

THE SIGNIFICANCE OF DR. AMBEDKAR'S PHILOSOPHY OF HUMAN RIGHTS, AND ITS RELEVANCE IN CONTEMPORARY TIMES

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AMBEDKAR: LIFE AND JOURNEY

India's freedom struggle was never solely against the British, but also against its own graded inequality originating from the caste system. Ambedkar was the primal, inevitable force against caste-based discrimination, who positively impacted the lives of India's untouchables- politically, economically and religiously. Consequently, Ambedkar's biographer, Dhananjay Keer called him the tallest among Dalit leaders. Dr. Ambedkar, the Mahad mascot grew up at a time when Hume's brainchild- the Indian National Congress, took to negotiating terms for colonial India's freedom with the British. A nascent, however effective safety valve to check the brewing of revolutionary sentiments amongst the Indian masses, the Congress soon became the sole platform for any political strife against the British to succeed. Represented predominantly by the Savarna, male, status quoists, its political positions alternated between aggressive Nationalism and moderate, British-friendly pacifism. In either case, it made no efforts to give space to an equally (if not more), grave, continuous and inhumane problem of remorseless caste-based discrimination among Indians. On the contrary, Congress underwent a curious evolution, making nationalism its defense against any alternative political and social aspirations for the sub-continent. While the Savarna, English-educated, monopolized the discourse around freedom strife, Ambedkar struggled with caste-based discrimination, economic impediments and familial losses. Growing up as an untouchable in colonial India, he faced humiliation and hardships. His career as the sole, dedicated national representative of the Bahujans, or Mooknayak, despite his relatively less successful electoral record, led to the most long-lasting developments in the cause of equality and human rights in India. On his 131st birth anniversary, while the world grapples with the resurgence of neo- supremacist tendencies, it is pertinent to remember the huge contribution of Ambedkar's intellect and labor in materializing the dream of dignity for millions in India.

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HUMAN RIGHTS PHILOSOPHY OF AMBEDKAR

After suffering enormously from two annihilating world wars, countries unanimously agreed upon a threshold for human dignity in the form of the Universal Declaration on Human Rights, 1948. Thus, recognizing certain inalienable, fundamental and indivisible rights guaranteed to all by virtue of being human. While advances in the field of rights advocacy were registered internationally, India failed to even recognize the problem of generational, caste-based discrimination against millions of untouchables. This void between the world and India was filled by Dr. Ambedkar. The concept of Human Rights has evolved progressively across the world, however, it is still viewed through the Westphalian prism of political enforcement alone. It was Dr. Ambedkar who analyzed it through a social prism and came up with his own new idea of democracy and ideal society wherein he gave primacy to social conscience as opposed to political mechanisms alone for the enforcement of human rights in society. He held caste responsible for the oppression and backwardness of millions of Bahujans and of women across castes. He remarked, “Turn in Any Direction Caste Is the Monster in Our Path.”

AMBEDKAR AND WOMEN'S RIGHTS

Because of the absolutism of the Hindu male at the family level, Dr. Ambedkar found women's sexuality controlled entirely by men. He held this religiously-sanctioned ownership and control of women responsible for the millennia-long perpetuity of the caste system. Therefore, the emancipation of women and granting them education and sexual autonomy was the only way to put an end to caste-based power structures maintained by endogamy. He believed in educating women for the benefit of society at large. He measured the progress of a community with the degree of progress which women have achieved in that community. He opined, “Education is fruitless without educated women and agitation is incomplete without the strength of women.” Before Ambedkar, women's rights were rarely discussed with any legislative intent in the colonial-era Congress. The public discourse around cases like Queen-Empress vs Hurree Mohun Mythee, 1890, and the consequent opposition to The Age of Consent Act, 1890 by prominent leaders like Lokmanya Tilak gave Ambedkar the foresight to work for Women's equality by expressed provisions in statutes and the Constitution of India. His commitment to the cause of upliftment of women and other depressed, vulnerable sections of society is evident from his resignation as the Law Minister of independent India,

over the government's failure in backing the contentious Hindu Code Bill, heavily opposed by Savarna males for containing reformatory provisions for women and backward classes.

A MESSIAH FOR THE UNTOUCHABLES

As the chairperson of the Drafting Committee, he made sure to introduce expressed provisions for safeguarding the rights of the depressed classes and to put an end to untouchability.

- He advocated explicitly mentioning the term 'caste' under the Right to Equality in the Constitution of India.
- He emphasized the importance of the prohibition of untouchability explicitly in Part III of the Constitution of India.
- He is responsible for the reservation of seats for Scheduled Castes and Scheduled Tribes in the House of the People under Article 330 and Article 332.
- Article 32, which works on the common law principle of "*Ubi Jus, Ibi Remedium*" was called the "heart and soul of the Constitution of India" by Dr. Ambedkar.
- Ambedkar is responsible for the provisions regarding positive discrimination, affirmative state action, legal redress for all, and economic support for the disadvantaged in the Constitution of India. He envisioned developing common constitutional morality as opposed to arbitrary religious or caste-based morality as a virtue had become caste-ridden and morality had become caste bound which killed public spirit.
- In addition to fighting many important cases involving protecting the basic rights of civilians such as Chirner jungle satyagraha, the Defamation case against Jadhve and Jawalkar and the obscenity case against R.D. Karve, he also personally organized marches, protests and set up organizations to accomplish his dream of equality for all in India.
- The Mahad Satyagraha, the Kalaram Mandir Satyagraha and the Poona Pact were his most well-known struggles among the common people.
- He emphasized the importance of the philosophical triad of Liberty, Equality and Fraternity for an ideal democracy, which was included in the Preamble to the Constitution of India.

- He popularized Buddhism in India among the depressed classes, with his endorsement of the Buddha's teachings of Liberty, Equality and Fraternity, which he considers as the basis of an ideal society.

CONTEMPORARY RELEVANCE OF AMBEDKAR'S PHILOSOPHICAL CASE FOR RIGHTS AND DEMOCRACY

While the West primarily focuses on the enforcement of Human Rights against the state, Dr. Ambedkar views the state as a necessary evil if equality in society has to be achieved, as he emphasized the infringement of one person's rights by another person or class of persons. Therefore, in his view a strong center checks such denial of Human Rights to some by other citizens. State therefore must become the unbiased arbiter. Hence, he gives a two-fold solution to ensure the enforcement of Human Rights in democracies:

(i) The centralized state ensuring the Rule of Law

(ii) Agitating the social conscience of society by education and rational humanism.

The socio-political solution will bring about real political democracy as political democracy that would rest at the base of social democracy. Thus, leading to economic democracy, reversing the snatched occupational freedom from individuals and making the public receptive to progressive change. In such a democracy, revolutionary changes in the economic and social life of the people are brought without bloodshed and there is no oppressed or suppressed class. Thereby, the public conscience becomes agitated at every wrong no matter who is the sufferer.

He gave certain necessary constitutional safeguards for decent democratic ideals:

- Dignity Of Individuals
- Political Liberty
- Social Progress
- Human Rights

Further, for a successful democracy, he set certain conditions:

(i) No Glaring Inequalities In Society

(ii) Equality in law and administration (administration must be responsive, responsible, impartial self-determined)

(iii) Public conscience (to be developed by his political mantra “Educate, Agitate, Organize”)

CONCLUSION

In Ambedkar’s words, while some closed the doors, others found them closed against them. Therefore, compensatory discrimination as per constitutional morality, based on an attitude of mutual respect and reverence is the only viable way to enforce Human Rights for all people. ‘One Man, One Vote, One Value’ is his analysis of political democracy, which must lie at the base of social democracy. Dr. Ambedkar’s political democracy rested on four premises:

(i) Individual is an end in himself.

(ii) The individual has certain inalienable rights which must be guaranteed by the Constitution,

(iii) The individual shall not be required to relinquish any of his constitutional rights as a condition precedent to the receipt of a privilege

(iv) The state shall not delegate powers to private persons to govern others.

‘No Slavery, No Caste, No Coercion’ is acceptable as it goes against the very premise of equality and dignity. Therefore, evidently, the grundnorm of Ambedkar’s political, economic and social philosophy is the individual, his dignity and his freedoms.

May India continue to strive for all that Dr. Ambedkar stood for by following his tested methods of ‘Educate. Agitate. Organize.’