B. R AMBEDKAR: AN UNTIRING WARRIOR OF DALIT MOVEMENT AND SOCIAL DEMOCRACY

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Abstract

Ambedkar had a deep faith on democratic system but at the same time he believed that the condition precedent for the successful working of the democracy is that there must be no glaring inequalities in the society. There must not be a class which has got all then privileges and a class which has got all the burdens to carry. Such a thing, such an organization of society has within itself the germ of a bloody revolution and perhaps it would be impossible for democracy to cure them. He extensively scanned the Indian society and concluded that in politics we have equality but in social and economic life we will have inequality. He said that we are living in the world of contradiction and if we continue it with denying the inequality what persists in our society then our political democracy may be at stake. He considered democracy as a means to inform social justice to the downtrodden people of India. His idea of democracy is not confined within a democratic form of government rather he meant democracy in the form of a democratic society what he termed it as a social democracy. Dr. Ambedkar always preferred Society over State. Though he considered state as an important organization but he never consider it as an end in itself and man as it means. Ambedkar was a relentless warrior against the social injustice. He had shown a new direction to the Dalit movement. Under the above backdrop the aim of this paper is to discuss at length about the jurisprudential views and concept behind the dalit movement and social justice in context of the philosophy of Dr. B. R. Ambedkar.

Keywords: Social Engineering, Social democracy, Social Justice, Human Rights, Dalit Politics

1. Dr. B.R. Ambedkar & Social Engineering

Dr. B.R. Ambedkar being a social engineer of his time dedicated his whole life to ensure social justice and political equality in India. He was a crusader against the discrimination, oppression and exploitation of the oppressed and depressed section of the society[1]. He was a relentless critic of the prevailing caste system, untouchability and inequalities in the social structure at that time. He was in favour of an egalitarian society fully eschewed of any kind

[1] Nandu Ram Beyond Ambedkar: Essays on Dalits in India Har-Anand Publications, New Delhi, 1995 Reviewed by P.G. Jogdand in Ambedkar in the Present Context, Economic and Political Weekly, Vol. 31, No. 7, February 17, 1996, P-400 available at http://www.jstor.org/stable/4403798 Accessed: 10-12-2016 16:36 UTC

of inequality or discrimination in the name of caste, creed, religion or any other matter which may seem inhuman[2]. He viewed caste conflicts as well as exploitation of people through caste discrimination as a biggest impediment for establishment of a sovereign, secular, democratic country. His political philosophy was to identify the problem of caste conflict as a biggest social evil and also to extend the solidarity towards the untouchables and pariah of the society for the greater cause of humanity. His political ideology was to establish a social order based on social cohesion, liberal democracy and humanism[3]. From this acumen Ambedkar considered Buddhism as a revolution because it is based on love and wisdom and which may prove as an effective key for social transformation. Ambedkar was of view that Buddhism inculcates the moral values in the society by preaching the virtues of non-violence and equal importance to all. Lord Buddha was against of any kind of discrimination based on caste, sex or religion. His religion was for all, to shudras, to women and even to the hardcore criminals who are repentant to their deeds[4]. By accepting Buddhism Ambedkar gives a clear message that how his heart bleeds for the downtrodden, depressed and oppressed section of the society and how much he hates the caste based society where a large chunk of people are deprived from sharing the good of the society merely on the plea of caste discrimination.

Ambedkar was vehemently against of this man made discrimination and completely discarded the philosophy of the caste based society i.e. a man born as Brahmin cannot be other than Brahmin and a man born as pariah, cannot be other than a pariah. He diagnoses the flaw of our society in a well-articulated manner by pointing out the fact that here caste is used as a weapon by the so called elites to exploit the ordinary masses[5]. Ambedkar had a deep faith on democratic system but at the same time he believed that the condition precedent for the successful working of the democracy is that there must be no glaring inequalities in the society. There must not be a class which has got all the privileges and a class which has got all the burdens to carry. Such a thing, such an organization of society has within

[2] ibid

[3] Robert Traer, Buddhist Affirmations of Human Rights in Buddhist-Christian Studies, Vol. 8 (1988), pp. 14, University of Hawai'i Press available at http://www.jstor.org/stable/1390108 Accessed: 10-12-2016 16:01 UTC

[4] Ibid P-14-15

[5] N.S. Gehlot, DR. AMBEDKAR, MAHATMA GANDHI AND DALIT MOVEMENT in The Indian Journal of Political Science, Vol. 54, No. 3/4 (July - Dec. 1993),Pp- 382-83, Published By Indian Political Association where the author opined, " For him, the caste system of the society, based on ascription and social dominance, is like a steel- frame of Hinduism. He felt that the caste concept in India was more ancient than the Vedas and no such comparable institution can be found elsewhere, encompassing features like complexity, exploitation, discrimination and rigidity of caste-system as prevailing in India" Available at http://www.jstor.org/stable/41855665 Accessed: 10-12-2016 15:26 UTC

itself the germ of a bloody revolution and perhaps it would be impossible for democracy to cure them. He extensively scanned the Indian society and concluded that in politics we have equality but in social and economic life we will have inequality[6]. He said that we are living in the world of contradiction and if we continue it with denying the inequality what persists in our society then our political democracy may be at stake[7]. It reveals that how much Babasahab Ambedkar was concerned about establishing the social democracy.

2. On Social Democracy And Justice

Social democracy generally denotes a political movement to bring radical changes in society and to pave the path for democratic socialist society. The main aim of social democracy was to attribute a rock solid foundation to the concept of welfare state by ensuring strong social rights with full employment guarantees, strengthen the movement of the working class, weakening the capitalism and market economy and to formulate a strategy for introducing a socialistic pattern of society. However the concept of social democracy to Ambedkar was different from the common parlance of such democracy. His social democracy is not confined in any particular political dogma rather it is a blend of theory and practice, materialism and spiritualism[8]. He preferred and nurtured that political philosophy which had given due importance to the real problem of life. As a political and social thinker he developed his own political philosophy not from any abstract speculative ideology rather from the very social milieu in which he lived and where he and his community suffered the unjust inhuman treatment by the so called upper caste Hindus. Emancipation of servile class from the clutches of privileged class became the ultimate aim of his life as they were compelled to live with poverty, ignorance, and hunger ignominy, illiteracy, hatred and contempt. He had not only noticed the inhuman conditions of the servile class rather he was himself the victim of the oppression of the caste Hindu[9]. So, it becomes a pious object and aim of Ambedkar to fight all along his life against injustice and to establish an egalitarian society[10]. He

[6] H.S. Dwivedi and Ratan Sinha, Dr. Ambedkar : The Pioneer of Social Democracy in The Indian Journal of Political Science, Vol. 66, No. 3 (July-Sept., 2005), pp. 664-665 Published by: Indian Political Science Association Available at http://www.jstor.org /stable/41855665 Accessed: 10-12-2016 15:28 UTC

[7] Ibid

[8] VIDHU VERMA, Reinterpreting Buddhism: Ambedkar on the Politics of Social Action, Economic and Political Weekly, Vol. 45, No. 49 (DECEMBER 4-10, 2010), pp. 56-65, available at http://www.jstor.org/stable/27917939 Accessed: 10-12-2016 15:54 UTC

[9] M. J. Audi, Ambedkar's For Untouchables: Reflections, The Indian Journal Of Political Science, Vol.50, No. 3 (July - September 1989), Pp.307-320, Http://Www.Jstor.Org/ Stable/41855436 Accessed: 10-12-2016 15:49 Utc

[10] Supra Note 1, page-401

was a true humanist and 'man-making' was the mission of his life. He believed in humanism and to him every human being has the right to live a dignified and graceful and meaningful life. He was of the opinion that the human being must use their intellect properly to explore their potentialities and personalities to the fullest extent. He said, '...lumping together of individuals into a few sharply marked-off classes is a superficial view of man noteworthy of serious consideration. Consequently, the utilisation of the qualities of individuals is incompatible with their stratification by classes, since the qualities of individuals are so variable.[11]' To Ambedkar man is an important component of society who form it by shared values, emotions and experiences. Unity, cohesion, harmony etc. should be the building block of the society. Discriminatory attitudes and adoption of different standards for the different sections of the society ruined the fabric of the society and brings anarchism, despotic and undemocratic polity which may stop all kind of developmental activities and progress of the society. He was of the belief that neither the status of a man is determined by hereditary nor is his fate governed by the past karmas rather it is determined by the environment and the polity in which he lives. Ambedkar believed that a man become the object of pity when he tries to adjust with a society either which cherishes wrong ideals or may have good ideals but refuses to act in conformity with them. He advocated for having that society which brings equal opportunity for all and gives due respect towards the dignity of others. He believed that it is only the human being who can bring this radical change in the society to promote social justice, peace and progress[12].

However he considered democracy as a means to inform social justice to the downtrodden people of India. He was an ardent worshiper of democracy as it ensures right to equality, liberty, fraternity, freedom of speech, faith, worship etc. but at the same time his idea of democracy is not confined within a democratic form of government rather he meant democracy in the form of a democratic society what he termed it as a social democracy[13]. Ambedkar told, "The first condition which I think is a condition precedent for the successful working of a democracy is that there must be no glaring inequalities in the society. There must not be an oppressed class. There must not be a class, which has got all the privileges and a class, which has got all the burdens to carry. Such a thing, such an organization of society has within itself the germ of a bloody revolution, and perhaps it would be impossible for democracy to cure them." Ambedkar considered democracy

[11]A. M. Rajasekhariah and Hemalatajayaraj in Political Philosophy of Dr. B.R. Ambedkar, The Indian Journal of Political Science, Vol.52, No. 3 (July-Sept., 1991), p-361 http://www.jstor.org/stable/41856156 Accessed: 13-05-2018 16:33 UTC, quoted from Ambedkar, B. R., Annihilation of Caste

[12] Supra note 6

[13] Ibid

not necessarily as a form of government but as a form of society[14]. Dr. Ambedkar gave emphasis on building up an impartial, open hearted attitude of mind and thought accompanied with human approach to remove all sorts of disparity exist in the society which could only lead us towards the democratic society. He considered democracy as a means to inform social justice even to the oppressed and depressed section of the society. A true democratic society always prohibits any kind of discrimination or class in the society rather the edifice of democracy stands on the concept of equality. Dr. Ambedkar advocated that equality should not be treated as merely as an abstract ideal. Social justice demands "equal of result" which can only be attained by mitigating the inequalities by positive state action. Equality as an aspect of justice requires the state to adopt a standard considering the differing economic and social condition of the people which stand into their way to access the basic rights[15]. Ambedkar was totally against of the traditional notion of equality which ensures that all are equal before the eye of law as this approach would cause grave injustice to those sections of people who are humans without right or who are belonging to have-nots being lay bore of dignity, peace and the right to life itself. Here we find the resemblance of opinion of Dr. Ambedkar with Harold Laski who in his book "Liberty and Equality" said that the exclusion of men from access to the society's goods and service means a denial of his freedom and equality. Men are different in context of their needs, capacity and want and for that reason by equal opportunity should not be construed as identity of original chance[16]. Dr. Ambedkar realized that it will be farce in the name of justice if equality of opportunity phrase applied to member of disadvantageous group and to a member of affluent section in an equal manner. To bridge the gap in between the privileged and the unprivileged section of the society Ambedkar desired to confer unequal benefits to those who are far from receiving the light of the day. He was in favour of the protective discrimination and appreciated state bias in this regard to wipe out disparities of the society and to bring all the people in equal footage[17]. Only by eliminating all kinds of discrimination from the society and by encouraging free thinking with some kind of scientific temper which frees an individual from any bondage a true democratic and egalitarian society or nation can form. He was a diehard preacher against the politics of exclusion and he inducted his doctrine of inclusion by incorporating the principles of

[14]Supra Note 6, quoted from Ambedkar, B.R.,., 'Ranade, Gandhi and Jinnah' Inacker and co. Ltd., Bombay. 1943, p-36

[15] Supra Note 9, P-316

[16] Dr. Parmananda Singh, Equality, Reservation and Discrimination in India ,Chap-II, Page-18, Deep & Deep Publication, New Delhi (1986)

[17] Supra Note5, P- 383

liberty, equality and fraternity which he termed as 'Union of Trinity'[18]. According to him the principles of liberty, equality and fraternity are always inseparable from each other and exclusion of one from other will surely defeat the very objective of democracy[19]. He said that Indian Society lacks both equality and fraternity. He said that by introducing, 'one man one vote one value' we may achieve political equality but such notion of equality will become farce if we failed to ensure equality in social and economic front. He candidly remarked that prevailing structure of Indian society is full of unequal especially in its Economic and Social life and if this inequality will not be addressed properly its political democracy will be in peril.[20] Beside equality he gave emphasis on the 'recognition of the principle of fraternity'[21]. As per his notion fraternity means a sense of common brotherhood which should exist among all Indians as if Indians are one people. But at the same time this pragmatic jurist did not hesitate to give a caution that fraternity as it gives unity and solidarity to social life, it is very difficult to achieve[22]. Seeing the disparities, different contradictions among the social and economic life of the Indian society he opined that it is only to cherish a great dilution to consider India as an Indian nation when people of this country is divided into several thousands of caste by a nation. If we want to see it as a nation we have to incorporate and recognize the principle of fraternity from its letter and spirit. Due to the above reason despite of dissenting opinion from political minded people the constituent assembly endorses the view of Dr. Ambedkar and inserted in the preamble, "We the people of India" not Indian nation[23]. He said that we can maintain the democratic fabric of this country only when we strive towards achieving our social and economic objectives by following constitutional methods prescribed under the constitution. To describe the importance of liberty he referred the thoughts of Irish Patriot Daniel O' Connell who said, '…*no man can be grateful at the cost of his honour, no woman can be grateful at the cost of her chastity and no nation can be grateful at the cost of its liberty'.*[24] He discarded the practice of hero worship in politics as it is antagonistic to democracy and advocate for free political mind of the youths in India so that India should not lost its independence and democratic norms once again[25].

[18] Dr. Ambedkar's speech in the Constituent Assembly on adoption of the constitution (November 25, 1949) available in http://shodhganga.inflibnet.ac.in/bitstream/10603/38799/15/15_appendix.pdf, Accessed 26th April, 2019

[19] Ibid

[20] ibid

[21] ibid

[22] ibid

[23] ibid

[24] ibid

[25] Ibid In his speech in the Constituent Ambedkar said, "…For in India, Bhakti or what may be called the path of devotion or hero-worship, plays a part in its politics unequalled in magnitude by the part it plays in the politics of any other country in the world. Bhakti in

Dr. Ambedkar always preferred Society over State. Though he considered state as an important organization but he never consider it as an end in itself and man as it means. To him state is nothing more than a human organization and the government formed by way of willing obedience of the people. By using the term 'willing obedience' he totally discarded the absolutist view of state propounded by Hobbes and Hegel and at the same time made it mandatory for the state as well as the government to ensure social justice and protect the life, liberty and property of the people without any discrimination. His political philosophy always persuaded the people not to succumb rather always to protest against the system which violate the integrity and dignity of the people. He was in favour of a strong state to protect law and order but he never supports the misrule in the name of rule or arbitrariness in the name of demanding obedience.

Dr. Ambedkar thrived on the issue of social justice. Social justice can be defined as promoting a just society by eliminating the driving forces behind the inequality, causes of injustice and valuing diversity. This can be achieved by equitable treatment, ensuring human right and fair distribution of community resources. Notion of social justice is based on the equal treatment and of having equal opportunity, which are the basic foundation of human right. The concept of reservation is very much based on this notion i.e. actualization of full and free development in tune with the very philosophy that like should be treated alike not the unlike in order to maintain a real state of effective equality. Dr. Ambedkar perceived democracy as a means to ensure social justice to the downtrodden people of India. Dr. Ambedkar was the firm believer of the notion that the potentiality of the individual, his ability and creativeness depends upon the nature of the socio, economic and political structure of the society. He believed that the fate of each individual, his skill, opportunities and flourishing of personality depends and determined by age, society, class or social group to which he belongs and also more or less these factor govern the professional and non-professional activity of the individual in society. Very closely he monitored the fundamentalism and dogmatism of the Hindu society and he found that the antagonistic character of the Hindu society is being protected by the Hindu religion itself. It is needless to mention that in the antagonistic formation of the society all the goods of the society are enjoyed by the handful persons who are considered as the elite groups, the most advantageous group in the power structure. The antagonistic form of the society always intends to create disparity among the society so as to create barriers in exploration of humanity. To get rid over this antagonistic

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religion may be a road to the salvation of the soul. But in politics, Bhakti or hero- worship is a sure road to degradation and to eventual dictatorship…"

character of the society he had prescribed 'democracy' as a best form of ideology, required to be followed by the Indian polity. Ambedkar said, '*The third thing we must do is not to be content with mere political democracy. 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. What does social democracy mean? It means a way of life which recognizes liberty, equality and fraternity as the principles of life...*[26]." So social democracy of Ambedkar is not an abstract idea rather a pragmatic, factual and realistic proposition which is based on values and indicates to adopt a culture which will persuade "We the People" to treat other as a part of his own soul. Such realization can only end the class and caste contradictions and distinctions and will lead towards true democratic nation with democratic norms. He was in favour of the constitutional morality rather than the majoritarian morality to establish the constitutional sovereignty[27].

3. On Class, Caste And Untouchability

Though, there lies the gulf of difference in between the Marxism and Ambedkarism but with regards to class in Indian society his view almost bordered on the Marxist frame. Ambedkar clarified that Indian society lacks equality in its complete form. During constituent Assembly debate he unhesitatingly put forward his argument that in social plane Indian society is based on the principle of guarded inequality which means elevation for some and degradation for others. He was also of the view that in economic plane in Indian society some persons have immense of wealth as against many, who live in abject poverty. He said, "On the 26th 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 live this life of contradiction? 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. We must remove this contradiction at the earliest possible moment." To Ambedkar democracy is not merely a form or pattern of Government rather it indicates towards a socio-economic and political system or a culture, the success of which depends on certain factors like, removal of inequality, existence of an opposition, observance of constitutional morality and moral order of society, equality in law and administration, no despotic attitude of majority and conscience of the people[28].

[26] Excerpt from the speech to the Constituent Assembly on November 25, 1949, published in the full script of the address by Hon'ble Shri Justice, Former Chief Justice of India on " Dr. B.R. Ambedkar's mission & Vision for Prabuddha Bharat" Available in http://www.du.ac.in/du/uploads/14042019_Address.pdf Accessed 27th April, 2019.

[27] Ibid

[28] Supra Note 6, p-661

Though Ambedkar was very much aware about the caste contradiction and economic imbalance of the Indian society as he personally evident how the humiliating and inhuman treatment inflicted upon the people by the so called forward classes upon the people of lower classes terming them as untouchables, and though he was serious to emancipate the untouchables from the shackles of oppression of so called upper castes but he was not in favour of continuing this class contradiction so as to project himself as a 'messiah' rather he wanted to create a culture of humanity to end all kind of disparity. He was a protestant of social evils and all kind of oppression to create a democratic society and also to end the tension and contradiction from the society. His speech before the Constituent assembly itself proves the veracity of the above statements, "*in this country, both the minorities and the majorities have followed a wrong path. It is wrong for the majority to deny the existence of minorities. It is equally wrong for the minorities to perpetuate themselves. A solution must be found which will serve a double purpose. It must recognise the existence of the minorities to start with. It must also be such that it will enable minorities to emerge someday into one.... The moment the majority loses the habit of discriminating against the minority, the minorities can have no ground to exist. They will vanish*"[29].

Ambedkar was a relentless warrior against the social injustice. He had shown a new direction to the Dalit movement. While Gandhiji was of view that untouchability is the main reason behind the existence of Caste disparity in India and that is why he intended to stop all forms of practice of untouchability in India, Ambedkar believed that untouchability in India itself is the resultant of age-old caste discrimination and which has been nurtured and socialised by the Hindu religion[30]. For the above reason he believed that unless and until the caste system will be buried down completely the menace of untouchability cannot be curbed. He was aware of the fact that the Indian society is a caste ridden and economically imbalance society. Castes are the building blocks of the society. The age old injustice perpetuated upon the backward and weaker section of the society[31]. The social system of India divided her children into water tight compartments i.e. forward class and backward class and in higher castes and lower castes. This caste based social system recognised that only those people, who belong to higher caste are only entitled to enjoy the goods of the society and lower caste people or sudras are born to serve the upper caste. Ambedkar

[29]Constituent Assembly Debates, Vol. VII, p. 695

[30] Suhas Palshikar, Gandhi-Ambedkar Interface:...When Shall the Twain Meet?, Economic and Political Weekly, Vol. 31, No. 31 (Aug. 3, 1996), pp. 2070-2072 available at http://www.jstor.org/stable/4404468Accessed: 10-12-2016 15:33 UTC

[31] ADITYA BEHL, The Buddhist Renaissance in Modern India: Dr B.R. Ambedkar and the Untouchables in India International Centre Quarterly, Vol. 17, No. 2 (Monsoon 1990), pp. 85 available at http://www.jstor.org/stable/23002164 Accessed: 10-12-2016 15:29 UTC

had fingered towards this class based Hindu society and like Karl Marx he also believed that in a class based society the ruling class everywhere tried to exploit and steal the labour and thus a large number of people who forms majority force to live with blood and tears[32]. He believed that the fate of each individual, his skill, and opportunity to increase his ability and potentialities depends and is determined to a greater or lesser degree by the age, society, class or social group to which he belongs and also more or less these factors govern the professional and non-professional activity of the individual in society. In the antagonistic formation of society all the resources are enjoyed by the handful elites and they are vested with all the power and might of the society. The antagonistic form of society does not care to create a human condition of existence rather the people who remains in the front of the power structure always try to accumulate the resources by exploiting others. It had been noticed by Dr. Ambedkar that in India caste hierarchy became a phenomenon and the Shastras, various other Scriptures, mythology and rituals not only nurtured the above rather also provided moral authority to the caste system. He claimed, "*All the same it must be recognized that the Hindus observe Caste not because they are inhuman or wrong- headed. They observe Caste because they are deeply religious. People are not wrong in observing Caste. In my view, what is wrong is their religion which has inculcated this notion of Caste. If this is correct, then obviously the enemy, you must grapple with, is not the people who observe Caste, but the Shashtras which teach them this religion of Caste (Ambedkar, B.R. 1989 [1979]: 68).*[33]*"*Ambedkar even hammered the sayings of Lord Krishna who proclaimed in Gita, "The four fold order was created by me on the basis of 'quality and action'." He said that concept of chaturvarna also lacks the moral sanctity and logic as the quality of people changes from time to time and it is not proper to keep the people within any particular bracket. Ambedkar was of opinion that the Hindu society was formed with an ascending scale of reverence and descending scale of contempt with the Brahmins lording it over[34].

Ambedkar was of opinion, "that there will be out caste as long as there are castes. Nothing can emancipate the outcaste except the destruction of the caste system.[35]" on the other hand Mahatma Gandhi was not at all agree with the explanation of Ambedkar for holding Hindu religion responsible for breeding caste disparity. He argued, "Caste has nothing to do with

[32] Supra Note 8, Page-60

[33] M.T. Joseph, Dr. B.R. Ambedkar's Views on Religion: A Sociological Analysis, Indian Anthropologist, Vol. 43, No. 2 (July-December 2013), pp. 43-54, Published by: Indian Anthropological Association, http://www.jstor.org/stable/43858416, Accessed: 10-12-2016 15:44 UTC

[34] Supra Note 9

[35] Ibid

religion. It is a custom whose origin I do not know.... But I do know that it is harmful both to spiritual and national growth[36]". Gandhi believed that practice of untouchability is the main reason for the existence and continuance of caste system and caste disparity in India. Gandhi, for the above reason appealed the people not to follow the practice of untouchability. Ambedkar was of the opinion that this attitude of Gandhi will strengthen and glorify the position of so called upper caste more and to lower caste have to survive at the mercy of them. This led the acrimony in between Gandhi and Ambedkar and Ambedkar openly express his anguish over Gandhi, "I insist that if I dislike Gandhi, it is because I love India more . . The worship of Gandhi and service to India are two very different things and may even be contradictory of each other.[37]" he further expressed his ire by saying;"I hate all the mahatmas and firmly believe that they should be done away with. I am of the opinion that their existence is a curse to the nation in which they are born. They try to perpetuate blind faith in place of intelligence and reason.[38]" Here it is pertinent to quote Dr, Ambedkar who said, '*The castes are anti-national. In the first place because they bring about separation in social life. They are anti-national also because they generate jealousy and antipathy between caste and caste. But we must overcome all these difficulties if we wish to become a nation in reality. For fraternity can be a fact only when there is a nation. Without fraternity equality and liberty will be no deeper than coats of paint*[39]'. The above proposition signifies the radical approach of the Ambedkar on prevailing caste system in India. He believed it from his empirical outlook that caste segregated society will not allow India to become Indian nation.

4. On Human Rights Of Dalit

Dr. Ambedkar being a great jurist of this era had a very clear conception about state. To him state is neither an end in itself nor man as it means. To some extent like Duguit he considers state as a human organization which should provide opportunity to the people to live with peace and prosperity and each and every member of the society should get equal opportunity. He was of the view that human beings are entitled to have certain inalienable rights or some natural rights such as right to life, liberty, property, right against exploitation etc. and it is the duty of the state to protect such rights of the people without any discrimination otherwise the state will lost the moral right to claim obedience from the people. In this sense his political philosophy is very much akin with the philosophy of Locke. On the other hand he attached greater importance to society than state because he always

[36] ibid
[37] Supra Note 5
[38] Ibid
[39] Supra note 3

advocated for a culture of humanity where the individual has to take more responsibility to end injustice from the society. He pointed out the numerous socio-economic problems confronted by the than Indian polity like problems of caste and untouchability, problems of Indian Labourer, gender issues, matters related to religion, poverty etc. and needless to mention that still India confronting with these problems. He highlighted the pathetic plight and inhuman conditions of life of the untouchables by his empirical observation and pointed out, "*The Hindu society insists on segregation of the quarters of the Untouchables. The Hindu will not live in the quarters of the Untouchables and will not allow the Untouchables to live inside Hindu quarters. This is a fundamental feature of Untouchability as it is practised by the Hindu. It is not a case of social separation, a mere stoppage of intercourse for a temporary period. It is a case of territorial segregation and of a cordon sanitaire putting the impure inside a barbed wire, into a sort of a cage. Every Hindu village has a ghetto. The Hindus live in the village and the Untouchables in the ghetto*[40]"

Dr. Ambedkar not only wanted that untouchables should be tolerated, encouraged or cared by the upper caste rather he desired that they should be accepted with warmth , respected by conferring equal status and being a human being should have the congenial environment to lead a dignified life. Ambedkar since his childhood received the bitter, inhuman, undignified treatment from the society despite of having jealously merit and unquestionable intellect. To wipe the tears from the eyes of a large chunk of mass stamped by the society as 'Dalit', he advocated for annihilation of the caste system and guarantee of all kinds of social, economic and political rights to them. His ideology marched with the goal of equality, liberty, fraternity and social justice. He was in favour of the formation of an egalitarian society free from any kind of cast discrimination and untouchability. He had visualized the problem of caste from political as well as social angle and indicated towards the economic disparity too which make the matter grave. He advised the dalits to become educated so that they can properly bargain with the so called elites of the society to establish their rights and to lead a respectful and dignified life. In his speech on annihilation of caste Ambedkar expressed his vision of an ideal society by saying, "An ideal society should be mobile,... full of channels for conveying taking place in one place to other parts. In an ideal society there should be many interests communicated and shared … varied and free points of

[40] Taj Mohammad, Ph.D. Thesis entitled Caste society social justice and the constitution of India Dr B R Ambedkar s perspective, Chapter-II , p- 65, available at http://hdl.handle.net/10603/132576 quoted from Ambedkar B.R., The Untouchables (1948, New Delhi) p.22.

contact with other modes of association.[41] "Above views of Ambedkar signifies about his desire of having social solidarity and interaction among the different components of the society. For the above reason we find Indian Constitution as a dynamic Constitution framed and constituted under the strong leadership of Ambedkar which ensures 'We the People' Sovereign, Socialist, Secular and Democratic country and gives the guarantee of justice in the field of social, economic and political . It also vows to ensure freedom of worship, equality of status, liberty of thought, belief, faith etc. by inclusion of Part-III and Part-IV which respectively deals with the Fundamental Rights and Directive Principle of State Policy. The constitutional makers of the constitution under the Chairmanship of Constituent Assembly incorporated the mechanism to ensure tripartite picturesque of justice to the people of this country.

Dr. Ambedkar was aware with the fact that Caste Hindus have deprived the so called lower castes people for a long period since the Vedic era attaching the stigma of Untouchable in their body and soul[42]. Keeping the above in consideration he advocated for not only the political equality rather also for social and economic equality so as to initiate the foundation of an egalitarian society[43]. It was known to Ambedkar that if in India all will be treated equally without considering their socio-economic and political status then itself it will become the cause of negation of their rights. He was also the believer of the concept that like should be treated alike and not the unlike. This line of thinking encouraged the Father and Mothers of our constitution to incorporate two phraseologies under Art.14 of the Indian Constitution namely, 'Equality before Law' and Equal protection of law' so as to treat the similarly circumstanced people equally and not the persons who are unequal. In this regard "Equal Protection of Law' which has been taken from the Constitution of USA has been considered as positive doctrine and 'Equality before Law" which has been incorporated from the Constitution of UK has been considered as negative doctrine but afterwards the jurists like Jennings, Patanjali Shastri j. Also considered both the phraseologies are complementary to each other. Ambedkar through his Satyagraha movements tried to remove the caste barriers of the Hindu society and to empower the so called untouchables to join the main stream of the society so that they can lead a respectable and dignified life. During Satyagraha Conference for drawing water from a public tank said, "*This conference is held to unfurl the banner of Equality and thus may be made similar to the National Assembly in France convened in 1789.Our conference aims at the*

[41] Aditya Behl, The Buddhist Renaissance In Modern India: Dr B.R. Ambedkar And The Untouchables, India International Centre Quarterly, Vol. 17, No. 2 (Monsoon 1990), Pp. 83-99 Http://Www.Jstor.Org/Stable/23002164 Accessed: 10-12-2016 15:29 UTC

[42] Ibid, p- 88

[43] Supra Note-1, Page-401

same achievement in social, religious, civic and economic matters. We are avowedly out to smash the steel frame of the Caste System[44]" Ambedkar termed his Satyagraha Movement as an effort to bring about a change of heart among the high caste Hindu[45].

Dr. Ambedkar was equally concern for the women especially the dalit women. To him the progress of a society is measured on the basis of the progress achieved by the women of that society. His views on liberation of women and to ensure their progress are reflected in his speeches and writings. He opined, "*Learn to be clean; keep from all vices. Give education to your children. Instill ambition in them. Inculcate on their minds that they are destined to be great. Don't be in a hurry to marry. Marriage is a liability. You should not impose it upon your children unless financially they are able to carry the liabilities arising from marriage. Those who will marry will keep in mind that to have too many children is crime…..Above all, let each girl who marries stand up to her husband, claim to be her husband's friend and equal, and refuses to be his slave*[46]" Ambedkar said, ""If you ask me, my ideal would be a society based on Liberty Equality and Fraternity[47]" Ambedkar was in deep pain seeing the miserable conditions of depressed classes and their exploitation by labeling the stigma of untouchability by the people of so called higher caste. To him, "Untouchability was not a by-product of blood or race inferiority. It was essentially a distorted expression of social psychology, a sort of social nausea of one group against another group[48]" To eradicate the age-old injustice and to inform justice to depressed section of the society including women he introduce the concept of 'social justice' within the constitutional mechanism.

Ambedkar was in favour of preferential treatment to the weaker section of the society because he believed that the dalits, untouchables requires the extra care and protection from the state to ameliorate their position and to compete with the so called forward and advance section of the society. Here

[44] Mallik Chittaranjan , Ph. D. Thesis entitled Justice and equality in Dr BR Ambedkars vision in India P- 206 available at http://hdl.handle.net/10603/165991 quoted from Narake Hari, ed, Dr Babasaheb Ambedkar Writings and Speeches, Education Department, Government of Maharashtra, Mumbai, Vol-17, Part-I, 2003, PP.21-24.

[45] Ibid

[46]Ibid, quoted from Narake Hari, ed, Dr Babasaheb Ambedkar Writings and Speeches, Education Department, Government of Maharashtra, Mumbai, Vol-17, Part-III, 2003, PP.282-283.

[47] Tanusri Das, Ph.D. Thesis entitled Ways of social justice Ambedkar Gandhi and Tagore A critical evaluation , Chapter-III, P-21 available at http://hdl.handle.net/10603/227981 quoted from Rodrigues, V : The Essential writings of B R Ambedkar, Oxford, 2002, p- 276

[48]Supra 19, p- 56, quoted from Mal, Bahadur, The Religion of Buddha and its Relation to Upnishadic Thoughts p.57.

it is worthwhile to mention about Art. 15& Art.16 which empower the state to provide special provisions for socially and educationally backward section of the society{ Art.15 (4)} and also direct the state to provide reservation in Job to Scheduled Caste and Scheduled tribe { Art.16(4)}. Art. 17 prohibit the practice of all kind of untouchability and Art. 15 ensure to open the temples and places of public resorts, restaurants, wale etc. for all. Art. 17 empowered the Government to make law through the Parliament to treat the act of untouchability as an offence and accordingly the Parliament enacted Protection of Civil Rights Act, 1955 erstwhile it was Untouchability (Offences) Act, 1955 to curb it.

5. Conclusion

Despite of having the salutary provision in the Constitution for the uplifting of the Dalits Ambedkar was not at all pleased and happy with the progress of the process of ending caste contradiction and untouchability. He was also very disappointed with the slowness of social change for which he made responsible to Nehru and other Congress leaders. He was very much pained to find that despite of struggle and efforts he had been able to do very little for the Dalits and the above situation compelled him to conclude that at least he could not change the heart of the caste Hindus and to get rid over the situation he publicly adopted Buddhism on 14th October,1956. His adoption of Buddhism signifies that how he was in favour of creation of class and caste neutral society and how much he was careful about the rights and dignity of the Dalits. Ambedkar was not given the liberty to frame the policies for Dalit properly in spite of the fact that he was chosen the Chairman of Constituent Assembly. In 1953 he remarked with anguish, "people always keep on saying to me, oh! You are the maker of the Constitution. My answer is I was a hack. What I was asked to do, I did much against my will[49]."Our society is still divided and confronted with the caste questions and a large chunk of the population is still denied and deprived to get justice. Dr. Ambedkar's concept of social justice and social democracy will surely help our society to end the disparities existing within it.

[49] Supra Note 4