

## Ambedkar's Perception of Social Justice under the Indian Constitution



### Political Science

KEYWORDS :

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### ABSTRACT

*Dr. B.R. Ambedkar was a towering figure of astonishing vision, which spoke against social and economic inequalities and worked all his life for the upliftment of the depressed classes. Ambedkar, a pioneer of social justice and architect of the Indian constitution not only safeguarded the interests of the weaker sections of the India society but also tried to bridge the gap between the legal theory and social practice. He was concerned about the development and welfare of the depressed and weaker sections of the society. He fought for their betterment and opened a path of progress for the depressed sections through constitutional reforms. He fought for their emancipation and made them aware of their rights with a view to end exploitation.*

Ambedkar's quest for social justice can be visualized in the philosophy, policy and ideals of the constitution of India. Ambedkar was of the opinion that social Justice can be dispensed in a free social order in which an Individual is end in itself. He fought relentlessly to establish a society based on democratic ideas of liberty, equality and fraternity. He was in favour of that establishment of socio-economic and political equality not just as a slogan but also as concrete policy.

Ambedkar's contributed a legal framework for the upliftment of the downtrodden sections of the Indian society by incorporating relevant provisions in the Indian constitution. Various provisions in constitution aimed at preventing discrimination and promoting social justice are the Fundamental Rights- Article 14 guaranteeing equality before the law and equal protection of law, Article 15 Prohibition of discrimination on ground of religion, race, caste, sex or place of birth. Article 17 called for the abolition of untouchability. The Directives Principles of State Policy are designed to secure social justice. Ambedkar provided an inspiring preamble ensuring justice, social, economic and political, liberty, equality and fraternity. Other Articles for the upliftment of depressed classes include: Article 330 reservation of seats and representation for SC and ST in the Lok Sabha. Article 332 reservations of seats for SC and ST in the state legislative assembly. Article 334 reservations of seats in all government bodies. The creation of an egalitarian social order still remains an unfulfilled wishful thinking.

Despite 67 years of working of the Indian constitution, the problem of social justice remained unsolved and socio-economic equality is a distant dream.

Ambedkar's was concerned about the development and welfare of the weaker sections of the Indian society. He fought for their betterment and opened a path of progress for the depressed sections through constitutional reforms. He fought for their emancipation by putting pressure on the government to enact laws to ensure social justice<sup>1</sup> to weaker sections always bearing in mind that the law was the most powerful tool of social transformation. Ambedkar's quest for social justice can be visualized in the philosophy, policy and ideals of the constitution of India. Ambedkar was of the opinion that social Justice can be dispensed in a free social order in which an Individual is end in itself. The aim and object of the society is the growth of the individual and development of his personality. Ambedkar finds Hindu society does not recognized the individual as a centre of social order, which is based on Varna which divided the Hindu society into four order-the Brahmins, the Kshatriya, the Vaishya and the Sudras. The first two castes are considered twice born or 'dvija' since the men from these castes were entitled to use the sacred thread at the Vedic site of Upanayana, which the sudras were not allowed to perform. Ambedkar has always been for establishment of a society based on the principles of liberty,

equality and fraternity.<sup>2</sup> These principles are not to be treated as separate in the trinity. Liberty cannot be divorced from equality; equality cannot be divorced from liberty. Ambedkar was in favour of that establishment of socio-economic and political equality not just as a slogan but also as concrete policy.

He tried to establish social justice through social upliftment, which was carried out by following ways:

1. In 1927, Ambedkar decided to launch active movement against the untouchability. He began with public movements to open up and share public drinking water. He led a Satyagraha in Mahad to fight for the right of the untouchable community to draw water from the main water tanks.
2. Ambedkar began a struggle for the right of untouchable to enter in Hindu temples. In 1930 he launched Kalaram Temple movement. The movement was non violent and was for human dignity and self-respect.
3. From 1918-1928, he worked to spread education among the depressed classes, to improve their economic conditions and to represent their grievances in the parliament. Ambedkar published a book The Annihilation of Caste, which strongly criticized Hindu orthodox religious leaders and the caste system in general. By annihilating the Hindu caste structure he sought the upliftment of Dalits, be it socially, economically or politically. Ambedkar's contributed a legal framework for the upliftment of the downtrodden sections of the Indian society by incorporating relevant provisions in the Indian constitution. Various provisions in constitution aimed at preventing discrimination and promoting social justice are given below:

Ambedkar provided an inspiring preamble ensuring justice, social, economic and political, liberty, equality and fraternity.

**Fundamental Rights:** Ambedkar was a champion of fundamental rights, and Part III of Indian Constitution guarantees the fundamental rights to the citizens against the state. Article 14 guaranteeing equality before the law and equal protection of law, Article 15 Prohibition of discrimination on ground of religion, race, caste, sex or place of birth. Article 17 called for the abolition of untouchability. Some of the Fundamental rights are enforceable against the individuals as they are very significant rights relating to the prohibition of discrimination on grounds of religions, 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.

The Directives Principles of State Policy is designed to secure social justice. Article 39(a) has been introduced to ompart free

legal aid to poor sections of the society. Other Articles for the upliftment of depressed classes include: Article 330 reservation of seats and representation for SC and ST in the Lok Sabha. Article 332 reservations of seats for SC and ST in the state legislative assembly. Article 334 reservations of seats in all government bodies.

#### Protective discrimination/Reservation

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 Article 17 prohibiting untouchability, Article 30 dealing with the protection of minorities are some of the notable examples.

The Articles 15(4) and 16(4) of Part III and Part XI, and Schedule V and VI dealing with the upliftment of Scheduled Caste and Schedule Tribes speak clearly about the substantial and significant contribution of Ambedkar for the development of untouchables. Ambedkar made it his life mission to uplift the untouchables and the other downtrodden masses from the unequal position of inferiority to that of equal position of parity in socioeconomic status with other high caste Hindus. It was for achieving this goal the reservation policy or the scheme of protective discrimination was advocated and achieved by him for ten years at least to ameliorate the conditions of the various depressed and downtrodden sections of Hindu society.

To conclude, Dr. Ambedkar was a towering figure of astonishing vision, which spoke against social and economic inequalities and worked all his life for the upliftment of the depressed classes. He fought relentlessly to establish a society based on democratic ideas of liberty, equality and fraternity. Despite 67 years of working of the Indian constitution, the problem of social justice remained unsolved and socio-economic equality is a distant dream.

## REFERENCE

- Ambedkar: the Architect of the Indian constitution, <http://www.sankalpindia.net>, accessed on 5 February 2015. Ambedkar: the Architect of the Indian constitution, <http://www.sankalpindia.net>, accessed on 25 January, 2015. Austin, Granville (1996), *The India Constitution: Cornerstone of a nation*, Oxford, Oxford University Press. B.R. Ambedkar, *Who were the Shudras?* Bombay, Thakur & Co. B. R. Ambedkar, <http://www.mapsofinda.com/htm>, accessed on 25 January, 2015. Dr. B.R. Ambedkar Biography-Life and Profile, <http://www.culturalindia.net>, accessed on 14 February, 2015. D. R. Jatava (2001), "Dynamics of Ambedkar Ideology," *Sublime Publication*, Jaipur, Emanuel, Nahar, *Ambedkar's Vision of Social Justice in India*, *Research Journal of Social Sciences*, Vol.19, No.1, 2011. Omvedt, Gail (2011) "Ambedkar and After: The Dalit Movements In India" in Ghanshyam Shah (ed.) *Dalit Identity and Politics*, New Delhi, Sage Publications. Suman Gupta, Dr. B.R. Ambedkar and Social Justice, Third Concept, October, 2014.