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# Contribution of Dr. B.R. Ambedkar in Indian Constitution

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**Abstract :** However good a Constitution may be, it is sure to turn out bad because those who are called to work it, happen to be a bad. However bad a Constitution may be, it may turn out good if those who are called to work it, happen to be a good lot. -Dr. B. R. Ambedkar

Dr. B.R. Ambedkar was one of the greatest modern Indian nationalist, jurist, political leader, activist, philosopher, thinker, anthropologist, historian, orator, prolific writer, economist, scholar, editor, revolutionary and the revivalist of Buddhism in India. He is remembered as an passionate champion of the suppressed classes and the chief architect of the Constitution of India. He was the soul for the constitution of India. The text prepared by Ambedkar offered a wide range of constitutional safeguards and guarantees to all citizens, for instance, socio-economic rights, civil liberties, freedom of religion, the abolition of untouchability and the prohibition of all forms of discrimination among others. The Primary objet of this paper to assess his Contribution as nation builder.

**Keywords:-** Dr. Bhim Rao Ambedkar, Constitution, Untouchability, equality, Justice, Contribution.

**Introduction** "The third thing we must do is not be content with mere political democracy. We must note that our political democracy can not 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." – Dr. B.R. Ambedkar

Bhim Rao was born on 14 April 1891 in an untouchable 'Mahar' family at Mhow, near Indore in the present Madhya Pradesh. He was the fourteenth child of RamjiSakpal and Bhimbai. Ramji Sakpal(1848-1913) was a head master in the Military School in the rank of subedar- major. Bhimabai (1854- 96) belonged to a well to do family of Murbadkars who were also employed in the British army. Bhimrao's family hailed originally from the Ambavade village located in the Ratnagiri District of the present Maharashtra. His official name in the school register was BhimaRaoAmbavadekar. There was a Brahamin teacher in his school with the surname Ambedkar, who somehow had a soft corner for the boy. It was the kindness of this teacher which made him ultimately adopt Ambedkar as his surname. Ambedkar got married to Ramabai, a nine years old girl, at the age of fourteen. He passed matriculation in 1907. With the help of a scholarship offered by Maharaja Syajirao Gaekwad of Baroda, he completed the B.A. degree in 1912.

There also his studies were financed by the Maharaja, on an agreement to serve in the Baroda state after completing the studies. He took his MA degree in 1915 and Ph.D. degree in 1916 from the renowned Columbia University, New York. After successful completion of his studies at the Columbia University he left New York for London and entered the Gray's Inn for doing Bar-at-Law and simultaneously enrolled himself in the London School of Economic and Political Science. But, when he was half the way through his studies the Maharaja of Baroda called him back, as the period of scholarship granted to him was over. Back in India he assumed the office of the Military Secretary to the Maharaja. But due to the unbearable humiliation he had to suffer at the hands of caste- Hindus he left Baroda state. For a shortwhile he worked as a professor of political economy at the Sydenham College, Bombay. He resigned from this post to resume his economic and legal studies in London. This time the Maharaja of Kohlapurrendered him financial assistance. Before leaving for London he had given evidence before the South borough Commission on franchise; and had advocated separate electorate for the untouchables. In 1921 he got his M.Sc. for his thesis "Provincial Decentralization of Imperial Finance in British India" He obtained the D.S.C. (Econ) degree in 1922 from the London University for the thesis. "The Problem of the Rupee: It's Origin and its Solution". Taking his Bar-at-Law degree from the Gray's Inn he went to Germany and joined the famous University of Bonn for a higher course of studies in economics. But he could

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not complete his studies due to shortage of funds.

**Ambedkar'sContribution in the making of the Constitution :** Dr. Ambedkar was a strong votary of democracy and Constitutional method. He wanted to establish true democracy in India which was conceived as political democracy combined with social and economic democracy. He defined democracy as a way of life based on liberty, equality, fraternity,justice and Human dignity.The untouchable constituted a typical minority which suffered the worst possible social malaise. They could benefit from the freedom of the country only if their rights(rights of the schedule castes) were embodied in the Constitution of free India.

The first meeting of the assembly was held on 9th December,1946 as the sovereign Constituent assembly for India. On December 11, Dr. RajendraPrasad was elected its permanent Chairman. It was held in an atmosphere of uncertainty, because the Muslim League boycotted the assembly. In Spite of this, the assembly made a substantial progress and 'Objective Resolution' which later became the preamble of the constitution. It appointed various committee to deal with different aspects of the Constitution. The report of the committee formed the basis on which the first draft of the Constitution was prepared.

On 15thaugust, 1947, When India became Independent, the first Prime Minister Pt. Jawaharlal Nehru, invitedAmbedkar, who had been elected as a member of the Constitution Assembly from Bengal, to join his cabinet as Law Minister. He had differences of opinion with the Government over the Hindu Code Bill, Which led to his resignation as the Law Minister.

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 SardarVallabhbhai 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. He 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) AlladiKrishnaswamiAyyas
4) K.M. Munshi
5) SaijioMolaSaadulla
6) N. MadhavaRao and
7) D.P. Khaitan

The Draft Constitution was published In January 1948. The people of India were given 8 months to discuss the draft and purpose amendments. As Many as 7635 amendments were proposed and 2473 were actually discussed. The Constituent Assembly held 11 sessions. The Draft Constitution was Considered for 114 days. In all, the Constituent Assembly sat for 2 years, 11 months and 18 days.

The new Constitution of India was adopted by the Constituent Assembly on 26th November,1949 and signed by the president, Dr. Rajendra Prasad, Articles 5,6,7,8,8,60,324,366,367,380,388,391,392 and 393 came into force at once. The remaining provisions of the constitution came into force on 26th January 1950, which is the date of the Commencement of the Constitution of India.

"On 26th January,1950, we are going to enter into a life of contradictions. In politics, we will have equality and in social and economic rights, we will have inequality...we must remove this contradiction or else who suffer from this inequality will blow up the structure" -Dr. B. R. Ambedkar

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Many provisions have have been made in the Constitution to ensure Social Justice for schedule castes, Schedule tribes and the Backward classes. Ambedkar laid special emphasis on dignity, Unity, freedom, and rights for all the citizens as enshrined in the constitution. He advocated democracy in every field –social economic, and political. For him Social Justice meant maximum happiness.

**Dr.B.RAmbedkar Contribution to Fundamental Rights :** The Indian Constitution is first and foremost a sociallegal document. The majority of its provisions are either directly aimed at furthering the goals of the social revolution or attempt to foster this revolution by establishing the conditions necessary for its achievement.

Concept of Fundamental rights under the Constitution of India has been borrowed from USA. The fundamental rights of the Constitution called the modern Magna Cart of Indian Constitution. Fundamental Rights are Justiciable and Contain a very long and Comprehensive list. They uphold the equality of all individuals, dignity of Individuals, large public interest and unity of the nation.

Dr. Ambedkar has embodied the right to equality and equality before the law, "Prohibition of discrimination on grounds of religion, race, caste, sex or place of birth." and Equal opportunity in matters of public employment."Untouchability is abolished and its practice in any form is forbidden. The enforcement of any disability arising out of untouchabilityshall be an offence punishable in accordance with Law." and "abolition of title except military and academic."

**Right to freedoms(Art. 19-22)**

Art.19 (1) (a to g) guarantee that all the citizens have the six Rights

- Ø Freedom of speech and expression.
- Ø To assemble peacefully and without arms.
- Ø To form associations or unions or cooperative societies.
- Ø To move freely throughout the territory of India
- Ø To reside and settle in any in any part of the territory of India
- Ø To practice any profession or to carry on any occupation trade or business.

Originally Article 19(1) had seven freedoms. But Art.19 (1)(f) i.e. right to freedom of property has been deleted by the 44th Constitutional Amendment Act,1978and now it is a legal right enforced by law. Under Art. 19(2) provides that the reasonable restrictions to freedom of speech and expressions.

**Protection of life and personal liberty-** Dr. B.R. Ambedkar said, "I myself cannot altogether omit the possibility of a legislature packed by party men making laws which may abrogate or violate what we regard as certain fundamental principles affecting life and liberties of an individual. At the same time, I do not see how five or six gentlemen sitting in the Federal or Supreme Court could examine the laws made by the legislature and by dint of their own individual conscience or their bias or theirprejudices be trusted to determine which law is good and which law is bad. It is rather a case where a man has to sail between Chaybdis and Scylla and therefore I would not say anything."

"No person shall be deprived of his life and personal liberty except according to procedure established by Law."

The vision of Ambedkar regarding due process of law was fulfilled. This provides a guarantee against not only the arbitrary actions of the legislations but also when legislations are unreasonable, unfair and violative of natural justice. This has ushered in a new era of interpretation regarding fundamental rights and many ideals such as right to education. Right against inhuman treatment, right to clean environment, right to health and right to speedy trial, right privacy,etc. were said to be implied in Article 21. If such rights are to be enumerated it forms an unending list so as to enable the citizens to enjoy the various rights granted to them by the Constitution.

**Ambedkar on Minority-** One of the main objective of Ambedkar has been to secure to the minorities their

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basic rights and protecting their interests. He strove throughout his public life for theliberation of the oppressed people and it included minorities too. He struggled for political agreements binding the then Government to secure the interests of minorities and other weaker sections of society such as Poona Pact, Nehru-Liyaqat Pact and the Communal Award which were framed to provide required protection to the interests of minorities. Continuous neglect of the minority issues led to the mass dissatisfaction against Government and a series of political negotiations were loomed between the Government and Minorities. The Cabinet Mission finally decided to dedicate a specific committee to make recommendation to resolve the issues of Minorities. He was a member of this Minority Sub Committee. He made his best efforts to evolve a legal regime for safeguarding the interests of Minorities to reduce their problems in the long run of time. He realised the plight of Minorities and the discrimination and injustice suffered by them for a long time. He wanted them to be a main part of the society and a contributor in the growth of the Nation. He stated that:

"Among the many problems the Constituent Assembly has to face, there are two which are admittedly most difficult. One is the problem of the Minorities and the other is the problem of the Indian States..... I have therefore chosen to do the next best thing—namely, to incorporate them in this brochure along with the Rights of Citizens, of Minorities and of the Scheduled Castes so that a wider public may know what they are, may value them for what they are worth and may make such use of them as it may deem fit."

**Legal Remedy under 32 &226 of the Indian Constitution :** It is true that a declaration of Fundamental Rights is ameaningless unless there is not an effectivemachinery for the enforcement of the rights. It is a remedy, which makes the right real. If, there is no remedy, there is no right at all. It was therefore, in the fitness of things that our constitution makers having incorporated a long list of fundamental rights. An effective remedy for the enforcement of these rights under Art. 32 of the Constitution of India.

Dr. B.R. Ambedkar said ***"Legal remedies are the heart and soul of the constitution"***

*He was so confident for his eminent work and said "if I find the Constitution being misused, I shall be the first burn it."*

**Directive principle of state policy :** On the significance of incorporation the writs remedies under the Constitution of India. The essential difference in the position was that these laws could be amended and the safeguards taken away without difficulty by a legislature which happened to have a majority and that majority happened to be a single minded majority. In future it would not be possible for any legislature to take away the writs mentioned in this Article unless and until the Constitution itself was amended. This is claimed by He was the greatest safeguard that could be provided for safety and security of the individual. He summed up the importance and significance of the Article thus:If I were asked to name any particular article in the Constitution as the most important – an article without which the constitution would be rendered nullity- I could not refer toany other article except this one. It is the very soul of the Constitution and the very heart of it.

Ambedkar described Directive Principles as novel features of the Indian constitution. Granville Austin has described the DPSP and the Fundamental rights as 'The Conscience of the Constitution'. The Directive Principle resembles the instrument of institutions enumerated in the Government of India Act 1935.

He had also made clear his opposition to Article 370 of the Constitution, which grants special status to the state of Jammu and Kashmir. He was equally opposed to the idea of granting special status to caste.

**Conclusion :** Dr. B. R.Ambedkar is a heroic personality in the Indian history. He was a man who gave us our Constitution. His contribution to the nation building has great importance each and every field. He was not an chief architect of the constitution of India but also laid down a foundation stone of the nation building.

The contribution of him towards making of the Constitution of India just cannot be measured. At a time when India was passing through epoch-making events, He had become one of the potent forces to reckon with whether in office or out of it. Endowed as he was with a towering personality, erudition, deep insight into constitutional law, with a firm grip onthe intricacies of administration, indomitable courage and fearlessness, said Dr. ZakirHussain, Former President of India.

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Ambedkar was concerned not only about the community he belonged to but for all the victims of inequality in our country prevailing due to socio-economic conditions. ***Once Ambedkar had remarked about the rights of women by saying "I measure the progress of a community by the degree of progress which women have achieved".***

***"Ambedkar had visions of not only a casteless society, but one in which there was gender justice, labor justice, economic justice an equal distribution of opportunities. He stood not just for the Dalits, but for all victims of inequity. He had introduced gender justice in the Constitution something which even the United States Constitution does not have till then"*** **once said Justice V.R. Krishna Iyer, former Chief Justice of India.**

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