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# Ambedkar and Social Change through the Lens of Women's Emancipation

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## Abstract

I measure the progress of a community by the degree of progress which women have achieved – Dr. B.R. Ambedkar expressed while addressing the All-India Depressed Classes Women's Conference held in Nagpur in July 1942. As a great nation-builder, Dr. Ambedkar considered women to be the pillar of the country's overall progress. In ancient times in India, women enjoyed freedom, but gradually their position in the societal ladder degraded into merely objects of pleasure for serving certain purposes. Dr. Ambedkar was a strong-minded fighter and a deep scholar who has made significant footprints to lead the society towards the path of Liberty, Equality and Fraternity. He broke down the hurdles in the path of the progression of women and laid the foundation of strong exertions by laying down codes of the Indian society. He inspired women to speak boldly about their problems. Dr. Ambedkar motivated poor, illiterate women to inspire them to fight against all odds and ill social practices like child marriage, the Devdasi system, etc. He made several sincere efforts towards the inclusion of women in the dogmatic terminology and constitution of India. Dr. Ambedkar emphasised on Hindu Code Bill and urged all the parliamentary members to help in passing the bill in parliament. But failed and resigned for the same reason. This is the way he is concerned for the overall development of women, which he expressed in each sentence and word. Dr. Babasaheb Ambedkar, the principal draftsman of the Indian constitution and a manumitter of the meagre and underprivileged. Millions of depressed, oppressed and exploited people of India got motivation from him to raise their voice. The paper would give a closer and analytical insight into the thoughts of Dr. Babasaheb Bhimrao Ambedkar to appreciate his philosophical basis of political, economic and social justice towards women empowerment in Indian Society.

**Keywords:** Devdasi System, Empowerment, Hindu Code Bill, Social Justice, Social Exclusion and Inclusion

## INTRODUCTION

**Bhimrao Ramji Ambedkar** (B. R. Ambedkar) was an Indian legal expert, economist and a Dalit spearhead who led the committee that drafted the Constitution of India and served as the first Law and Justice minister of independent India. For the inclusion of the rights of women in all spheres of life, he struggled assiduously for social change. By delivering speeches, he inspired women to fight for social justice and their rights. Hindu Code Bill came in the form of his reformatory dealings, which were meant for modernising the Hindu society, which became unparalleled in its importance. He created a new space specially for the oppressed class of women to become the voice. Dr. B. R. Ambedkar was a ground-breaking figure, a pioneer of social justice and a true reformer who played a significant role in shaping the social, political and civic contours of India and fostering the advancement of society in general and for women in particular. His belief in eradicating wicked gender relations and elevating women's status was a vital necessity within the process of societal rebuilding and social change.

### Emancipator of Marginalised Women

Ambedkar's contribution to women's deliverance is reflected in his works and writings, including *Revolution and Counter-Revolution in Ancient India*

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and *Riddles of Hinduism*. When social structures were still traditional and deeply caste-driven, the question of social change and justice was central to his writings about women's rights. Dalit and other oppressed castes, including women, were marginalised within the margins of social structure.

Ambedkar contended that the excluded and marginalised status of women came from the laws of the *Manusmriti* that denied them access to education. His work *The Rise and Fall of Hindu Woman* quotes the law of *Manusmriti* (IX.18): "Women have no right to study the *Vedas*. That is why their *sanskaars* (rites) are performed without *Veda* mantras. Women do not know about religion because they have no right to know the *Vedas*[ii]. The uttering of *Veda* mantras is useful for removing sin. As women cannot utter the *Veda* mantras, they are as untrue." [BAWS, Volume 17 (2), page no. 119].

Babasaheb strictly condemned the words of *Manusmriti* and raised his voice for social change through women's empowerment. Ambedkar was a rationalist who believed in realistic and practical ways to liberate women. He used constitutional philosophy to give women a level playing field that was historically denied to them.

## Ambedkar's View and Prostitution as Religious Practice

In 1936 by addressing to the communities of *Joginis*[iii] and *Devadasis*[iv] — who typically belonged to the Dalit community, Dr. Ambedkar criticised prostitution as religious practice addressed in 1936 furthermore, he urged these women to fight the regressive religious practice of offering pubescent girls to gods in temples and become "sexually available for community members".

He said, "You will ask me how to make your living. I am not going to tell you that. There are hundreds of ways of doing it. But I insist that you give up this degraded life…. and do not live under conditions which inevitably drag you into prostitution."

## Ambedkar and Women's Education

Ambedkar's commitment to women's education was based on the principle of '*Sudhaaranaav,* or improvement, which cultivates women's intellect and self-development through education. In his newspaper of February 3 1928, edition of *Bahishkrut Bharat,* he wrote, "Knowledge and learning are not for men alone; they are essential for women too…if you want *sudhaaranaa* for future generations, educating girls is very important. You cannot afford to forget my speech or to fail to put it into practice."

According to Ambedkar, women enjoyed a reputable position in society before the *Manusmriti.* In the Vedic period, they had access to education as is mentioned in the *Atharvaveda* and the *Shrauta-sutras* (Vol 17(2), page 122). By acknowledging female figures of ancient India like *Rishi Gargi*, Vidhyadhari, and Sulabha Maitreyi, who were great intellectuals of their time, he paid respect to them and showed his spirit to endorse education for women.

## Ambedkar's Hindu Code Bill and Women's Empowerment

Dr. B. R. Ambedkar was a born fighter and rebel for the cause of the upliftment of the downtrodden classes. The reform of Hindu society was the utmost mission

[i] The Manusmṛiti, also known as the Mānava-Dharmaśāstra or Laws of Manu, is one of the many legal texts and constitution among the many Dharmaśāstras of Hinduism.

[ii] The Vedas are a large body of religious texts originating in ancient India. Composed in Vedic Sanskrit, the texts constitute the oldest layer of Sanskrit literature and the oldest scriptures of Hinduism. There are four Vedas: the Rigveda, the Yajurveda, the Samaveda and the Atharvaveda.

[iii] Religious Sex Slaves

[iv] Devadasi is a name given to a girl 'dedicated' to a deity in a temple for worship and service of the deity for the rest of her life.

of his life in general, and the liberation of untouchable members in particular. However, one more purpose for which he raised his voice vehemently was women's empowerment through legislative reforms and practices. In the patriarchal structure of Indian society, women are forced to face enormous problems due to superstitions and false rituals. They were the parts of several kinds of victimisation through different ways, like child marriage, *sati pratha*[vi], *parda pratha*[vii], restraint to widow remarriage, widow's exploitation, devadasi system, *etc*. These circumstances were the reason to give place to the notion of taking birth, as the woman had been treated as a curse. Dr. B. R. Ambedkar raised a voice for the rights of women and documented such provisions in the constitution of India so that women would be treated equally in society. All streams, like education, employment, social and economic rights, are covered for maintaining equality for women. Today in India, women can be self-reliant and self-dependent due to Dr. Ambedkar's legislative reforms. By introducing the Hindu Code Bill in the parliament, Dr. Ambedkar tried to reform the Hindu society by empowering women. It is the watershed input of Ambedkar to women's rights, which was denied to them in the ancient Hindu Law Code of *Manusmriti,* which had been claimed only for that property which women conventionally owned as '*Stridhan*'[viii], with restricted access and was only possible within an endogamic marriage social structure.

The Hindu Code Bill was considered the greatest piece of legislation by the Provisional Parliament and was known to be the most challenging bill. It was the declaration of women's rights and was introduced by Dr. Ambedkar in the Constituent Assembly, which was held on 11th April, 1947. According to the Hindu Code Bill, a woman can acquire mobile and immobile property before and after marriage, even during widowhood, from her parents or husband. Provision for the dowry system would be as a condition and consideration. According to the bill, the share of the property of each unmarried daughter shall be half that of each son, and the share of each married daughter shall be one quarter of that of each son. The Bill covered i) Right to Property, ii) Order of Succession to the property, iii) maintenance, marriage, divorce, adoption, guardianship.

On 9th April, 1948, the Bill was placed for consideration before the Selection Committee and as a consequence, parliamentary deliberations continued for more than 4 years, which was the first lengthiest deliberations on any single Bill ever before in independent India's Parliament. The bill failed to get approval. It was the core patriarchy in Indian societal structure which restrained parliamentarians from thinking positively about the bill because it would award women equality in all spheres of life. It was against all odds structures of domination of women. After this incident, Dr. Ambedkar resigned as a parliamentarian and as Law Minister in 1951 for making his antipathy clear. He explained and cited, *"In the opinion of some, it may be wrong for me to have held on for the sake of the Hindu Code. I took a different view. The Hindu Code was the greatest social reform measure ever undertaken by the Legislature in this country. No law passed by the Indian Legislature in the past or likely to be passed in the future can be compared to it in point of its significance. To leave inequality between class and class, between sex and sex, which is the soul of Hindu Society, untouched and to go on passing legislation relating to economic problems is to make a farce of our Constitution and to build a palace on a dung heap. This is the significance I attached to the Hindu Code."* Inspite of being a strong supporter of the Hindu Code Bill, his identity of being in a lower position in the caste ladder was a problem and created hindrances in his way to reform Hindu laws. But surprisingly, when the bill was divided into 4 separate bills in post-independent India's first general election in 1951-52, this faced much less disapproval. The Hindu Marriage Act, the Hindu

[v] Make changes in order to make fairer

[vi] 'Satipratha' which signified the custom of burning widows alive. This custom was definitive of Hindu tradition for a very long time.

[vii] A system for covering face

[viii] The concept of Streedhan refers to the right of (Hindu) women about the Wealth that belongs only to them by Law.

Succession Act, the Hindu Minority and Guardianship Act, and the Hindu Adoptions and Maintenance Act were included in those four separate divisions and were successfully introduced and passed in the parliament in the mean of 1952 and 1956. The Hindu Marriage Act of 1955 was a part of the Hindu Code Bill, which laid the legislative foundation for women's claims to collective properties today.

## Ambedkar's Role in Empowering Women and the Right to Divorce

Dr. Ambedkar envisioned enhancing the capabilities of women through freedom of choice, which led to their capacity building. The Hindu Code Bill brought up and included those women who earlier had not been allowed to sell property in their lives, and after their death property would go to their in-laws' family.

Having been restructuring property rights for women, Dr. Ambedkar introduced two ground-breaking clauses, more- the compensation of matrimonial rights and judicial separation. These clauses permit women to have personal choice and liberty to lodge a file for legal divorce or separation.

The bill has four different acts:

i. The Hindu Marriage Act (1955) for giving women the right to divorce

ii. The Hindu Succession Act (1956) for giving women legal rights to succeed to family property

iii. The Hindu Adoption and Maintenance Act (1956) for allowing women to legally adopt a child

iv. The Hindu Minority and Guardianship Act (1956) allows women to become the natural guardians of their children.

## Views of Ambedkar on Justice and Women

Dr. Ambedkar's approach to women's rights is entirely one step advance of other social activists, *i.e.*, Jyotiba Phule, Raja Rammohan Roy, Ishwarchandra Vidyasagar, by providing many sections in the Indian Constitution for the upliftment of women.

For Ambedkar, gender based discrimination should be pulled out, and equal opportunities should be imparted to all in the society. As a result of Dr. Ambedkar's efforts, economic justice to women is mentioned in the preamble of the Indian Constitution. As per the preamble following are mentioned:

i. Social, Economic and Political Justice,

ii. Liberty of thought, expression, belief, faith and worship,

iii. Equality of status and opportunity and

iv. Fraternity assuring dignity of the individual and national unity to all the citizens of India without any discrimination of caste, creed or sex.

He enacted special constitutional rights and acts for women in the constitution. As a member of the Lok Sabha as a law minister, he did many populist programs. From 1942 to 1946, Ambedkar served as a member of the British Viceroy's cabinet as labour minister. He established job exchanges by reducing working hours from 14 h to 8 h, established labour welfare communities, women's welfare fund, separate toilets for women workers, paid holidays, compulsory insurance scheme for workers, minimum wage, periodic pay revision, enacted the factories act, conciliation division act.

Due to his hardships, 60% working class of the country is entitled to labour laws today. Prior to that, women were seen as second-class citizens; he paved the way for equal opportunities on all fronts by preventing injustice to women and achieving equality. He proposed the Hindu Code Bill in the parliament to address women's problems regarding rights to property, divorce, alimony and adoption, but failed due to the lack of a majority vote. After that incident, he resigned from his ministership. This is how Dr. Ambedkar differentiated himself from others because to date, no

minister has resigned from ministership for women's wellbeing.

Dr. Ambedkar devoted his life to working towards the suppressed classes, including women, after returning to India. In his movements starting from 1920 onwards, he was determinedly devoted to the standards of equality, liberty and fraternity.

## Ambedkar and Women's Rights

From promoting birth control and equal wages for female labourers to asking women to stand up to their husbands. Dr. Ambedkar was constantly thinking about women's empowerment. – Shashi Tharoor

Ambedkar is known as the '*First Male feminist of India*'. According to Tharoor Ambedkar's speeches from the 1930s and 40's addressed to female audiences and are considered relevant even today.

Dr. Ambedkar always emphasised that women should not marry early and pushed them to stand equal to their husbands because they are not there just to serve them. Ambedkar inspired them to control their baby births and not to have many children too early. He suggested they promote birth control rights. At the end of the first wave of Feminism, including the landmark achievement of the right to vote for women in 1918 in Britain and 1920 in America, the exposure of his perception about the West on feminist issues got attention. His perceptions about the women's rights to education, equal opportunities in respect to male counterparts, right to property, political participation, *etc.*, got him into a wave of feminism.

As chairman of the drafting committee, Dr. Ambedkar always raised women's problems at various platforms such as the Bombay legislative assembly, viceroy's assembly and also in the Parliament as the first law minister of independent India. For giving recognition to women, he set the principles of the bill in which emphasised on maternity benefit bill and birth control. For the sake of the nation's interest, he promoted and argued about women's prenatal and postnatal health and a certain amount of rest that women need in the pre and postnatal period.

By inspiring with his efforts, Women started to participate in satyagraha and also launched women's associations for spreading education and awareness among them. Ambedkar advised women to change their style to wear saris, ornaments, and not to eat dead animals. *Tipnis*, the upper caste women, taught them to wear a *sari* properly.

In 1918, Ambedkar raised his voice in support of a distinct constituency and reserved seats for the suppressed castes and classes in accordance with their population. This is the proof of his visionary power, only that after several years of the introduction of the Constitution of India, the rise of the 33% reservation for women in the Indian Parliament. The Equal Remuneration Act 1976 and The Dowry Prohibition Act 1961 are the outcomes of his pro–women fights, which legally allowed women to get equal wages and forbade dowry.

## Ambedkar and Paid Maternity Leave

Ambedkar worked to ensure women's protection under labour laws. He tried to reduce the number of working hours and cultivate a working atmosphere. He supported a Bill yielding paid maternity leave for women working in factories in 1928 when he was a member of the Legislative Council of Bombay. He believed in supporting women when they are on maternity leave and claimed that the employer should support women in such a situation and should be paid during such leave by the government, as it was in the interest of the nation. Ambedkar believed that women cannot become property of anybody and argued for their reproductive rights. They have the right over their own body. So, women should decide conception of the baby. Ambedkar suggested that birth control facilities be made accessible to women.

Ambedkar also drafted the Mines Maternity Benefit Act for equal wages and equal representation of women in coal mines and highlighted the

importance of equal citizenship and women's rights to economic development in India. He passed advanced legislation for women's equal wages for equal work, casual and privileged leave, compensation in cases of injuries and pension between 1942 and 1946.

### Ambedkar's Contribution to the Constitution of India and Women's Empowerment

In the constitution of India, some articles are given to help Indian women to uplift their position in the societal ladder and to help them bring equality with their male counterparts. Some of them are: –

**Article 14** deals with equality before the law in all spheres

**Article 15** prohibits gender- based discrimination.

**Article 16** discusses equal opportunities for all without any discrimination based on religion, caste, creed and sex.

**Article 24** prohibits children below the age of 14 years from getting employment in factories, mines or in any other hazardous employment.

**Article 39 and 39(d)** state about the Equal distribution of livelihood and equality in remuneration for equal work.

**Article 41** assures that in certain cases the state shall guarantee, within its economic limits, to all citizens the rights to work, education and public assistance.

**Article 42** makes provision for a Human atmosphere of work and maternity respite.

**Article 44** deals with the Uniform Civil Code

**Article 46** discusses the promotion of special care for educational and economic interests of the weaker section of people and to protect them from social injustice and all forms of exploitation.

**Article 47** deals with the level of nutrition, standard of living and the improvement of public health, *etc.*

**Article 51 (A) (C)** explains about Fundamental duties to relinquish practices of pejorative to the dignity of women.

**Article 243D (3), 243T (3) and 243 R (4)** provide allocation of seats for women in the Panchayats for empowering women.

## CONCLUSION

Ideas of Dr. Ambedkar inclined the enactment of several women friendly acts like Sati Prevention Act, 1987, Dowry Prohibition Act, 1961, the Family Courts Act, 1984, Protection of Human Right Act, 1993, The Maternity Benefit Act 1961, Immoral Traffic (Prevention) Act, 1956, The Child Marriage Restraint Act, 1929, The Equal Remuneration Act, 1976, The National Commission for Women Act, 1990, Protection of Women from Domestic Violence Act, 2005.

It is very hard to eradicate entrenched cultural values and respect or change traditions, which prolongs discrimination. Dr. B. R. Ambedkar shared his whole life for the upliftment of rights and justice to the underprivileged sections of society. Women got their independent position and erudition to live with dignity because of the hardships taken by Ambedkar. Because of his efforts and contributions, women are self-reliant today. The government has introduced many outlines of schemes and laws to empower women in India. In the condolence meeting in parliament (on Dr. Ambedkar's demise), the then Prime Minister, Pt. Jawaharlal Nehru expressed his feelings that "Babasaheb Dr. Ambedkar was a symbol of revolt against all tyrannical features of Hindu society". His dream for an independent and equal society survives.

Because of his efforts after two decades of hopeless debate, the Hindu Code ultimately included the right of women to divorce, the right of inheritance to daughters and the acceptance of widows to equal property rights. He believed that social justice is possible only within

a modern institutional framework, and that is why he promoted the spirit of constitutionalism, which ensured equal rights and dignity for women.

Dr. Ambedkar was a great thinker in the 20th century. He enacted many statutes for the betterment of women's lives based on social justice. He provoked equality for all beyond the boundaries of cast and gender. Babasaheb Ambedkar is a world-class thinker who grew up with time from 1891 to 1956 as a legalist, an eminent thinker, an economist and a great historian. He burnt the law text by Manu 'Manusmriti', which led women towards darkness. He is the recipient of India's highest civilian award, 'Bharat Ratna[ix]', by the government of India in 1990.

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[ix] The Bharat Ratna is the highest civilian award of the Republic of India. Instituted on 2 January 1954, the award is conferred in recognition of "exceptional service/performance of the highest order", without distinction of race, occupation, position, or sex.