

Gender, Caste, And Constitutional Justice: Revisiting Ambedkar's Vision for Dalit Women

Capt. Naveen Kumar Chukka

Senior Lecturer, Hindu College, Guntur

ABSTRACT:

Dr. Ambedkar the determined fighter and a deep scholar has made significant efforts to lead the society on the path of Liberty, Equality, Fraternity and Gender Equality. He was first Indian to break down the barriers in the way of advancement of women in India. He laid the foundation of concrete and sincere efforts by codifying the common Civil Code for Hindu and other sections of the Indian Society. The present paper is an attempt to highlight Dr. Ambedkar's view on women problems in pre and post independent India and its relevancy in present scenario. He fought for the empowerment and autonomy of women and the improvement of their Political, Social or Economic. The paper analyzes the contribution of Dr. B. R. Ambedkar's a thinker and social reformer the emancipation of social status of women in the Hindu Society. It also deals about the relevance of his ideas in the contemporary feminist discourse on Gender equality under Indian social conditions. His main argument is the gender relations are artificially constructed under Hindu social order which not only moulds attitude of Hindus towards their women but also conditions women to confirm to a stereotype feminine behavior.

Key Words: Liberty, Equality, Fraternity, civil code etc.

“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 and reverence towards our fellow men.” -Bharat Ratna Dr. B. R. Ambedkar

The present paper deals about the great effort taken by Dr. B. R. Ambedkar to remove the basic hurdle in the process of Human development of downtrodden people. In a rudimentary form Christianity and Islam introduced the notion of all-pervasive human rights into their society's way back in history. But the Brahmanical religion on the contrary, did not allow the very notion of human rights to come into its orbit.

The first major effort of the human rights movement should be abolition of untouchability in this country, while carrying on a general campaign against the caste system itself. As long as untouchability exists, no civilized country can claim that human rights are safeguarded in that country. So far, the NHRC (National Human Rights Commission) has been focusing only on the abuse of human rights by the state agencies as against individuals. The widespread civil-societal violation of human rights centering on the caste system has yet to be addressed. NHRC launched a massive campaign against downtrodden people.

The second issue should be on abolition of the practice of not sharing food with the Scheduled Caste's both in rural and urban areas. This destructive is particularly widespread in rural India. Even today, there are restaurants with separate tumblers and cups for Scheduled Caste users. Still in village for functions for community SCs are not allowed to dine with the rest of the people. So called the upper castes are

debarred from the social and the familial functions organized by the SCs, now would they invite the SCs for their social gatherings.

Educated Scheduled Caste persons in the villages are naturally put off by such a social environment. When they strive for a better human environment the upper castes react violently resulting, in many cases, in violence against the protestors. Human rights organizations respond only at that stage and talk about violation of human rights of the Dalits. In this condition, for the first time the untouchables were given separate representatives of two delegates who happened to be Dr.B.R.Ambedkar and Dewan Behadur R.Srinivasan. Their initial task was to formulate the safeguards required for the Untouchables against the large-scale tyranny and oppression of the caste Hindus. Dr.Ambedkar submitted a Memorandum to the Minorities committee of the Round Table Conference. He also designed a scheme of political safeguards for the Depressed classes proposed to be adopted in the future constitution of a self-governing India.

Apart from this he provides sources of inspiration to formulate a feminist political agenda which simultaneously address the issues of Class, castes and gender in the contemporary socio-political set up, which skill keeps conservative and reactionary values in many respects, particularly on gender relation. In Indian Constitution, there are few articles exist that help the women if Indian society to improve their position and to compete with their male counterparts.

For example Article 14 – All are equal in the eyes of law and equally protected by the law. It means equal rights and opportunities in political, economic and social spheres. Article 15 prohibits discrimination on the ground of sex. Article 15(3) enables positive discrimination in favour of women. Article 16 mentions there shall be equality of opportunity for all citizens in matters relating to employment or appointment to any office without any discrimination on the basis of religion, caste, creed, and sex. Article 24 prohibits the employment of children below the age of 14 years in factories, mines or in any other hazardous employment. Article 39 and 39(d) state Equal means of livelihood and equal pay for equal work. As per article 41 the state shall guarantee within its economic limits to all the citizens, the right to work, to education and public assistance in certain cases. Article 42 the state makes provision for Human conditions of work and maternity relief. Under article 44, the state provides a uniform Civil Code to all the citizens throughout the territory of India. Article 46 – The state to promote with special care, the educational and economic interests of weaker section of people and to protect them from social injustice and all forms of exploitation. Article 47 – The state to raise the level of nutrition and standard of living of its people and the improvement of public health and so on. Article 51 (A) (C) – Fundamental duties to renounce practices, derogatory to the dignity of women. Article 243D (3), 243T (3) & 243R (4) provides for allocation of seats in the Panchayati Raj Systeem.

Ambedkar not only ascertain constitutional grantees to women but also introduced and got passed four Acts which strengthened the position of women in the society. These 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 protection Act, 1956. If we look at the provisions of those Acts, we can easily make out that Ambedkar was a great thinker of women rights and emancipation.

Gender equality, gender main streaming, networking, leaderships, financial freedom is the essential aspects of women empowerment. Dr.Ambedkar realized this at this time and included in the process of social reforms. He started his works for women in the struggle, for eradication of caste systems and upliftment of the underprivileged sections. He realized that this could not be achieved without liberating

the women themselves. He motivated women and addressed them to participate on struggle against caste prejudices. During the *Mahad* Tank struggle, women marched in the procession along with men. He encouraged women to organize themselves. It was impressed by the gathering of women at women's conference held at Nagpur on 20th July, 1942, he told women to be progressive and abolish traditionalism, ritualism and customary habits, which were detrimental to their progress.

According to Ambedkar, the society must be based on reason, and not on atrocious traditions of caste system. Therefore, in "The Annihilation of caste", he suggests as a means the annihilation of caste maintained through *Shastras*,

"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 interdine and intermarry"

He found education, inter caste marriage and interdine as methods, which may eliminate castes and patriarchy, maintained through endogamy. In Ambedkar's movement launched from 1920 onwards, women actively participated and acquired the confidence to voice their issues on various plafforms. Venbai Bhatkar and Renubai Shambharkar are worth mentioning. In 1924, Bahishkrit Hitakarni Sabha was formed to work for the Socio-political equality of depressed people is promoting their economic interests. Women started participating in Satyagrahas and also launched Women's associations for untouchable women for spreading education and awareness among them.

In January 1928, a women's association was founded in Bombay with Ramabai, Ambedkar's wife, as its president. Along with the Depressed Classes Conference in Nagpur in 1930, women also had their separate conference. In the Kalram Temple way in Satyagraha at Nasik in 1930 five hundred women participated and many of them were arrested along with men and ill treated in jails. To face tortures along with their men, women also planned their Samata Sainik Dal. When he returned to India after attending the round table conference in 1932, hundreds of women were present for the commission meetings. At various places dejected classes women's conferences were held and they began to present their demands assertively. The encouragement of Ambedkar empowered women to speak out boldly their feelings. As Radhabai Vadale said in a press conference in 1931, "We should get the right to enter the Hindu temples, to fill water at their water resources. We call these social rights. We should also get the political right to rule, sitting near the seat of the Viceroy. We don't care even if we are given a severe sentence. We will fill all the jails in the country. Why should we be scared of lathi-charge or firing? On the battlefield does a warrior care for his life? It is better to die a hundred times than live a life full of embarrassment. We will sacrifice our lives but we will win our rights." The credit for this self-respect and firm determination of women goes to Ambedkar.

On 20th July 1942, *The All India Dalit Mahila* conference was organized and 25,000 women attended. Ambedkar was highly pleased with the awakening and activities of women. On 13th August, he wrote to one of his friends, Meshram about this. On 6th January 1945, the All India Untouchable Women's Conference was held in Mumbai. (Limaye, 1999:57-61). In the movement, his strategy was similar to Gandhian method though he had disagreements on many things with Gandhi. To him the emphasis was on modernization of the Hindu society on the basis of equality rather than the social reforms initiated by Brahma Samaj or Arya Samaj because their attempts were limited only to the upper strata of the society. His in depth study of *Smritis* and *Shashtras* and his practice from the response of upper castes during his temple entry movement crystallized his conclusions on Hindu philosophy and society.

It may undeniably be mentioned here that Dr.B.R.Ambedkar was a path-maker of all the women irrespective of religion, caste, creed, gender etc. He brought a new trend for uprising the women through

his thoughts and beliefs. Not only women all the people of India should thankful to him because of his tremendous and perpetual steps of development works. He also talked about the Muslim women about wearing veil, their religious traditions and marriages. Keeping in mind the importance of Ambedkar's views towards Indian Society, the then prime minister of India, Pandit Jawaharlal Nehru said, "Dr.Ambedkar was a symbol of revolt against all oppressive features of Hindu society". In present day context, Ambedkar and his thoughts on society based on equality are yet to be realized for reconstructing Indian society and making the life of women better. So that society would be based on equality and equal opportunity. In this ways dreams of Ambedkar would be fulfilled.

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