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Dr. Ambedkar: Women Liberation and Empowerment

Ravinderkumar

Research scholar, Department of Law, H.P.U. Summer Hills, Shimla

ABSTRACT

“It is the education which is the right weapon to cut the social slavery and it is the education which will enlighten the downtrodden masses to come up and gain social status, economic betterment and political freedom.”

Bharat Ratna Dr. B.R. Ambedkar

The Hindu Dharma-shastras is a real hell for the woman and dalits. We found that after reading baba saheb ambedkar writing and speeches. In the name sanskaras, the Hindu women are tied up with the bondage of superstitions, which they carry till their death. They are also responsible for inculcating these wrong notions learnt by them through baseless traditions and preaching of the Shastras in the budding minds of their offspring. That's why Dr. Ambedkar was of the firm opinion that until or unless, by applying dynamite, until Hinduism will not end.

The women in this land of ours were treated as a sort of thing. Her placing in the society was not at par with other human being. She has no rights. She cannot move or do anything at her will. In Hindu Shastras, she has been branded just like animals. From the verses of Ramayan as written by Tulsi Das crackpot:

"Dhol, ganwar, shudra, pashu,

naari- Ye sab tadanke adhikari"¹

What status has been granted to our mothers, sisters, in Hinduism, other religious books and upnishad etc? Similarly, we can see that of Draupadi in Mahabharata, the status of a woman same as bitch, as she was the wife of five husbands (Pandwas). She was not only, the wife of five husbands²; she put at stake in gambling by none else than the so called Dharmraj Yudhishtar. In 'Manusmriti' the ancient Hindu Code-book and Hindu Shastras has been mentioned that the woman is the 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 mother³. Of course, all the epigrams, aphorisms, proverbs, platitudes and truisms bear necked truth about the status (greatness, nobility) of women in India.

In the Women and Counter Revolution and The Riddle of Women, Ambedkar portrays the way in which Manu treated women. He pointed out that the laws of Manu on the status of women are very important in moulding the Hindu attitude and perspective (Indian perspective) towards women, perpetuated and maintained through Hindu personal laws based on shastras, caste and endogamy, i.e. the base of Indian patriarchy⁴. He attacked Manusmriti as a major source, which legitimizes the denial of freedom, self-respect, right to education, property, divorce etc., to women by attributing a very lofty ideal to them. He observes in the law book of Manu that the killing of a woman is like the drinking of liquor, a minor offence. It was equated with killing of Sudra⁵. Manu even advises a man not to

¹“Ramayan” as written by Tulsi Das,

²“The Mahabharata” Hindu's religious book

³ Manu, Manusmriti: 147-164 (Doniger, Wendy. The laws of Manu, Penguin Books. ISBN 0-14-044540-4, pp 115-116).

⁴ Ibid

⁵ Riddle of Women by Dr. Ambedkar



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sit in a lonely place with his own sister, daughter or even mother. Some of the other laws Manu prescribed are we already discussed about woman freedom.

It does not mean that no efforts have been made in the past to bring dignity to women. As in Europe, Christianity inaugurated the Era of equality, liberty and fraternity by preaching. That a prince and pauper, man and women, are equal in the eyes of God. There is also a very long tradition of social reforms by our saints and other social reformers but the Proprietors of the orthodox failure these efforts. In the absence of legal sanction or authority, these efforts could not sustain.

The Preamble of the Constitution of India proclaims to resolve of

WE, THE PEOPLE OF INDIA, having solemnly resolved to constitute India into a **SOVEREIGN SOCIALIST SECULAR DEMOCRATIC REPUBLIC** and to secure to all its citizens:

JUSTICE, social, economic and political;

LIBERTY of thought, expression, belief, faith and worship;

EQUALITY of status and of opportunity;

and to promote among them all

FRATERNITY assuring the dignity of the individual and the unity and integrity of the Nation;

IN OUR CONSTITUENT ASSEMBLY this twenty-sixth day of November, 1949⁶, do

HEREBY ADOPT, ENACT AND GIVE TO OURSELVES THIS CONSTITUTION.

Article 14, 15, 15(3), 16, 39, 42, 51 A (e), of the Constitution give enough scope of the protection of women from any sort of discrimination. In the year 1976, Article 39A was inserted to remind the state to ensure that the operation of legal system promotes justice on the basis of equal opportunity and to provide for free legal aid.

Dr. Ambedkar tried an adequate inclusion of women's rights in the political vocabulary and constitution of India. i.e.,

Article 14-Equal rights and opportunities in political, economic and social spheres⁷.

Article 15 -Prohibits discrimination on the ground of sex⁸.

Article 15(3) enables affirmative discrimination in favour of women⁹.

⁶CONSTITUENT ASSEMBLY this twenty-sixth day of November, 1949, *Indian constitution*

⁷Article 14 of Constitution of India. Fundamental rights Part (III)

⁸Article 15 of Constitution of India. Fundamental rights Part (III)



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Article 25 of the Indian Constitution permits all the freedom.

Article 39(10)-Equal means of livelihood and equal pay for equal work.

Article 42(1)- Just and human conditions of work and maternity relief.

Article 46(1)-The state to promote with special care, the educational and economic interests of the weaker section of the people and to protect them from social injustice and all forms of exploitation.

Article 47(1)-The state to raise the level of nutrition and the standard of living of its people and the improvement of public health and so on.

Article 51(A)(14) (c)(15) -Fundamental duties to renounce practices, derogatory to the dignity of women. Article 243 D (3)(16), 243T (3)(17) and 243R (4)(18) provides for allocation of seats in the Panchayati Raj System.

There are number of protective laws in India to prevent exploitation of women. To quote few, Sati Prevention Act, 1987¹⁹, Dowry Prohibition Act, 1961²⁰,

The Family courts Act, 1984²¹, Protection of Human Right Act, 1993²²,

The Maternity Benefit Act 1961²³, Immoral traffic (Prevention) Act 1956²⁴, The Child Marriage Restraint Act, 1929²⁵, The Pre- Natal Diagnostic Technique (Regulation and Prevention of Misuse) Act, 1994²⁶, The legal Practitioners (women) Act, 1923²⁷, now The Protection of Women from Domestic Violence Act 2005²⁸.

⁹ Article 15(3) of Constitution of India. Fundamental rights Part (III)

¹⁰ Article 39 of Constitution of India. Directive Principle of State Policy Part (IV)

¹¹ Article 42 Article 39 of Constitution of India. Directive Principle of State Policy Part (IV)

¹² Article 46 Article 39 of Constitution of India. Directive Principle of State Policy Part (IV)

¹³ Article 47 Article 39 of Constitution of India. Directive Principle of State Policy Part (IV)

¹⁴ Article 51 (A) of Constitution of India. Fundamental Duties (IVA)

¹⁵ Article 51(c)

¹⁶ Article 243 D (3)

¹⁷ Article 243 T (3)

¹⁸ Article 243 R (4)

¹⁹ Sati Prevention Act, 1987

²⁰ Dowry Prohibition Act, 1961

²¹ The Family courts Act, 1984

²² Protection of Human Right Act, 1993

²³ The Maternity Benefit Act 1961

²⁴ Immoral traffic (Prevention) Act 1956

²⁵ The Child Marriage Restraint Act, 1929

²⁶ The Pre- Natal Diagnostic Technique (Regulation and Prevention of Misuse) Act, 1994

²⁷ The legal Practitioners (women) Act, 1923

²⁸ The Protection of Women from Domestic Violence Act 2005



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The reforms introduced by Dr. Ambedkar through "Hindu Code-bill"²⁹ have been adhered to and have been accepted by and large. He, by codifying Hindu Law in respect of marriage³⁰, divorce and succession³¹, rationalized and restored the dignity to women. Prior to the Hindu Succession Act, 1956³² and Hindu Marriage Act, 1955³³, the Hindu Law was un-codified in a large measure, though Hindu Women's Right to Property Act, 1937³⁴ was the subject of legislative intervention. The Sharda Act³⁵ is also worth mentioning. It has set the seal of authority upon that piece of social reforms, which the heads of orthodoxy were, imposing and impending.

In Hindu Code Bill, the principles of codification covered:

- (i) Right to property,
- (ii) Order of succession to property,
- (iii) Maintenance, marriage, divorce, adoption, minority and guardianship.

The Bill was a part of social engineering. It was really a first step towards the recognition and empowerment of women in India. Under these revolutionary measures, a woman will have property in her own right and be able to dispose of her property. The Hindu Code Bill introduced by Dr. B. R. Ambedkar in the Constituent Assembly on 11th April, 1947. A debate on this bill continued for more than four years and still remains inconclusive. In the words of Dr. Ambedkar, it was killed and died unset and unsung. Here once again, the orthodoxy prevailed upon the reforms. He felt that the then government led by Pt. Jawaharlal Nehru was not eager to clear the Hindu Code Bill. He, therefore, tendered his resignation but continued to participate in the Parliamentary debates on the request of the Prime Minister.

Sharp criticism of this Bill in and outside Parliament led many to believe that it might inflict heavy damages on the Hindu society.

Conclusion

²⁹ Hindu Code-bill 1956

³⁰ The Hindu Marriage Act (1955)

³¹ Ibid

³² The Hindu Succession Act, 1956

³³ Hindu Marriage Act, 1955

³⁴ Hindu Women's Right to Property Act, 1937

³⁵ Child Marriage Restraint Act 1929 popularly known as the Sarda Act



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So that we can say, when we read Baba ShabeDr.Ambedkar, we found, they really want liberation and empowerment of women. They worked for whole world and for women also.

Baba shabe is the life line for Gandhi and maker of modern India. Theyconstituted the constitution and bound every authority in it. Most of his work in favor of women because of him they are living a dignity full life in every field. Every citizen should salute andgratitude to him for their remarkable work.

“मंजील मिल ही जाएगी, भटकते हुए ही सही,
गुम राह तो वो हुए है, जो घर से निकले ही नहीं”

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