

Dr.B. R. Ambedkar and Indian Constitution**Dr. C. Y. Kambale**

Assistant Professor

Shri Maharani Tarabai Government College of Education, Kolhapur.

Introduction :

As this is the appropriate occasion to assess his contribution as a nation builder ,especially as the architect of Constitution of India .In a recent biography of Dr.B.R Ambedkar ,the author Narendra Jadhav states that "Dr. Ambedkar was not simple Leader of Untouchables, not even only leader of oppressed people of India ,he was a national leader .He made outstanding contribution as a economist, sociologist ,anthropologist ,educationist ,journalist as an authority on comparative religion ,as a policymaker and administrator and a parliamentarian , besides ,a jurist who became the principal ,architect of the Indian Constitution."

He was also the chief architect of Indian Constitution. Born into a poor Dalit family, Ambedkar spent his whole life fighting against social discrimination. Due 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. Dr Ambedkar was appointed the Chairmen of Constitution Drafting Committee.Dr. 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 .The creation of an egalitarian social order ,however ,remains an unfulfilled wishful thinking to this day.

Views on Fundamental Rights:

Dr.Ambedkar was a champion of fundamental rights ,and Part III of 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 to the

prohibition of Discrimination on grounds of religion , race, caste ,sex or place of birth etc..The text prepared by Dr.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 Dr. Ambedkar argued for extensive economic and social rights for women Article 32 is itself a fundamental right .Article 32 is itself a fundamental right which authorizes the Supreme Court to issue directions ,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

Parliamentary Democracy:

Dr. Ambedkar was a strong advocate of the parliament 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 the application of application of the principles of social democracy.Dr. Ambedkar's social democracy comprised politicians 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 , having solemnly echoes the principles of parliamentary democracy .It reads: "We the people of India, having solemnly resolved to constitute India a Sovereign Socialist ,Secular Democratic Republic and to secure to all its citizens - Justice, Social, Economic and Political ; Liberty of thought , expression, belief ,faith and worship .Equality of status and of opportunity and to promote among them all -Fraternity , assuring the dignity of individuals and the Unity of the Nation ,in our Constituent Assembly this 26 th day of November ,1994 do

hereby adopt, enact and give to ourselves this Constitution,"

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. All India Services with a view to strengthen national unity and integrity.

Protective Discrimination /Reservations:

The real contribution of Dr. Ambedkar is reflected in the protective discrimination scheme or the reservation policy of the government envisaged under some provisions of Part III and many many Part IV dealing with the constitutional mandate to ameliorate the condition of schedule Caste 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.

Articles 15 (4) and 16 (4) of Part III and Part XI, and Schedule V and VI dealing with the upliftment of the Scheduled Caste SC\cheduled Tribes speak clearly about the substantial and significant contribution of Dr. Ambedkar for the development of dalits. Dr. Babasaheb Ambedkar made it his life's mission to uplift the untouchables and other down-trodden masses from the unequal position of inferiority to that of equal position of Clarity 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 at least to ameliorate the conditions of the various depressed and down-trodden sections of Hindu society.

State Socialism:

Dr. Babasaheb 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 constitutions.

Concept of Federalism:

According to Dr. Babasaheb Ambedkar the federalism means the state was a federation in

normally, but unitary in emergency. In the Draft Constitution Dr. Ambedkar offered more powers to the Centre and made it strong. Some members of the constituent assembly criticized him on the ground that since Dr. Ambedkar postulated -the rights and values of each individual and the development of each province and each village, it was contradictory of his part to make the Centre strong. Justifying the provisions for a strong Central authority. Dr. Ambedkar said that he made the centre strong not only to 'save minorities from the misrule of majority but also "for it is only the centre which can work for a common end and for the general interests of the country as a whole."

Equality of Opportunity:

In the Draft Constitution the "Fundamental Rights", prescribed were justifiable in the Court of Law .of all the rights, Dr.Ambedkar observed "Equality of Opportunity" as the most important one .Regarding the constitutional remedies he characterize Article 32 as they very soul of the Constitution and the very heart of it To him , fundamental rights would mean establishment of equality and liberty in order to reform our social system,which is so full of inequalities discriminations, and other which conflict with our fundamental rights.

Directive Principles of State Policy:

The Directive Principles of State Policy contained the positive obligations of the state towards it citizens. The Directives were meant to ensure social and economic democracy which was secured by the provisions of fundamental rights in a written Constitution. Dr.Ambedkar said : "What are called Directive Principles is simply another name for Instruments of instructions to the legislature and the executive...as to how they should exercise their power."

National Integration:

In the Draft Constitution Dr. Ambedkar prescribed single citizenship, a single judiciary and uniformity in fundamental Laws to integrate Indian society which was not only divided into caste, but also into regions religions, languages, traditions and cultures. A pragmatist to the core, Dr. Ambedkar believed that in the absence of economic and social

justice political independence would not bring about their social solidarity or, national integration. He advocated the abolition of privileges on the basis of caste or status and vigorously fought for the liberty and dignity of the individual .If the same time ,he was equally force -full in his advocacy of the unity of the nation. Dr. Ambedkar sought to achieve these objectives through the constitution of India incorporating in it the following principles.

- Making the Indian constitution workable ,flexible enough and strong enough to hold the country together both in peace and war time.
- Providing special safeguard to the minorities and certain classes who are socially and educationally backward.
- Incorporating the principle of one man ,one value ,and one man, one vote. Thus, the constitution of India accepted one individual and net on village as a unit.
- Incorporating excepting and qualifications to the FRs while advocating ,preventive detention and energy way powers of the president of India.
- Abolishing untouchability and forced labour to achieve the ideal of "one man ,one value ,and one man,one vote.'and placing all people equal before the law ; securing equal protection of laws of laws for every citizens as also freedom of profession and equality of opportunity.

Conclusion :

Dr.Ambedkar's drafting of the Indian Constitution has enabled the abolition of the untouchability and the outlawing of all forms of discriminations .Due to all these outstanding contributions Dr.Ambedkar can be rightly called the architect of the Indian Constitution .None-theless ,it is an undeniable fact that Dr.Ambedkar's dream of the creation of an egalitarian social order still remains unfulfilled despite the extended period of reservation for SCs and STs. As a chairmen of the Constitutional Committee he gave a shape to our country of a complete Sovereign ,Democratic and Republic based on adults franchise .Dr. Babaasheb Ambedkar's name will be written in a golden letters in the history of India as a creator of social justice.This fact is doubtless.He was not only the man of age and builder of the Constitution also the creator of social justice

and betterment of the downtrodden .He was one of the few sons in the History of India that he can be said to the gift of Indian freedom movement.

References

- i. Dr.B.R Ambedkar Biography -Life and Profile ,[http:// www.culturalindia.net](http://www.culturalindia.net),accessed on February 5,2011.
- ii. Jatava ,D.R.,(2001) ,Dynamics of Ambedkar Ideology ,Sublime Publication, Jaipur.
- iii. Ambedkar ,B.R .,<http://www.mpasofindia.com/htm>
- iv. Ambedkar : the Architect of the Indian Constitution, <http://www.sankalpindia.net>
- v. Dr. Dhyanaraj Kashinath Gaikwad 'Rajwansh'-The Miraculous Great Man'-Dr. Bhimrao Ramji Ambedkar.
- vi. Lalit K.Sahay - Dr.B.R.Ambedkar Man of Millennium
- vii. B.J Bhandutia - Champion of Human Rights . B.R Ambedkar
- viii. Veridemdar Grover,Bhimrao Ramji ,Ibid., Mirac: A Biography of his vision and ideas .
- ix. G.S.Lokhnade,Bhimrao Ramji Ambedkar -A study in social democracy www.icundv.com/vesak2011/panel I/IORSSingh