



DR. B.R. AMBEDKAR ROLE IN MAKING OF THE INDIAN CONSTITUTION

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Abstract: *Dr. B.R. Ambedkar has been an outstanding and multifaceted personality of India. He was a great academician, a research scholar, a economist , a political scientist, a philosopher, and humanitarian .He was the first man who understand the necessity for a democratic system in India and analyzed the social, economic and political system of India in relation to other countries. When he compared this system with the others countries; and subsequently, realized a very significant changes in the Indian socio- economic and political system. He understands the problems and requirements of Indians which can be fulfilled by establishing a democratic system in India and when Dr. B.R. Ambedkar became the chairman of drafting committee he did all to establish a great democratic constitution for India.*

Keywords: *Constitution; socio-economic system; democratic system; dalits; social justice; fundamental rights; parliamentary system*

INTRODUCTION

Dr. Bhimrao Ambedkar has been an outstanding contribution by drafting the Constitution of India and he become a champion of human rights. Dr. Ambedkar was born on the 14th April, 1891 in Mhow (now in Madhya Pradesh). After graduating from Elfinstone College, Bombay in 1912, he joined Columbia University, USA where he was awarded Ph.D. Later he joined the London School of Economics & obtained a degree of D.Sc. (Economics) & was called to the Bar from Gray's Inn. On the 14th October, 1956, Baba Sahib Ambedkar embraced Buddhism. He continued the crusade for social revolution until the end of his life on the 6th December 1956. He was honoured with the highest national honour, 'Bharat Ratna' in April 1990.

Dr. Babasaheb Ambedkar was one of the illustrious sons of India, who struggled to restructure the Indian society on the most 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 multi-dimensional personality—a parliamentarian, a scholar, an Indian jurist, an advanced thinker, a philosopher, an anthropologist, a historian, an orator, a prolific writer, an economist and a constitutionalist of world repute.



He was indeed a crusader of the downtrodden and a savior of the untouchables. He dedicated his entire life to the cause of *Dalits*, untouchables, marginal sections of society in particular and to the cause of inclusive democracy in general. Dr. Ambedkar was not only a learned scholar and an *eminent jurist* but also a revolutionary who fought against social evils like untouchability and caste restrictions. Throughout his life, he battled social discrimination while upholding the rights of the Dalits and other socially backward classes. As a matter of fact, he was an economist and his various scholarly works and speeches indicate his deep understanding of the problems faced by the Indian society.

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 understanding his patriotic mind and fearless advocacy for common man and democracy. For him, it was not enough to make a distinction between the state and society; state and the government; and state and the nation; rather he went to the roots of these institutions to point out the essential element constituting these institutions i.e. the people.

At the same time even the celebrated western writers like Harold Laski and Melver did not go further than suggesting a distinction between the state and society and so on. They made only superficial references to the social and economic status of the various classes of people who constitute the society and the state. 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, Dr. Bhimrao Ambedkar is popularly known all over India as the *chief architect* of the Indian Constitution. His efforts to eradicate social evils were remarkable and that is why he is called the "*messiah*" of the Dalits and downtrodden in India. Times of London wrote, "In the social and political life during the last period of the British Empire in India, Dr. Ambedkar's name occupied a prime



position. His face reflected his courage and resoluteness, and although his intellect had no parallel in the world, he was not too proud. He could never be flashy”.

Considering the depth of his acumen and scholarship, On August 29, 1947 Dr. Ambedkar was appointed the Chairman of the Drafting Committee that was constituted by Constituent Assembly to draft a Constitution for independent India. The draft Constitution was the result of the collective efforts of a galaxy of great leaders and legal scholars in the Constituent Assembly such as Jawaharlal Nehru, Rajendra Prasad, B.R. Ambedkar, Sardar Patel, B.N. Rao, Alladi Krishnaswamy Ayyar etc. Speaking after the completion of his work, Ambedkar said: “I feel the Constitution is workable; it is flexible and it is strong enough to hold the country together both in peace time and in war time.” It has been in effect since January 26, 1950, which is celebrated as the Republic Day in India. The Columbia University at its Special convocation on June 5, 1952 conferred the LL.D. degree (HonorisCausa) on Dr Ambedkar in recognition of his drafting the Constitution of India. The citation read as:

“The degree is being conferred in recognition of the work done by him in connection with the drafting of India’s Constitution”. The University hailed him as “one of India’s leading citizens, a great social reformer and valiant upholder of human rights”.

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. However, the creation of an egalitarian social order, however, remains an unfulfilled wishful thinking to this day. Dr 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 on become India as *Ganarajaya*, as a result devolution of power to the people. To this end, his contribution was significant, substantial, and spectacular. Dr Ambedkar’s contribution to the evolution of free India lies in his striving for ensuring justice—social, economic and political—for one and all. Recognising



the exceptional contribution of Ambedkar in drafting of the Constitution, Pandit Jawaharlal Nehru remarked: "Dr. Ambedkar had played a most important part in the framing of India's Constitution. No one took greater trouble and care over Constitution-making than Dr. Ambedkar." He carved a unique and impregnable pride of place and honour in the history of the free Indian nation. So long as the Indian Constitution survives, the name of Babasaheb Ambedkar will remain immortal. He lives forever in the hearts of every downtrodden. The first President of India, Dr Rajendra Prasad, praised for the services rendered by Dr Ambedkar in the constituting the Indian Constitution:

"I have carefully watched the day-to-day activities from the presidential seat. Therefore, I appreciate more than others with how much dedication and vitality this task has been carried out by the Drafting Committee and by its chairman Dr **Bhim Rao Ambedkar** in particular. We never did a better thing than having Dr Ambedkar on the Drafting Committee and selecting him as its chairman."

CONTRIBUTION IN MAKING OF CONSTITUTION

The Fundamental Rights

Ambedkar was a champion of fundamental rights and 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". The Part III of the Indian Constitution guarantees the fundamental rights to the citizens against the state. 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.

Dr. 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 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.

There were numerous political parties have emerged on the strength of voters from the oppressed sections, and the benefits of education and economic development have also been gradually reaching these sections. The attainment of genuine social equality is of course a gradual process and may be several generations away, but it was Dr. B.R. Ambedkar who set us on this path with a written constitution based on the philosophy considering its '*people*' as the centre. It is not surprising that the invocation of his life and contributions continues to be a major factor in political mobilization, even today.

He took all care to enshrine the progressive ideas and ideals of the National Congress into the Constitution. It is perhaps under his spell-binding impact that government of India introduced the bill in Lok Sabha prohibiting manual scavenging, with the provision to rehabilitate those engaged in such inhuman employment and impose stringent measures to stop such practices, quite recently. His role was equally crucial in introducing other fundamental rights whereby Constitution provides for equal justice, freedom and dignity to all Indian citizens irrespective of caste, creed or religion. It is in this context that New York Times wrote, "**The whole world acknowledges him as the leader of untouchables. But few realized his permanent impact on the constitutional set up of India**". 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. Dr Ambedkar regarded this provision as “the very soul of the Constitution and the very heart of it”.

Socio-economic Justice for the people

The concept of socio-economic justice, as envisioned by Dr. B.R. Ambedkar is very well reflected in the Directive principles of state policy. Part IV of the constitution, which is entitled as directive principles of state policy, includes the right to adequate means of livelihood, right against economic exploitation, right of both sexes to equal pay for equal work, right to work, right to leisure and rest and right to public assistance in case of unemployment, old age, sickness and like. This part also contains some principles of economic and social justice and certain ideals which the state should strive to attain. Article 38, for instance, directs the state to bring about a social order where justice- social, political and economic shall be uniform to all the institution of national life. Article 39, directs creation of conditions where there will be no ‘concentration of wealth and means of production to the common detriment’ and to see that the ‘ownership and control of the material resources of the community are so distributed as the best to sub-serve the common good’.

Parliamentary Democracy

According to B. R. Ambedkar “The Parliamentary system differs from a non- parliamentary system in as much as the former is more responsible than the latter, but they also differ as to the time and agency for assessment of their responsibility. The Draft Constitution in recommending the Parliamentary system of executive has preferred more responsibility to more stability”. 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. Dr Ambedkar’s social democracy comprised politicians, political parties with high standards of political morality, honesty and integrity and strong and highly responsible Opposition party or parties committed to the cause of the downtrodden and depressed classes. The Preamble of the Indian Constitution (drafted by Dr. 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 of opportunity and to promote among them all—Fraternity....”

Hence, Dr Ambedkar was a strong advocate of the federal structure of the Union and States based on the principles of a strong Centre and independent States. Dr Ambedkar 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/Reservation for the people

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 the 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 it 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 down-trodden sections of Hindu society.

State Socialism

Dr 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 Dr 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;’ and a democratic form of government presupposes a democratic form of society. Social conscience is the only safeguard of all rights, fundamental or non-fundamental. For Ambedkar, Democracy is



essentially a form of society, a mode of associated living. The roots of democracy are to be searched in the social relationship, and in the terms of associated life between the people who form a society. 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 notions of liberty and fraternity develop. Dr Ambedkar also recognized the fact that the lofty ideals expressed in the Constitution would remain as they were, given the nature of contradictions inherent in society. To deny equality in social and economic life would be putting political democracy in peril. If the contradictions are not removed, those who suffer from inequality will blow up the structure of political democracy which Constituent Assembly has laboriously built up.

The observations made by Dr. Ambedkar on November, 25, 1949 are prophetic and relevant considering the present political situation in our country. However the 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 lot. However bad a Constitution may be, it may turn out to be good if those who are called to work it, happen to be a good lot. The Constitution can provide only the organs of state such as legislature, the executive and the judiciary. The factors on which the workings of these organs of state depend are the people and the political parties they will set up as their instruments to carry out their wishes and policies.

Social Philosophy

Ambedkar was, par excellence, a spokesman of the ignored humanity—the workers, small peasants and landless labourers. He expressed the sorrows of the untouchables and tried sincerely to channel the activities of the depressed classes. In mobilising them, he created a sense of self-respect and pride in them. He dedicated his life to the cause of removal of untouchability and completely identified himself with the socially segregated section of the Indian society. He launched a life-long crusade for liberating them from their centuries-old enslavement and ostracism. It is this crusade which “lifted him up high from a mere ghetto boy to a legend in his own lifetime”. He was born an untouchable and therefore he had an intense yearning to see that the untouchables are better placed in social, political and



economic fields. He was for a total reorganisation and reconstruction of the Hindu society on two main principles—equality and absence of casteism. Dr. Ambedkar entertained a dream that political democracy can also be translated into social democracy. He tried to restructure a totally dilapidated structure.

Ambedkar's thinking arose out of his acute dissatisfaction with the anomalous treatment meted out to the people of his community. His mind was preoccupied with the social amelioration, political enlightenment, economic well-being and spiritual awakening of the downtrodden. He had a deep faith in fundamental human rights, in the equal rights of man and woman, in the dignity of the individual, in the promotion of better standards of life and, above all, in peace and security in all spheres of human life. He was a champion of a revolution to be brought about by the dynamics of public opinion through a change in the laws of the land. He was not a Utopian, but a realist. He saw a vast difference between a revolution and real social change. For him, the transfer of power must be accompanied by such distribution of power that the result would be a real social change in the relative strength of forces operating in society.

Ambedkar was entirely committed to the annihilation of the caste system. According to him, caste system is not merely a division of labour but a division of labourers. It is a hierarchy in which the division of labourers is graded one above other. This division of labour is based on neither natural aptitude nor choice of the individual concerned. It is, therefore, harmful inasmuch as it involves the subordination of man's natural powers and inclinations to the exigencies of social rules. Ambedkar reiterated: "The caste system prevents common activity and by preventing it, it has prevented the Hindus from becoming a society with unified life and a consciousness of its own being."

Hence, the Ambedkar's great vision enjoined the abolition of *casteism* in every shape and form, since he was opposed to all divisive forces and aimed at strengthen the impulse of national integration. The greatly cherished ideals of "fraternity and equality were the cement with which he wanted to bind together a totally cohesive nation". His long-range response was a direct attack against the root cause i.e. the caste system. Baba Sahib was indeed a friend, philosopher and a guide to the people belonged to low strata of society. All these people have seen a ray of hope through the eyes of Baba Sahab. It was a great



expectation which has paved the way to lighten the path of the down-trodden people of India.

CONCLUSION

Main objective of Dr. BR Ambedkar was to uproot the evil of deep rooted *caste system* and to transform this country from uncivilized state to civilized state. The Indian constitution is evolved as a result of Dr. BR Ambedkar's relentless efforts and strategic approach to the system. The provisions made by Dr. BR Ambedkar in Indian Constitution which has enabled the *Dalits* and Women to enjoy the prospects of freedom, and to realize their individual identity. The all round development of disadvantaged groups in India (which is getting visible, though at a miniscule level) is only because of Dr. B.R. Ambedkar. What ails a sensible citizen today is the lack of interest for the effective implementation of Constitution. The need of the hour is to implement the constitution in its true spirit. It will enable the Indian society to overcome all social and economic evils that the Nation is facing. While Manu introduced social stratification on the basis of caste, Dr. Ambedkar envisioned annihilation of caste in India. Indian Hindu orthodoxy stood by Manu while Ambedkar stood for Dalits and women development in India. Ambedkar defeated Manu through Constitution by incorporating several articles in it to ensure individual human dignity, human rights, equal opportunities and most importantly social justice.

The conditions of the untouchables and depressed sections of Indian society have not changed much. Social and economic justice is still evading them. The pathetic condition of the depressed classes has not shown the expected improvement. Social and economic inequalities continue to persist. Ambedkar's dream of a society based on socio- economic justice, human dignity and equality is yet to be realised. Dr Ambedkar's legacy will have to be retrieved and extended by activists committed to the social and cultural renaissance he had envisioned; and not by the political purveyors of an exhausted rhetoric who claim to speak in his name. His title to this dignity rests upon the social purposes he served and in the way he served them. His life is a saga of great struggles and achievements. His message to the people was: *"You must have firm belief in sacredness of your mission. Noble is your aim and sublime and glorious is your mission. Blessed are those who are awakened to their duty to those among whom they are born"*. In fact he played a pivotal role in the making of the Indian Constitution and chiefly responsible for drafting of the Constitution of India.



Hence, the contribution of Baba Ambedkar is unforgettable for the people of India. The people of India have received the liberty through the Ballot Box. Indeed, the whole credit goes to the Baba Sahab Ambedkar for his outstanding contribution work for the country like India.

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