



## Women Emancipation, and Indian Constitution: (Special Reference to Dr. B.R. Ambedkar Contribution)

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### ABSTRACT

The present paper discusses about the Dr .B. R. Ambedkar's contributions to the upliftment of women in India. The authors brief about the formation of Hindu code Bill by Ambedkar. Manu Smrithi a big barrier to women development because it deprived the women of all the rights and burdened them with several restriction and taboos. Elicit Dr. B. R. Ambedkar works towards the empowerment of Indian women, and also presented the constitutional Right and provisions for women development in India.

## 1. Introduction

Dr. B. R. Ambedkar was one of the few Indians, who struggled to restructure India society with most egalitarian and humanitarian principles. He advocated social and economic democracy insisted that without them there would be no peace, happiness and prosperity in India. An ardent supporter of the cherish values of liberty, equality and fraternity, Babasaheb Ambedkar's contribution for the better and progress of India women is unique. Not only wanted to ensure social equality between man and, but also equal status and dignity between man and woman. Dr. Ambedkar criticized the traditional and conservative values and made Manu. The Hindu law given, responsible for the decline of the status and dignity of women in India. (Devendra)

## 2. OBJECTIVES

- 1.To know the socio-religious movements of Dr. Ambedkar and emancipation of women.
- 2.To explore the constructive solution for the issues of women with the reference to the socio-religious movements of Dr. Ambedkar.
3. Fraternity, assuring the dignity of individual and national unity to all the citizens of Indian without any discrimination of cast, creed or sex.

## 3. Dr.B.R.Ambedkar and woman

Dr. B. R. Babasheb Ambedkar, through the formulation of Hindu code bill, he supposed have rendered an extraordinary contribution to the development of India women by virtue of fundamental constitutional provision. He was of the opinion that women must have financial rights without which the other provisions might be of no avail. In addition, the women must be allowed the right to seek divorce, alimony, adoption; registered marriage, inter-caste marriage, inheritance and Dr. Ambedkar ensured incorporation of these right in the Hindu code Bill. The women, who had been deprived for ages together, were to get their due right through the Hindu code Bill. Dr. Ambedkar was all set to help the women in India overcome the centuries' old miseries by means of the formation of the Hindu code Bill. His sole intention was to revive the glorious status of women.

## 4. Manu smruthi: A Big Impediment in Women's Development

'The manu smruthi' is said to have been the biggest impediment in the way of women's development in India. The Manu dharma shashtra denied equal status for the women along with men and put her in restrictions "her father protects (her) in childhood, her husband protects (her) in youth, and her son's protects (her) in older age, a

women in never fit for independence” A woman has no right to study let alone Vedas. Woman cannot utter the veda mantras, as they are unclean and untruth. A Brahman, Kshatriya or vaisya man can sexually exploit any shudra women. Even the act of Killing women is explicitly unjustified as a minor offence for the Brahmins equal to the killing of animals.

Dr. Ambedkar was of the firm belief that this Hindu religious book caused the worst possible conditions for the women. He would prove his stance with evidence. “During the vedic period the Hindu women has enjoyed several rights like the right to educate, learn different art forms and select their life partners. The marriages would take place at their mature age. However, the inauguration of the ‘the Manu Smruthi’ deprived the women of all the right and burdened them with several rights like the right to get educate, learn different atr forms and select their life partners. Marriages take place at their mature age. However, the inauguration of ‘the Manu Smruthi’ deprived the women of all the right and burdened them with several restrictions and taboos. (Ambedkar).

The ancient Hindu law was essentially constituted by the Manu Smrithi. The Manu Smrithi discriminated people on the bases of the varna and the sex. The upper castes were given advantage over the lower castes and women and the members of the lower castes were restricted to the secondary status. The women role in domestic life was curbed to cooking and rearing only. They were kept away from education and enlightenment. Men dominated them and made them their slaves. Some of the religious book too were aimed at separating women from men. The Hindu fundamentalism had been main focus of attack by Dr. Ambedkar, since it had been a source of women’s destitution and misery.

##### **5. . Dr. B. R. Ambedkar and Hindu code Bill**

The Hindu code Bill introduced by Dr. B. R. Ambedkar in the constituent assembly on 11<sup>th</sup> april 1947. The property including both movable and immovable should be acquired by a women. The acquisition of property should be made by a women before and after marriage even during the widow hood from her parents or husband. Dowry system would be paid as a condition and consideration. The share of property of each unmarried daughter shall be half of each son. And the share of each married daughter shall be one quarter of that each son. Has Hindu code Bill covered with the i) Right to property ii)order of succession to the property, iii)Maintenance, marriage, divorce, adoption, minority and guardianship.

The bill was moved for referring to the select committee on 9<sup>th</sup> april 1948. The parliamentary debates continued for more than four years. This was the first longest discussion on any single bill in the free India’s parliament. Dr. Ambedkar felt that the government. i.e. The congress was not eager to clear the Hindu code. He tendered his resignation on 27 Sept 1951 to the Prime Minister Jawaharlal Nehru. On the request of the Prime Minister he continued to participate in the parliamentary debates till 10<sup>th</sup> October 1951 to provide equal rights to the women as enjoyed by men he produced the bill in the parliament. (Chandrakala &Sridhar)

##### **6. Dr. B. R. Ambedkar towards the empowerment of India women**

The operation of cast both at the systematic level and at the functioning of patriarchy growing cast/class divide in feminist political discourse make Ambedkar view and women’s oppression, social democracy cast and Hindu social order and philosophy, significant to modern India feminist thinking although Ambedkar proved himself to be genius and was known as great thinker, philosopher, revolutionary jurist-par excellence, prolific writer, social activist and critic strode like a colossus in the Indian social political seen unto his death has thoughts never received adequate attention in the generality of Indian society just because he was born as an untouchable. However, the contemporary social realities warrant close examination of wide range of his topics, the width of his vision, the depth his analysis and the rationality of his outlook and their essential humanity of his suggestions for practical action. Hence, for Indian women’s movement Ambedkar provides a powerful source of inspiration to formulate a feminist political agenda which simultaneously addresses the issues of class, cast and gender in the contemporary sociopolitical setup, which still keeps conservative and reactionary values in many respects, particularly on gender relation. The writing and speeches of Ambedkar show want values Indian should develop and how they would modernize its social and political institutions. Ambedkar saw women as victims of oppressive, cast-based on rigid hierarchical social system.

## 7. Women and constitution right

Dr. B. R. Ambedkar has given equal status to women at par with men by providing many provisions in the constitution. He incorporated the values of liberty, equality and fraternity in the Indian constitution. Our constitution, in its preamble, guarantees;

- Social, economic and political justices
- Freedom of thoughts expression, belief, faith and worship
- Equality of status and opportunity
- Fraternity, assuring the dignity of individual and national unity to all the citizens of Indian without any discrimination of cast, creed or sex.

A number of articles in the constitution help the women to improve their status and to compete with their male counterparts. This is evident from different provision of Indian constitution;

- Article 14 guarantees that the state shall not deny equality before the law and equal protection of laws within the territory of India.
- Article 15 prohibits decimation against any citizen on the ground of religion, race, cast, sex or place of birth.
- Article 15(3) empowers the states to make positive decimation in favour of women and children.
- Article 16 provides equality of opportunity in the matters of public employment.
- Article 23 prohibits trafficking of human beings and forced labor.
- Article 39 (a)and(b) 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 the maternity relief.
- Article 51A (e) imposes fundamental duty on every citizen to renounce the practise derogatory to the dignity of women.
- Article 243D(3) make a provision what not less than 1/3 of the total number of seat would be allotted by a rotation to different constituencies in a Panchayat.
- Article 243T(93) makes a provision that not less than 1/3 of the total number of seats to be filled by direct election in every municipality shall be reserved for women and such seats would be allotted by rotation to different constituencies in municipality.
- Article 243T(4) provides to reservation to all officers of chairpersons in municipalities for SC/ST women in such a manner as a legislature of the state may, by law, provide in pursuance of the above constitutional provisions, various legislative enactments have been framed to protect safeguard and promote the welfare of women.

Besides providing constitutional guarantee of equality of women Ambedkar introduce and got four powerful acts passed to strengthen the position of women in the society. These were also incorporated in the Hindu Bill they are.

1. Hindu marriage act 1955 which amended in 1976 makes the following provisions for women:
  - ✓ Marriageable age of female's raised to 18 years(sec.5)
  - ✓ Legitimization of illegitimate children(sec.16)
  - ✓ Punishment of bigamy(sec.17)
  - ✓ Provisions of alimony(sec.25)
  - ✓ Custody of children(sec.26)
2. Hindu Succession act,1956 which makes the following provisions for women:
  - ✓ A widow has right to adopt a son or daughter (sec.8)
  - ✓ It also provides opportunity to a female Hindu to be independent disposed of her property by will as she wishes and desires (sec.14)
  - ✓ A uniform of scheme succession to the property of Hindu female, who dies intestate after commencement of act, is make in sec.15
3. The Hindu Minority and Guardianship Act,1956, Which makes the following provision for women:

- ✓ Natural guardian of Hindu minor in the case of boy or unmarried girl-the father and after him, the minor but the custody of minor who has not completed the age of 5 years shall ordinarily be with the mother {Sec 6(a)}
- ✓ In case any illegitimate boy or illegitimate unmarried girl-the natural would be the mother and after her the father {Sec 6(b)}
- ✓ The mother is empowered to change the guardian, appointed by the father and may appoint a new guardian by will {Sec 9(3,4)}

Apart from the above mentioned provisions, he has formed many more laws for Indian women to help them lead dignified life. From the foregone discussion it is crystal clear that B. R. Ambedkar's contribution to the upliftment of status of women in India through legislative actions is highly appreciable and commendable.(Brijesh kumar).

## 8. Conclusion:

Dr. Ambedkar attributed more importance to the Bill than his honour. It is a fact that Dr. Ambedkar played a vital role in the formation of the Hindu Bill code. Therefore, it would be appropriate to regard Dr. Ambedkar as a humanist and as one of the saviour of the Indian women. His contribution is unique and cherished by all women's of India . it should be the foremost duty of Indian women integrate themselves to free their fellow sisters who are under the despaired and under graded profession and who want to be ready to prepare all want that if you want to maintain the Hindu system, the Hindu culture and the Hindu society do not hesitate to repair where it is necessary, the bill asks for nothing more than repairing those parts of the Hindu society which have almost become dilapidated.

Dr. Ambedkar emphasized the need of giving women the due respect and freedom. He attached great importance to the character of women. He demanded political rights for women thus Dr. Ambedkar focused all-round development of women.

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