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**Dr. Babasaheb Ambedkar and Human Right  
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**ABSTRACT:**

The present paper focuses on the basic issues which are barriers to the egalitarian democracy of Indian social system: Brahmanism and equivalent to the caste and class systems respectively. The paper adopts a novel perspective that is quite unknown to the west which perceives basic human rights as natural rights. In fact, the state is a social construction and human rights are the legal output. The paper proposes an alternative remedy to human rights issues in Indian context that is Ambedkar's thought which can be better qualified as Ambedkarism; a social medicine for caste-ridden sick Indian social order. In the end, in order to adopt human rights as a part of life to establish just social order, a series of strategies compatible with Indian situations are proposed; as used by Dr Ambedkar himself.

**KEYWORDS:**

Ambedkar, Human rights, Fundamental rights.

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**Introduction:**

Human rights are moral principles or norms that describe certain standards of human behavior and are regularly protected in municipal and international law. They are commonly understood as inalienable, fundamental rights "to which a person is inherently entitled simply because she or he is a human being" and which are "inherent in all human beings", regardless of their age, ethnic origin, location, language, religion, ethnicity, or any other status. They are applicable everywhere and at every time in the sense of being universal, and they are egalitarian in the sense of being the same for everyone. They are regarded as requiring empathy and the rule of law and imposing an obligation on persons to respect the human rights of others, and it is generally considered that they should not be taken away except as a result of due process based on specific circumstances.

Many of the basic ideas that animated the human rights movement developed in the aftermath of the Second World War and the events of the Holocaust culminating in the adoption of the Universal Declaration of

Human Rights in Paris by the United Nations General Assembly in 1948. Ancient peoples did not have the same modern-day conception of universal human rights. The true forerunner of human rights discourse was the concept of natural rights which appeared as part of the medieval natural law tradition that became prominent during the European Enlightenment with such philosophers as John Locke, Francis Hutcheson and Jean-Jacques Burlamaqui and which featured prominently in the political discourse of the American Revolution and the French Revolution. From this foundation, the modern human rights arguments emerged over the latter half of the 20th century, possibly as a reaction to slavery, torture, genocide and war crimes, as a realization of inherent human vulnerability and as being a precondition for the possibility of a just society.

### **Dr Ambedkar Perception of Human Right**

During the last decade of the 19th century, many Indian leaders born among the lower castes like Narayan Guru (1854–1928), Jotiba Phule (1827–1890), and Ramaswamy Naicker (1879–1973) launched massive struggles for the dignity of Dalits throughout India. Ambedkar was the most towering figure among these Dalit leaders.

In 1917 he joined the Baroda State Service after returning from his studies in the USA and the United Kingdom, as part of the terms of his scholarship agreement. He worked in the city of Baroda, the place of the ruling family of Gaikwad, which financed his studies abroad. He worked as secretary in the defense office of the Maharaja of Baroda State. However, despite his foreign education, he had to endure insults while at work due to his low caste origin. He was a victim of the cruel Dalit discrimination. He suffered the ignominy of having document files hurled by peons at his face.

He suffered the humiliating experience of not being served drinking water during official functions. At the officer's club, he had to sit in a corner and keep his distance from the other members belonging to higher castes. He also had difficulties in finding a rented house, as he was not allotted government bungalow. He stayed in an inn owned by Parsis (members of Zoroastrian religion). One morning, as he was getting ready to go to work, a dozen Parsis, all wielding sticks, rushed up to his room screaming that he had polluted the inn and insisted on his immediate departure. He begged them to let him stay for a week longer since he

hoped to get his government bungalow by then. But they were obdurate. If they found him at the inn that evening, they said God help him. After spending much of the day in a public garden, Ambedkar, in utter frustration and disgust, left for Bombay by the 9 pm train.

These scorching incidents goaded Ambedkar to work for the protection of dalit rights and upliftment of the status of the Dalits. In 1924, he started legal practice in Bombay and founded the Bahishkrit Hitkarni Sabha (Depressed Class Institute) to uplift the Dalits. Henceforth, he started his movement and took the cause of the Dalits. He roused the dalit consciousness to fight for the eradication of dalit discrimination; to claim equality of treatment, status and opportunity; to equally enjoy all rights? Civil, political, social and economic? And respect for the dignity of persons. He was considered a crusader for the human rights of the Dalits in India.

The Hindu religious belief that “All human beings are not born equal” creates caste-based discrimination against the Dalits that leads to various forms of violence against them including public humiliation, torture, rape, beating and killing. Reacting to the values of Hinduism, Rabindranath Gorewrote,

We do not value Hinduism, we value human dignity... We want equal rights in the society. We will achieve them as far as possible while remaining within the Hindu fold or if necessary, by kicking away this worthless Hindu identity.

Ambedkar was a great supporter of women's liberation. He blamed the verna system, which has not only subjugated Dalits but also women. He questioned Manu Smriti (Laws of Manu), the law book (Dharam-Shastra) of Brahminic Hinduism and attributed to Manu, the legendary first man and lawgiver. Manu Smriti prescribed the Dharma of each Hindu, stating the obligations attached to his other social class and stage of life. It was hostile to the interest of lower caste people and women. It prohibited re-marriage of widows. He felt that Manu Smriti was solely responsible for the downfall of Hindu women. He encouraged the Dalits to embrace Buddhism to liberate their own selves from Hindu subjugation. Hence, he fought for the right to choose one's faith. After embracing Buddhism, Ambedkar said, “Unfortunately for me I was born a Hindu Untouchable... I solemnly assure you I will not die as a Hindu.” He

practiced what he advocated and became a Buddhist in 1956.

He also wrote about the French revolution ideas of fraternity, liberty and equality. He thought that the French and Russian revolutions failed to realize all three ideas. He believed that they could not all be realized except through the way of the Buddha.

### Objectives of the Study:

1. To study Dr. Ambedkar's philosophy on human rights.
2. To study the view that human rights are being violated in the present times.

### Hypothesis of the Study:

1. Dr. Ambedkar's philosophy of human rights includes equality, independence and fraternity.
2. Human values are disappearing in the society today and social destructive acts are being encouraged.

What is the fundamental Right provided by Dr. Babasaheb Ambedkar in the Indian constitution?

The title of the Indian Constitution, Part III of Fundamental Rights and Part IV of the State Policy Guidelines are at the heart of the Constitution. Taken together, they reflect the Universal Declaration of Human Rights, civil and political rights, as well as the Convention on Economic, Social and Cultural Rights. Part four 'A', which outlines the basic duties of the Constitution, is important; because, rights are incomplete without duty. The eternal message of our Constitution is that "all human beings are born free and equal."

Sr.no.	Fundamental Rights	Frequency	Percentage
1	Right to freedom	103	25.75
2	Right to equality	56	10.5
3	Right to religious freedom	29	7.25
4	Right to constitutional remedy	82	20.5
5	All of the above	130	32.6
	Total	400	100

An analysis of the table above shows that there are 130 respondents who claim that Dr. Babasaheb Ambedkar has enshrined in the Indian

constitution the right to liberty, equality religious freedom and constitutional remedy for Citizens with a percentage of 32.06 the number of respondents who claim that Dr. Babasaheb Ambedkar provided five rights to freedom in the India constitution is 25.27 and the number of respondents who say that the right to freedom of religion is provided by Dr. Babasaheb Ambedkar in the India constitution is 7.25.

For the above table it can be concluded that the proportion of respondents who claim that Dr. Babasaheb Ambedkar provided for the right to freedom equality religions freedom, education and constitutional measures in the Indian constitution is 32.06.

The Maharashtra State Human Rights Commission receives an average of fifty complaints a day. The number of these complaints is increasing day by day. But many have no idea how to make these complaints. Therefore, no complaint is lodged. The general public does not even know which complaints the commission takes into account and which ones it does not take into account. But it is a matter of consolation that justice is given to the common man by filing a complaint immediately.

### **Conclusion:**

It is necessary to critically analyze the shortcomings in existing laws for the protection and implementation of Dalits human Rights. This is needed to bring out means and methods extensively not only for effective protection and implementation of Human Rights of Dalits but also to uplift them socially, economically and politically to create bright future for them. Various shortcomings leading to problems of Dalits need to be addressed which may include shortcomings in protection laws, implementation of laws and procedures to know why violations of Human Rights are taking place in spite of so many protection laws in existence. Shortcomings in implementing international laws/international commitments in this regard and shortcomings in role played by judiciary in corrective justice part need due consideration. To what extent political unwillingness of the people in power is responsible for the failure of legal system for protection of Human Rights of Dalits need to be assessed. Shortcomings in role played by Human Rights Commissions at the Centre and state level to protect Human Rights of Dalits are to be considered. How and why plight of Dalits remains unchanged even in modern era after 70 years of independence is a matter of grave concern.

**References:**

1. Ambedkar, (1990). Philosophy of Hinduism. In V. Moon, Dr Babasaheb Ambedkar Writings and Speeches Vol.3 (p. 379). Mumbai: Government of Maharashtra.
2. Ambedkar, (2014). Untouchables or the Children of India's Ghetto. In V. Moon, Dr Babasaheb Ambedkar Writings and Speeches (pp. 66, 5). New Delhi: Dr Ambedkar Foundation.
3. Charanjit Singh, M. N. (2008). Concept of Human Rights and the Indian Constitution. In B. Sehgal, Human Rights in India Problems and Perspectives (pp. 288–296). New Delhi: Deep and Deep Publications Pvt Ltd.
4. Cornescu, A. V. (2009). The Generations of Human Rights. Days of Law: The Conference Proceedings 1(p. 11). Brno: Masaryk University.
5. Centre, I. H. (2018). Concept of Human Rights. Retrieved October 13, 2018, from Icelandic Human Rights Centre: <http://www.humanrights.is/en/human-rights-education-project/human-rights-concepts-ideas-and-fora/part-i-the-concept-of-human-rights>
6. Keer, D. (2016). Dr. Babasaheb Ambedkar. Mumbai: Popular Prakashan.
7. Kishore, M. A. (2005). B. R. Ambedkar: His Approach Towards Human Rights. In A. Shabbir, Ambedkar Law, Constitution and Social Justice (pp. 234–236). Jaipur: Rawat Publication.
8. MoL J, M. o. (2018, July 31). Document Files. Retrieved October 14, 2018, from Legislative Department: <http://www.legislative.gov.in/sites/default/files/COI-updated-as-31072018.pdf>
9. Rao, A. V. (2006). Bharata Ratna Dr. B. R. Ambedkar: A Champion of Human Rights with Special Reference to Scheduled Castes and Scheduled Tribes. Indian Political Science Association 901–906.
10. Zelliott, E. (2012). Ambedkar's World the Making of the Babasaheb and Dalit Movement. New Delhi: Navayana.
11. Zelliott, E. (1996). From Untouchable to Dalit Essay on the Ambedkar Movement. New Delhi: Manohar Publishers.

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The Authors have no conflict of interest to declare that they are relevant to the content of this article.

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