

Emancipating And Strengthening Indian Women: An Analysis Of B. R. Ambedkar's Contribution

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Abstract

A revolutionary figure, a pioneer of social justice and a true reformer, Dr.B.R. Ambedkar's role is significant in shaping the social, political and civic contours of India and fostering the advancement of the society in general and women in particular. His personal sufferings as a Dalit and his exposure to Western ideas and rational thinking built in him the confidence to challenge the orthodox Hindu social order and reconstruct the society along the ideas of equality, liberty, fraternity and respect for the dignity of all including the womenfolk. He held Manu responsible for all plight and agony of women. He also blamed the Hindu social order for assigning a stereotype role to women. He firmly believed that eradication of the iniquitous gender relations and elevating the status of women were the vital requirements of the process of social reconstruction that he aimed at. Therefore, he tirelessly fought for the inclusion of the rights of women in different spheres of life. He awakened in women the zeal to fight for social justice and their rights through his speeches, thoughts and reforms. His reformatory measures came in the form of Hindu Code Bill to modernize the Hindu society which became unparalleled in its importance. Here is an attempt to develop an analytical framework to gauge his contribution as a fighter for women's rights.

Introduction

Born in a poor low Dalit caste, Dr B. R. Ambedkar, a symbol of revolt against all oppression of the Hindu social order and a great champion of human rights and social justice, greatly contributed to the cause of women's rights in India in that he not only pointed out to their inferior status but sought to equalize them with men through an extensive inclusion of women's rights in the Constitution of India. His Western education and pragmatism surprised him of the degrading status of women perpetuated by the Hindu social order. His treatises 'The riddle of the women', 'The women and the counter revolution', 'The rise and fall of Hindu women', 'Caste in India: Their mechanism, genesis and development' and his two notable journals Mook Nayak and Bahishkrit Bharat¹ (Barnwal, 2014, p. 393) unravel the inequitous and artificial construction of gender relations preaching submission to women. His reformative steps in the form of constitutional provisions, Hindu Code Bill and various acts for women were preceded over by a thorough investigation of the root cause of the degrading status of women through an extensive study of the Hindu Shastras and Smritis. In this article, an attempt is made to highlight three important sections: the root cause for the low status of women in Indian society, Ambedkar's reformative measures and initiatives in elevating their position and relevance of his contribution in present days.

Root Cause of the Low Status of Women in Indian Society

Initially, women used to enjoy freedom, autonomy and rights in Indian society. Women were considered important in the pre-Vedic period when societies were found to be matriarchal. With the advent of the Aryan or Vedic culture, the matriarchal society got replaced by patriarchal society. However, women still enjoyed autonomy and variegated rights and had access to all kinds of learning. They had significant roles to play in religious ceremonies and in choosing their life partners. They could study the Vedas and dare to annul a marriage or go for a remarriage. Widow remarriage was also permissible. However, the position of women deteriorated in the later Vedic period because of gender differentiation. Socio-economically, women were cornered and deprived of basic human rights. They were devoid of autonomy and property rights.

The deterioration in their position which started in the later stage of the Vedic period got aggravated by the imposition of stringent rules on them by our lawgiver Manu. Manu, in his book

Manusmriti, ‘codified all the social evils as social ethos instead of their eradication’ (Kumar, 2016, p. 214). Under the influence of Manusmriti, women had to face various deprivations in matters of acquiring property, education and studying religious scriptures. The notion that women should not be given freedom and be made subservient to male domination got deep-rooted. The Muslim invasion of our country and malpractices such as purdah system,² polygamy³ and Talak⁴ further worsened the situation.

The British Raj in India ushered in new hope for Indian women. Educated and enlightened social reformers attempted to purify the Indian society freeing it from the shackles of social evils. Mention may here be made of Swami Vivekananda and Raja Ram Mohan Roy who put on a hard effort to abolish Sati and supported widow remarriage. Jyotiba Phule dedicated his entire life for the education of women. Ishwar Chandra Vidyasagar and Mahatma Gandhi had also fought for women’s cause (Kumar, 2016, p. 214). Dr Ambedkar held Manusmriti responsible for the plight of Indian women (Kavitakait, 2013). He had faith on Buddha Dharma which fosters equality, self-respect and education of women (Das, 2015, p. 191). The global feminist demands of treating women at par with men and ensuring their right to education, property and inclusion in the political process very much resemble Ambedkar’s conceptualization of women. One can also find an echo of J. S. Mill’s thought when Ambedkar considers it a crime to keep female subordinated to male. Women comprising half of the world’s population need to be strengthened if we dream of a developed world committed to human rights. Through his literary contributions, he raised his voice against that social order which taught submission to women and forced her to remain subservient to male domination and adhere to a typical feminine behaviour. He believed in a nexus between caste and gender and asserted that elimination of gender is a natural corollary to annihilation of caste. According to Ambedkar, the main factor that contributed to the emergence of caste was the rising differences within the groups. Castes had been enclosed classes that control women’s sexuality through endogamy. He accused the caste–gender nexus as solely responsible for all sorts of exploitation.

His theoretical knowledge, and personal experience of being humiliated several times because of his caste ²⁷Datta position, enabled him to comprehend the link between caste and gender. Ambedkar believed that political democracy can only be successful if there is social democracy which ensures a way of life build on equality, liberty and fraternity. As a positive step towards

this achievement, he felt the urgent need to ensure women's rights and elevate their status and position (Dhara, 2016)

.Ambedkar's Reformative Measures and Initiatives in Elevating Women's Position

Ambedkar's much reputed journals Mook Nayak and Bahishkrit Bharat became the forums to raise voice against gender inequality and the need for women's rights. There were three phases of women's movement under the aegis of Ambedkar: women's participation in the movements of the 1920s, along with men, such as the temple entry movements, building of autonomous organizations for women in the 1930s and politically organizing women under the All India Depressed Classes Mahila Federation in the 1940s. A conference of it organized in 1942 at Nagpur was attended by 25,000 women (Dhara, 2016). Women were greatly influenced by his speeches and thoughts. The launching of the 'Mahad Satyagraha'5in 1927, a bonfire of Manusmriti in 1927,⁶ the Kalaran Temple Entry Satyagraha⁷ in 1930 and formation of women's association in 1928 in Bombay were positive steps to organize and empower women so than they could fight to reclaim their social rights (Singariya, 2014, p. 2). He was successful in bringing a profound change in their lifestyle. He wanted them to live a sumptuous life. Therefore, he insisted them not to wear clothes or ornaments that would indicate their low status. Child rearing being a difficult process, he advised women to refrain from giving birth to many children and dedicate their time in other tasks (Dhara, 2016). Ambedkar emphasized education of women, equal treatment with men, right to property and their involvement in the political process. He wanted to liberate them from the age-old customs, rituals and superstitions and therefore asked them to discard all traditionalism and embrace modern values and develop progressive outlook. He also included them in the process of caste annihilation (Bakshi, 2017). Dr Ambedkar a strong believer in the strength of women said:

I measure the progress of community by the degree of progress which women had achieved. Let every girl who marries stand by her husband, claim to be her husband's friend and equal and refuse to be his slave. I am sure if you follow this advice, you will bring honour and glory to your shelves. (Singariya, 2014, p. 2)Being inspired by his thought in the Kalaran Temple Entry Satyagraha at Nasik in 1930, 500 women were arrested. Women formed their Samata Sainik Dal. Imbibed by the courage Ambedkar instilled in women, Radhabhai Vadale in addressing a press conference raised her voice in favour of women's rights and against all sorts

of exploitation. Tulsibhai Bansole started a newspaper entitled Chokhamela. David, a mediator of a brothel, left his profession under the influence of his teachings. Ambedkar also fought against child marriage, prostitution and devdasi system (Singariya, 2014, p. 3). The year 1924 is especially significant for women as in this year, Dr B. R. Ambedkar, as a member of Bombay Legislative Council, advocated family planning and introduced the Maternity Benefit Bill. ‘It is in the interest of the nation that the mother ought to get a certain amount of rest during the prenatal period’ (Kumar, 2016, p. 396). Following this the Madras Legislative Council in 1934 and other provinces passed the Maternity Benefit Act. Between 1942 and 1946, he was successful in bringing the Mines Maternity Benefit Bill for women in the entire country. In 1961, the central government passed a common Maternity Benefit Act for the whole country. He asserted that women should get equal wages as men and brought the principle of equal pay for equal work. Article 39(d) provides this under directive principles of state policy.

Contemporary Voice of Dalit 11(1) He upheld voting rights for women. Ambedkar strongly supported education of women as he had the firm conviction that education of woman can prove a boon to the whole family (Ambeth, 2015). He also said, ‘I am a great believer in women’s organization. I know what they can do to improve the condition of society if they are convinced. In the eradication of social evils they have rendered great services’(Kumar, 2016, p. 397). He ever insisted prostitutes to give up their profession and live a life of honour and dignity. The Indian Constitution guarantees social and economic rights and justice to women, because of his utmost efforts. Mention may be made of the different articles which enable women to improve their status:

Article 14 guarantees that the state shall not deny to any person equality before the law and equal protection of the law within the territory of India.

Article 15 prohibits discrimination against any citizen on the ground of religion, race, caste, sex or place of birth.

Article 15 (3) empowers the state to make positive discrimination in favour of women and children.

Article 16 provides equality of opportunity in matters of public employment.

Article 23 prohibits trafficking of human beings and forced labour.

Article 39 (a) and (d) enjoins the state to provide equal means of livelihood and equal pay for equal work.

Article 42 enjoins the state to make provisions for securing just and humane conditions of work and for maternity relief.

Article 51 A (e) imposes a fundamental duty on every citizen to renounce the practices derogatory to the dignity of women.

Article 243 D (3) make a provision that not less than one-third of total number of seats to be filled by direct election in every panchayat shall be reserved for women.

Article 243 T (3) makes a provision that not less than one-third of the total number of seats to be filled by direct election in every municipality shall be reserved for women.

Article 243 T (4) provides reservation to the office of chair persons in municipalities for Scheduled Caste and Scheduled Tribe women.
(Kumar, 2016, pp. 215–216)

One of the most important contributions of Dr B. R. Ambedkar for women, in elevating and strengthening their status, came in the form of Hindu Code Bill of 1949 in the Constituent Assembly. It was an attempt to codify the Hindu personal law. A major problem before India in the post-independent days was that society was governed by different laws. It was the brain child of two outstanding personalities, namely, Dr B. R. Ambedkar and Jawaharlal Nehru. The main

argument behind the bill was to uplift the entire nation, including women. It sought to focus on two main objectives:

(a) upgrading the status of women and (b) removing all disparities and inequalities. It sought to put an end to the prevalence of different marriage systems and legalize only monogamous marriages (Katulkar, 2008). Property and adoption rights were conferred on women by the code, denied to them by Manu. In legal matters, equality was advocated among men and women. Dr Ambedkar said:

I should like to draw attention of the house to one important fact. The great political philosopher Burke who wrote his great book against the French Revolution said that those who want to conserve must be ready to repair. And all I am asking this House is: if you want to maintain the Hindu system, Hindu culture and Hindu society do not hesitate to repair where repair is necessary. The bill asks for nothing more than to repair those parts of the Hindu system which have become dilapidated. (Singaria, 2014, p. 3)

Ambedkar considered sacramental marriages as against the spirit and philosophy of the Constitution that brings slavery to women (Katulkar, 2008). The Hindu Code Bill incorporated the following:

(1) The right to property of a deceased Hindu who has died intestate without making a will, to both male and female. (2) the order of succession among the different heirs to property to a deceased dying (3) the law of main-tenance (4) marriage (5) divorce (6) adaptation (7) minority & guardianship. (Kumar, 2016, p. 217)

The property of a person who had been dying would be distributed equally among his widowed wife, his son and his daughter. Previously the right to property was denied to the daughter. The bill said that any property possessed by a woman could be processed independently as per her wishes. Both men and women would have the right to file a divorce case. In case of divorce, the husband would be required to provide maintenance to his wife. Monogamy would be made mandatory and inter-caste marriage would be made permissible. Child belonging to any caste could be adopted. The first law minister of post-inde-pendent India had been entrusted with the lofty task of codifying the Hindu personal laws. A committee was

formed under the chairmanship of Ambedkar. Other members of the committee included K. Y. Bhandarkar, G. R. Rajagopal and S. V. Gupta. However, the bill faced strong resistance from the orthodox Hindu society as this bill came as a major challenge to patriarchy. The bill was subjected to strong opposition from supporters of Hindutva, Rashtriya Swayamsevak Sangh (RSS) and Hindu Mahasabha. The bill was considered derogatory to the Dharmashastra and inimical to the Hindu culture. Before it could be placed in the Constituent Assembly, some sections among the Hindus raised the slogan that Hinduism was in distress and danger. However, Nehru's cabinet gave approval to it. But unfortunately, it faced vehement opposition in the parliament from eminent personalities, namely, Sarder Patel, Syama Prasad Mukherjee, Pandit Madan Mohan Malviya and Pattabhi Sitaramayya. This led Ambedkar to resign. However, it was finally passed in the parliament in 1955–1956 with the expectation that it would modernize Indian society and culture. The four articles of Hindu Code Bill that got assent and became laws in 1952 were the Hindu Marriage Act of 1955, the Hindu Succession Act of 1956, the Hindu Minority and Guardianship Act of 1956 and the Hindu Adoption and Maintenance Act of 1956 (Babare, 2016, p. 25). The Hindu Marriage Act has been instrumental in bringing various changes in the Hindu matrimonial law. It proved a great boon to Indian women by emphasizing on monogamy and providing reliefs in matrimony and maintenance even after divorce. Particularly significant are Sections 5, 11, 17, 25 and 26. Section 5 increases the age from 15 to 18 for a girl in case of marriage. Sections 11 and 17 of the act enforce the rule of monogamy. The act provides for nullity of marriage and divorce. Under Section 18 (2e) of the act, a Hindu wife can claim maintenance. Section 26 of the act provides for custody of children.⁸ Section 14 of the Hindu Succession Act of 1956 raises the position of a woman from a subordinate to a superior position in matter of possessing and disposing her property (Mapping Women's Gains in Inheritance and Property Rights under the Hindu Succession Act, 1956). As per Section 6a of the Hindu Minority and Guardianship Act, 1956, the custody of a minor who has not yet reached the age of 5 remains with her mother. The custody of an illegitimate boy or an illegitimate unmarried girl remains with the mother as per Section 6b. The mother is empowered to change and appoint a new guardian as per Section 9 of the act.⁹ The Adoption and Maintenance Act also empowers women and respects her decision in adopting a child.¹⁰ In his famous book, *Pakistan or The Partition of India*, Ambedkar expressed his concern about Muslim women wearing veil, their religious traditions and marriages and fought against

all kinds of discrimination against them (Babare, 2016, p. 25). He framed various laws for women in India—women labour welfare fund, Women Labour Protection Act, Maternity Benefit for Women Labour Bill, Leave Benefit to Piece Workers, Revision of Scale of Pay for Employees, Restoration of Ban on Women

Contemporary Voice of Dalit 11(1) Working Underground in Mines, maintenance allowance from husband after legal separation, equal pay for equal work irrespective of sex, voting rights for women, adoption of child by a widow, right over parental property and marriage not before 18 years.¹¹

Relevance of Ambedkar's Contribution.

Dr B. R. Ambedkar insisted on the reconstruction of Hindu society on the basis of equality. As the law minister and chairman of the Drafting Committee, he conferred upon himself the obligation to free women from the ‘age old thralldom by reforming the social laws created by Manu’ (Singariya, 2014, p. 3). His writings and activities as a social reformer went a long way in the empowerment of women. The National Policy for the Empowerment of Women, 2001, admitted that social and economic structure is largely responsible for gender inequality, as visualized by Ambedkar long ago (Shukla, 2011). The government has taken variegated initiatives for women’s empowerment such as education of women, self-help groups, capacity building and skill formation training, emphasis on women and child development, employment facilities, women’s participation in politics and setting up of National Commission for Women (Kavitakait, 2013).¹² Constructive steps have been taken by the 5-year plans to foster development of women. There has been a paradigm shift in the last decades of planned development in the approach towards women from mere well-being to empowerment. They have got representation in the panchayats. The ideal of equal status for women is reflected in our Constitution. The state provides for positive discrimination. Although certain degree of progress has been achieved by Indian women, they are still victims of various social evils such as kidnapping, violence, crime, humiliation, dowry, acid attacks, eve teasing, rape and honour killing.¹³ Rising incidents of harassment by spouse and other relatives, both in father’s house and in-laws’ house, occupies the highest position as per data. Data also reveals that 46 per cent of women are illiterates in India.

It will take several decades to rectify the imbalances and discriminations. A greater clamour for women's rights shows that vast is undone. Although they have been empowered socially, economically, legally and politically, there has been a dearth of adequate awareness regarding women's rights. They are not treated as equal to men (Tiwari & Meshram, n.d.). In India, there are two types of women's rights movement: one of the elite class and the other of the downtrodden; the first influenced by Western thought and the other run by the workers for their rights. There is a significant omission in the sense that Ambedkar's thoughts have not been recognized in the first type of women's empowerment movement. The feminist movement in India has not been successful in addressing the problems of the lower caste women and failed to pay enough attention to their rights. This exclusion is visible in the Vishakha Guidelines on sexual harassment at workplace, which does not apply to the unorganized section. To stop sexual harassment at workplace, a bill was passed in the Lok Sabha on 2 September 2012, entitled the Sexual Harassment at Workplace Bill. It became an act in 2013 and is named the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013. It incorporates the guidelines and norms suggested by our honourable Supreme Court in the Vishakha vs. State of Rajasthan Case.¹⁴ Lower caste women comprising 70 per cent of the unorganized sector are deprived of the privilege of enjoying equal remuneration. Elimination of patriarchy and caste system, the two deep-rooted evils of our society can only bring about emancipatory changes and prevent reoccurrence of Nirbhaya (Sawant, 2015). Not only constitutional provisions but a change in the heart and attitude of people can emancipate and strengthen women, the much cherished goal of Dr B. R. Ambedkar. A joint venture on part of women themselves and government can remove all hindrances on the way to their development.

Conclusion

A symbol of revolt against all oppressions and injustices, a true path finder for women in India, Dr B. R. Ambedkar's contribution lies in the fact that he laid the foundation of a new social order that considers empowerment of all sections of society

essential for the all-round development of a country. Thus, we can conclude with an echo of his thought, which says that everything becomes meaningless and fruitless, be it unity, education or agitation, without the involvement of women (Das, 2015, p. 195)

Notes and References:

1. Dr B. R. Ambedkar's newspaper Mook Nayak or The Mute Hero became instrumental in raising the cause of the untouchables in 1920. Bahiskrit Bharat or India Ostracized was started in 1927 (Dr. B. R. Ambedkar's Caravan, 2015).
2. Purdah is a social and religious practice in Muslim society that actually symbolizes non-inclusion of women.
3. Polygamy is a practice of having more than one spouse by a man or a woman (<http://www.dictionary.com/browse/polygamy>).
4. Talak is divorce in Muslim community which is affected by husband's repudiation of the marriage and his enunciation of the word (<http://www.duhaime.org/LegalDictionary/T/Talaq.aspx>).
5. Mahad Satyagraha led by Ambedkar paved the way for the untouchables to use water in Mahad, a public tank (Harad, 2017).
6. As a protest against the discrimination that women faced under the influence of our Dharmashastras (Manusmriti), a bonfire of Manusmriti was held by Ambedkar in front of 50 women (Barnwal, 2014).
7. The Kalaram Temple Entry Satyagraha was held in 1930 in Nasik, in which 500 women participated (Babare, 2016).
8. Hindu Marriage Act, 1955. Retrieved from

http://www.hcscchd.gov.in/hclscc/subpages/pdf_files/4.pdf

