Indian society, real democracy cannot operate. He focused on the spirit of fraternity and equality as the base of democracy to bring out social democracy.
- Along with the social dimension, Ambedkar focused on the economic dimension also. While he was influenced by liberalism and Parliamentary Democracy, he also found the limitation of them.

Indian Constitution defended and interpreted

We print excerpts from two important speeches made by Ambedkar to the Constituent Assembly of India. The first introduced the draft of the Constitution and outlined the meanings of ‘Constitutional Morality’. More than hundred years have rolled over when the first written Constitution was drafted. It has been followed by many countries reducing their Constitutions to writing. Similarly, the fundamentals of a Constitution are recognized all over the world.

Constitutional morality is not a natural sentiment. It has to be cultivated. We must realize that our people have yet to learn it. The working of a Constitution does not depend wholly upon the nature of the Constitution. The Constitution can provide only the organs of state such as the Legislature, the Executive and the Judiciary.

Structure of the Constitution

The Constitution, in its current form, consists of a Preamble, twenty - two parts containing three hundred and ninety - five articles, twelve schedules, ninety-four amendments, and five appendices.

Preamble

The original Preamble of the Constitution of India.

WE, THE PEOPLE OF INDIA, having solemnly resolved/ to Constitute India into a[**SOVEREIGN, SOCIALIST, SECULAR, DEMOCRATIC, REPUBLIC**] and to secure to all its 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.**

The Preamble delineates the basic structure of the Constitution of India. It does not contain laws enforceable in a court but, no law can be enacted or amended in a manner that violates the spirit of the Preamble. The original draft of the constitution, as it came into effect in 1950, had the words '**SOVEREIGN DEMOCRATIC REPUBLIC**' in the first line. The words '**SOCIALIST**' and '**SECULAR**' were changed to unity and integrity of the nation.

Interpretation

The Preamble reflects the basic structure and the spirit on which the Constitution of India is based. Even though the Preamble does not bestow any rights to individual or entity; it serves as a guiding tool for the interpretation of the Constitution. The Preamble lays down the most important national goals which every citizen and the Government must try to achieve - justice, liberty, equality and fraternity.

Sovereign

The word 'Sovereign' means supreme or independent. India is internally and externally sovereign - externally free from the control of any foreign power and internally, it

has a free Government which is directly elected by the people and makes laws that govern the people...

Socialist

The word 'Socialist' was added to the Preamble by the 42nd Amendment Act of 1976, during the emergency. It implies social equality, and does not connote any economic or political ideology. Social equality in this context means the absence of discrimination on the grounds only of caste, colour, creed, sex, religion, or language. Under social equality, all are equal before law. Economic equality in this context means that the Government will endeavour to make the opportunities available to its citizens equitable, and each citizen have every right to improve his or her condition, on his or her own efforts and merits.

Secular

The word 'Secular' was inserted into the Preamble by the 42nd Amendment Act of 1976, during emergency. It implies separation of state and religion. It means the state will make laws without regards to any religion. India, therefore does not have an official state religion. Every person has the right to preach, practice and propagate any religion they choose. The Government must not favour or discriminate against. All citizens, irrespective of their religious beliefs are equal in the eyes of law. No religious instruction is imparted in Government or Government - aided schools.

Democratic

India is a 'Democratic' country. The people of India elect their Government at all levels (Union, State and Local) by a system of 'Universal Adult Franchise', popularly known as 'One man one vote'. Every citizen of India, who is 18 years of age and above and not otherwise debarred by law, is entitled to vote. Every citizen enjoys this right without any discrimination on the basis of caste, creed, colour, sex, religion or education.

Republic

As opposed to a monarchy, in which the head of state is appointed on hereditary basis for a lifetime or until he/she abdicates from the throne, a Democratic Republic is an entity in which the head of state is elected, directly or indirectly, for a fixed tenure. The President of India is elected for a term of five years. The Post of the President India is not hereditary.

Every citizen of India is eligible to become the President of the country. Preamble plays a pivotal role, it is the stem, root and source of Constitution.

To Ambedkar, the Constitution was not just the basic law for the Governance of the country; rather it was a vehicle of the nation's progress, reflecting the best in the past traditions of the country, to cope with the needs of the present and possessing enough resilience to meet the needs of the future. At the same time, he was of the view that it must be a living organ, not for one or two generations, but for generations to come. Ambedkar kept the clauses of the Constitution flexible so that amendments could be made as and when the situation demanded. He provided an inspiring Preamble to the Constitution ensuring justice, social, economic and political, liberty, equality and fraternity.

Conclusion

Ambedkar played a seminal role in the framing of the Indian Constitution. He used all his experience and knowledge in drafting the Constitution. He has awarded a legal framework for the people of India to become India as Ganarajya. So long as the Indian Constitution survives, the name of Babasaheb Ambedkar will remain immortal. He lives forever in the hearts of every downtrodden. B.R. Ambedkar has emerged as the epitome personality of Modern India. In framing the Constitution of Independent India, he played a leading role. Ambedkar's contribution to the Indian Constitution is undoubtedly of the highest order. He was a wise constitutional expert who had studied the Constitutions of about 60 countries. Indeed, he deserves to be called as the 'Father of the Constitution of India'.

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