

CHAPTER - V

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BASIC FOUNDATION.**

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The New International Webster's Comprehensive Dictionary of the English Language has been described the term 'Just' as the synonyms of equitable, even, exact, fair, fitting, honest, honorable, impartial, incorrupt, incorruptible, lawful, reasonable, right, righteous, rightful, square, straightforward, true, trusty, upright, virtuous and it is antonyms of corrupt, dishonest, dishonorable, faithless, false, inequitable, one sided, partial, perfidious, treacherous, unfair, unfaithful, unjust, unreasonable and unrighteous etc.

Concise Dictionary described the term 'just' as fair or impartial in action or judgment, honest, rightly applied, legally valid, lawfully, correct or true.

According to Webster's Encyclopedic Unabridged Dictionary of the English Language the term 'just' meant the synonyms of

- i) upright, equitable, fair, impartial;
- ii) legitimate, legal ;
- iii) accurate, exact, honest ;
- iv) merited, appropriate, condign, suited.
- v) good, honest, pure, conscientious, honorable and it is of antonymous of a) biased, untrue and b) unjustified

The foundation of the just society was mainly laid by eminent Western political thinkers like Plato, Aristotle, Rousseau and so on. Plato's main work was the three book's e.g. The Republic (380 -370 BC), The Statement (360 BC) and the Laws (350 BC). His political philosophy dealt as an architectonic science of society. The Republic in Greek means justice and its Latin meaning "The state or the polity". He has pointed out in his Republic an ideal state for Greek city-states based on justice. Plato's justice was social justice. He has given some elements for the creation of an ideal state i.e. justice, public education, role of philosopher King, concept of community of wives and property. Cephedus defined justice as "telling the truth". Polemarchus pointed out that justice meant "giving each man his due" or "what was fitting" or

“doing the right things”. According to Plato, justice means “one class, one duty ; one man, one work”. He mentioned that every human soul had three qualities i.e. rational, spirited and appetitive. Individual in whom rational faculty was predominant would be constituted the ruling class and the virtue of such soul would be wisdom. Individual in whom soul was predominant would be constituted the soldiers or warriors and the virtue of such soul would be courage. In whose soul was predominant quality of such an appetitive would be constituted the Artisans or producers class and the virtue of such soul would be temperance. The rulers and soldiers would be constituted the guardian class. They are philosopher King. Every individual should perform according to their mental ability and faculty. Justice in the society meant that giving each work according to their skills. In the context of the state, justice meant that the three classes i.e. rulers, soldiers and producers or artisans performed the deliberative, governing and production without interfering by others. The rulers auxiliaries and artisans performed their respective task, then such a state would be just. A just society recognised by Plato which is based on mental ability, mental faculty and skills. Just means “Right man in right place”, recognised by himself. In this way, he tried to bring out an ideal society based on justice. Plato abolished private family and property for the Guardian class to protect the malpractices, nepotism, favouritism, particularism, factionalism among the philosopher king or guardian class. The members of the guardian class would live together like soldiers in a barrack. They cannot possess any gold or silver. They would receive a small amount of property that would be necessary. He did not differ between men and women. To him, both male and female would receive the same kinds of opportunity as recognised by the state. There is no discrimination between boys and girls. Plato accepted woman as legislators and rulers. Specialisation should be established in the society. None would interfere in the affairs of others.

The father of Political Science Aristotle elaborated the concept of justice in his famous book, the “Politics”. According to Plato justice is the first virtue of the society, but not absolute. To Aristotle, the primary task of the state is ensuring justice. In an ideal state justice meant, virtue. All offices, wealth, rewards should be distributed among the people equally. The distributors should be based on merit. In an ideal society merit means virtue. Virtue is

knowledge. Equal share should be established in society without rich and poor classes. All persons should be treated in a manner of equal merit. Equality is the central point to establish justice. Justice is the first virtue of society to him. Polity is the best form of government. He asserted that the complete justice laid in Law-abidingness and was possible only in an ideal society.

Rousseau explained the concept of the civil society and its elaborated and developed in the Social Contract (1762). To him, liberty is the crucial point to the individual's development. His social contract theory was to reconciled liberty with authority. To him, liberty and authority interrelated and interdependent to each other.

He advocated the social contract theory with the idea that the state was created by the people. According to Rousseau, people made only one contract for the creation of state as the civil society. In state of nature the individual was guided by instincts of self preservation and compassion. In the state of nature the men lived in heavenly condition. They were free, happy, fair and fearless. But increasing of private property and population the men create the contract, combine forces, and they offered all power over General Will. It was sovereign. To him, liberty is the crucial point to the individual's development. His social contract theory was to reconciled liberty with authority. Liberty and authority are interrelated and interdependent to each other. The state is the source of all morality, freedom and community. The individual and the state were two themes in Rousseau's theory. Both were simultaneously sovereign. Both were needed to realise a just social and political order. In his Emile, Rousseau has given clear indication that he was an individualist. He believed that man was basically good, free and independent. According him, the individuals are sovereign.

Indian society is influenced by western education, British liberalism, rationalism and utilitarianism. It gave rise to the 'Indian Renaissance'. Indian society is based on orthodox Brahmanic Hindu dogmas. Western educated elites of India tried to transform the orthodox Brahmanic based Hindu society. The Indian elites like Raja Rammohan Roy, Ranade, Swami Vivekananda, Swami Dayananda, Jotirao Phule, Mahatma Gandhi, Dr. B.R. Ambedkar,

Aurobindo Ghosh and so on tried to transform the orthodox Brahmanic based Hindu society.

Raja Rammohan was interested not only in reforming the Hindu religion, but also tried to remove the discrepancy among various religion of the world. He studied the comparative religions and realised that the true Hinduism, true Islamism, true Christianity even not fundamentally different to each other. All religions are equally true. In 1828, in Calcutta he founded the Brahmo Samaj. The main ideological objectives and purposes of the samaj was reFOUNDATION of the Hindu religion. He opposed the idolatry and polytheism. The purposes of the Brahmo Samaj was to restructure of Hindu culture in terms of modernity. He appealed to the Governor General Lord William Bentinck to band the Satidaha system in the upper caste Hindu society. The system of the Satidaha was limited only among the upper caste Hindu society. Lastly, the Governor General Lord Bentinck enacted a law in 1828. Roy fought against sectarianism of the medieval tendencies prevailing in the Hindu Society such a polytheism, idolatory and superstition. He denounced all kinds of superstitions and evils practices of the Hindu religion. His opinion was that the social reform was an essential precondition of political liberation. In 1815, he established the Atmiya Sabha. He opposed against kuleenism of the Kulin Brahmins. He also opposed polygamy and worked for the removal of caste disabilities. The aims of Raja Rammohan Ray were the creation of a new society based on the principles of tolerance, sympathy and reason, where the principle of liberty, equality and fraternity would be accepted by all, both men and women. To him, division and subdivision of the Hindu society should be destroyed. He was against the inequalities inherent in the traditional caste hierarchy. The women should be given the equal rights as given to the men. Equal treatment should be given to both men and women. He wanted to establish a society based liberty, equality and fraternity. He believed in the freedom of body and mind, freedom of action and also freedom of thoughts.

M. G. Ranade wanted to establish a free democratic society in India which would be based on justice, equality and liberty. He modified many ideas of Rammohan Roy and emphasised on religious, political and economic reforms. He did not believed in polytheism i.e. worshipping of many Gods. He believed in the existence of one God. To him, polytheism encouraged

superstitions and corrupt practices. He was critical of the Hindu religious beliefs and practices. To him, Hindu religion gave sanction to the caste system, untouchability and subjection of women. Ranade wanted to total change the superstitions of the Hindu society. He pleaded the abolition of caste system and argued in favour of inter caste marriage. He advocated the educational development for the lower caste. He favoured the introductions of secular education in India. To create truthfulness, high-mindedness among the down-trodden classes the education is essential. He pleaded for the establishment of both Government aided schools and private schools. Ranade wanted to establish a new Indian society based upon contract and free choice. He wanted to vitalise the Hindu society to create social democracy.

Like Raja Rammohan Roy, Swami Dayanand Saraswati belonged to a period when Hinduism was under the onslaught of Christianity and Islam. Dayanand played a crucial role in the revival of Hinduism. He was a dialectician and a social reformer. He denounced polytheism, pantheism and idolatry. Dayanand opposed to early marriage and enforced widowhood. His slogan was "India for Indian" He opposed the caste based Hindu society. In 1975, he founded the "Arya Samaj". The Arya Samaj founded the schools and colleges both for girls and boys. The main object of the "Arya Samaj" was to bring about social and religious reform through a renaissance of early doctrines. The popular slogans of the Arya Samaj was 'Back to the Vedas' and 'Aryavarta for the Aryans'. According to Dayananda, the theory of four Varnas based on a Psychological and occupational criterion, may provide a good solution of many social and functional conflicts. The criterion of Varna belongingness is not birth but the psychological capacity to perform a particular function.

Swami Vivekananda was inspired by Western science and literature and studied the works of Kant, Hegel, Spencer, J.S. Mill and so on. He considered Hinduism to be 'the mother all religious'. Romain Rolland described to Vivekananda as "the Hindu Napoleon". He wanted to co-related the Vedas, the Bible and the Quran. He wanted "Hinduism to have an Islamic body with a Vedantic heart." To him, all men are equal. He advocated the social reforms. According to Vivekananda, the four fold differentiation of the social order represents an ideal type. The Brahamin priest stands for the rule of knowledge and they are upper classes of the society. The Kshatriyas stands

for order. The Vaishya represents commerce and trade and the Shudra stands for the triumph of equality. He advocated the Shudra development.

A man may change his caste i.e. "a man when he is engaged in serving for other he is Shudras; a man when he is busy transacting some piece of business for profit, in this context, he is a Vishya, when he fights to rights a wrong then the qualities of a Kshatriya? come out in him; and when he meditates on God, or passes his time in conversation about him, then he is a Brahman." The caste system of Hindu society should be abolished. He advised on Shudras as "Awake, arise and stop not till the desired end is reached."¹

Jotirao Phule (1826-90) was the first Indian who fought against untouchability and down-trodden classes. His aim was to reconstruct the society on the basis of social equality, liberty and fraternity. He belonged to Mali caste. He also frequently called as 'Shudras and Atishudras' and were simply listed as 'Konbir, Malis, Dhangars, Bhils, Kolis, Mahars and Mangs and so on. He demanded legitimate power for the down-trodden classes. To him, ancient history of India nothing but it was a conflict between Brahmins and non-Brahmins. He tried to bring together like the Kunbis or cultivators, Malis, or 'garden' cultivators and Dhangars or sheperds for movement against the Brahmanism and Purans. On 24 September, 1873, he founded the 'Satya Shodhak Samaj' to establish a casteless society. For girls and untouchables he established the schools. He arranged the marriages without priest. He was advocated the widow marriage. The Satya Shodhak Samaj' actively encouraged marriages without priest and also the samaj was working for the upliftment of the lower castes.

E.V. Ramaswamy Naiker known as Periya. He won a great sage. According to him, casteism and Hinduism are two sides of a single coin. His movement was to defend the right of the Dravidians against Aryan domination. He organised the 'Self-Respect Movement' for the upliftment of the Dravidian. Periya attacked the Hindu religion as the tool of Brahmin domination.

The word 'Satyagraha' was first used in South-Africa to describe the Gandhi-led anti-racist movement of Indians there. The term Satyagraha consists with the two sanskrit words "Satya" and "Agra". The epistemological

meaning of the Satyagraha is "holding the truth". The term Satyagraha connotes the search and establishment of truth and justice. Truth is "God" and it stands for morality and justice. Justice and truth are co-related to each other. Truth, non-violence and self-suffering collectively represents the spirit of Satyagraha. Actually, Gandhi suggested to use Satyagraha to protect the rights of peasant against the landlords. He wanted to create the non-violence society. To him, state is necessary evils. His ideal human society represents the stateless society. In his ideal society there will be no state or government. The ideal is a non-violent social order which will be regulated by soul and love force instead of state violence. The main objective of Gandhian economic thought is to establish a society based on non-violence and justice. He opposed western industrialisation and economy. To him, western industrialisation means exploitation of economy.

For the establishment of a moral society Gandhiji rejected the prescription of western industrialisation and economic prosperity. To him, western industrialisation means centralisation of wealth and economy. He rejected large-scale industries and emphasised on small - scale industries, Gandhi proposed an economic system based on justice and morality. For the self-reliance and self-sufficiency of the Individual and village community he emphasised on decentralised village oriented economy. To him, an ideal social order should be based on the principle of non-violence. Truth and justice should be main motto of his ideal society. His non-violence village-oriented ideal society represented the ideal of Swaraj. To him, Swaraj means self-regulated and self-sufficient village-oriented society. He emphasised economic, political, moral i.e. all square of swaraj. Swaraj means decentralised democracy. According to Gandhi, Panchayats will be rural local self government. Goal of the swaraj is greatest good of the greatest number. The village panchayat will be based on moral authority. The swaraj stands for an ideal society based on honesty and brotherhood. Gandhiji emphasised on Sarvodaya society which is based on non-violence and co-operative village Panchayat.

Aurobinda has a place in Indian history as a political thinker and social philosopher. His books, 'The Essay on the Gita', 'The Life Divine', 'The Human Cycle and the Ideal of Human Unity' are works of social and political enquiry. He was an idealist-thinker. The main tendency of his "Ideal of Human Unity"

was growth of Internationalism. He criticised authoritarianism, concentration of power and increasing control of bureaucracy. He accepted the egalitarian philosophy of socialism. To create a psychological unity, he emphasised on religion humanity. Psychological unity comprises the essence of nationhood.

Dr. Ambedkar fought against untouchability, Hinduism and Brahmanism. To him, caste system is not only unjust but also a immoral. He established a neo-Buddhism rejection with Hinduism. The society should be based on the three fundamental principles of liberty, equality and fraternity. The caste system should be abolished through destroying the Puranas, Shastras and Vedas. Religion of Smritis should be destroyed. Inter-marriage and Inter-caste dining should be adopted. His ideal society would be based on liberty, equality and fraternity. All men should be treated equally without any discrimination. Castes and Sub-Castes should be destroyed.

Joy Prakash Narayan tried to establish the Sarvodaya Society based on freedom, equality, brotherhood. Sorvadaya meant collective welfare in which all types of jobs should be respected equally. Mahatma Gandhi, J.P. Narayan and Vinoba Bhava were the Chief exponents of the Sorvadaya Society. Sorvadaya stood for decentralisation of authority. In Sorvadaya society there will be co-operative system of production both in the Industry as well as agriculture. There is no party in Sorvadaya society. The society should be established the patyless democracy. Every village or unit shall be self-governing and the people shall sit together to decide their own affairs. The society should create consciousness among the people. Sorvadaya believes in the concept of a stateless society without intervention by political party. In Sorvadaya society there is no class-struggle for the revolution of the society. This society believes that an individual is an end in itself and he has sufficient capacity of solving his own problems. His Sorvadaya society based on liberty, equality, fraternity and self-governing village Panchayat. He emphasised on :

- i) Remove untouchability.
- ii) Redistribution of land to remove economic inequality and exploitation.
- iii) Abolition of Landlordism.

- iv) Nationalisation of Industries such as Steel, Cotton, Jute, Railways, Shipping etc.
- v) Communal Harmony work.
- vi) Co-operative society.
- vii) Nationalisation of trade, Banks and Insurance, Companies.
- viii) Abolition of party system.
- ix) Justice and the rule of law for all citizens.
- x) Liberty and equitable, sharing of the goals of society.
- xi) Social adaption and social collaboration are to be promoted.

The term 'Just Society' is another name of 'casteless society'. The 'just society' meant according to Dr. Ambedkar is that society where there is no discrimination on the basis of birth mark. Secularism was one of the guiding principles of the 'just society'. Secularism entails not just religious but also casteless equalitarian objective. The final goal of the 'just society' is reformulated into a new society based upon liberty, equality and fraternity. There is no birth identity of the masses. The caste system of our Hindu society is greatest hindrance. Our Hindu Indian society is based on hierarchical castes system. The castes are anti-national of just society which is based on liberty, equality and fraternity.

The term Dalit in Sanskrit means 'broken' and Down-trodden. The father of Indian Constitution Dr. Babasaheb Ambedkar has been described the 'Untouchables' as broken people. Mahatma Gandhi explained the Untouchables as Harijans. During the British periods the Britishers called them as Depressed Classes. The Dalits are socio-political powerless. They have lack of education. Mahatma Jotirao Phule (1826-90), E.V. Ramaswamy Periyar (1879-1973) and Babasaheb Ambedkar (1891-1956), Narayan Swami Guru in Kerala, Achutanand in Uttar Pradesh and Mangoo Ram in Punjab were the eminent personalities of the Dalit ideology for a just society. They directly attacked on caste system, exploitation at all levels, cultural, economical and political. They developed their ideologies for alternative society based upon liberty, equality and fraternity.

Dr. Babasaheb Ambedkar inspired and guided by Mahatma Jotiba Phule. Dr. Ambedkar was a prominent revolutionary. He was the chief architect of the Indian Constitution. He fought against untouchability and caste based Hindu society. To him, caste system is not only unjust but also immoral. He established a new religion popularly known as Neo-Buddhism in which foundation is equality . He renounced Hinduism. He held that society should be based on the three basic principles of liberty, equality and fraternity. To destroy the caste system of the Hindu society it is essential to destroy the religious foundation in the Vedas and Shastras. The religious of the Smritis should be destroyed. He strongly protested against Gandhian ideology of varna. He had mentioned at the Yeola Conference of 1935 that "Though I have been born a Hindu. I solemnly assure you that I will not die as a Hindu."²

Dr. Ambedkar's alternative is an 'ideal society' or a 'casteless society' based upon the principle of justice. Some important themes are closely related to the study of 'just society'. i.e.

- I. Abolition of Caste System.
- II. Renunciation of Hinduism and Embraced Buddhism.
- III. Dr. Ambedkar and Empowerment of women.
- IV. Dr. Ambedkar's Concept of Democracy.
- V. Ambedkar's Concept of State Socialism.
- VI. Ambedkar's theory of Fundamental Rights.
- VII. Ambekar's Concept of Liberty, Equality and Fraternity.
- VIII. Way to establish a Just Society.
- IX. Ambedkar and quest for Social Justice.
- X. An Architect of Indian Constitution.
- XI. Ambedkar's Concept of Nationalism.

I. Abolition of Caste System

This is first element to establish a 'just society' or 'casteless society'. The Indian Hindu society is stratified into castes. The Hindu society is hierarchical system based upon gradation of inequality. There are four Varnas in Hindu society i.e. Brahmin, Kshatriya, Vaishya and Shudra. The Brahmins are themselves called the prerogative class and position of the society is highest rank in society. Learning or teaching is the main occupation of Brahmins. Manual labour, commercial or warfare was not their business. The Kshatriyas are Marshals or warriors. The trade or business are main occupations of the Vaishyas. The Shudras are agriculturalists and they have the right to serve the upper three classes. Caste or the Varna Vyavastha controlled all social institutions like marriage, education, sports, birth and death. There is no secular in the Hindu society. The caste based Hindu society controlled by the caste laws. The laws of the caste are gradation of inequality and discrimination. There is no equality in caste laws. All caste laws are in favour of upper caste Hindus. The Brahmins are treated as the apex caste of the society. On the other hand, all Shudras are equally useless, idiot and lowly men. The Dharma or duty and rights of the members of different caste are different. The Dharma of a Brahmin and the Dharma of a Kshatriya or Vaishya and Shudra is completely different from to each other. The caste system is a economic, social and political structure. On 14th October, 1956, Dr. Babasaheb Ambedkar renounced Hinduism and embraced Buddhism because Gautama Buddha categorically denied the validity of inhumane caste system. Equality is the official doctrine of Buddhism. In Buddhism there is no caste, no inequality, no superiority, no inferiority and no hierarchical system. The Buddhism does not believe the upper caste to lower caste relationship. Dr. Ambedkar struggled to establish a humane society in India based upon equality, liberty and fraternity.

The 'Adibasis' or 'Tribes' were called a Scheduled Castes and Scheduled Tribes respectively. Mahatma Mohan Das Karamchand Gandhi gave their names as 'Harijan' and 'Girijan'. 'Devadasis' and 'Sevadasis' were maintained by Indian Hindu temples. The profession of 'dancing girls' and 'prostitution' was started by a section of class. Their offsprings were called 'Harijan's which meant the children of God.

Abolition of caste does not mean wiping out of the identity of various cultural and ethnic groups and their nomenclature. It means abolition of disparity between men and women. The laws of caste based Hindu society must be completely disappeared. Abolition of caste means "any privilege or disability arising out of rank, birth, person, finally, religion or religious usage and custom is abolished." The caste is a base of our orthodox Hindu society and the social institutions like marriage, education, customs, ritual and festivals etc. are called super-structure. The base controlled by super-structure. By breaking of base (caste system) and super-structure of society (ritual, marriage, education customs) will be automatically destroyed. The 'Jati identity' must be abolished. Without social revolution, economic or political revolutions are impossible. Social revolution precedes the political and economic revolution. The conversion movement, political empowerment, economic struggle, reconstruction and social transformation is preconditions to abolish the caste system. According to Dr. Ambedkar, the new social order and progress cannot be achieved unless we cannot destroy the caste system. He stated several things for abolishing caste system which are as follows.

a) Abolition of sub-caste : Dr. Ambedkar suggested to abolish the caste and sub-castes. The whole caste system of the Hindu society should be abolished. Dr. B.R. Ambedkar considered that the inter-caste marriages and inter-caste dining is the effective means for abolishing caste system. To establish the casteless society the belief in the sanctity of Hindu Shastras should be abolished.

b) Inter-caste dining : It is another way to destroy the caste system. Ambedkar felt that there were many castes which allow inter-dining but the caste system did not disappeared. This method has not succeeded in killing the spirit of caste and consciousness of caste. An all caste inter-caste dinner was held under the auspices of the Samaj Samata Sangh (Social-Equality-League) on 5th September, 1926, in Bombay, Damodar Thakarsey Hall, parel. From different castes including Untouchables also participated in dinner. To him, in this way the evils of the caste system will be destroyed and a new society based on equal status would be created.

c) Inter-caste marriage : There are social restrictions of our Hindu society relating to marriage system. The Shudras had no right to marry from other

castes i.e. Brahmin, Kshatriya and Vaishya. The marriage system was strictly restricted. According to Dr. Ambedkar, inter-caste marriages should be adopted in Hindu society. Inter-caste dining should be necessary. Ambedkar felt that inter-caste marriage alone can be suitable remedy to destroy the caste system as it may create the feeling of being kith and kin. The real remedy for breaking caste is inter-marriage.³

The destruction of caste does not mean the destruction of a physical barrier. It is a notional change. The Hindus Shastras and Puranas should be destroyed. The caste system is evils for society. It has killed public spirit. This system destroyed the purity among men and men. The caste has destroyed the morality. There is no sympathy in caste based Hindu society. The Kayasthas of Bihar, Uttar Pradesh and Benaras were as Kshatriyas, while the Kayasthas of Bengal were termed as Shudras. The verdict of the Madras High Court declared that the Marathas were Shudras while the Bombay High Court verdict that the Marathas were belonged to Kshatriya and then rest were Shudras. The Varna system is harmful for human beings. Dr. Ambedkar in his work "Annihilation of Caste" pointed out that "Make every man and woman free from the thralldom of the Shastras, cleanse their minds of the pernicious notions founded on the Shastras, and he or she will inter-dine and inter marry without your telling him or her to so".⁴

d) One standard book of Hindu Religion :

To him, there should be only one Hindu Religion which would be all acceptable to all Hindu. This book should be recognised by all Hindus. All sacred Hindu religion books such as Vedas, Shastras and Puranas should be abolished. By hereditary priesthood should be abolished. Every person who professes to be a Hindu must be eligible for being a priest. A priest should be the servant of the state. The priests should play the morality, beliefs and worship recommended by the Government. The number of Priests should be limited as required by the Government such as I.C.S. The profession of a Hindu priest is the only profession which is not subject to any code. Lawyers must show proficiency, before they are allowed to practice their profession. The priestly class must be brought under such legislation. According to Dr. Ambedkar, Brahminism is the poison which has spoiled Hinduism.

The reorganisation of the Hindu society on the basis of Chaturvarna is impossible because the Chaturvarna believes in gradation of inequality. It is harmful for whole society. The Hindu society must be reorganised on a religious basis which would recognised the principles of liberty, equality and fraternity. The caste and Varna must be abolished by destroying the Hindu Shastras such as Vedas, Puranas, Smriti etc. The Shastras should be reinterpreted. To him, in this way the Hindu society becomes a casteless society. He saw that the human rights should be included in the constitution of India. The fundamental rights, Directive Principles of State Policy, Preventive Detention, abolition of untouchability, equality before law and equal protection of law etc. has been included into the Indian Constitution. These are only for down-trodden and weaker sections of the society.

II. Renunciation of Hinduism and Embraced Buddhism

According to Dr. Babasaheb Ambedkar 'Manusmriti' based Hindu social system must be destroyed. Inequality of the 'Smriti' religion should be abolished by renunciation of the Hindu religion. In public places such as temples, wells, schools dharmashalas, hotels etc. would be opened for all classes. Bharatratna Dr. Babasaheb Ambedkar is also aware that inter-caste dining and inter-caste marriages are not enough to abolish casteism. The inter-caste dining and inter-caste marriage are necessary but it is also essential to destroy the belief in the sanctity of Hindu Shastras.

During his boyhood he had to suffer too much of personal humiliation due to untouchability. He started the Chowder Tank Satyagraha movement in 1927, and for this reason the upper caste Hindus attacked him and physically injured him. On December 25, 1927, he burnt copies of Manusmriti because the smriti divided the Hindu society into four classes. The day is called a "Manu Smriti Dahan Din." The important Dalits struggle against Brahmanism and Brahminical Hinduism was Mahad Satyagraha Movement. To him, religion is for man and not for religion. For consolidate and successful of life the Untouchables must be changed the Hindu religion. The Hindu religion did not recognise the man as human being. The Hindu religion forbided to receive education to the untouchables. Inequality is the notions of the Chaturvarna system of the Hindu society.

Caste is a state of mind. It is a disease of mind. The Buddhism is far better and richer than Brahminic culture. Untouchability is a branch of casteism. To wipe out the casteism the untouchability should be destroyed at first and for this reason the political power is very necessary. The Chaturvarna system is very harmful for the progress of mankind. There is no equality in the Hindu religion. The Varna system of Hindu religion is responsible for such a strange social structure. In 1935, at Yeola Conference, Dr. Ambedkar decided to renounce Hinduism. The Untouchables occupied a "weak and lowly status" and they are a part of Hindu society. He embraced Buddhism to give "equal status, equal rights and fair treatment" to Untouchables. Hinduism stood for inequality whereas Buddhism stood for equality. Buddhism teaches Prajna (understanding as against superstition and supernaturalism) Karuna (love) and Samata (equality). Hinduism believes in God. Buddhism has no God. Hinduism believes in soul. There is no soul in Buddhism. Hinduism believes in Chaturvarna system. Buddhism has no place for the caste system and Chaturvarna.

Dr. Babasaheb Ambedkar did not strive for positional change in the whole system of graded inequality. He also wanted to bring structural change to Indian society. In 'The Buddha and His Dharma' he has pointed out that the purpose of the Dharma is to transform an individual into Buddha and to transform the world into a sangha. The main purpose of the Dharma according to Dr. B.R. Ambedkar is creation of Dharma Rajya based on liberty, equality and fraternity. In this way, Dr. Babasaheb Ambedkar tried to bring out the reconstruction of the Hinduism which is applicable to all societies. It is also called Neo-Buddhism. Dravid Brazier in his book 'The New Buddhism' has been described that the Buddha had a vision of an ideal society would be based on brotherhood.

On 29th September 1950, he told at Bombay's Buddha Temple that "To end all these troubles, India must embrace Buddhism. Buddhism is the only religion based upon ethical principles and teaches how to work for the good and well-being of the common man"⁵. In his article entitled "Buddha and the Future of His Religion" he expressed his thoughts the concept of Buddhism. The summary of his thought of Buddhism is as follows :

- i. The society must have either the sanction of law or the sanction of morality to hold it together. without either, the society is sure to go to pieces.
- ii. "The religion must be in accord with science.
- iii. It is not enough for religion to consist of a moral code, but its moral code must recognise the fundamental tenets of liberty, equality and fraternity.
- iv. Religion must not sanctify or ennoble poverty."⁶

Unity and integration is impossible in Hindu religion. when a man says that he is Muslim or he is Sikh, we do not ask again his idea of identity. But when a Hindu says he is Hindu, we have tendency to know his background on the basis of caste and sub-castes. There are numerous caste and sub-castes in Hindu religion. He said that the function of a true religion is the uplift of the individual as a whole. The purpose of the religion should teach the virtue of fellow-feeling, equality and liberty, it should teach the education, provide socio-economic environment to all without any discriminations such as caste, creed, religion, race, sex etc. Priesthood in Hindu religion should be abolished. There is no negotiation and sympathy in Hindu religion. Hindu religion did not recognise the inter-caste dining and inter-caste marriages. To him, Buddhism is true religion. Buddhism does not believe in castes. Buddhism believes in equality, liberty and fraternity. According to Ambedkar, there should be only one religion and only one religious book based on brotherhood, liberty, rationalism, sympathy and fraternity. The concept of hereditary priesthood should be abolished from among the Hindus. A priest should be a servant of state like I.C.S. through an elaborate scheme of competitive examination. The number of priests should be limited which was necessary. The priests must be accountable to morals, beliefs and others. He added that the Hindus are weak and sick men of India. It would be strength only when the Hindu society will becomes a casteless society. He wanted to establish a 'casteless' 'classless society' through democratic principles which is based on more rational and brotherhood. In this way a 'New Social Order' would be establish in place of hierarchical caste system of Hindu society. On 14th October, 1956, he renounced Hinduism and embraced Buddhism. He was a crusader, fighting for equality, liberty and fraternity. Buddha religion is

based on Prajna (understanding as against superstition and supernaturalism), Kanura (love), and Samata (equality). Social equality is the gospel of Buddhism and stands for brotherhood.

He was a social reformer. The main object of his life was to bring social revolutions. He wanted to break the chaturvarna system of Hindu society. So that everybody gets the equal opportunity for self-development. He adopted a democratic society and constitutional means. He wanted to establish a social democracy in place of political democracy. He created social renaissance by awakening the suppressed and depressed. He broke all the orthodox values of Hindu society by burning the Manusmriti. He dedicated his whole life for uplift the down-trodden classes. He burnt the evil of the Indian caste based Hindu society. As a crusader, he gave message of liberty, equality and fraternity before the world men.

III. Dr. Ambedkar and Empowerment of Women

The women in this land of ours specially in Hindu society were treated as a sort of thing. In Indian society there are so many differences between men and women. She is treated as the 'door of hell'. A female has a low social status. She has no right. She cannot move freely everywhere. In Hindu Shastras specially Manusmriti of Manu has been described to the female as just like animals and slaves. The Mahabharata pointed out relating to Dropadi and she was the wife of five husbands, not only that she put at stake in gambling by none else than the so called Dharmaraj Yudhishtar. The author of the Ramayana Mr. Tulsi Das also pointed out regarding to women position as slaves and the lower position of the society. The Hindu Shastras mentioned that a woman bond slave of her father when she was young, to her husband when she is middle aged and to her son when she is a mother. The women could not enjoy the 4th stages of social life e.g. Brahcharya, Grahastra, Banpostra and Sannysa. They have no right to education. They could not participated in political phenomena. Dr. Ambedkar was the first benevolent directory personalities who raised voice against injustice over women. He tried to bring out the development of the women. According to 'Mitakshara' the property of a Hindu is not his individual property. There is no permanent property according to 'Mitakshara'. Whereas Dayabhag recognised the right to

permanent property. These two Hindu law i.e. 'Mitakshara' and Dayabhag created and sustained inequality.

Manusmriti laid down certain code of conduct for women. The right to property and right to education is denied to women. Manu says, women should be strickly controlled by the guardian such as father when she is unmarried, husband when she is married and son in her old age. They do not have a right to divorce. A woman is a property and slave. The women do not have a choice in selecting her life-partner. Dr. Ambedkar, in his article entitled on "The Rise and Fall of the Hindu Woman: Who was Responsible for it" claimed that the Manusmriti of Manu is responsible for fall of the Hindu women. Manu was the Hindu Law Giver. There is no doubt that he was not responsible. Some code of conduct is found in the Manu-Smriti regarding to the position of women in the Hindu society.

The Hindu Code Bill introduced by Br. B.R. Ambedkar in the Constituent Assembly on 11th April, 1947. He codifying Hindu Law in respect of marriage, divorce and succession, rationalised and restored the dignity to women. The property including both movable and immovable property should be acquired by a woman. The acquisition of property should be made by a woman before and after marriage even during the widowhood from her parents or husband. Dowry system would be paid as a condition and consideration.

The share of the property of each unmarried daughter shall be half that of each son and the share of each married daughter shall be one-quarter of that of each son. His Hindu Code Bill covered with the i) right to property, ii) order of succession to the property, iii) maintenance, marriage, divorce adoption, minority and guardianship.

Dr. B.R. Ambedkar suggested to modify the Hindu law relating to women i.e.

- i) The Caste Disabilities Removal Act, 1850.
- ii) The Hindu Widow Remarriage Act, 1856.
- iii) The Indian Succession Act, 1925.
- iv) The Native Convert's Marriage Dissolution Act, 1866.

- v) The Transfer of property Act IV of 1882 as amended by Act XX of 1929.
- vi) The Indian Majority Act, 1875.
- vii) The Guardian and Wards Act 1890.
- viii) The Transfer of property (Amendment) supplementary Act XXI of 1929.
- ix) The Hindu Gains of Learning Act, 1930.
- x) The Hindu women's Rights to property Act XVIII of 1937.⁷

The widow, the daughter should be given the same rank as the son in the matter in inheritance. The daughter should be given a share in her father's property. To the acquisition of the property both girls and boys would be treated equally. The Mitakshara or the Dayabhag system of discriminatory law between men and female should be abolished.

Under the Hindu law a wife is not entitled to claim to her husband if she does not live together in his house. The Hindu law does not recognised the wife if she wants to live separate from her husband. Dr. Ambedkar pointed out in his Hindu code Bill that the wives should be given to live separately from her husband freely. A wife shall be entitled to claim separate maintenance from her husband in some manner.

- i) If her husband suffering from a loathsome disease.
- ii) If her husband keeps a concubine.
- iii) If her husband is guilty or cruelty.
- iv) If her husband living away or abroad during the two years.
- v) If her husband converted his own religion and embraced other religion.

Dr. Ambedkar's Hindu Code Bill recognises the two types marriages. The first is called "Sacramental" marriage and the second is called "Civil" marriage. To him, the present Hindu law recognised only "sacramental" marriage but does not recognised the "Civil" marriage. There are five conditions for a sacramental marriage i.e.

- i) The bridegroom must be 18 years old whereas the bride must be 14 years old.
- ii) Neither party must have a spouse living at the time of marriage.
- iii) Parties must not be within prohibited degree of relationship.
- iv) Parties must not be sapindas of each other.
- v) Neither must be an idiot or a lunatic.⁸

The registered marriage must be register through proper way. A "sacramental" marriage may be registered if parties desire to do so. The existing law requires identity of castes and sub-castes for a valid sacramental marriage. The Hindu Code Bill dispenses with this condition. His Bill described that the marriage will be valid irrespective of the caste or sub-caste of the parties entering into the marriage. To him, abolition of castes is necessary requirement for a valid marriage.

The Hindu Code Bill mentioned to give to the female members of the Hindu society full rights relating to property, marriage, divorce, adaption, maintenance, inheritance, minority and guardianship. He protested against the evils of dowry system. To him, all female should be given to equal individual freedom and social equality. The basic structure of the Hindu society should be reformed. He emphasised on liberty, equality, justice, fraternity and unity of nation.

There were seven grounds on which divorce could be obtained :

- i. desertion,
- ii. Conversion to another religion,
- iii. Keeping a concubine or becoming concubine,
- iv. incurably unsound mind,
- v. virulent and incurable form of leprosy,
- vi. venereal diseases in communicable form and
- vii. cruently.

There were two new provisions relating to adoption. Firstly, it will be necessary for the husband if he wants to make an adoption to obtain the

consent of his wife and if there are more than one, at least the consent of one of them. Secondly, if the widow wants to adopt, she can only adopt if there are positive instructions left by the husband authoring her to adopt.⁹

The Bill was moved for referring to the Select Committee on 9th April, 1948. The parliamentary debates continued for more than 4 years. To him, it was killed and died unusept and unsung. This was the first longest discussion on any single Bill in the free India's Parliament. Dr. Ambedkar felt that the Government, i.e. the Congress were not no eager to clear the Hindu Code. He tendered his resignation on 27th September, 1951 to the Prime Minister Jawaharlal Nehru. On the request of the Prime Minister he continued to participate in the Parliamentary debates till 10th October, 1951. The main objections of the orthodox Hindu Congress leaders and members of the Constituent Assembly were :

- i) The Bill is anti-Hindu and it lay the axe at the very root of the Hindu religion, culture and structure of Hindu society.
- ii) Hinduism and Hindu society will be vanished if the Bill is passed.
- iii) Neither Jawaharlal Nehru, Prime Minister of India, nor Dr. Ambedkar, Law Minister in Nehru's Cabinet, have knowledge of the Hindu Shastras and Hindu Law. The first one is an agnostic and the second one in anti-Hindu.
- iv) Present Government has no mandate to amend the Hindu personal law.
- v) There is no demand from the Hindu women to amend the orthodox Hindu.
- vi) The Government should have taken the cause of cow protection instead of the protection of the Hindu women.
- vii) The Hindu Code Bill is communal in nature. It may divides the women into various sections.

To provide equal rights to the women as enjoyed by men he produced the Bill in the Parliament. The purpose of the Hindu Code Bill was to fulfill the three indispensable requirements of the Hindu law, namely, certainty, uniformity and accessibility.

The orthodox Hindu and the President of the Constituent Assembly Dr. Rajendra Prasad was against the Bill. Anathasayanam Ayyangar, the speaker of the Constituent Assembly was also against this Hindu Code Bill. Dr. Ambedkar resigned from the Nehru's Cabinet. The Hindu Code Bill died a natural death. In 1955, the laws relating to marriage, adoption, maintenance, divorce etc. were passed in parliament.

He was appointed as a Chairman of the Drafting Committee of the Constituent Assembly. He has given equal status to women compare with men by providing many provisions in the Constitution. The preamble of the Constitution of India provided equal guarantees for women. These are :

- i) Constitution provided the social, economic and political justice.
- ii) Constitution provided the freedom of thought, expression belief, faith and worship.
- iii) Constitution provided equality of status and opportunity and
- iv) Fraternity assuring the dignity of the individual and national unity to all the citizens of India without any discrimination of caste, creed or sex.

Constitution of India forbids sexual discrimination. The Articles 14, 15, 16, 24, 39, 39(b), 41, 42, 44 & 46 provided socio-economic and political justice for the women.

Besides above of all these Constitutional guarantees for women, Dr. Babasaheb Ambedkar introduced and got passed the four acts which strengthened the position of women in the society. There acts were incorporated in the Hindu code Bill. These are :

- i. The Hindu Marriage Act, 1955.
- ii. The Hindu Succession Act, 1956.
- iii. The Hindu Minority and Guardianship Act, 1956.
- iv. The Adoption and Maintenance Act, 1956.

The Hindu Marriage Act, 1955 :

The Hindu Marriage Act, 1955 made some provisions for women. These were :

- i) The legitimization of illegitimate children (sec.16).

- ii) Punishment bi-gammy (Sec- 16).
- iii) Custody of children (Sec-16).
- iv) Marriage age of females raised up to 18 years.
- v) Provision for alimony (Sec. 25). The Act abolishes the difference between a maiden and a widow.

Hindu Succession Act, 1956 : Under following provisions made by the Act :

- i) A widow has a right to adopt a son or a daughter.
- ii) The Act provided an opportunity to be independent and dispose of her property by will as she wishes and desires (Sec.14).
- iii) A uniform scheme of succession to the property of a Hindu female who dies, intestate after commencement of the Act. (Sec. 15).

Hindu Minority and Guardianship Act, 1956 :

- i) The mother is empowered to change the Guardian, appointed by the father and may appoint a new guardian by will.
- ii) The father's right to appoint a guardian for the minor by will during the life time of the minor's mother is prohibited under this Act.

The adaptation and Maintenance Act 1956 :

- i) This Act accepts adaptation of a male and a female child without any discrimination.
- ii) This Act permits a wife to adopt a child on her own right even during her husband's life time.
- iii) This Act permits that a spinster or a widow has right to adopt.
- iv) Section 11 lays down that, a father should adopt a daughter at least 21 years younger to him.¹⁰

On 11th January, 1950, Students Parliament of Siddarth College had organised a Student Parliament at Sundarabai Hall. Dr. Ambedkar was called specially to talk on 'Hindu Code Bill'. He explained that the purpose of the Hindu Code Bill was to codify and modify certain branches of the Hindu Law. The modification proposed by him were based on the Hindu Shastras and

Smritis. He concluded : "The property was Governed by Dayabhag system; the child belonged to the caste of the father under Pitrisavarnya; divorce was supported by Kautilya and Parashara Smriti; and women's rights to property were supported by Brihaspati Smriti."¹¹ The Hindu code was a right step towards a Civil Code. The Bill was a way of emancipation of the women.

Under the auspices of the Belgaum District branch of the Scheduled Castes Federation Conference was held on December 26, 1950. Dr. Ambedkar presided over the conference. He said: "I drafted the Bill in conformity with the dictates of the Smritis which allow several rights to women. The Bill was only aimed at removing the obstruction of Law in the social advancement of women."¹²

Another meeting of women was held on 24th November, 1951. He presided over the meeting. Dr. Ambedkar declared that "the Hindu Code Bill would improve the condition of women and give them more rights and requested them to support the Bill and vote for candidates who would bring real democracy".¹³

A programme was arranged by the women organisation of Kolhapur on 25th December, 1952 at Rajaram theatre. Dr. Ambedkar addressed the programme. Both Dr. Ambedkar and Mrs. Maisaheb were present there. Large number of women and men were present for this programme. Various women organisations welcomed both Dr. Ambedkar and Mrs. Maisaheb Ambedkar. He referred to the Hindu Code Bill before the programme. He said : "None of the prominent Indian women leaders were really interested in the social progress of women and stated that the Hindu Code Bill was now just like milk spoiled by mixture with a bitter acid".¹⁴

He demanded i.e. right to property of a deceased Hindu to both male and female, the order of succession to the different heirs of the property, law of maintenance, marriage, divorce, adoption, minority and guardianship, new principles of inter caste marriages, monogamy, and introduction of divorce under Hindu Code Bill were reasonable and just. Now-a-days the two Hindus (male and female) may solemnise marriage under the Hindu Marriage Act, 1955 without caste, creed, religion, race etc. Thus, a Shudra can validly marry a Brahmin or a Rajput or a Sikh girl.

On July 20, 1942, the Second Session of the All-India Depressed Classes Women's Conference was held in the Mohan Park, Nagpur. Mrs. Sulochanabai Dongre elected as a president of the Conference. Dr. Ambedkar and Mrs. Radhabai Kamble were present in the Conference. Following resolutions passed by the Conference. The summary of the resolutions is given below.

Resolution No.1, Support to All-India Depressed Classes Conference :

This conference heartily supported all the resolutions passed at the 3rd "All-India Depressed Classes Conference" held at Nagpur on 19th July, 1942.

Resolution No. 2, Divorce Law :

This Conference resolved that the women's right to divorce her husband be recognised by law and they decided request to the Government and other leaders of the society for implementation and necessary action.

Resolution No. 3, Polygamy :

Polygamy marriage system existing in our society as being unjust to the women. This Conference decided the change to unjust polygamy system.

Resolution No.4, Economic Condition :

This Conference resolved that for the betterment of the economic condition of the women, the right of the female workers in Mills, Bidi factories, Municipalities and Railways be recognised a casual leave of 21 days and a leave at least for a month in a year. The Conference resolved that in the case of death, accident or injury of these workers while on duty or work, an adequate compensation should be given by the Government to them or their children.

Resolution No. 5, Education :

Each Provincial Government should run at its own expense hostels of at least 50 Depressed Classes girl-students in every province. Each provincial Government should give freeships and scholarship to such students of the Depressed Classes as are desirous of taking secondary and college education.

Resolution No-6, Law for appointing Lady Supervisors in Mills :

It is observed that in many of the Mills, the Male Supervisors are appointed to supervise the work of the female workers. The conference requested the Central Government to make necessary provision in law to appoint Lady Supervisors.

Resolution No. 7, Representation of Depressed Class females in Legislature :

The Conference resolved that for the general progress and advancement of the women of the Depressed Classes seats should be reserved for them on all legislative and other representative bodies.

Resolution No. 8. All-India Depressed Classes Women's Federation :

The Conference resolved to establish an All-India Depressed Classes Federation for their whole improvement of national life of India.¹⁵

Following advises were made by Dr. Ambedkar for women in Depressed Classes Women's Conference at Nagpur.

- i) Learn to be clean.
- ii) Keep away from vices.
- iii) Give education to your children.
- iv) Remove from them all inferiority complexes.
- v) Instill ambition into them.
- vi) Inculcate in their minds that they are destined to be great.
- vii) Do not be in a hurry to marry.
- viii) The parents should not be imposed upon their children unless they are financially and if they are not less than 18 years old for marriage.
- ix) Send your children to school. Education is important both for boys and girls.¹⁶

IV. Dr. Ambedkar's Concept of Democracy

The term democracy is always changing its form. The purpose of democracy is always changeable. President Abraham Lincoln defined democracy as the Government of the people, by the people and for the people. Democracy is a political ideology. It is a matter of political method. It is a system of government in which every adult citizen is equally free to express his views. As an organisation the democracy control to the public opinion. Adult franchise is recognised in democratic system of political ideology. There are four forms of democracy nearly social democracy, economic democracy, industrial democracy and people's democracy. Democracy is of two kinds direct and indirect democracy.

In a direct democracy all people assemble at one place with government and decide the matters relating to governmental activities. Direct democracy is found today in Switzerland. Indirect democracy or representative democracy is that form of Government in which the people elect their representatives to carry on the administration of the country. As a political ideology, democracy has specific purposes but purposes of the democracy vary from country to country. According to Dr. B.R. Ambedkar "The purpose of modern democracy is not so much to put acurb on an autocratic King but to bring about the welfare of the people."¹⁷

According to Walton Bagehot, democracy is "Government by discussion". According to Dr. Ambedkar, democracy is "a form and a method of government whereby revolutionary changes in the economic and social life of the people are brought about without bloodshed".¹⁸

The purpose of democracy is welfare of the people. Democracy based on consent of the people and aim of the democracy is welfare of the people. According to Dr. Ambedkar, social and economic democracy is the tissue and the fiber of political democracy. The main principle of the democracy is "one man-one vote one man-one value". He advocated the state socialism. To him, democracy means no slavery, no caste, no coercion, no discrimination without caste, creed, race religion, To Ambedkar, "Democracy is a mode of associated living. The roots of democracy are to be searched in social relationship, in terms of the associated life between the people who form the society".¹⁹ The democracy is related to actual conditions of the Individuals. The nature of Dr.

Ambedkar's democracy is empirical and rational. As an empiricist and rationalist he pointed out that everything is changeable and nothing is permanent. Dr. Ambedkar believed in humanity and human rights. He advocated the equality between men and women. There is no gap between rich and poor in all aspects like economical, social and political. He did not believe in totalitarianism, racialism, imperialism, dictatorship, tyranny, oligarchy, fascism, anarchism. He believed in social and liberal democracy. In this concept of democracy Voluntarism has a crucial role and place. Voluntarism believes to form the various associations. The state should not control over the individual. The individual should be given the freedom to form political parties, educational societies etc. Voluntarism is the heart and soul of liberty and democracy. His concept of democracy is not only as a form of Government but also as a form of social organisation. Democracy is a way of life. He advocated the Parliamentary form of Government. To him, the political power and liberty should be given to the people. The people should share political power in a democratic Government. His opinion was that the downtrodden communities cannot make any progress without sharing political power. He said "political power is the key to all social progress". For the upliftment of the depressed classes capture of political power by themselves is necessary. Dr. Ambedkar fought against untouchability, injustices, caste and discrimination because he observed that there were no human rights and liberty for a vast majority of the people. All privileges like liberty, rights and other social activities vested by the caste Hindus. He had struggled to create human rights. His motto and aim of life was to create a 'real social democracy'. Democracy is a social organisation and it is free from rigid social barriers. He advocated the liberal democracy which recognised liberty, equality and fraternity. According to Dr. Babasaheb Ambedkar, the aims and objectives of Indian liberal democracy would wipe out the private, property, ignorance, inequality. To create a casteless society with economic justice and opportunity to all the liberal democracy should be established in India.

According to Dr. Babasaheb Ambedkar, political democracy rests on four premises. These are as follows :

- 1) The individual is an end in himself.

- 2) The individual has certain inalienable rights, which must be guaranteed to him by the Constitution.
- 3) The individual shall not be required to relinquish any of his constitutional rights as a condition precedent to the receipt of a privilege.
- 4) The state shall not delegate powers to private persons to govern others.²⁰

Social and economic democracy is preconditions for successful working of the political democracy. The society must be free from conflicting social groups and social discrimination. The society must be free from castes and castes discriminations. The casteless and classless society should be established for success full working of democracy. The ideal society should be based on liberty, equality and fraternity.

V. Successful Working of Democracy

Dr. Ambedkar had stated the conditions which are necessary for the successful working of democracy.

1) Inequality should be abolished : He has pointed out that equality is the first condition for the successful working of the democracy. To him, there must be no glaring inequalities in the society. The "Oppressed" and "Depressed" classes should be abolished to establish an 'ideal' or 'real' democracy. There should not be a "oppressed class" and also there should not be "Suppressed class". There must not be any discrimination on the basis of caste, creed, religions, etc. His ideal society is based on liberty, equality and fraternity. This concept of ideal society he borrowed from his preceptor the Lord Buddha. The principles of "one man, one vote, one value" should be established. Socio-economic equality is necessary for the successful of democracy. The deprived classes should be treated equally with other classes. The head of the State would not be governed on heredities basis.

2. Strong Opposition Party : For the successful working of democracy there is the need for a strong opposition party . There must be needed an effective veto power against the ruling party of the country. To him, democracy means a veto of power. Democracy is a contradiction of hereditary authority or autocratic authority. In democracy, there should be the veto power by

opposition party over the ruling class. In autocracy, there is no veto. The ruling class should be elected only for five years. On the power of king there is no veto power. In communist political organisation, there is no need for an opposition party. The opposition party should protest against the injustice or wrong decision or activities of the Government. According to Ambedkar, "opposition is the key to free political life. No democracy can do without it". To him, "The opposition is a condition precedent for democracy". In Britain and Canada the opposition is respected, praised and preserved. There must be an opposition leader and he is regarded by paid a salary. The people of UK and Canada believe that the opposition should be as alive as the Government. Like UK and Canada the opposition party should be established in India. "Free and fair elections" should be established in Indian Parliamentary system.

3. Equality in Law and Administration : There should be equality before law and in administration for successful working of the parliamentary democracy in India. There should not be discrimination in administration. The personnel in administration will permanent, uncorrupt and efficient. All persons should be treated equally and everybody would be able to get justice. The 'political office' should not interfere over the 'civil offices' in India, the place of administration should be given above politics. The politics should not be interfere over in the administration. The right to public information should be displayed for all peoples without caste, creed, religions, language etc. The untouchability should be abolished. Equality before law and equal protection of law should be established in India through Constitution. He protested injustice over the Depressed Classes. He demanded reservation for the Depressed Classes in the services through Constitution. All persons should have equal right. There should not be distinction on the basis of caste, colour and creed, etc.

4. Constitutional morality : It is another condition for the successful working of democracy. Constitutional morality means some conventions and moral obligations which means customs, usages, precedents and understandings. The people are not bound to oblige, but they ought to do so under Constitutional conventions. It is purely unwritten and unenacted, but it has place most important role in UK Constitution and the people of the UK are bound to do so. The people must be ready to observe the rules of constitution. Like UK, he did not believed in a hereditary ruler or a dictatu.

According to him, to save democracy and to strengthen its roots, the people must establish some conventions and follow some principles of Constitutional morality.

5. No tyranny of the majority over the minority : In democracy there are two strong political parties. The majority party forms the government and the minority party forms the opposition. The majority party should not be played the tyrannical role over the minority. According to Dr. Ambedkar, "The minority must always feel safe that although the majority is carrying on the Government, the minority is not being hurt, or the minority is not being hit below the belt".²¹ Each member of a minority party should be treated with due respect and dignity and he should be heard. The opposition party always should be co-operated with the ruling party by constructive criticism and fruitful suggestions in the matter of governance of the state. Every works of the Government should be performed by discussion and criticism with the Government.

6. Moral order in society : According to Dr. Ambedkar, "democracy does requires the functioning of moral order in society". Implementation of the Governmental laws depends on morality in the society. To him, ethics is something separate from politics. He has stated that the moral order is always taken for granted in democracy.

7. Democracy requires public conscience : It is last condition according to Dr. Ambedkar for successful working of the democratic Government. According to Dr. Ambedkar, "Public conscience means conscience which becomes agitated at every wrong, no matter who is the sufferer and it means that everybody whether he suffers that particular wrong or not, is prepared to join him in order to get him relieved".²² Public conscience is essential for depressed classes. Racial discrimination should be abolished from the Hindu society.

The preamble of the Constitution of India adopted that India to be a sovereign, socialist, secular, democratic and republic and to secure to all its citizens justice, liberty, equality, and fraternity. Large number of young boys and girls belonged to the white race also joined the struggle of the Indians in South Africa. According to Dr. Babasaheb Ambedkar, that is called public conscience.

India is a multi party system. According to Dr. Ambedkar, Buddhism paved the way for democracy and socialistic pattern of society because Buddhism believes in social equality and opposed inequality, authority and division of society into various classes. Buddhism gives freedom of thought and freedom of self-development to all. To him, the parliamentary system of government recognised the opposition party and free and fair election. No democracy can do without opposition party. Free and fair election is necessary for the successful working of the Parliamentary Democracy. Elections must be completely free and fair. Liberty of thought, liberty of speech and liberty of action are the precondition for the successful working of the Parliamentary Democracy.

He founded the Republican party. He was also the founder of All India Scheduled Caste Federation. This federation was a National Party of Untouchables. These parties are also based on liberty, equality and fraternity. "One man, one vote and one value" is the principle of his democracy. Caste system of the Hindu society is an evil effects and it is the hindrances of democracy. To implement the democracy in Indian society the caste and sub-castes should be destroyed. "That is fraternity, which is only another name for democracy. Democracy is not merely a form of Government. It is primarily a mode of associated living, of conjoint communicated experience. It is essentially an attitude of respect reverence towards fellowmen".²³

Dr. B.R. Ambedkar delivered at the concluding session of the All India Trade Union Worker's Study Camp held in Delhi from 8th to 17th September, 1943, under the auspices of the Indian Federation of Labour and he emphasised on parliamentary democracy. In parliamentary democracy the people have the right to liberty, property and pursuit of happiness. In Parliamentary democracy, there is the legislature to express the voice of the people. The Executive body of the government is subordinate than legislature and all people are bound to obey the legislature. There is the judiciary control over legislature and executive and judiciary body of the government is supreme body Parliamentary democracy recognised the principle of equality of social and economic opportunity.

Democracy is another name for equality. Parliamentary democracy developed as passion for liberty. Political democracy cannot succeed without

social and economic democracy. Social and economic democracy are the tissues and the fiber of a political democracy. Democracy is essentially a form of society, a mode of associated living. To him, political democracy cannot exist unless there lies at the base of it social democracy. Social democracy is a way of life which recognises liberty, equality and fraternity as the principle of life.

To him, democracy is not a form of Government, it is a form of society. At democratic form of Government presupposes a democratic form of society. Without social democracy, democracy is no value and would indeed be a misfit. According to Ambedkar, "it was essentially a form of society. It may not be necessary for a democratic society to be marked by unity, by community of purpose, by loyalty to public ends and by mutuality of sympathy. But it does unmistakably involve two things. The first is an attitude of mind, an attitude of respect and equality towards their fellows. The second is a social organisation free from rigid social barriers. Democracy is incompatible and inconsistent with isolation and exclusiveness, resulting in the distinction between the privilege and the unprivileged."²⁴

According to him, universal adult suffrage, recall, plebiscite and frequent election are not the conditions for successful working of the democracy. The freedom of the country and the freedom of the people in the country is not same things. The terms society, nation and country are just amorphous. The term nation means many classes. Philosophically its meaning is a unit but in sociologically, it regarded as consisting of many classes. The freedom of the nation means vouchsafe the freedom of the different classes particularly of those who are treated as the servile classes. To him, political democracy can not succeed where there is no social and economic democracy. Social and economic democracy are the tissues and the fibre of a political democracy. Democracy is another name for equality. Parliamentary form of democracy developed a passion for liberty, but not ever as a form of equality. To him, the western concept of democracy is based on obligation on Constitution and authorities, control over freedom of speech and habits of the individual, competition among various parties and preserved the Constitutional authority. This type of democracy is not the form of Government of the people, by the people and for the people.

There is a continuous struggle for power between the governing class and the servile class. This is hard recognition of history. By reason of its power and prestige the governing class finds it easy to maintain its supremacy over the servile class. The adult suffrage and frequent elections are no bar against governing class reaching places of power and authority. Where the power and authorities are handed by the governing class there are no democracy and self-government. Only adult suffrage is not a reality of the democracy. Democracy means self-determination for all and absence of inequality. The principal aim of the new Constitution of India must be to dislodge the governing class from its position and to prevent it from remaining as a governing class forever.

The principle of 'one man-one vote, one man-one value' is the soul of democracy. In a democracy political power, economic strength, social position should be shared equally by all sections of society. According to Dr. Ambedkar, "political power is the key to all social progress. His idea of democracy is thus, tinged with social realism, human experience and reason, pragmatic and humanistic outlook on life".²⁵

His democratic society is not merely theoretical, but also practical. He was very much interested to educate the down-trodden classes. The education of the down-trodden classes means the maintenance of democracy and political order in peace and justice. Therefore, his concept of democracy is related to the actual conditions of the people. To him, traditional or orthodox Hindu social structure is a positive danger to democracy because this structure of Hindu society divides the people into various castes and sub-castes. It divides the people into rich and poor, high and low, owners and workers. Inequality is the gospel of the traditional Hindu society. There are tyranny, vanity, pride, arrogance, greed, selfishness and other malpractices in the traditional Hindu society. Insecurity, poverty, inequality etc. are absent in the traditional social structure. His concept of democracy is based on equality, liberty and brotherhood.

Democracy is a way of life. It is based on empirical and rational attitude. Dr. Ambedkar was an empiricist. As an real empiricist he said that "there is nothing fixed, nothing eternal, everything is changing, that changing is the law of life for individuals as well as for society".²⁶ He is a believer in

humanity and human rights. Dr. Ambedkar wanted to establish the equality among men and women and there is no gap between rich and poor in all aspects such as economic, political and social. He opposed totalitarianism, racialism, imperialism, dictatorship, fascism and anarchism.

Dr. Ambedkar fought against caste and injustice of the Hindu society. There were no human rights for a large majority of the people. Privileges were only for a few and disabilities for many. He struggled hard to create human rights for his followers. He propagated for equal human rights for all masses in India. To him, legitimate human rights are democracy. His ultimate aim of life was to create a 'real social democracy'.

On December 30th, 1937, Dr. Ambedkar left for Pandharpur to preside at the Sholapur District Conference of the Depressed Classes. On his arrival he was presented with a civic address of welcome by the Sholapur Municipality in the morning of January 4, 1938 at the Bhagwat Chitra Mandir. He made a brief half and made a short speech before Matang Samaj at Karkam College. At noon he reached Pandharpur where he was taken out in procession to the Traveller's Bunglow. The President of the Pandharpur Municipality met him at the Bunglow and both were attended the conference which was held at the Municipal Dharmashala. Both men and women were present at the conference to hear their great speeches. Dr. Ambedkar made a very important speech before the conference relating to the working of Parliamentary Democracy. He said : "I am no believer," continued he, "in Democracy as an ideal to be pursued in all circumstances and in all claims ; and having regard to the present-day conditions in India, Democracy is a most unsuitable system of Government. At any rate, for some time India needs the strong hand of an enlightened autocrat".²⁷

The three conferences held in Nagpur from July the 18th to the July 20, 1942, namely, 'All-India Depressed Classes Conference', presided over by Rao Bahadur N. Shiva Raj M.L.A (central), presided over by Mrs. Dongre of Amraoti; and 'The Samata Sainik Dal Conference', presided over by Mr. Gopal Singh, M.B.E; M.L. A (Punjab). The third Session of the All-India Depressed Classes Conference held on July 18, 1942. Dr. Ambedkar presided over the conference. Triumphant Arches were created en route, and were named as

“Ambedkar Gate”, “Hardas Gate”, “Kalloo Ahirey Gate”, “Ramabai Ambedkar Gate”, etc.

He said before the conference that “we must not only be staunch in our faith in democracy but we must resolve to see that in whatever we do, we do not help the enemies of democracy to uproot the principles of liberty, equality and fraternity. On that point I hope we are all agreed and if you agree with me, then it follows that we must strive along with other democratic countries to maintain the basis of democratic civilisation. If democracy lives, we are sure to reap the fruits of it. If democracy dies, it will be our doom”.²⁸

The “People Herald” is a weekly paper of the All-India Scheduled Castes Federation. On 3rd January, 1945, the inauguration ceremony of the “People Herald” held at 1-2 Sitaram Ghosh Street, Calcutta which is the office of the Federation. He performed the inauguration ceremony. To him, paper is a part of democracy. The paper fought for their legitimate interests. The Scheduled Castes were fighting for the principles of liberty, equality and fraternity. To him, “the newspaper is a great instrument for purifying those who have gone wrong in their political life. A news paper in a modern democratic system is the fundamental basis of good government.”²⁹

On 25th May to 6th June, 1950, the Conference of the World Fellowship of Buddhists was held in Ceylon. Dr. Ambedkar attended the Conference. Addressing an International gathering at Colombo on 6th June, 1950, he said that Buddhism opposed inequality, authority and division of society into various classes which Brahminism had introduced in India. Buddhism believes in liberty, equality and brotherhood which are essential elements for democracy and socialist society. In his article entitled on “Buddhism Paved Way for Democracy and Socialistic Pattern of Society” pointed out that “No man in the world shoulder as much responsibility as do I”. To him, “Buddhism paved way for establishment of democracy and socialistic pattern of society in India.”³⁰

To him, Parliamentary System of Democracy will be assured of our liberty of thought, speech and action preserve of independence. Free and fair elections is the pillar of Parliamentary Democracy. The hereditary rules will be vanish in parliamentary form of Government. Parliamentary Democracy will assure the liberty, equality and fraternity. In his article entitled on “Failure of

Parliamentary Democracy Will Result in Rebellion, Anarchy and Communism” said that “If Parliamentary Democracy fails in this country, the only result will be rebellion, anarchy and communism. If the people in power do not realise that people will not tolerate hereditary authority, then this country is doomed, either Communism will come, Russia having the sovereignty over our country, destroying individual liberty and our independence or the section of the people who are disgruntled for failure of the party in power will start rebellion and anarchy will prevail.”³¹

A Democracy is more than a form of Government. It is primarily a mode of associated living. The root of democracy is lying in social relationship. Indian Hindu society does not consist of individuals. It consists of an innumerable collection of castes. There are no sympathy, liberty, equality and fraternity among various castes. Graded of inequality is the gospel of Indian Hindu society which is against Democracy. Castes are not equal in their status. They are standing one above another. It is an ascending scale of hatred and descending scale of contempt. In his article entitled on “Prospects of Democracy in India” said that “A society to be democratic should open a way to use all the capacities of the individual. Stratification is stunting of the growth of the individual and deliberate stunting is a deliberate denial of democracy.”³²

Dr. Ambedkar prepared a Blue Print of the Republican Party of India. The Marathi translation of the Blue Print was published in Prabuddha Bharat: Republican Party Establishment issue- 1957’ under the title ‘Open letter of Parampujya Dr. Babasaheb Ambedkar to Indians regarding formation of Republican Party of India’. The Republican Party of India stands for Parliamentary Democracy. It is secular character in nature. To realise the aims and objects he set out in the preamble namely Justice, Liberty, Equality and fraternity. This is the nature of social democracy. His vision of democracy is egalitarian democracy where all individuals without caste, creed, religion, race, sex etc. can claim equal status and worth, enjoy equal wages for equal works. The individual are equal and free members of the society.

V. Dr. Ambedkar's Concept of State Socialism

State Socialism or Collective Socialism arose as a reaction against extreme individualism of the 19th century. The principles of the State Socialism is found in the works of Eduard Bernstein in Germany, Jean Juares in France, Karl Branting in Sweden, Eduard in Belgium and Dr. B.R.Ambedkar in India. The State Socialism does not want to abolish the state but stands for removing the evils of capitalism discrimination and inequality. State Socialism stands for the idea of a welfare state. The State Socialists believes that the State alone can remove exploitation and promote General welfare. The means of production should be nationalised. The worker should be given equal pay for equal works. The workers or depressed classes are to possess liberty and equality both in political and economic spheres. The State Socialists are against the abolition of the state.

The theory of State socialism in India had developed by Dr. B.R.Ambedkar in his book "States and Minorities". States and Minorities is a memorandum for the safeguards of scheduled castes people and Minorities drafted by Dr. B.R.Ambedkar. He submitted the memorandum to the Constituent Assembly on behalf of the All India Scheduled Castes Federation in the year 1946. The memorandum that was prepared by Dr. Ambedkar has pointed out that the born or naturalised citizens of India should be treated equally. Any previledge or extra previledged arising out of rank, birth, person, family, religion or religious usage should be abolished. All citizens of India without caste, creed, religion, race, birth etc. should be treated by equality before law and equal protection of law. The state should play a crucial role to protect the fundamental rights of Indian citizens. No religion would not be state religion. They have rights to reside any part of territory of India. The citizenship certificate should be given by the state. Every citizens should have right to vote. The State shall be given guarantee liberty to every Indian citizen without discrimination on the basis of caste, creed, religion etc. Right to religious association of the citizens shall be given by the state. One Man one value is the principle of Dr. Ambedkar's socialism. No citizen shall not be disqualified on the basis of birth or race. All citizens shall have equal access to all institutions, conveniences and amenities maintained by or for the public. The State Socialism should prescribe by the law of the Constitution. Dr. Ambedkar's State Socialism is based on parliamentary democracy. To

establish State Socialism, totalitarianism, tyrannism and dictatorship should be avoided.

The fundamental rights of Indian citizens are justifiable by the court of law. The Supreme Court has been made the special guardian of the rights, guaranteed by the Constitution. Judicial protection of the people should be given by the Constitution against Executive and Legislature tyranny. In this connection the High Court and Supreme Court shall have the right to writs such as Habeas Corpus, Quo Warranto, Prohibition, Certiorari and Mandamus. Unequal treatment on Untouchables including women of all classes should be destroyed. Dr. Ambedkar has pointed out that the key industries shall be owned and would be run by the state and the industries which are not key industries shall not be run by the state or co-operative. Insurance shall be a monopoly of the state. Agriculture shall be State Industry. To him, the nationalised insurance shall be given to individual greater security than private insurance. The proposal in his memorandum prepared by him was submitted to the Constituent Assembly in the year 1946, that the State ownership in agriculture with a collectivised method of cultivation and a modified form the State Socialism in the field of industry.

He stated that there is no bar on private property. To him, private property may exist in the form of small scale and cottage industries, personal saving, domestic animals etc. He admitted both public and private enterprise in industries. Both private and public enterprises shall be controlled by the state. According to Dr. Ambedkar, State Socialism is essential for drastically change to society. Each person shall have the right to hold any public offices or excises without any discrimination like caste, creed, religion, sex or social status. The agricultural form shall be cultivated as a collective farm. The farms shall be cultivated according to the rules and directions by the state. The collective farms shall be obliged to the state. The water, seeds, draft animals etc. would be supplied by the collective farms. The state shall be entitled the levied from the agricultural farmers. The Insurance shall be a monopoly of the state. Agriculture shall be state industry.

According to Dr. Ambedkar, to interest of the individual freedom the dictatorship should be abolished and it is essential to insists the

Parliamentary Democracy through proper way. The object of the individual shall establish the state socialism with Parliamentary Democracy.

Indian society is based on caste and sub-castes. Poverty is an evil system of Indian society. Ambedkar's idea of socialism attacked on poverty because poverty is responsible for diseased bodies and frustrated lives. To him, poverty and socialism cannot exist together. For this reason he pointed out in his book "States and Minorities" that the Scheduled Castes people should enjoy reservation seats in legislature, executive, local bodies, in the Union Services and in the Municipal and local Board Services in the States and group Services and in the Municipal and Local Board Services for their upliftment. To him, the State should take the greater responsibilities for socio-economic, political and social status upliftment of the down trodden classes. To him, adequate opportunities should be given to all. The main aim and objectives of his State Socialism is to remove the extreme inequalities. The concept of State Socialism is based on the principles of justice and right. According to Ambedkar, the state should be under obligation to plan the economic life of the people. His State Socialism is based on liberty, equality and fraternity. To him, men are different from each other due to their birth, mental ability and faulty, hereditary and social atmosphere, but they should enjoy equal opportunities for their upliftment. In the word of Ambedkar "The individual is an end in himself" and the "Individual has certain inalienable rights which must be guaranteed to him by the Constitution". The individual has the right to economic development from both public and Private enterprises under the guidance of state control. The individual should enjoy the economic liberty under the State Control. The state should take initiative for maintaining the triple object of liberty, equality and fraternity. He advocated the inter-caste marriage, inter-dining system to eradicate discrimination from Hindu society and he embraced Buddhism based on liberty, equality & fraternity. Indian society is caste based society. Castes and sub-castes system of Hindu society are anti-democratic and anti-humanity.

The caste is obstacle or hindrances to establish nation-building and society. It is a barrier to establish the morality among the people. Therefore, the caste system of Hindu society should be abolished. Like Marx (1818-1883), Dr. Ambedkar (1891-1956) wanted to establish a society based on liberty, equality and fraternity. The Scientific Socialism propounded by Karl

Marx based on class-struggle. The State Socialism in India propounded by Dr. Babasaheb Ambedkar based on peaceful and Constitutional method of law. He did not believe in class struggle. Both were very much concerned with the problem of the exploited humanity. Karl Marx was very much concerned with the problem of the proletariat class in European countries. On the same way, Bharat Ratna Dr. Babasaheb Ambedkar was very much concerned with the problems of the down-trodden classes in India. In India, downtrodden classes are proletariat community. He had himself very much experience regarding the depressed classes because he belonged to down-trodden community. Karl Marx's conception of socialism is based on stateless because he wanted to abolish the state. To him, the state will wither away. Dr. Ambedkar's conception of socialism is based on state because he does not recognised the abolition of state. To him, state should be controlled over the public and private enterprises. According to Karl Marx, "The history of all hither to existing society is the history of class struggle". Indian society is also basically a caste society. Indian history is obviously the history of caste and communal struggle. Unfair and injustice among the four Varnas of Hindu society existed in Indian society from the very beginning. The Brahmins refused to perform the 'Upanayana' of the 'Shudras' as such the Shudras who were Kshatriyas and became socially degraded lastly fell below the rank of the Vaishyas and thus came to form the fourth Varna. The Brahmin priest in Maharashtra refused to perform as the worship because they alleged that the King Shivaji was not a Kshatriya. The Brahmin priest of Shahu Maharaja of Kolhapur refused to perform the worship because according to Vedic rites it was alleged that the Maharaj of Kolhapur was not a Kshatriyas. The independent movement of India apparently reflects the communal problem, including that of Hindus, Muslims and the Depressed Classes.

According to Dr. Ambedkar, the problem of the Scheduled Castes or Depressed Classes is not only political but also economical. On the same way, Marx's opinion was that the problem of the proletariat is economic. The caste system of Hindu society creates the sense of superiority and inferiority in relation between man and man. The problem of the down-trodden classes is basically social problem rather than politics. Self-respect and self-dependent is the motto of Dr. Ambedkar's conception of class-struggle. According to Marx, the proletariat must first of all acquire political supremacy. Dr.

Babasaheb Ambedkar suggested the same that the Scheduled Castes must first acquire the political power. According to Marx, the religion is a opium. He does not believe in any religion. Dr. Ambedkar does not believe in Hindu religion. In 1935, he stated that he will not die as a Hindu. He denounced Hinduism and embraced Buddhism because to him the Buddhism is basically rational based on liberty, equality and fraternity. As a Buddhist, Dr. Ambedkar believed in atheism. Karl Marx also believed in atheism. Buddhism is based on rationality and morality. Indian society is characterised as a caste-economy because economic system dominated by the Brahmins classes.

According to Marx, base (economy) and superstructure (law, court, police) of the society is handed by the rich classes. To Marx, the state is an instrument to exploit the oppressed classes. Dr. Ambedkar believed in State as an instrument of social change and social welfare. He does not favoured anarchism. Actually Dr. Babasaheb Ambedkar sought to establish a balance between State ownership and private enterprise. Those who believed in communism they strongly emphasises on abolition of state. Dr. Ambedkar wanted to establish the Parliamentary Democracy based on social, economic and political justice of proletariat. Dr. Ambedkar opposed to dictatorship, but communists are believes in dictatorship to establish the communism. Dr. Ambedkar's State Socialism believes in Constitutional method through peaceful establishing a socialist society. His concept of State Socialism demanded the nationalisation of agricultural land and collective farming. Dr. Ambedkar believed in mixed economy. The Democratic Socialism propounds by Prime Minister Pandit Jawa.harlal Nehru and Dr. Ambedkar wanted to establish the State Socialism through the Constitutional method not by bloody revolution. In State Socialism, according to Ambedkar, the depressed classes would enjoy fundamental rights. There is no discrimination in his concept of State Socialism. His State Socialism envisages a classless and casteless society in which every human being is entitled to liberty, equality and fraternity. Individual welfare is the end of his State Socialism. Morality and justice are basic postulates of Dr. Ambedkar's State Socialism.

The means of production should be equally distributed by the state among the people. To him, in economic field the state intervention is essential for economic efficiency. Unemployed and employed persons and their fundamental and liberty should be protected by the constitution. Individual

liberties should be protected by legislature which is approved by law of the Constitution. His concept of State Socialism is free from capitalism. To him, the state is not an evil institution. His concept of State Socialism can easily bring justice, leisure, fairness, humanity, morality and honesty into society. The main aim of his concept of State Socialism is safeguards the individual liberty. His socialism demands for social justice for whole society. Socialism stands for concentration of power or centralisation of power. Democracy stands for decentralisation of power. Dr. Ambedkar wanted to establish an ideal society in which individual can enjoy liberty through democracy and social welfare. To him, socialism and democracy may be preserved at the same time for the welfare of the people. Without individual liberty social welfare is impossible and without individual liberty emancipation of dalits would be difficult. For this reason, individual liberty is precondition for welfare society.

Discrimination is culprit of the spirit of socialism. His main aim was to destroy all kinds of social discrimination. As a socialist, he advocated abolition of all kinds of social discrimination. According to Ambedkar, the present social system, economically, socially, politically and morally conditions are not suited to establish a socialist society. It is essential for radical changes in all spheres. The caste system is harmful for socialism. The caste system divides the society into four classes which is based on injustice. Therefore, various castes and sub-castes should be abolished. Immorality and inequality is harmful for establishing socialist state. To establish a society based on morality, justice, peace, liberty, equality and fraternity, it is needs to apply all kinds of principles of equality in all fields i.e. economic, social, political and religious. Dr. Ambedkar propagated that all land should belong to the state ownership. The industries should be state monopolies. He suggested nationalisation of life insurance and advocated state management and state ownership in industry for the benefit of the weaker sections of the society. To him, agriculture shall be a state industry. To him individual rights should be protected by state control. The inalienable rights of the individual should be preserved by state. The State will be supreme and powerful to govern the people.

State Socialism is vital for rapid industrialisation in India. Private enterprise cannot do it. To him, private enterprise means inequality of wealth.

Nationalisation of Insurance gives greater security to people and it also gives the state resources. In clause 4, Article II of his memorandum entitled on "States and Minorities" submitted to the Constituent Assembly is included recommendation that:

- i) Agriculture shall be a state industry ;
- ii) Key and basic industries shall be owned and run by the State ;
- iii) Nationalisation of Insurance policy shall be compulsory and monopoly of the state for every citizen ;
- iv) The State shall acquire the subsisting rights in such industries, insurance and agricultural land held by private individuals;
- v) The State shall divide the land acquired into farms of standard size ;
- vi) The farm shall be cultivated as a collective farm;
- vii) The farm shall be cultivated in accordance with rules and directions issued by Government ;
- viii) The tenants shall share among themselves in the manner prescribed the produce of the farm left after the payment of charges properly livable on the farm.
- ix) The land shall be let out to villagers without distinction of caste or creed.
- x) There will be no landlord, no tenant and no landless labourer;
- xi) The collective farms shall be distributes the water, draft animal, implements, manure, seeds etc.
- xii) The State shall be entitled the levy on the following charges produce by the farms:
 - a) a portion for land revenue ;
 - b) a portion to pay the debenture-holders;
 - c) a portion to pay for the use of capital goods supplied .³³

He was an economist. His idea was that all land should belong to the state. To him, the basic industries should be State monopolies. He thought that the State Socialism can achieve by state control over land, industries, religions, caste and through an elaborate scheme of right to education for all. According to Ambedkar, caste consciousness hampers all economic system. He propagated for democracy and socialism based on liberty, equality and

brotherhood. He suggested nationalisation of life insurance and advocated state management and state ownership in industry for the benefit of the poor and down-trodden classes.

VI. Dr. Ambedkar's theory of Fundamental Rights

Those rights are necessary conditions of the development of the personalities of the individual which are secured and guaranteed by the state are called Fundamental rights. Rights are legal and protected and justiciable by the court of law. These rights are called "fundamental" because they enjoy a sanctity not usually enjoyed the ordinary legal rights. The concept of fundamental rights was felt after French Revolution and US freedom movement. In 1789, the French National Assembly adopted "The Declaration of Rights of Man". The Constitution of USA also incorporated a chapter on Fundamental Rights. In 1945, Universal Declaration of Human Rights by the General Assembly of UNO and it was adopted on December 10, 1948. The UNO included social, economic, political and cultural rights of the people. In India, Nehru Committee Report of 1928, suggested the religious and cultural rights as fundamental rights of the citizens. At Karachi session in 1931, Indian National Congress prepared a document containing a list of fundamental rights and duties. Sapru Committee Report on Constitutional proposal in 1945 supported the idea of fundamental rights in the future proposed Indian Constitution.

In 1946, a memorandum drafted and submitted by Dr. Ambedkar to the Constituent Assembly on behalf of the All India Scheduled Castes Federation. It was set out specially relating to fundamental rights for the Scheduled Castes, not only that the memorandum has pointed out the safeguards of the rights of Minorities and Scheduled Castes representation in the legislature, local bodies, executive and services. In his books 'States and Minorities' has pointed out the fundamental rights of Indian citizens. The rights are justiciable by the court of law. According to Dr. Ambedkar, for the welfare of the individual the fundamental rights are very essentials. The fundamental rights of the people is their birth rights and these rights should be protected by the state. The rights should be recognised and implemented by the state. The individual has certain inalienable rights which must be guaranteed by the Constitution. The down-trodden classes should give the

inalienable rights for their development through Constitutional laws. Rights of individual would be abridged or abrogated only with due process of law.

In his book entitled on "States and Minorities" he has given the concept of fundamental rights for the United States of Indian citizens and it was submitted by him to the Constituent Assembly in the year 1946. The summary of his concept of fundamental rights are given as under.

1. **Equality before law and equal protection of law :**

Within territories of the United States of India all citizens both birth or unnatural should be treated equally. Any extra privileges should be abolished. Discrimination on the basis of birth, race, religion, caste, custom, rank should be destroyed. All citizens within territories of the United States of India should be treated by equality before law and equal protection of law. All shall be equal in holding public offices without caste, creed, religion, sex etc. All citizens of the United State of India shall be governed by the same rules. In order to equal opportunity there will be no reservation seats in government services except in the case of SCs, STs and Other Backward Classes. The State cannot be debarred to any person to enter into public places like inns, educational institutions, roads, paths, streets, tanks, well and other watering places, public conveniences on land, air or water, theaters, resort or convenience etc. The aim of these are abolition of untouchability from Hindu society. All citizens shall have equal access to all institutions, conveniences and amenities maintained by or for the people. No citizens shall be disqualified to hold any public office or exercise any trade or calling by reason of his or her religions, caste, creed, sex or social status. Every citizen has the right to reside in any part of India. All citizens has the right to settle in any part of India. Even the foreigners under Indian Government service are not allowed to accept any titles or distinctions. It is noted that the equality does not meant that every law must have similar application for all classes under all circumstances. There are various needs and various classes in India. The state can classify persons and can give different treatment according to their needs. The state can give special reservations of seats for SCs & STs and Other Backward Classes.

Rights to liberty :

The state shall not deprive any person of life, liberty and property without due process of law. Every citizen has the right to reside in any part of India. Every citizen shall have right to vote at his own free will. No law shall be made abridging the freedom of speech, press, association and assembly except for consideration of public order and morality.

Rights to legal remedies :

According to Dr. Ambedkar, the judicial power of India shall have vested by the law of the supreme. The United of States of India shall have the power to issue writs like the Habeas Corpus, Mandamus, Prohibition, Certiorari and Quo-Warrants. This right implies that the citizens have right to knock the doors of the court of law.

Right against exploitation :

The state shall protect any community against exploitation both from internal and external exploitation. According to this right, no person has a right to exploit any other person in any manner. The women and children should not be exploited in any manner. Any act contrary to this provision would be an offence punishable by law.

Right to religion :

Every individual shall have right to freely profess, practice and propagate religion of their choice and the state shall not interfere in religious affair of any individual in any matter. In his memorandum pointed out that the parents and guardians shall be entitled to determine the religious education of children up to the age of 16 years. The state shall not recognise any religion as State religion. Every religious association shall be free to regulate and administer its affairs, within the limits of the law applicable to all. The state shall not compel the individuals to pay taxes for promotion of any particular religion.³⁴

Right to Representation in the legislature :

Dr. Ambedkar has pointed out in his memorandum which submitted to the Constituent Assembly in the 1946 that the proposed Constitution of the

United States of India shall have guaranteed to the Scheduled Castes of the following rights :

- i) The Scheduled Caste should be given equal representation in the Union and States Legislature according to their population to the total population.
- ii) The Scheduled Castes of Sind and N.W.F. provinces shall be given their due share of representation.
- iii) The representative should be elected by separate electorate.
 - a) Franchise shall be adult franchise.
 - b) The system of voting shall be cumulative.³⁵

Right to Representation in the Executive :

There should be adequate representation of the Scheduled Castes in the Union and State executive.

Right to Representation in the Services :

The Scheduled Castes should be given reservation seats in the Union Services, States Services and Municipal and Local Board Services in proportion to their population of Union, States, Municipality and Local Board respectively. The vacancies post should be filled up according to the rules which prescribed in the government of India Resolutions of 1942 and 1946.³⁶

Special Provisions in Higher Education :

Both Union and States Government would be taken financial responsibilities for the higher education of the Scheduled Castes. The government shall make a budget for higher education of the Depressed Classes.

In his scheme of Fundamental Rights of Indian citizens there is no place for "Rights to Property" as "Fundamental Rights". To him, Right to property means exploitation of economy by propertied class. To him, the article 31 (Right to property) of Indian Constitution is a very ugly thing. Under the 44th Constitutional Amendment Act in 1978 this article has been deleted and it has been included in article 300 (A) as a "General Rights". His concept of Fundamental Rights is not absolute. The people of India cannot enjoy

absolute rights. The Supreme Court shall have the power to protect the fundamental rights of citizens and the Supreme Court shall be their guardian and custodian. Rights to Constitutional Remedies included in the article 32. He has rightly called that the article 32 of the Constitution is "Heart and Soul of the Constitution."

Minorities should be give right to seats in the legislature. The representatives of the minority communities in the Cabinet shall be elected by members of each minority community in the legislature by single transferable vote. An officer shall be appointed as Superintendent of Minority Affairs.

Dr. Ambedkar was a remarkable revolutionist and leader of the Depressed Classes of India. He was a social reformer. He wanted to reform the orthodox Hindu society. His fighting against injustice and inhuman treatment over the Untouchable became an important political issues. To him, the Congress is dominated by upper caste Hindus. He fought for his own people giving their legal rights. He was the Chairman of the Drafting Committee of the Constituent Assembly and also played a significant role in the drafting of India's Constitution. In 1916 May, Dr. Ambedkar read a paper entitled on "Castes in India : Their Mechanism, Genesis and Development" before Prof. Goldernweiser's Anthropology Seminar. The paper was later published in the Indian Antiquary in May 1916. He wrote a thesis entitled on 'The National Divident of India - A Historical and Analytical Study for the Ph.D. Degree in 1916. In his book 'Caste in India' has pointed out that the population of India is mixture of Aryans, Dravidians, Mongolians and Scythians. Ethnically all people are heterogeneous. On 31st January, 1920, he started a paper called Mook Nayak (leader of the Dumb). At Nagpur, All India Conference of Untouchables in 21st May, 1920, he attended in the conference as a representative of themselves. On 20th July, 1924, he founded the Bahishkrit Hitkarini Sabha' for the upliftment of the Depressed Classes. The aims of the Sabha were educate, agitate, organise etc. He asserted their rights in Public Services and facilities. In 20th March, 1927, Dr. Ambedkar started Satyagraha at Mahad to secure to the Untouchables the rights of access to the Chowdhar Tank. He started a non-violent Satyagraha movement with Caste Hindus for their right to take water from Chowdhar Tank. On 3rd April, 1927, he published a Marathi paper entitled on 'Bahiskrit Bharat' for the upliftment

of the down-trodden classes. Dr. Ambedkar himself was the editor of that paper. In 1927, he established 'Samaj Samata Sangh'. He campaigned for 'tank and temple' entry rights for themselves. In 1930, March under the leadership of Dr. Ambedkar a Satyagraha movement at Kalaram Temple at Nasik to secure for the Untouchables the right to entry into the temple.

In Round Table Conference in 1930-32, he demanded the right to equal citizenship without caste, creed, religion, To him, right to equality before law and equal protection of law should be given the equal rights entitled to all the rights of citizenship as enjoyed by the upper castes Hindus. On 13th October, 1935, a historical Yeola Conversion Conference held under the Presidentship of Dr. Ambedkar at Yeola District at Nasik. He declared 'I was born as a Hindu but I will not die as a Hindu.' On 17th March, 1937, the Mahad Chowdhar Tank case was decided in favour of Depressed Classes which they got a legal right to use the public wells and tanks. In 1936, he founded the Independent Labour party based on liberty, equality and fraternity. This party was founded as a strong opposition in Bombay's Legislative Council. On 17th February, 1937 the General Election was held under the Govt. of India Act of 1935. Dr. Ambedkar was elected as Member of Bombay Legislative Assembly. Dr. Ambedkar's Independent Labour Party won 17 seats out of total seats of 175. He organised peasants workers for marching on Bombay Assembly. The peasants demanded the passing of Dr. Ambedkar's bill for abolition of the Khoti system. On 23rd January, 1938, Dr. Ambedkar addressed at Peasant Conference at Ahmedabad for rights to land. He bitterly opposed on Industrial-Bill in the Bombay Legislative Assembly. To him, the right to strike is the birth-right of workers. On 6th November, 1938, under the leadership of Dr. Ambedkar a procession was organised from Kamger Maidan to Jamboni Maidan. It was proved by himself that the right to workers strike in Industry is their birth right as congress high Caste Hindus called swaraj is their birth right. 1940 May, he founded the 'Mahad Panchayat' in 1941 January, Dr. Ambedkar pursued the issue of recruitment of Mahars in the Army and as a result the Mahar's Battallion was formed. On 25th May, 1941, he formed Mahar Dynasti Panchayat Samiti for their political right. The 'People Education Society' was formed by him 1944. The aims of the Society were socio-economic, education, political rights of the Depressed Classes. In 1947, he published 'State and Minorities'. It was a memorandum of Fundamental

Rights and safeguards for the down-trodden classes. In this book he also pointed out the problems of Indian states. On 15th August, 1947, India obtained Independence. The Constituent Assembly was formed for making the Constitution of India. He was appointed as Chairman of the Drafting Committee of the Constituent Assembly on 29th August, 1947. He joined Nehru's Cabinet as the first Law Minister of Independent India. On 4th October, 1948, Ambedkar presented the Draft Constitution before the Constituent Assembly. On 20th November, 1948, the Constituent Assembly adopted article 17 of the Constitution for the abolition of Untouchability. The Constitution of India adopted the Fundamental Rights of Indian citizens in chapter III. In 1951, 15th April, he laid the foundation stone of "Dr. Ambedkar Bhavan", Delhi. The Bharatiya Buddha Janasangh founded by Dr. Ambedkar in 1951. He compiled a Buddhist prayer book entitled on "Buddha Upasana Path" in 1951. On 5th February, 1951, as a Law Minister he introduced Hindu Code Bill in parliament. To him, both boys and girls would be taken the same kind of property. The Women should be given Right to Property from their parents. He established Bharatiya Buddha Mahasabha (The Buddhist Society of India) in 1955. In 1955, August, he founded 'Mumbai Rajya Kanishtha Garkamgart Association'. He wrote "Thought on Linguistic States" related to linguistic states. In 1956, Dr. Ambedkar completed his book 'The Buddha and his Dharma', and 'Revolution & Counter-revolution in Ancient India'. On 1st May, 1956, in a BBC broadcast he analysed his causes of renunciation of Hinduism and embraced Buddhism. Dr. Ambedkar embraced Buddhism at an historic ceremony at Diksha Bhoomi Nagpur on 14th April, 1956. He announced to dissolve Scheduled Caste Federation and established Republican Party based on liberty, equality and fraternity.

Dr. Ambedkar was associated with the Government of India Act 1919, Simon Commission in 1928, Round Table Conferences I - 1930, II-1931, III-1932, Poona Pact - 1932, Announcement of 8th August, 1940, proposal for Sir Stafford Cripps, Cabinet Mission Plan - 1946, Constituent Assembly (1946-50), and Indian Constitution of 1950. He submitted a memorandum to the Simon Commission (1928) demanding joint electorates with reservation seats for down-trodden classes. The depressed conditions of the down-trodden classes explained by him before the Simon Commission. In 1930, he represented as representative of the Depressed Classes in the first Round

Table Conference. He demanded the separate electorate for Depressed Classes in the 2nd Round Table Conference in 1931. In the third Round Table Conference in 1932 the joint electorate was recommended by Poona Pact.

In 1950's Constitution of India he added article 335 demanding the reservation of seats in Union and States services for Scheduled Castes and Scheduled Tribes. Article 341 and 342 of 1950's Constitution pointed out the identification of Scheduled Castes and Scheduled Tribes as recommend by President of India with consideration of Governor. Article 46 explained by him relating to promotion of educational and economic interests for SCs/STs and Other Weaker Sections of society.

Under the leadership of Dr. Ambedkar the Constituent Assembly enacted the Constitution. The law of the land was finally adopted on 26th November, 1949 and came into force on 26th January, 1950 by which a new era begin in the history of India. The Fundamental Rights contained in Part - III of the Constitution from articles 12 to 35. Under Article 12 of the Constitution of India included the rights against the Union Government, Parliament, State Government and State Legislature, Local and other authorities within the territory of India. The Court can declare the laws of legislature and orders of executive as unconstitutional and illegal if they violate the Fundamental Rights (Article 13). There are six Fundamental Rights in Part - III of Indian Constitution.

Our National leaders like Jawaharlal Nehru and Dr. Ambedkar very much influenced by "Western ideas of equality and egalitarianism" of Rousseau and John Stuart Mill. Dr. Ambedkar rejected the concept of orthodox Hindu society's ideals. Right to equality is the gospels of Ambedkar's movement. According to Ambedkar, the Fundamental Rights are justiciable to the court of land. Dr. Ambedkar's approach was not just concerned with political, it was revolutionary movement of the Untouchables. His fight against Untouchable was fight for rights and the fight for values. His values of fight are concerned with egalitarian values. He had deep faith in the Fundamental Rights of citizen of India. He did not differ between men and women. He had faith in social and economic justice. The Women's reforms bill introduced by Dr. Ambedkar through "Hindu Code Bill". The Hindu Code Bill introduced by Dr. Ambedkar on 11th April, 1947. The Bill which was more refering to the

Selected Committee on 9th April in 1948. He has pointed in his Hindu Code Bill as follows, specially on women.

- i) A woman will have right to property in her own right and be able to dispose of her property. The aim of bill was removing the legal obstacles in the social advancement of women. Political right should be enjoyed to the women for their own development.
- ii) Order of succession of property.
- iii) Maintenance, marriage, divorce, adoption, minority and guardianship.

Dr. Babasaheb Ambedkar was a fighter for social justice as well as for human rights. He demanded for an equal status and human rights for the down-trodden with the caste Hindus. Mr. Gandhi and Md. Ali Jinnah were freedom fighter for political freedom but Dr. Ambedkar was not only for political freedom but also for socio-economic development of the Depressed Classes. The Constitution of India chiefly authorised by Dr. Ambedkar and the Constitution in its quest for socio-economic and political justice providing the special opportunities for the hitherto deprived and oppressed people.

The Directive Principle of States Policy in Part III of our Constitution is a great mechanism to ensure protection of the Constitutional rights with a view to create an egalitarian social order. To him, philosophies of Bertham and Mill, Marx and Lenin, Hobbes and Rousseau, Mao and Stalin, Shankara and Ramanuja, Veda, Upanishad and Gita could not create the human rights. He found a light of hope in Buddhism. To him, violence method of movement cannot solve any socio-economic problem of the down-trodden classes. He followed the non-violence method of movement for upliftment of down-trodden classes. Ambedkar believed in the power of mind and mass action, self-respect and self consciousness and civilised ways of achieving rights for the down-trodden classes. He stressed on adequate wages, health care, compulsory insurance or social security and educational, political opportunities for the Depressed Classes. He was Prime promoter of social justice and the creator of human rights. To him, social conscience is the only safeguard of all rights, both fundamental and non-fundamental.

He was an emancipator of the Untouchables, one of the greatest religious reformer, social reformer and nation builder of India. To him,

democratic society based on liberty, equality and fraternity is possible in India only when the Untouchable would enjoy basic human rights. The Untouchables were not considered as citizens and they were denied all human rights. They lived outside the village. They were not allow to live inside the Hindu quarters. Both the caste Hindus and the Untouchable live in separate quarters. Intermarriage and inter caste dinning were strictly prohibited by Hindu social code of conduct. Every village had a ghetto. Hindus lived in the village and Untouchables in the ghetto. In India the castes are non-social and anti-social. Some code of conduct made by the Hindu law givers. These were :

- i) The Hindu will not allow the Untouchables to take water from a well.
- ii) The will not allow the Untouchables entry in school.
- iii) The Hindu will not allow the Untouchables to travel in buses.
- iv) The Hindu will not allow the Untouchables to travel in the same railway compartment.
- v) The Hindu will not allow the Untouchables to wear clean clothes.
- vi) The Hindu will not allow the Untouchables to wear Jewellery.
- vii) The Hindu will not allow the Untouchables put tiles on the roof of their houses.
- viii) The Hindu will not tolerate Untouchables to own land.
- ix) The Hindu will allow Untouchables to keep cattle.
- x) The Hindu will not allow an Untouchable to sit when is standing.
- xi) They are not isolated acts of a few bad men among the Hindus.³⁷

According to Ambedkar, these anti-social spirit must be given protection by proper safeguards. To promote the spread of education, provide fundamental rights (both social and political) to the Untouchables he established various organisations such as - Bahishkrit Hitakarini Sabha, Bhartiya Bahiskrit Samaj Seva Sangh, Republican Party of India, People's Education Society, Independent Labour Party, etc. He launched satyagraha movement for right to entry into Kalaram Temple at Nasik in 1930.

He added the three types of reservations in the Constitution for the down-trodden classes. These are :

- i) Reservation to the Lok Sabha and State Assemblies (Articles 330 and 332).
- ii) Job reservations (Articles 16 (1), 16 (4) and 335, and
- iii) Reservation in the admissions to educational institutions (Articles 15 (4) and 46).

Article 335 : Claims of Scheduled Castes and Scheduled Tribes in services and posts.

Article 341 : Definition of the Scheduled Castes by the President.

Article 342 : Definition of the Scheduled Tribes by the President.

Article 46 : Promotion of educational and economic interests of Scheduled Castes, Scheduled Tribes and other Backward Classes.

He wanted to give the fundamental rights to the Untouchables. He said "we have to safeguards two things, namely, principle of equality of opportunity and at the same time satisfy the demand of communities which have not had so far representation in the State".³⁸

Dr. Ambedkar demanded special rights and privileges to empower the minorities. He submitted a memorandum on the safeguards Scheduled Castes and minority communities to the Constituent Assembly on behalf of the All India Scheduled Castes Federation. In this memorandum he demanded the representation from the minorities in the legislature, executive and Government services. The members of the minority representatives shall have the right to sit in the legislature, speak, vote and answer questions.

The right to equality is not absolute e.g., the President of India or Governor of a state is not accountable to the courts of law for all acts done by them in the performance of their special duties. State can steps for the improvement of the socio-economic backward classes or for the Scheduled Castes and Scheduled Tribes. Seats are also reserved for the STs & STs in the Centre and State legislature or in Government services. In certain cases the parliament can even fix residential qualifications for jobs. According to

supporters of the reservation argue that the system of reservation will create India as a social and economic democracy. The society is accountable for uplift of the down-trodden classes.

Right to freedom is not absolute e.g; during emergency times, the Constitution can withdraw or suspends all the fundamental rights. Even in normal times, the Preventive Detention Act, takes away people's right to freedom. It is also said that the state has more powers to control the right to freedom interest of the sovereignty and integration of India, security of India and individuals etc. According to Ambedkar, the state can put reasonable restrictions on the citizens. Actually, he wanted to establish the state socialism in India. He said that the interests of an individual or a group are always subordinate to the interests of the nation as a whole.

The minorities have the rights to establish and administered educational institutions. They have right to get financial aid from the State for their institutions, but Hindus have no right to establish the separate educational institutions.

In his two well-known works 'Who Were the Shudras' and 'The Untouchables' pointed out that they were Kshatriyas in caste. His view was that the Hindu caste structure is responsible for degradations of the Untouchables. Hindu religious scriptures such as Vedas, Smritis, Puranans, Upanishad etc. are responsible for inequality in society. He wanted to remove inequality from Hindu society. To create public opinion he wrote several papers such as Mook Nayak, Bahiskrit Bharat, Equality, Janata, etc. He organised Mahad Satyagraha movement for permitting Untouchables in the temples. The problem of the Shudras was socio-economic and political equality. He realised that political equality is not enough for welfare of the Untouchables, infact the socio-economic equality is needed for them. For socio-economic and political safeguards he submitted a memorandum to the first Round Table Conference in 1930 held in London. He demanded the following issues :

- i) Equal citizenship and fundamental rights for Untouchables declaring the practice of 'Untouchability' as illegal.
- ii) Free enjoyment of 'equal rights' protected by adequate constitutional remedies.

- iii) Protection against discrimination.
- iv) Adequate representation in legislature, executive and public services of the Untouchables.
- v) Adult suffrage and separate electorate to the down-trodden classes for 10 years.
- vi) Special departmental care, special minister and welfare bureau for uplift of the down-trodden classes.
- vii) Reserve seats in Cabinet.

Caste is not only a social institution, it is not merely a political institution, it is a religious phenomenon. Basically, caste is a economic structure of Hindu society. It is definitely a religious organisation. In short, caste system of Hindu society is a religious, political and economic structure. Caste is base of the Hindu society and social, economic and political are superstructures of the society. Caste is an instrument to exploit the depressed classes. Caste is a social force. The means of production and relation of production are determined by hereditary. All rights to religious rituals, economic, education, political, cultural and other social institutions were also made hereditary. The aim of political power, religious authority, educational, moral or social institutions were primarily to maintain the relation of hereditary production unchangeable. The types of economic structure of India built up upon caste. He wanted to establish an ideal society in India by abolishing the caste system. Ambedkar's ideal society was based on liberty, equality and fraternity.

VII. Dr. Ambedkar's Concept of Liberty, Equality and Fraternity

These trinity principles are very most important and complicated issues as a political ideals. The three principles are closely related to each other. Each one is dependent on the other. The people roused slogan with liberty, equality and fraternity, by influencing the writers, thinkers and philosopher like Montesquieu (1689-1755), Voltaire (1694-1778) and Rousseau (1712-1778). They prepared people by their writings for radical changes in French. Montesquieu refuted the divine right theory of the King. He strongly attacked on the customs, usages and he wanted to bring about the several changes in Constitutional matters of France. He has pointed out in his famous treatise

'The Spirit of Laws' the concept of separation of powers in 1748. To him, the three organs of government namely executive, legislature and judiciary should perform their work separately. He was a staunch supporter of people's freedom. To him, separation of power is the main way to establish the people's liberty. In France, all powers of the state were vested in one hand (King), that is why the people did not have any liberty. He strongly criticised Monarchy. He suggested check and balances on the power of the King in order to safeguard people's liberties. His view was that if the people are to enjoy their freedom no two powers of Government should be combined as that is bound to threaten individual liberty. If the legislative and executive powers are handed by the same body or person there can be no liberty. His view was that if Judiciary powers were not separated from executive or legislature powers there could be no liberty. He was convinced that liberty could be possible only when each organ of Government should perform their works separately.

The influential and foremost thinkers Voltaire was victimised by the unjust social order. He saw injustice, oppression, cruelty, monopoly, exploitation etc. from very closely. He found and realised that the Kings of French and the political institutions, laws and manners of the church and other customs could not be treated equally. The whole political systems of French are vested by the King. For this reason the people of French could not enjoy the light to liberty, equality and fraternity. Voltaire was strong supporter of Individual liberty. To him, freedom of press, freedom of thought and expression, freedom of elections are essential for the development of human beings. He demanded political rights.

The French political Philosopher Rousseau published famous book entitled on 'Social Contract' in 1762. He wanted to establish a new society based on popular sovereignty. He had realised and accepted that "Man is born free, but everywhere he is in chains". To him, there are some limitation and restriction on people's liberty. The individual assembled and made a 'Social Contract' in order to protect their right to property and right to freedom of thought. In his 'Social Contract' theory he has pointed out that the 'General Will' is sovereign. The General Will is the summation of Real Will. In his view all men are equal and free. The main function of General will is to protect the people's rights. The General Will is always right and every individual must obey it. Rousseau opposed economic inequality. On 27th August, 1789, on

the basis of Rousseau's 'Social Contract' theory the human rights were declared among the French people. Rights to equality, liberty and fraternity was roused by his concept of General Will. He strongly opposed economic discrimination. He wanted to abolish the injustice, inequality, exploitation of one by other from French. He demanded economic equality, right to write, right to worship, abolition of exploitation, transformation of power from the King to individual. The people are sovereign. All power of French must be vested by the people.

Dr. Ambedkar had studied deeply and widely and he was influenced by French Revolution. The whole social system of India was dominated by casteism. Indian social system was destroyed by casteism. In hierarchical caste system of Indian society the lower castes people could not enjoyed equal rights and liberties as other people enjoyed. The down-trodden classes could not wear ornaments of silver and gold, they were not allowed to use ghee and good dishes, they could not wear good and clean clothes, they were unable to live in good house. They were allowed to live in unhygienic places, to eat polluted foods. They used the utensils made by mud and iron. They wore torn-clothes. They lived as such inhuman life of cats and dogs. The Shudras were the lower rank of society. They were kept away to learn education, knowledge, property, to drink water from public places, they were kept away to entry into the temples. They could not entry into temples because they belonged to Untouchables. In May, 1936, a Mahar Conference was held in Bombay, he told the audiences and suggested to wear good clean clothes. Inhuman and injustice existed over the down trodden classes. They could not take water from wells and tanks where the Upper Castes used water from wells and tanks. The barbers refused to cut his hair. The teachers of his school were unwilling to give the Sanskrit education. He advocated the right to freedom and right to equality for all. He fought against inhuman Hindu social order. He preferred Buddhism because Buddhism believes in equality. There is no caste system in Buddhism. Buddhism is based on liberty, equality and fraternity. He renounced Hinduism and embraced Buddhism. There was no discrimination in Buddha Sangha. Buddha establish 'Samatavadi Samaj' based an equality. For the safeguard of the untouchables he was the father of dalits movement. He strongly attacked on religious based discrimination, casteism, exploitation and ill-treatment. Dr. Ambedkar accepted the trinity

principle of liberty, equality and fraternity. His trinity principles declared in his presidential address in the annual conference organised by Jat-Pat-Tadak Mondal at Lahore in 1938. He actually attacked on Varna-based Hindu society, Vedas, Smritis and Puranas of Hindu. Lord Buddha's teaching are purely on humanistic in nature. Dr. Ambedkar influenced by Lord Buddha's conception of liberty, equality and fraternity.

To him, individual is an end in himself. The society is not above the individual. Equality means exactly the same or equivalent in measure, amount, number, degree, value or quality. The trinity principle i.e. liberty, equality and fraternity is not only beneficial for down-trodden but also for the people at large. For the creation of an 'ideal society', he recommended the two crucial principles i.e. (i) the individual is an end in himself. The aim and objective of the society is the growth of individual development and personality. The society is superior or above the individual and individual is subordination than society. (ii) Associated life is essential to secure the liberty, equality and fraternity. To him, in caste-based Hindu society the people cannot enjoy the trinity (liberty, equality and fraternity) principles. For this reason, caste based Hindu society must be abolished. The concept of liberty, equality and fraternity found in his essays entitled on "Hindu Social Order : Its Essential Principles" and "Philosophy of Hinduism".

Liberty : Dr. Ambedkar mentioned the two types of liberty namely 'civil liberty' and 'political liberty'. The civil liberty are sub-divided into three categories namely (a) liberty of movement which included freedom of speech from arrest without due process of law. (b) Liberty of speech which included liberty of thought, liberty of reading, Liberty of writing and liberty of discussion. (c) Liberty of action which included liberty of work. Social equality and economic equality is the precondition of political and economic liberty. According to Ambedkar, the political liberty means "consists in the right of the individual to share in the framing of laws and in the making and unmaking of government."³⁹ The people have inalienable rights such as life, pursuit of happiness etc. The liberty of a man in the capacity of an individual person his personal or civil liberty. All men of India should have the right to life, freedom of speech and expression, freedom of movement, freedom of association, freedom of action etc. 'Political liberty' means the people have the right to

constitute and control government the right to vote is an expression of the political liberty of the citizen', political liberty included the right to vote, the right to stand for election, the right to hold public office and the right to express political views and exercise the government etc. Liberty of action means the individual have the right to work for security and the opportunity to earn one's daily life. Liberty of action included right to work, the right to earn for security of Individual life. In the view of Dr. Ambedkar, political and economic liberty is essential to each and every body. For the improvement of depressed classes the political liberty to be provide themselves. Political liberty is really important for the upliftment of the down-trodden classes. Without political liberty other liberty is meaningless. Democracy is meaningless without political liberty. The down-trodden classes should be provided both political and economic and right to action and right to expression for their total revolution. Hindu social order recognised the four classes i.e. Brahmin, Kshatriyas, Vaishyas and Sudras. All types of liberty should be provided to all classes. To him, all men have rights to enjoy all kinds of liberty. There should not be any discrimination on the basis of caste, creed, religion, language etc. Dr. Ambedkar was the exponent of positive liberty. His views on liberty is that the state should provide liberty to each Individual.

His concept of liberty is concerned with social liberty. Social liberty implies two important issues namely; (a) liberty within community and (b) liberty from other communities. A man can enjoy liberty when he / she is free from social tyranny and oppression. Every individual have liberty within community for contract and association and the Individual does not interfere on others liberty. Mutual understanding, mutual collaboration and social co-operation are conditions to the liberty of all communities. Dr. Ambedkar wanted common welfare for all Individual. To him, collective liberty is 'Real' liberty.⁴⁰

Equality : The Greek political philosopher like Plato and Aristotle supported inequality. Equality among men supported by Pericles, the Sophists, the Stoics, Antiphon, Lycophron, Euripides and so on. According to Aristotle, justice as treating equals equally and unequals equally. Plato classified men into three categories like rational (wisdom), spirited (soldiers) and appetitive

(producers). To him, both wisdom and spirited would constitute the ruler class or philosopher King. He classified men into men of gold (rational), men of silver (spirited) and men of iron (producer). Every man should be appointed according to their ability. The Stoic philosophers like Zeno, Cicero and Seneca gave the idea of Universal brotherhood and citizenship which was based on natural law and reason and corresponds to the modern idea of equality. They strongly opposed inequality and slavery system. During the medieval period equality raised by Christian. Equality emerged by the Glorious Revolution of 1688 in England, the American Declaration of Independence of 1776 and the French Revolution of 1789. Rousseau's famous book entitled on "Discourse on the Origin of Inequality" published in 1754. Utopian socialists like St. Simon, Charle Fourrie and Robert Owen demand for socio-economic equality in society. The Marxists associated with economic, political equality with the abolition of private property and classless society. They wanted to abolish of exploitation by the rich class to poor classes. The Marxist advocated revolution to abolish all class distinctions and inequalities. After the 2nd world war, the Asian, African and Latin American countries got independence on the basis of equality. Not only South Africa but also blacks in the United States of America demanded equality with the whites.

Equality means all men are to be treated as equal in respect of their rights. Every individual have right to equality. Equality is a democratic ideals. Political equality, social equality, civil equality, and economic equality are kinds of equality. Equality is essential for social justice. Equality is closely related with liberty. Without liberty the people cannot enjoy equality. On the same way without equality the people cannot enjoy liberty. There are two types of meaning of equality. The first one is "absence of special privilege" and second one is the "adequate opportunities should be made available to all."

In General sense, the term equality is 'exactly the same or equivalent in measure amount, number, degree, value or equality.' Dr. Ambedkar has agreed that "all men are not equal on the basis of physical strength, skill, mental ability, mental faculty mental capacity" but still "human beings possess in degree and kind, fundamental characteristics that is common to humanity."⁴¹ To him, political equality should be provided to each individual. Adult suffrage is one aspect of political liberty. Dr. Ambedkar emphasised an

equality of opportunity. Right to equality added in Article 14-18 of Indian Constitution. Equality before law and equal protection of law added in Art. 14. All men without caste, creed, religion, language etc. should be treated as equally. He emphasised on moral equality. Article 14-18 of Constitution of India offered the citizens the right to equality. All citizens in the state are equal before the eyes of Law (Art-14) and there can be no discrimination in any manner on the basis of caste, creed, religion or sex (Art.15).

Article 15 ensured social equality and Article 16 economic equality and established social order. All citizens of India shall be governed by the same rule. In order to equal opportunity there will not be any reservation system except for Scheduled Castes and Scheduled Tribes. Article 16 of our Indian Constitution offered equality of opportunity in matter of public employment. Abolition of untouchability is added in Article 17 of Indian Constitution. He supported the state control equality. The state should be treated equally without caste, creed, religion, language etc. His concept of equality is concerned with 'social justice'. Both men and women should be treated as equally. Political equality is pre-condition of social justice. He wanted to establish the distributive justice.

Fraternity : According to Dr. Ambedkar, in Hindu society there is no fraternity. Like Christians and the Muslims, the Hindus believe that men are created by God and God created different men from his different parts of his body. To him, there is no place for fraternity in Hinduism. The Hindu believes that the Brahmin was born from the mouth of Prajapati's Brahma, Kshatriya was born from his arms, Vaishya was born from his thigh and Shudras was born from his feet. The four Varnas are different from to each other. The Brahmin is no brother to the Kshatriya because the Brahmin is born from his (God) mouth and the Kshatriya is from the arms. The Kshatriya is no brother to the Vaishya because the Vaishya is born from his (God) thigh and former is from the arms. The Vaishya is no brother to the Shudra because the Shudra is born from the feet. Therefore, there is no relationship among the four Varnas as a brotherhood. Hindu society do not believe in equality and fraternity. Hierarchical system of Hindu society does not believe that all men are equal.

The term 'fraternity' implies the harmonious living of all people within a community. Fraternity means spiritual unity. Fraternity is a belief, faith, harmonious relationship and good communication among all members of a society without religions, caste, creed etc. Fraternity is essential to make nation-building. All kinds of discrimination should be abolished. Hierarchical system of Hindu society and position of the Individual can be change through the brotherhood relationship among all the members of a free society. Fraternity is concerned with secularistic approach and liberalistic humanitarianism. Buddhism believe in fraternity. Hinduism does not believe in fraternity. That is why he renounced Hinduism and embraced Buddhism. Dr. Ambedkar's concept of fraternity is a combination of individualism and socialism, nationalism and humanism. The aims of his fraternity is emancipation of all discrimination from human beings.

Dr. Ambedkar's essay entitled on "Philosophy of Hinduism" he has described relating to fraternity. To him, "I and my neighbours are we all brothers, are we even fifteenth cousins, any I their keeper, why should I do right to them."⁴² Fraternity is another name for fellow feeling. In his other essay entitled on "The Hindu Social Order: Its Essential Principle" he has pointed out the concept of fraternity as one of key essential element of a just society. In his essay he said that "fraternity is the name for the disposition of an individual to treat as the object of reference and love and the desire to be is unity with the fellow beings."⁴³

There is no discrimination between Jew and Greek and between men and women. All should be treated equally. To him, fraternity is the virtue of an ideal society. Welfare of the members of the society is the motto of fraternity. His concept of fraternity is another name of ideal society, or 'just society'. From his other essay entitled on "Annihilation of Caste" we found the concept of 'just society' or 'ideal society'. To him, "an ideal society should be mobile, should be full of channels for conveying a change taking place in one part to other parts. In an ideal society there should be many interests consciously communicated and shared. There should be varied and free points of contact with other more of association."⁴⁴ In his view, the fraternity is another for democracy. Democracy is an associated living of society. It is a communicate and brotherhood life of society. There should be social harmony.

Liberty as a social ideal should be based on self determination. All men are social human being. So, liberty is essential for individual for self-determination and preservation. Equality as a social and political ideal should be based on self development and social progress. On the same way fraternity as a social ideal should be based on liberty and equality. Fraternity must create a sense of unity. His 'ideal society' or 'just society' is associated with social humanism. To him, my ideal would be a society based on liberty, equality and fraternity.

VIII. Way to Establish a Just Society

In views of Dr. Ambedkar, the existing social order is based on caste. He wanted to establish an ideal society, or 'just society' in place of caste base Hindu society based on liberty, equality and fraternity. To him, existing Varna system of Hindu society is responsible for all the evils of the existing society. To abolish of caste system, it is essential to abolish the notion of religion. Only one religion book should be granted and recognised by all Hindus. The Hindu religious books like Vedas, Shastras and Puranas should be abolished. The priesthood system in Hindu society should be destroyed. The priesthood must not be as hereditary. The state should conduct an examination and those who qualified the examination they would be treated as priest prescribed by the state. Those who are not qualified the examination, they cannot be performed the ceremony occasion. The priest should be the servant of the state like engineers, doctors, professor and so on. The number of priests should be limited by law according to the requirements of the State as is done in the case of the I.C.S. The priesthood is a profession where proficiency is not required. The priestly class must be brought under state control through legislation. According to Dr. Ambedkar, the Brahminism is the poison which has spoiled Hinduism. The religion should be based on liberty, equality and fraternity which is the ideal of democracy. In this way he wanted to establish a society which is popularly known as 'just society' or 'ideal society'. According to Ambedkar "The real remedy for breaking Caste is inter marriage. Nothing else will serve as the solvent of caste."⁴⁵

He suggested some methodologies to establish a 'just society' based on liberty, equality and fraternity in place of caste based Indian society. These are :

New Doctrinal Basis of Religion : He suggested to formulate the new doctrinal basis of the Hindu religion "that will be in consonance with liberty, equality and fraternity."⁴⁶ He suggested to reinterpretation of Hindu religion such as Upanishad, Vedas, Puranas, Smrities, Bhagat Gita Shastras etc. He stressed radical reinterpretation of Hindu religion. 'Associated mode of life' should be established in place of isolated caste based Hindu society. To him, the present Indian Hindu society does not allow to practice the trinity principles namely, liberty, equality and fraternity. This society does not recognise the right to education, people's right of military service, right to protect them. Dr. Ambedkar in his 'Annihilation of Caste' pointed out the three weapons namely, physical weapon, political weapon and moral weapon which are "denied to the masses in India by Chaturvarna"⁴⁷ Towards the formation of a 'New Social Order' based upon justice the three weapons are necessary in present caste base Hindu society for strengthen the masses.

A Complete Change in the Fundamental Notions of Life : To him, the fundamental notions of life should be changed to establish a 'just society' or 'New Social Order', "It means a complete change in the values of life. It means a complete change in outlook and in attitude towards men and things".⁴⁸ To establish a 'new notion of life' he suggested three actions i.e. (i) First step is that various caste and sub-castes should be abolish from the Hindu society. These are culprit of society. Caste destroys the human attitude. (ii) The second step is that the inter-caste dining should be established without caste, creed, religion, race etc. (iii) The third step is that the inter-caste marriage should be established in Hindu society.

The Old Body Must Die to Receive New Body :

Conversion is the prime way to destroy the old body and receive the new body. Conversion means new life which means rejecting completely the old notion of life before entering into new. To him, "New life can enter only in new body. The old body must die before a new body can come into existence and a new life can enter into it". He advised that "you must discard the authority of the Shastras and destroy the religion of the Shastras."⁴⁹ Conversion is necessary for emancipation and advancement of the down-trodden classes.

On the 28th August, 1937, a large public meeting of the Depressed Classes was held at the Municipal Hall, Bandra, under the Presidentship of Dr. B.R. Ambedkar. In this meeting he told that "we must give up (observing) all the religious festivals and days which we had been observing according to the Hindu religion. God in Hindu religion should not be worshipped."⁵⁰ Under the auspices of Dr. Ambedkar's Diamond Jubilee Celebration Committee, a public meeting was held at Purandare's Stadium, Naigaum, Bombay, on October 28th, 1954. Dr. Ambedkar said before the meeting that "I am a devotee of Gautam Buddha, Kabirand Mahatma Phule and worshipper of learning, self-respect and character."⁵¹ On 27th May, 1953, a meeting organised by the All-India Scheduled Castes Federation at the Nare Park-maidan, to celebrate Lord Buddha's birthday. In this meeting Dr. Ambedkar said that "unless a casteless and classless society was created, there would be no progress in the country."⁵²

The Hindu shastras like Upanishads should be reinterpreted. The new Hindu religion should be consonance with liberty, equality and fraternity. To him, "associated mode of life" is important element for the establishment of a 'just society'. To establish a 'just society' the political rights and proper education should be given to the down-trodden classes through Constitutional law. The orthodox caste Hindu society is based on hierarchical caste system and this system denied the depressed classes. According to Babasaheb Ambedkar, the caste and various sub-castes should be abolished. Inter-caste marriage and inter-caste dining may be the solution. He strongly suggested to destroy the religion of the Shastras. He suggested to follow the Principles of Buddha and Guru Nanak. He was the Chief architect of the Indian Constitution. He gave the basic structure of Indian Constitution. Preamble of Indian Constitution component with following four ideals.

Justice, social, economic and political.

Liberty, of thought, expression, belief, faith and worship.

Equality of status and opportunity, and to promote among them all.

Fraternity, assuring the dignity of the individual and the unity and integrity of the nation.

The themes and objectives of the Preamble of Indian Constitution was same as Dr. Ambedkar's concept of 'just society' or 'ideal society'. To him,

democracy is an ideal social life. Democracy is not only a political ideals, it is also a social life. Democracy, recognises to liberty, equality and fraternity.

The trinity principles are co-related to each other. Liberty cannot be divorced from equality, equality cannot be divorced from liberty. without equality, liberty and fraternity are impossible. Liberty, equality and fraternity cannot be separated from to each other. Without fraternity, liberty and equality cannot survive. To him, political democracy cannot exist without social democracy. According to Dr. Ambedkar, social democracy is a way of life which recognises liberty, equality and fraternity. His ideal society is based on choice, equal consideration, equal opportunity, brotherly love, social democracy and social justice. His concept of 'just society' avoids all kinds of class-hatred, class warfare, egoism, chauvinism. There is no kinds of discrimination in his ideal type society.

All men should enjoy equal opportunities without caste, creed, religion. Socio-economic and political inequalities should be abolished. All men should be provided equal rights and freedom. The aims and objectives of his ideal society is to provide guarantee to all its members justice in political, social and his ideal society would be based on social democratic processes. The acceptance of the democratic process to establish a just society and an egalitarian welfare state is the most outstanding features of Babasaheb Ambedkar's social, political and economic thought.

IX. Dr. Ambedkar and Quest for Social Justice

The New International Webster's Comprehensive Dictionary of the English Language has been described the term 'justice' as the synonyms of equity, fairness, faithfulness, honour, impartiality, integrity, justness, law, lawfulness, legality, propriety, rectitude, right, righteousness, rightfulness, truth, uprightness, virtue, etc. In its governmental reactions the term 'justice' meant giving to every persons exactly what he deserves. Equity is giving every one according to his/her ability. Equity is a close synonym for fairness and impartiality, but it has a legal precision. The term 'justice' meant as an antonyms of dishonest, inequity, injustice, partiality, unfairness, lawfulness, unreasonableness, untrue, wrong, etc. Justice meant fair treatment to each and everybody. 'All men are equal according to supreme law or right.

Justice of doing one's job for which one was naturally fitted without interfering with other people. Cephalus defined justice as telling the truth, being honest in word and deed and paying one's debts. Polemarclus has pointed out that justice meant "giving each man his due" or "What was fitting". In other words 'justice' meant "doing the right thing". Justice meant "right opinion" or right man in right place". People have pondered over the considerations that should enter into the development of a "just society." Justice is the first virtue of society. The Sophist in ancient Greece has defined justice as stronger interest of society.⁵³

Greek political thinker Plato explained justice in his book entitled on 'The Republic' for different individual capacities with the help of the theory of three classes and three souls. Like Pythagoras, he also pointed out that every human soul has three qualities i.e. rational, spirit and appetite, corresponding parts in the state being rulers, soldiers and farmer, Individuals in whom the rational faculty was predominant would be constituted the ruling class, and the virtue of such a soul was wisdom. The soldiers fought with courage and the appetitive classes would join with production. They are artisans or producers. Together, the rulers and soldiers would be constituted the guardian class. Justice in individual, according to Plato, meant that every individual should be joined and assigned a place in society according to their skill and abilities. "Justice in the state meant the three social classes i.e. rulers, soldiers and producers performed the deliberative and governing, defence and production without interfering without function of the others". Each class should perform their specific works according to their mental abilities and mental faculties. None would interfere in the affairs of others. A functional specialisation should be established in the society. In his concept of justice, Plato, recognised a 'just society'. His justice is equated, truthfulness, high-mindedness and what fitting or right men in right place. To Plato, "one class, one duty, one man, one work."⁵⁴

According to Aristotle, justice is two types namely 'complete justice' and 'particular justice'. To him, complete justice laid in law-abidingness and it is possible only in an ideal society or just society. Particular justice is concerned with the distribution of offices. It is also concerned with proper and desirable distribution of wealth, honour and good things. His justice was collective and distributive justice. To him, justice means treating equals equally and

unequals unequally, and unequal treatment should be in proportion to the inequality. To him, "Distributive justice meant that offices and wealth, rewards and dues were distributed among different social classes according to their contributions based on merit, defined in accordance with the spirit of the constitution. In an oligarchy, merit meant wealth, while in an aristocracy, it was related to virtue. In an ideal state, merit meant virtue."⁵⁵

The concept of social justice meant overall 'fairness of society'. 'Social justice' means is a matter of giving what they are basic necessities of rights, food, clothes, housing etc. Social property and surplus values should be distributed among people on the basis of fair and equitable way. Social justice is concerned with equality and highest welfare of people. Equal opportunities and equal rights should be provided to the people.

John Rawls (1920-2002), an American Philosopher wrote 'A Theory of Justice' (1971). He defined "justice as fairness". His concept of social justice is concerned with three principles i.e. (a) greatest equal liberty, (b) fair equal opportunities and (c) the principle of differentiate. In the views of John Rawls, a just is one in which wealth is redistributed through proper way for welfare of society as well as benefit of all classes. Equal liberty implies equal right to political participation, freedom of expression, religious liberty, equality before law and equal protection of law. Equal opportunities imply acquiring offices and positions.

Differentiate principle implies that all primary goods like liberty, opportunity, income and wealth and self-respect are to be distributed equally unless an unequal distribution is to be advantage of everyone. His concept of justice is social justice. Theories of social justice are liberal egalitarian and socialist. His social justice is concerned with distributive justice and the distributive justice is concerned with 'just society' or equitable society.

According to Nozick (1938-2002) an American philosopher, in his book 'Anarchy,' 'State and Utopia' (1974) sought to conceptual social justice. To him, individual have some rights and no person or group have no right to violate their rights. A person may exercise control over himself and over his possessions like buy and sale, abuse or destroy donate, he does not interfere with the freedom of others. In his view, the right to property should not be violated in the name of social equality. Right to property is legal right. Any

interference is unjust. His conception of justice which he called the 'entitlement theory'. His entitlement theory is an alternative model of Rawls' theory of justice. Entitlement theory of Nozick components with three principles namely, (a) Principles of justice in original justification or acquisition, (b) Principles of transfer of holding, (c) rectification of unjust holding. Modern liberals felt that unrestrained capitalism is the cause of social injustice. He felt that governmental intervention in social and economic life is essential and they favoured greater equal opportunity to all persons. The 'just society' would be achieved through equal treatment to each and every body without any kinds of discriminations.

Hayek argues that social justice is based on a certain moral consensus in society. To him, social justice means distributions of wealth according to merit or desert. Egalitarian theorists like Dworkin and Ackerman said that the social justice means equality of welfare and equality of resources. Human welfare should be measured according to equal distribution and equal treatment of individual. Welfare egalitarianists inspired by utilitarian conceptions of the "greatest good of the greatest number of people". Proudhon considered justice is the supreme principle of human life and justice is same as reciprocity, equality and equilibrium.

According to St. Augustine, a just state is one in which religion would be taught under law and authority. To him, 'just society' or 'just state' is found in the Christian religion. In his view the justice meant peace, the absence of strife and conflict between men and men. According to Bentham, greatest happiness of the greatest number is social justice. To Marx, the concept of justice in a capitalism society which is based on the capitalist mode of production and relation of production. Those are owner of the means of production, the justice is handed by themselves. This justice is also called injustice. According to Barker, justice is a value and it is a synthesis of liberty, equality and liberty. To him, there are four different sources of the idea of justice and those are religion, nature, economics and ethics.

Justice is concerned with political justice, social justice, economic justice. Political justice means equal right to vote and equal share in governmental services. Political justice is associated with political rights and equality. Political power should be represented by the people. The people is

the source of political power. It is demanded that the political power should be based on will of the people. In a democratic state, political power is possible because democracy means government of the people, by the people, and for the people. Political justice is political equality within the state. All men should enjoy equal political right without any discrimination on the basis of caste, creed, religion, language etc. Social justice is associated with social equality and social rights. Exploitation of men by men should be abolished. All men should be treated equally and no person should deprive on the basis of caste, creed, religion etc. Economic justice demands the abolition of private property. Economic exploitation should be abolished. The poor, exploiters and exploited classes should be abolished in free social order. Marxism is associated with economic justice based on abolition of private property and establishment of communism.

According to Barker, justice is the synthesis of liberty, equality and fraternity. Every individual should be treated equally and superior and inferior relationship should be abolished in social justice. The Principle of liberty does not confirm to the principle of equality until the benefit of liberty is equally extended to each individual in society. Unrestrained liberty is main hindrances to confirm to the principle equality. The man can not enjoy absolute liberty. Without right to equality, the right to liberty is meaningless. Liberty can be justified on the ground that it is in the interest of justice and equality. Equality may be defined as equality before law and equal protection of law. Equality means absence of any discrimination. But principle of equality is not the final principle of justice. Absence of discrimination in economic field does not meant requirements of justice. Justice is associated with unprevilege people and based on economic equality. Principle of brotherhood or fraternity among men and men is the principle of justice. Weaker section of society must be benefited in the interest of justice and fraternity. Liberty is qualified by the principle of equality and equality is further qualified by the principle of fraternity. Liberty, equality and fraternity are equally essential principles for social justice.

As a Chairman of the Constituent Assembly Dr. Ambedkar gave a shape to our country of a complete Sovereign Democratic Republic based on an adult franchise. Our Constitution is secular and socialist pattern. Article 326 provided the adult franchise to eradicate untouchability from our Hindu

society. Socio-political and economic equalities been guaranteed to all citizens of India. He was not only the father of Indian Constitution but also the creator of social justice. By his heart and soul working the reserve seats and special privileges have been given to the down-trodden classes. He wanted economic and social equalities before political equality. To him, "justice is simply another name for liberty, equality and fraternity". According to Dr. Ambedkar, Buddhism is "perfect justice" because Buddhism believes in liberty, equality and fraternity. Dr. Ambedkar contemplates to secure social justice throughout the Constitutional provision like, equality before law and equal protection of law (Art.14), prohibition of discrimination on grounds, only of religion, caste, creed, sex, place of birth [Art 15(1)], reservation of seats for socially, economically and educationally backward classes for their socio-economic upliftment of them [Art 15(4)], equal opportunity in services [Art 16(1)], reservation of seats in services for the down-trodden classes [Art 16(4)], abolition of untouchability (Art. 17) etc. Economic justice would be possible through Constitutional provision like, right against exploitation (Art 23), equal treatment between men and women [Art. 39(a)], no concentration of wealth by a authority or man [Art. 39(b)] (c), equal pay for equal work both for men and women [Art. 39(d)] etc. Political justice would come out through the Constitutional scheme and provision like universal adult franchise (Art. 326) reservation of seats both in Lok Sabha (Art. 330) and Rajya Bidhan Sabha (332). A just social order would be created by socio-economic and political justice. Whole struggle of his life was the struggle for social justice.

He had established two political parties i.e. 'Independent Labour Party' (1936) and 'All India Scheduled Castes Federation' (1942) which is based on liberty, equality and fraternity to promote justice. He had founded 'Bahishkrit Hitakarini Sabha in 1924 for bringing about socio-political awareness amongst the down-trodden classes. He was nominated as a member of the Bombay Legislative Council in 1927. The Chowdar Tank Satyagraha movement started at Mahad by him for drinking water. He appeared before Simon Commission with the hope that the Commission would provide some special privileges to down-trodden classes. He started at Kalaram Temple entry Satyagraha movement at Nasik in 1930. On behalf of the down-trodden classes he had participated in the Round Table (1930-32) Conferences with demand reservation of seats for depressed classes in both Lok Sabha and

Rajya Sabha. He also demanded separate electorate for the down-trodden classes and Poona Pact concluded by himself in 1932. After his death his followers established Republican Party in India on 3rd October 1957 based on liberty, equality and fraternity to promote to social justice. After a lot of study he had decided to renounce Hinduism and on October 14th, 1956, at Nagpur and to took Buddha religion.

According to Dr. Ambedkar, three essential elements to be a society i.e. an associated mode of life, common activity or objective and free social interaction or communication. Progress of society depends on associate life between men and men. To achieve the social and economic justice, our constitution protective discrimination provided under Article 15, 16 and 335. He gave Indian Constitution which guarantees right to equality to all citizens. The Constitution of India ensured an egalitarian society. The Constitution of India ignored unprivileged on the ground of religion, race, caste, and sex, descent place of birth or residence.

To him, fraternity is another name for democracy. He demanded human equality. To him, every human being has inalienable rights. Socio-economic and political rights should be provided to each and everybody. To ensure liberty, equality and fraternity all oppression, discrimination between man and man, economic exploitation by upper castes Hindus to down trodden classes should be destroyed from Hindu society. He emphasised democratic social system under parliamentary system of Government. According to Dr. Ambedkar, non-violence is an instrument of social change. He advised to his followers to follow universal love, equality, human brotherhood and taught to Pancha Sheel principles of Buddhism. Constitution of India is an instrument to bring social change. Constitution of India promotes integrity, equalitarian society, secularism, welfare and a just social order, equitable society, an ideal society etc. Liberty and opportunity, income and wealth and other primary goods are to be distributed equality without caste, creed, religion, etc. Social and economic inequality should be destroyed.

To ensure security to the State and to check the unlimited power to make laws in matter of arrest, he introduced article on Preventive Detention in the Constituent Assembly. Article 21 of Indian Constitution stated that no person shall be deprived of his life or liberty except according to procedure

established by law. Dr. Ambedkar said that by introducing of Article 15A (Present Article 21) we are providing the substance of the law of "due process". He demanded equal partners in nation-building. He always called Dalits as minorities. To him, rights of minorities to be absolute rights. Dr. Ambedkar demanded reservations for down-trodden classes in the Constitution. His demands were three kinds, namely (a) reservation in Lok Sabha and Rajya Bidhan Sabhas (Article 330 and 332 respectively) (b) reservations in government services [Article 16(1), 16(4) and 335]. (c) reservation in administration and educational institutions [Article 15(4) and 46].

At the Round Table Conferences, he claimed separate electorate for down-trodden classes and joined electorate was decided by Poona Pact. To him, reservation system is not a extra privilege, it is also legitimate right of the Depressed Classes. In the views of Dr. Ambedkar right to vote is the defence of individual liberty and property. He regarded one man, one vote and one value. A new social order should be founded on the basis of liberty, equality and fraternity.

The State shall have control over land and basic industries. He wanted to establish a state socialism through state ownership of land and industries. He does not recognised right to property as the fundamental right. He had provided in constitution as separate clause on "Protection Against Economic Exploitation." He emphasised on right to work, right to adequate living wage and better standard of living in the list of fundamental rights. Dr. Ambedkar introduced 'Khoti Abolition Bill' in Bombay Legislature in 1938. Main aims and objectives of this bill was abolition of Zamindars and secure occupancy rights to the tenants.

Social justice is a democratic value. As a democratic value it is concerned with political and economic justice. The Principle of democratic justice meant "one man, one vote, one value". As a ethical sense its meaning is rejection of caste and class barriers by conscience among themselves. He was a greater supporter for the rights of the down-trodden and weaker sections of Indian society. He fought for social justice. Inter caste marriage and inter-dining should be established. To him, it would destroy the religious notions of the Hindu society. He demanded to abolish of the Watan system

and it was finally abolished under the Bombay Inferior Village Watan Abolition Act in 1959.

Right to entry into Kalaram Temple and to take water for drinking from Chowdar Tank he launched Satyagrahi movement. As the Chairman of the Drafting Committee of the Constituent Assembly he had tried to ensure justice for Untouchables. He do not differ between men and women. To him, women should be provided equal property right with men from the parents. Directive Principles of State Policy expressed the ideas of social justice. Article 38 of Indian Constitution added equal opportunities including social, economic and political justice. Article 39 included equal pay for equal works to men and women. Article 39th assured equal justice under law. Article 45 directs the state to provide free and compulsory education to all children within 10 years of the commencement of the Constitution. Article 335 provided directly the state to maintain the claims of SCs and STs to services and posts. Article 330, 332 and 334 provided reservation of seats for Scheduled Castes and Scheduled Tribes in the Lok Sabha and in the Legislative Assemblies of the state. Article 338 makes the provision for National Commission for the Scheduled Castes and Scheduled Tribes to advice on socio-economic development and evaluate their progress under the Union and States. Article 340 provided for the Commission to investigate the Conditions of backward classes and to make recommendations as to the steps that should be taken by the state.

Above of all provisions implies the humanitarian social order, an egalitarian society and it is also implies the spirit of liberty, equality, fraternity and justice. According to Dr. Ambedkar, Directive Principles of State Policy sought to the socio-economic revolution. Dr. Ambedkar was elected to the Bombay Legislative Assembly in 1937. As a member of the Viceroy's Executive Council he asserted for the establishment of Minimum Wage Act. He wanted to abolish all sorts of serfdom in agricultural tenancy. He emphasised on nationalisation of land. Dr. Ambedkar quested for social justice based on liberty, equality and fraternity. He has given an egalitarian social order guaranteeing social justice to every citizens of India without caste, creed, religion, languages. He advocated liberties of the people. He sought to social justice through the process of rule of law. Right to freedom under Constitution means to achieve social justice. Dr. Ambedkar's ideal society

based on the three principles of liberty, equality and fraternity. To him, democracy is an union of three principles of liberty, equality and fraternity. Associated living is the principle of his ideal society. As a Law Minister, Dr. Ambedkar introduced "Hindu Code Bill" ensuring equality between men and women. Emancipation of women is an essential element of his concept of social justice. His activity and movement was directed to upliftment of social justice for down-trodden classes of the society. His political thought is based on ethics, morality and social justice. He wrote in his book "The Buddha and his Dharma" that religion is personal and Dharma has social connections.

Prime Minister Pandit Jawaharlal Nehru had commented about Dr. Ambedkar that "Dr. Ambedkar is a person who revolted against everything that is oppressive in Hindu Society". Welsh actor and film maker Kenneth Griffith had commented during his BBC interview regarding Dr. Ambedkar's greatness in social justice that "If there is one thing, I wish to do before I die, it is to produce a film on Dr. Ambedkar."⁵⁶ Government of India observed the year 1990-91 as the year of social justice in his memory.

According to Dr. Ambedkar, caste is not only a social institution or political institution or religious phenomenon it is an economic structure of Hindu society. Caste system is basically a religious organ. It is a religious, social, political and economic structure. He interpreted caste as a dysfunctional, disintegrative and undesirable institution. He had critically analysed that the Arya Samaj associated with Chaturvarna. Hindu religion does not recognised equality and liberty. Caste and sub-caste should be abolished. Inter-caste marriage and inter-caste dining should be adopted. Hindu Shastras should be abolished. Only one religion book should be existed for all varnas. Priests should be appointed as governmental servant. Number of priests should be limited as recommended by state.

He was primarily a theoretician, political thinker and revolutionary for the emancipation of Dalits. He was the champion of fundamental rights, equal rights of man and woman. He was a realistic thinker. He wanted the upliftment of the workers, small peasants and landless labourers. He deeply expressed the sorrows of Untouchables. He lastly succeeded in giving India an egalitarian society where no class would not enjoy extra privileges and discrimination on the basis of religion, race, caste, sex, place of birth a

residence would be abolished. His aim was abolition of slave system. Injustice, inequality, tyranny and exploitation from caste based Hindu society. Ambedkar's society is based on social economic and political justice. Human dignity, equality and conscience of the people should be based on liberty, equality and fraternity. His aim was to establish an egalitarian society. To him, democratic socialist society is essential to establish egalitarian society. Right to private property is the root of exploitation and oppression.

X. An Architect of Indian Constitution

Indian Constitution is one of the bulkiest Constitutions of the world. The Constitution is the basic law for the governance of a country. According to Dr. Babasaheb Ambedkar, Constitution is a mechanism for the purpose of functioning various organs of the State. It is a vehicle of the nation's progress. On July 20, 1924, Dr. Ambedkar founded the 'Bahishkrit Hitkarini Sabha' for the upliftment of the down-trodden classes. He founded the Independent Labour Party as a strong opposition party in Bombay's Legislative Council in 1936. He was elected a member of the Legislative Assembly of Bombay in 1937. As a representative of the down-trodden classes he represented in the Round Table Conference held in London from 1930-1932. He was appointed as Law Minister in the Nehru Cabinet on the 3rd August, 1947. He founded the Scheduled Caste Federation in July, 1942 which was renamed as the Republican Party of India in October, 1957. He published 'States and Minorities' in 1947. It was a memorandum of Fundamental Rights, Minority Rights, safeguards for the down-trodden classes and on the problems of Indian states. He founded the 'Bharat Bhushan Printing Press' which was burnt down in the classes between down-trodden classes and upper caste Hindus. India obtained her independence on 15th August, 1947. Dr. Ambedkar was elected to the Constituent Assembly by the Bombay Legislature Congress Party. He was the first Law Minister in the Nehru's Cabinet. The Constituent Assembly appointed him to the Drafting Committee, which elected him as a Chairman on 29th August, 1947. He was an Executive Councilor in the Viceroy's Executive Council during 1942-46. He was a member of the Constituent Assembly in 1946-51. On 29, 1947, the Constituent Assembly announced the names of the Committee for drafting the Constitution of independence India. He was the member of the Minorities Committee and Federal Structure. Dr. Ambedkar completed the Draft

Constitution of Indian Republic in 1948. He presented the Draft Constitution of the Constituent Assembly. Dr. Rajendra Prasad was appointed as Chairman of the Constituent Assembly.

The Drafting Committee consisted of Dr. Ambedkar as a Chairman and included six other members, namely, Sir Alladi Krishnaswamy, Sir B.N.Rau, Syed M.Sadullah, Sir N.Gopalaswami Iyengar, Dr. K.M. Munshi, Sir B.L.Mitter and Sri D.P.Khaitan. Later on Madhava Rao was appointed in place of B.L.Mitter. and T.T. Krishnamachari was appointed after the death of D.P.Khaitan. On 21st February, 1948, Dr. Ambedkar presented to the President (Dr. Rajendra Prasad) of the Constituent Assembly. He also submitted a memorandum consisting with Fundamental Rights and Directive Principle of State Policy included in part III and Part IV of the Constitution respectively. It was at his suggestion that the Ashoka Chakra was included in the National Flag. The first meeting of the Constituent Assembly was held on 11th December, 1946, and at this meeting Dr. Rajendra Prasad was elected as whole time Chairman of the committee. The second session of the Constituent Assembly was held from 20-26 January, 1946. Next session of the Committee was held from July 14-31 and another session was held from 20-29 August, 1947. On 29th August, Dr. Ambedkar was appointed as the Chairman of the Drafting Committee. The Committee presented a Draft Constitution on 21st February 1948, for consideration of the Assembly. On 14th September, 1947, the Committee decided that Hindi shall be the official language of the Indian Union and English shall be continued for a period of 15 years from the commencement of the Constitution. The Draft Constitution finally adopted by the Constituent Assembly on November 26, 1949 and came into force on 26th January, 1950. In all Assembly worked for 165 days. Out of which 114 days were devoted to the consideration of the Draft Constitution. The Draft Constitution was scrutinised very thoroughly by the members of the Constituent Assembly. The President of the Drafting Committee presided the meeting and Dr. Ambedkar discussed on question of the meeting very carefully and the whole House would listened to his reply which was based on logic, facts and statistics etc. Pt. Jawaharlal Nehru had remarked that "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."⁵⁷

Ultimate goal of Indian Constitution is achieve to social, political and economic justice consonance with liberty, equal status and opportunity to all, dignity of person, fraternity, unity and integrity of Bharat. The architect of the Constitution has given political democracy, social democracy and economic democracy to the people of India. Parliamentary form of government is the best form of government. The head of the Indian Union must be President and he would be elected by the elected representatives of Parliament and legislature. The Council of Minister headed by the Prime Minister and he would be elected directly by adult franchise and he is responsible to the people.

On the same way, the Governor and the Council of Ministers headed by the Chief Minister in a State. Dr. Ambedkar explained Article 32 as the "very heart and soul" of the Constitution. Draft Constitution adopted a single judiciary, uniformity in fundamental laws, civil and criminal and a common all-India civil service. In U.S.A. the Federal Judiciary and the State Judiciary are separated independent to each other. Although the Indian Federation is a dual polity but has no dual judiciary. In India, High Court and Supreme Court formed one single integrated judiciary having jurisdiction and provided the civil and criminal law such as Civil Procedure Code, the Penal Code, the Criminal Code, the Evidence Act, the Transfer of Property Act, laws of marriage, divorce and inheritance under the Constitutional law. These are placed in the Concurrent List. He stated that the Indian Federation will have a dual service both in Union and States. Indian Constitution provided the states to form their own civil services. All-India Civil Services should be recruited on the basis of common qualification with uniform scales of pay. There should be reservation of seats both in Union and States. Article 1 of the Draft Constitution described India as a Union of States. Federation means the States have right to secede from the country and it is denoted a contract, but "Union" means the State has no right to seceded from it. Federation is a Union and it is indestructible. The Indian people may be divided into different states for administration and governance but India must be an integrated country. Dr. Ambedkar stated that the residuary powers are given to the centre not to the States.

To establish a casteless, classless homogenous society he incorporated chapter III on Fundamental Rights. He did not accept the absolute rights of

people, the rights are under reasonable restriction. He wanted to establish a balance between individual liberty and social good. He incorporated the Directive Principles of State Policy in chapter IV of the Drafting Constitution. Article 37 to 51 contained the active obligation of the State. The Directive Principles implies social, economic and political justice. According to him, our object in framing this Constitution is really three-fold, namely, (i) to form a political democracy, (ii) to form an economic democracy, (iii) to form a social democracy.

His opinion was that the President of India would be vested the same position as the King under the UK Constitution. The President of India is nominal head of the State and the Cabinet is real head of the institution (state). He represents the nation but does not rule the nation. Dr. Ambedkar truly realised that no person should be nominated in the Cabinet except on the advice of the Prime Minister for the effective implementation of the rule of collective responsibility of the Council of Minister. The Prime Minister is really the key one of the arch of the cabinet. He demanded reservation seats in government services and in legislature for the Dalits. They should be given equal partnership in the administration with other classes. He emphasised political democracy and social democracy to create casteless society. He recognised liberty, equality and fraternity as the principles of life. In politics, he recognised "one man, one vote, and one value".

Dr. Ambedkar delivered on 'Federation Versus Freedom' before the Gokhale Institute of Economics on 29th January, 1939. He was a strong supporter of parliamentary democracy and federal structure based on the principles of strong centre and independent states. To him, federalism means an ideal polity with the union at the Centre level and states at the periphery level. To him, 'Indian Union' means that the Indian Federation is not a result of an agreement by the units, and the states have no rights to secede from the 'Indian Union'. In normal times, India is a federation but turns into unitary type in emergency.

Article 17 prohibiting untouchability, Article 30 dealing with the protection of minorities, Article 32 dealing with the right to constitutional remedies. Articles 15(4) and 16(4) of the part III and part XI and schedules V and VI dealing with the upliftment of the down-trodden classes. Part XVI of

the Indian Constitution described the special provision for SCs, STs, Anglo-Indians and educational Backward Classes.

Articles 330 and 332 of the Indian Constitution provided that seats shall be reserved for SCs and STs in the Lok Sabha and State Legislative Assemblies respectively. Article 331 and 333 provided that if the members of the Anglo-Indian Community is not adequately represented in the Union and States (Lower Houses) the two members from the community may nominated by the President and the Governor. According to Article 334, the reservation of seats is fixed after the ten years from the commencement of the Constitution. Article 336 and 337 provided the special provision in services for Anglo-Indian Community. Article 338 provided for Special Officer for SCs/STs to investigate the conditions of the down-trodden classes. The Special Officer is appointed by the President. Article 339(1) provided that a commission may be appointed relating to administration of the scheduled areas and welfare of the STs. Article 340(1) of the Indian Constitution provided to form a commission by the President to investigate the conditions of socio-economic and educations of the down-trodden classes. Above of all these special provisions for socio-economic and educational backward classes made by Dr. Babasaheb Ambedkar.

Ambedkar strongly advocated the parliamentary form of government. To him, peaceful democratic methods of legislation, persuasion, discussion, consensus etc. are most important instruments for socio-economic changes. According to Ambedkar, Parliamentary form of government believes in egalitarian society based on socio-economic justice and equality amongst the masses opposition. Party and fair elections, equality before law and equal protection of law, hereditary authoritarian system should be abolished, etc. are essential elements for successful working of the parliamentary form of Government.

Ambedkar's philosophical constitutionalism evolved around social justice. He was advocated of social-economic changes through constitutional method. He wanted to create an ideal society through constitutional revolutionary way. In his equal society, there would be no discrimination between man and man, no exploitation, no untouchability and hierarchical system etc. He demanded separate electorate for down-trodden classes for

their upliftment. His concept of Constitution recognises liberty, equality and fraternity as a trinity principle of life. The trinity principles of life imply the unity of diversity. It was frankly admitted by Dr. Ambedkar, "I came into the Constituent Assembly with no greater aspiration than to safeguard the interest of the Scheduled Caste."⁵⁸

The Indian Constitution is the supreme law of the land. This Constitution has provided us a Sovereign, Democratic, Republic and committed to the concept welfare state based on egalitarian values in the people are sovereign through their representation in the Parliament. The people are responsible for democratic governance in the country. Dr. Ambedkar's socio-economic and political philosophy placed in the Indian Constitution. His philosophy of an ideal society is found in the Constitution of India.

The main object of our Constitution was to establish an egalitarian society which is based on the dignity of man as a human being and creation of a casteless and classless homogenous society. To achieve this goal he incorporated a chapter on Fundamental Rights. He did not accept the concept of fundamental rights in absolute terms. To him, the Parliament can reasonable control over the fundamental rights for the interest of the people. His idea was that this reasonable control over individual may achieve a balance between individual liberty and social good. To safe discrimination and promote justice he added equality before law and equal protection of law (Article 14), prohibition of discrimination on grounds of religion, race, caste, sex or place of birth (Article 15), equality of opportunity in matters of public employment (Article 16), abolition of untouchability (Article 17), and prohibition of untouchability (Article 23). These provisions made by him to establish social equality, social stigma and social discrimination from our Hindus society. Therefore, it may rightly observe that the objective of the Constitution of India was to establish an egalitarian society where fundamental rights were guaranteed not only for down-trodden classes but also to all. Dr. Ambedkar believed that the vast disparity between caste Hindus and Untouchables may reduced through Constitutional law.

Directive Principles of State Policy are contained in Part IV of the Constitution from articles 36 to 51. It provides essential guide-lines both for

the state as well as the citizens for establishing economic democracy in India. The most important principles of the Directive Principles of State policy are given below :

- Article 38 :** State to secure a social order for the promotion of welfare of the people.
- Article 39 :** Adequate means of livelihood to all citizens.
- Article 41 :** Right to work, to educate and to public assistance in cases to unemployment, old age, sickness and disablement.
- Article 42 :** Provision for just and humane conditions of work and maternity relief.
- Article 43 :** Living wage and proper conditions of work to all the workers.
- Article 46 :** Ensure that weaker sections of the society are given proper care.
- Article 44 :** The state shall try to give to the people a uniform civil code throughout the Union of India.
- Article 45 :** The State shall try to give to the people free compulsory prime education to children below 14 years of age.

From the above of all these articles it has rightly been observe that the Chapter IV of the Indian Constitution provided a concept of society based on abolition the economic exploitation, welfare state and liberty, equality and fraternity. The objectives of the Constitution of India are :

- i) Acceptance the values of liberty, equality and fraternity.
- ii) Abolition of untouchability.
- iii) Reserve seats in executive, legislature and public services and educational concessions for down-trodden classes.
- iv) Adult suffrage.
- v) Fundamental rights for all citizens.
- vi) To establish a socialistic pattern of society.

- vii) To establish parliamentary democracy based on liberty, equality and fraternity.
- viii) To create associated mode life.
- ix) Abolition of all beggars, slavery and exploitation.
- x) To create India as a welfare state.
- xi) To create India as a secular state.
- xii) To establish an egalitarian society.
- xiii) Unitary federalism.
- xiv) To establish India as State Socialism.
- xv) To establish India as socio-economic and political democracy.
- xvi) Equality among human beings.
- xvii) To establish India as parliamentary form of Government based on brotherhood.
- xviii) To create national feeling among the people of India.
- xix) To establish a just society based on the trinity principles i.e. liberty, equality and fraternity.

XI. Ambedkar's Concept of Nationalism

Babasaheb Dr. B.R. Ambedkar wanted to transform the hierarchical structure of Indian Hindu society for the restoration of equal rights and justice to the down-trodden classes. He was a practical experience to the problems of untouchability. Ambedkar's alternative form of nationalism popularly known as 'Dalit-Bahujan-Nationalism' incorporated the subaltern philosophy of Mahatma Jyoti Rao Phule, Periyar and E.V. Ramaswami Naikar and so on. His concept of nationalism based on liberty, equality and fraternity. Anti-Hindu and anti-Brahmanical discourse is his Indian nationalism. It's aimed at establishing a casteless and classless society where no one would be discriminated on the basis of birth, caste, race, religion and occupation. His Dalit-Bahujan framework of Indian nationalism based on brotherhood where hierarchical structure of caste system would be abolished and shall establish a casteless or classless society which is popularly known as 'just society'. To him, orthodox Hindu society is inegalitarian where down-

trodden classes are exploited by the upper caste Brahmin. The foundation of 'Dalit-Bahujan Nationalism' lies in his whole activities of life. The aims and objectives of his concept of nationalism are to establish a casteless or classless and egalitarian society in India. Annihilation of caste was its core theme. To him, Brahmanism is the poison which has destroyed Hindu society. He realised that without abolition of caste system from Hindu society the Indian nation would not be formed in the proper way. To him, Swaraj without extinction of caste had no meaning. Fight against untouchability is important than swaraj. In his editorial notes in the 'Bahishkrit Bharat' he wrote on 29th July, 1927 that "If Tilak had been born among the untouchables, he would not have raised the slogan - "Swaraj is my birthright", he would have raised the slogan- "Annihilation of untouchability is my birthright."⁵⁹

Dr. Ambedkar, Labour Member, Govt. of India delivered speeches before the Municipal Corporation of Madras on Friday, the 22nd September, 1944. To him, in India "conventional lies of civilisation"⁶⁰ where national government was formed by the upper castes Hindus. The Brahmin community entitled as the governing community. He demanded parliamentary form of government which based on adult suffrage. In every country there are two classes namely the governing class and the subject class. The governing class is elected to govern and the subject class never gets a chance. He pointed out that the ministry was Brahmin in the seven provinces the result of the election in 1937. To him, Brahmin dominated government does not believe in equality, it is believe in gradation of inequality where man is not man. According to Dr. Ambedkar, "I am no opponent of a national Government, I am no opponent of Swaraj, I am no opponent of Independence. If I can be assured that I could have independence, education and welfare, which are promised to the nation, I certainly will fight for independence for nationalism, for freedom".⁶¹ Dr. Ambedkar, former first law Minister of the Union Government presided over a meeting held under the auspices of the 'Buddha Dharam Prachar Samity' on May 27th, 1953 at Nare Park, Parel, Bombay. He said that unless a casteless and classless society was created, there would be no progress in the country. To him, Buddhism can make unity because Buddhism believes in liberty, equality and fraternity or brotherhood. Socio-economic and political emancipation of Dalits is as vital as the struggle for social justice. Brahmanism, capitalism and landlordism are three the biggest

enemies of the Dalits Classes. Dalit Mazdoor Sangathan will take Constitutional path. According to Ambedkar, nationalism is closely related with man's life, pride and activity. It is a force in the history of mankind. He does not believe hierarchical structure of Indian Hindu nationalism. It destroys human life and morality. Nationalism is a dynamic force of modern history. National Unity was fundamental aim of his political thought. He wanted to give equality and fundamental rights to those persons who were deprived for last long times. In the Round Table Conferences (1930-1932) he explained social unity by giving special provisions for down-trodden classes. To him, nationalism is not only state of mind, but also based on full-blooded humanistic faith and dignity of the citizens. In the views of Dr. Ambedkar, British rule in India is the cause of negligence of welfare over the depressed classes.

Nationalism means the spirit of oneness in the people. He wanted a government in which all people should be treated equally for best interest of the country. He made various attempt to growth the awareness and national consciousness. Freedom of the country is essential for freedom of the people. Some countries are free but some people still live a life of serfdom. The USA is a independent country, but the Negros in the country are treated as second class citizen. According to Ambedkar, it is not a freedom. Freedom lies in those country where all people are truly treated equally, there would not any degradation on the basis of caste, creed, religion and languages. Dr. Ambedkar wanted a nation where all people should be provided equal rights and equal opportunities. To him, nation consists with the two elements. The first one is all groups and classes and the second one is area of land. All people in these areas should be provided equal rights and equal opportunities. Nationalism is a feeling of consciousness of kind and it is a sense to live togetherness. In the concept of nationalism there is no race-hatred, caste-feeling, social inequality and injustice.

Ambedkar has a deep faith in India's cultural unity. He recognises "One State, one language". In his book "Thought on Linguistic States" described that in Germany, France, Italy, England and U.S.A.'s Constitution recognised "One State, One language" is the rule. To him, different languages should not hinder the growth and it destroys the spirit of nationalism. In the cases of Canada, Switzerland and South-Africa have bilingual states, but

these countries are unite. Linguism does not harm the national spirit in these countries. To him, "One States, one language" is necessary.⁶³ He says, "one language can unite people. Two languages are sure to divide people. This is an inexorable law. Culture is conserved by language since Indians wish to unite and develop a common culture it is the bounden duty of all Indians to own up Hindu as their language".⁶³ He strongly supported to linguistic basis of states. In Linguistic State the regional language would be official language. Culture is conserved by Language. One language should be accepted by the whole countries men which should make and easiest way to democracy and removal of racial and cultural tensions in our own soil. To him, with regional languages as official languages the ideal to make India one united country.

According to Ambedkar, communalism is most dangerous poison of human life. Communalism is barrier to unite the nations. It creates anti-social activities. It is menace of human life. Ambedkar was champions of social reform. He stressed against on separation, provincialism, linguism, casteism and communalism. In the views of Ambedkar casteism has destroyed social and economic system of the society, and it is against the spirit of nationalism. Caste has destroyed public spirit. There is no sympathy in communalism. Indian communalism has emerged based on casteism. Caste based communalism of India has destroyed the national integration and hamper the way for liberty, equality and brotherhood. He does not hold such as Hindu nationalism or Muslim nationalism. Indian nationalism recognises to all religious. All religions have equal relevance and equal right. In human treatment, ignorance must be disappeared from Indian nation. India is a secular country. Ambedkar's nationalism must be created a brotherhood relationship among man and man.

In India, the Hindu community is a majority community and Muslims, Buddhists, Christians, Jains, Parsees, Sikhs, are minority communities. Scheduled Castes and Scheduled Tribes treated as minority community by Ambedkar. In his book "Communal Deadlock and a Way to Solve it" has given some principles to solve the communal problems. These are as under :

- (i) A majority community may be conceded a relative majority of representation but it can never claim an absolute majority.
- (ii) Joint or separate electorates should be given to solve it.

- (iii) Reservation of seats should be provided in the legislature, executive and civil services.
- (iv) Seats should be distributed on the basis of population.
- (v) There should be unitary form of government instead of federation.
- (vi) The executive should be non-parliamentary. It should not be removable before the term of the legislature.
- (vii) All citizens should enjoy equal fundamental rights without caste, creed, religion or sex.
- (viii) Indian state should be based on secularism and state-socialism etc.

There were other demands on behalf of particular minorities such as :

- 1) Provision of a Statutory Officer report on the condition of Minorities.
- 2) Statutory provision of State aid for education, and
- 3) Statutory provision for land settlement.⁶⁴

Dr. Ambedkar supported the demand of Pakistan. He wrote in his book "Pakistan and the Partition of India" in 1940, that to solve communal problems in India it is essential to create a separate state popularly known as Pakistan. He openly advocated for partition of India in the context that he thought it will be better interests in both the communities. Self-determination of a country is essential to make an ideal nation. Therefore, self-determination should be provided to the Muslims. Self-determination is always claimed a separate nation.

According to Dr. Ambedkar, hierarchical caste system in India is anti-national because it brings about separation in social life. Unitary Bharat should be formed by destroying the various castes, creeds and communities. He wanted an integrated society based on liberty, equality, fraternity and social justice.

In order to solve the problem of the Minority Communities in independence India, he stated a plan in his book "State and Minorities", which could be summarised as under.

- i) The executive both in Union and State shall be non-parliamentary in the sense that it shall not be removable before the term of the legislature.
- ii) The Prime Minister shall be elected by the whole House by single transferable vote.
- iii) The representative of the different minorities in the Cabinet shall be elected by members of each minority in the legislature by single transferable vote.
- iv) The members of the Executive if they are not members of the Legislature shall have the right to sit in the Legislature, speak, vote and answer question.
- v) The representatives of the majority community in the Executive shall be elected by the whole House by single transferable vote.
- vi) There shall be a special officer called Superintendent of Minority Affairs to safeguard the interests of the minorities.
- vii) There shall be uniform laws, a single integrated judiciary and Central Administrative Service.
- viii) India shall be a federation of states and it would be based on the values of secularism.⁶⁵

A nation is a living soul, a spiritual principle. It is a feeling of mind. According to Dr. Ambedkar, Nationality means "consciousness of kind, awareness of the experience of that tie of Kinship". Nationalism means "the desire for a separate national existence for those who are bound by this tie of kinship". Nationalism is a feeling of 'will to live as a nation'. Territory and feeling are concerned with nationalism.⁶⁶

According to Dr. Ambedkar, "Nationality is a social feeling. It is a feeling of a corporate sentiment of oneness which makes those who are charged with it feel that they are Kith and Kin. This national feeling is a double edged feeling. It is at once a feeling of fellowship for one's own Kith and Kin and an anti-fellowship feeling for those who are not one's own kith and kin."⁶⁷ To him, national feeling is both a fellowship and an anti-fellowship element. There is no place for race hatred, con feeling and social prejudices in

his concept of nationalism. He believed that liberal democracy provides all opportunities to all people without caste, creed religion etc. Racialism and narrow ground of nationalism should be abolished for free and feeling of human mind. To him, national feeling is not only negative. It is essentially positive, if the people long to live together. For instance, the Muslim had developed a "will to live as a nation". They wanted to live together. Dr. Ambedkar felt desire to bring the people of India together by broadening their outlook of Indian nationalism in the light of international affairs. He wanted to establish a life of international friendship, love and brotherhood. There cannot be nationalism without the feeling of nationality being existence. To him, "the feeling of nationality may be present and yet the feeling of nationalism may be quite absent. That is to say, nationality does not in all cases produce nationalism."⁶⁸

Political and social unity are essential to bind the people together. Nationalism is based fundamentally on a strong feeling of social unity. Without it, nationalism cannot exist. Nationalism should be founded on human brotherhood. Otherwise it may create conflicts and wars among the different parts of the world. Nationalism should not a tyranny and menace to any other community and country. Nationalism should be based on liberty, equality and fraternity. According Dr. Ambedkar, "Nationalism is not a matter of political nexus of cash nexus, for the simple reason that union cannot be the result of calculation of mere externals. Where two communities live a life which is exclusive and self-enclosed for five years, they will not be one, because, they are made to come together one day in five years for the purposes of voting in an election."⁶⁹

Communalism opposes full-blooded nationalism, it hampers the happiness of other social groups and destroys the social unity. It creates anti-social activities. It destroys the spirit of common unity. Ambedkar was one of the champions of social reforms. He fought against separatism, provincialism, linguism, casteism and communalism. All these anti-social and anti-national activities are to be checked and wipe out root and its branch from the face of Indian society. According to Dr. Ambedkar, casteism destroys the spirit of nationalism. This caste system divides the people into numerous small separate social units. It is a descending and ascending order in nature. There is no sympathy in casteism. Caste has destroyed the public spirit and public

charity. This caste feeling is the mother of communalism. This communalism is a disease which destroys the human beings. To him, nationalism means the negation of caste-spirit and it is a deep-root of communalism. He characterise caste as dens of selfishness and hypocrisy. Communalism is based on caste consideration. Communal feelings are a menace to national integration and it hampers the way for liberty, equality and fraternity. Caste based Indian nationalism is incompatible with social justice, democracy and civil Government. He was a strong supporter of the parliamentary form of Government. He wanted to destroy all kinds of obstacle to form India as ideal nation where caste feeling would be destroyed from Hindu society. His concept of nationalism encourages man to love and sympathy for his country and prepare him to hate all those who are enemies of country. To him, nationalism is an inner unity of the people which teaches man the feelings of the liberty, equality and fraternity. He acknowledged that nationalism is a process of social assimilation and it is a perfect process of harmony to get India as an ideal state. Nationalism is feeling of brotherhood of men without caste, creed, religion etc.

Ambedkar believes in Indian nationalism. He does not hold any religious view of nationalism such as Hindu nationalism or Muslim nationalism. He believes in secular nationalism. In Indian nation, all religions are equal importance. These religions should not to a symbol of inhuman treatment, ignorance and ignominy. Nationalism and secularism should try to build-up a nation by bringing them together for emotional integration and social unity. India is divided into castes, creeds and communities. India cannot be unitary and autonomous unless the safeguards for the Untouchables are provided in the Constitution itself. He visualised an integrated society based on liberty, equality fraternity and social justice. His opinion was that unless the society is based on these principles (liberty, equality, fraternity and justice), it cannot achieve integration at all.

There are friction, fight, discrimination in the mixed state. These are incompatible with democracy. 'One state one language' is the only solvent to racial and cultural conflicts. He was glad that India was separated from Pakistan. He felt that by partition the Hindus would not only be independent but free. If India and Pakistan had remained united, then India would not been free from the Muslim rulers, but Muslim would have been the ruling race

notwithstanding the Hindu Mahasabha and Jana Sangh. He stated that "the idea of a mixed State must be abandoned. Every State must be an unilingual State. One state, one language. The formula one language, one State means that all people speaking one language should be brought under one Government irrespective of area, population and dissimilarity of conditions among the people speaking of language."⁷⁰

Dr. Ambedkar delivered his speech under entitled on "Ranade, Gandhi and Jinnah" on the 10 1st Birthday Celebration of the late Justice Mahadeo Govind Ranade held on the 18th January 1943 in the Gokhale Memorial Hall, Poona. His delivering speech published in 1943. In the preface in this book he said that "I am no worshipper of idols. I believe in breaking them. I insist that if I hate Mr. Gandhi and Mr. Jinnah. I dislike them, I do not hate them- it is because I love India more. That is the true faith of a nationalist. I have hopes that my countrymen, will some day learn that the country is greater than the men, that the worship of Mr. Gandhi or Mr. Jinnah and servile to India are two very different things and may even be contradictory of each other."⁷¹

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