

Contribution of Dr B.R. Ambedkar in the Making of Indian Constitution

Santosh S. Ghorpade

Lecturer, Department of Political Science, K.L.E.Society's G. I.
Bagewadi Arts, Science & Commerce College, Nipani.

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ABSTRACT:

Dr. B.R. Ambedkar, revered as the architect of the Indian Constitution, played a pivotal role in shaping the legal and social foundations of modern India. Drawing from various Western constitutions, he skilfully modified their principles to suit the complex social fabric of Indian society. His vision emphasized the need for a strong Centre to maintain unity and integrity in a diverse nation. He advocated for single citizenship to promote a sense of national identity and endorsed English as a link language to bridge linguistic divides. While supporting the formation of linguistic states, he ensured that the official language policy respected India's multilingual character. His commitment to secularism was rooted in the belief that the State should play a proactive role in reforming religion to uphold individual rights and eliminate social evils. Despite being a champion of social justice, he was initially opposed to caste-based reservations, fearing long-term divisions; however, he later supported temporary safeguards for Scheduled Castes and Tribes. He firmly upheld fundamental rights and was a staunch protector of minority rights. Through the Directive Principles of State Policy, He laid the groundwork for a welfare state. His contributions reflect a deep commitment to democracy, equality, and justice for all sections of Indian society.

KEYWORDS:

architect, citizenship, multilingual, fundamental rights, Directive Principles of State Policy.

Introduction:

Dr B. R. Ambedkar was one of the great sons of India. He was a great scholar, socio – religious reformer, champion of the downtrodden and maker of Indian Constitution. He was also a great humanist and rejuvenator of Buddhism. People gave him the title of Modern Manu. It is to be mentioned here that Manu was great law-giver in ancient India. By now Ambedkar became popular as the father of Indian Constitution. He stands as one of the most influential figures in the constitutional history of modern India. A jurist, economist, and political thinker, Dr. Ambedkar brought to the constitutional discourse a vision that sought to reconcile the principles of democracy with the realities of a deeply hierarchical society.

1. Supporter of Strong Centre:

Dr B.R. Ambedkar was supporter of strong Centre and he made his views very clear in the constituent Assembly. He was strong advocate of a centralized federal structure in India. His views on a strong Centre were saved by his understanding of history, his concerns about national unity, and his vision for social justice. Ambedkar studied the history of India's political fragmentation, particularly during medieval Times when weak Central authority led to invasions and instability. He believed a strong Centre was necessary to prevent such disintegration. India had deep social and caste-based divisions. Ambedkar feared that if too much power was given to the states, dominant cast groups might use it to oppress marginalized communities. A strong Centre could ensure uniform laws and protect the rights of Dalits and other disadvantaged groups.

Ambedkar saw economics, planning and social development as key responsibilities of the government. He believed a powerful Centre could implement nationwide policies on industrialization, education and social welfare more effectively than fragmented state governments. Unlike the U.S. where states have more autonomy,

India's constitution places residuary powers (subjects not listed in any of the three lists) with the Union. The Centre has the power to take control of the state affairs during emergencies.

2. Single Citizenship:

unlike some federal systems that allow dual citizenship (national and state) , India has a single citizenship to promote national unity. Ambedkar envisioned a system where every citizen, irrespective of their state of residence, would have equal rights and opportunities, strengthening the union. He saw a single citizenship as a way to strengthen the federal structure of India ensuring that the Union and the States have equal authority. As a chairman of the drafting committee of the Indian Constitution, Ambedkar ensured that the principle of single citizenship was incorporated into the document.

“There is only one citizenship for the whole of India. There is no State citizenship. Every Indian has the same rights of citizenship, no matter in what state he resides “. Ambedkar's understanding of citizenship is based on the theory of one –man– one vote, where all the citizens enjoy the right to vote for their representative in elections. He supported institutions like the IAS and IPS, which ensure administrative continuity and prevent state level nepotism.

3. Linguistic States:

Ambedkar supported the idea of linguistic States in India but had nuanced perspective on their formation. His views were primarily expressed in his book “Thoughts on the Linguistic States” (1955). He believed that linguistic reorganization of States was necessary for administrative efficiency, cultural preservation, and democratic representation. He argued that governance in a language familiar to the people would improve democracy and public participation.

He proposed a balance between linguistic reorganization and national unity. Unlike some other leaders who saw linguistic states as a potential threat to national integrity, Ambedkar suggested that states should be formed based on linguistic homogeneity while ensuring they remained committed to the idea of United India.

4. Official Languages:

Ambedkar had strong views on the issue of official languages in India, particularly regarding Hindi and the role of English. Ambedkar opposed making Hindi the sole national language, as he believed it would disadvantage non-Hindi-speaking regions, particularly South India. He argued that linguistic uniformity should not be forced upon multilingual country like India.

5. Reservation for SC and ST:

Ambedkar saw reservations as a necessary tool to uplift historically marginalized communities, particularly the SC/ST, and ensure the representation in education, employment, and politics. He believed that caste-based discrimination had deeply entrenched inequalities in Indian society. Reservation was a means to provide social justice and correct historical wrongs. He argued that merely granting political rights without ensuring social and educational empowerment would be meaningless for the oppressed classes.

Merit vs. Social Inclusion

Ambedkar rejected the notion that merit alone should determine access to opportunities, as he believed that social privileges and disadvantages shaped merit. He emphasized that reservations were not about favoring a particular group but about creating a level playing field.

Temporary but Necessary Measure:

Ambedkar did not see reservations as a permanent solution.

He proposed them as a temporary measure in the Indian Constitution, hoping that social and economic disparities would gradually diminish over time. As Chairman of the Drafting Committee, he played a crucial role in incorporating provisions for reservation in the Indian Constitution under Articles 15(4), 16(4) of Part III and Part XI and Schedule V and VI deal with the upliftment of Schedule Castes and Scheduled Tribes. We have Part XVI of the constitution regarding special provisions relating to certain classes. Whereas Article 330 provides for reservation for Scheduled Caste and Scheduled Tribes in the House of the People, Article 332 provides for reservation for Scheduled Castes and Scheduled Tribes in the Legislative Assemblies of the States.

6. Fundamental Rights:

Ambedkar also wrote on the significance of the statement of fundamental rights. He was deeply impressed by the statement of fundamental Rights in USA and wanted to introduce the same model in India, suiting Indian realities. Fundamental rights of the constitution are called the modern Magna Carta of the Indian Constitution. He believed that fundamental rights should be enforceable in courts and not absolute, meaning they could be subject to reasonable restrictions to maintain social order and public interest. He saw fundamental rights as crucial for achieving equality and Social Justice, particularly for marginalized communities like Dalits who faced discrimination and oppression.

Some of the fundamental rights are contained in Articles 15(2), 17, 23, and 24. These rights relate to the prohibition of discrimination based on religion, race, caste, color, sex, place of birth etc. Ambedkar considered the right to constitutional remedies Article 32 as the “heart and soul” of the Indian Constitution as it provided a mechanism for citizens to seek redressal for violations of

their fundamental rights. While emphasizing civil liberties, Ambedkar also advocated for extensive economic and social rights for women and other marginalized groups, recognizing that true freedom required addressing economic disparities. Article 17 in the constitution, prohibiting untouchability, is the direct outcome of Ambedkar's efforts to address the social injustice faced by Dalits.

Protection of Minority Rights: Ambedkar strongly advocated for the protection of minorities including their right to culture, education, and representation. He emphasized the need for safeguards to ensure that historically disadvantaged communities could participate equally in national life.

7. Directive Principles of State Policy (DPSP):

He viewed directive principles as a “novel feature” of the Indian Constitution, emphasizing their importance as guidelines for the state in formulating policies and enacting laws, aiming to establish a welfare state and promote social and economic justice. He considered the DPSP a unique and important addition to the Indian Constitution, distinct from the fundamental rights. He saw the DPSP as instructions or guideline for the government, not as legal obligations that could be enforced in court. He believed the DPSP aimed to create a welfare state, focusing on social and economic justice, and promoting the well-being of citizens.

8. Uniform Civil Code:

It was proposed in the draft of the constitution but it was opposed by Muhammad Sadullah member of the draft committee and Syed Kamruddin. Ambedkar tried to defend the uniform Civil Code along with K.M. Munshi. Ambedkar said it is necessary in India to ensure equality and justice for all citizens, regardless of their religion or gender. He argued that while some progress had been made in introducing uniformity in certain areas, such as mar-

riage and divorce laws, there was still much work to be done in other areas, such as inheritance and property rights. Ambedkar saw the UCC as a means to achieve a truly secular and democratic India, free from the inequalities and injustices of the past. Ambedkar was a strong advocate for the Uniform Civil Code (UCC) in India. The UCC aims to replace personal laws based on religion or ethnicity with a single, uniform set of laws applicable to all citizens. He saw the UCC as a necessary step towards ensuring gender equality and social justice in India.

9. Amendment:

Ambedkar was strongly opposed to frequent amendments to the constitution. During making of the constitution, Ambedkar argued in support of strong amendment procedure which does not turn into plaything for powerful political parties and governments. After independence, within 4–5 years, the constitution was amended three times. In protest against frequent amendments, Ambedkar protested in 1954 thus; “the careless amendment to the constitution because of majority in Parliament is an insult to the real powers of the people”.

10. Parliamentary model of government:

B.R. Ambedkar was a strong advocate of the Parliamentary model of government, believing it to be the best system for India due to its emphasis on accountability, representation, and adaptability. Ambedkar argued in favor of a Parliamentary democracy rather than a Presidential system. He believed that a parliamentary system ensured greater responsibility of the executive to the legislature, thus preventing authoritarian rule. According to him, in a presidential system, the executive might become too powerful and unaccountable between elections.

11. Cow- slaughter and Ambedkar:

Ambedkar was a Dalit. He did not introduce cow- slaughter ban in the draft as it was a religious matter. Moreover, the Dalits were killing barren cows and old bulls. In this controversy 2/3rd of the members of the Constituent Assembly supported Ambedkar including Muslims only. 1/3rd of the members opposed Ambedkar. As a result, cow slaughter was not banned.

Conclusion:

Dr. B.R. Ambedkar's contribution to the making of the Indian Constitution is unparalleled. As the Chairman of the Drafting Committee, he played a significant role in shaping the foundational principles of justice, liberty, equality, and fraternity. His deep understanding of law, commitment to social justice, and vision for an inclusive democracy ensured that the Constitution became a powerful tool for eradicating discrimination and uplifting the marginalized sections of society. His advocacy for fundamental rights, reservation policies, and protection of individual freedoms laid the groundwork for a progressive and egalitarian India. His foresight in balancing social justice with economic and political stability remains relevant even today.

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