

INTRODUCTION

Relevance of Justice and Equality in Ambedkarian Thought

Introduction

Relevance of Justice and Equality in Ambedkarian Thought

Babasaheb Bhimrao Ambedkar is one of the greatest figures of modern India who has become a very well-known name over the years, whom the Dalitbahujans regard as their messiah. Even other disadvantaged groups in India bank on his legacy to argue for a specific set of preferences for themselves, and attempt to carve out a socio-political space for themselves against the vertical social strata of the Indian society. Dr. Ambedkar liberated a vast section of the Indian people from the debased, dehumanized, irrevocable condition of divine slavery. That is why; he was called, with devotional fondness, *Babasaheb*, the father by the destitute who goes resurrected into humanity. The Dalitbahujans, pay homage and respect, adore and worship their messiah, Babasaheb. Like the Buddha, he never made any compromise with injustice, never cared for prestige and self-aggrandisement. He was an uncompromising rebel against social injustice and inequality. He worked relentlessly for the regeneration of humanity, for the well-being of mankind, for the transformation of man and society. Over the years Ambedkar has become an institution for salvation. He sacrificed his whole life in the struggle for the social justice, equality and liberty of the weaker sections of the society; though the Untouchables received his special attention as they were the most suppressed and oppressed people.

He was a great social liberal. His vision was to produce a new social order based on the principles of justice, equality and fraternity. Thus, the idea of justice, equality, liberty and fraternity was the crux of his activities. Although he talked of equality before law and considered it as a major contribution of British rule in India, he was not satisfied with this notion and advanced stronger notions such as equality of consideration, equality of respect and equality of dignity.¹ He reminded people of the grand universal law that liberty was never received as a gift; it has to be fought for. Self-elevation is not achieved by the blessing of others but only by one's own struggle and deed.² Justice is the value of treating everybody equal without any privilege or prejudice. It ensures equal opportunities for everyone and gives everybody his due. Dr. Ambedkar regarded the principle of justice as a compendious which included most of the principle of what has become the foundation of a moral order. In fact Justice

has always evoked ideas of equality, of proportion, of 'compensation'. If all men are equal, then they are of the same essence and their common essence entitles them to the same fundamental Rights and equal liberty. Equality to him was not merely theoretical; it had to be achieved first by recognizing the existing inequalities. Thus, the unequal communities are to be brought to the level of equality, by adopting the principle of inequality and giving favoured treatment to those who are below the level. He wanted a society based on 'liberty, Equality and Fraternity'. His Western education and libertarian thought helped him to evolve as a visionary. In addition to this, his political and philosophical ideas were inspired from the teachings of the Buddha, Kabir and Mahatma Phule whom he considered as his '*Gurus*', revered teachers. He made it clear that the words, liberty, equality, fraternity have not been borrowed from the French Revolution but from the teaching of his master, the Buddha.

Dr.Ambedkar rejected the theories of justice as conceived and given by *Varna Vyavastha* of Hinduism, Plato's theory of justice, Aristotelian order, Nietzschean thought, Divine law, Medieval outlook, Marx's proletariat socialism and Gandhi's Sarvodaya society. In his opinion, the *Varna Vyavastha* of Hinduism or Plato's scheme of social classification does not satisfy the norms of social justice. Just because none of these are interested in common man. They are not interested in society as a whole. The centre of their interest lies in a particular class only, and their social philosophies uphold the superiority of one class, of the Brahmins in Varna system, the Philosopher king in Plato's scheme of justice, the upper elements in Aristotelian order; the superman in Nietzschean thought.³

To Dr.Ambedkar, justice is the foundation of moral order and justice is related with equality. Justice is to be secured through Liberty, Equality and Fraternity. Equity signifies equality. Rules and regulations, right and righteousness are concerned with equality in value. In a nutshell, justice is simply another name for liberty, equality and fraternity as far as Ambedkar was concerned.⁴ In Ambedkar's philosophy, liberty and equality had a place, but he added that unlimited liberty destroyed equality and absolute equality left no room for liberty. In his philosophy, law had a place only as a safeguard against the breaches of liberty or equality. He gave the highest place to fraternity as the only real safeguards against the denial of liberty or equality. For Ambedkar, justice could be understood in relation to liberty,

equality and fraternity which he recognizes as a way of life. Liberty has a significant role to play in shaping human personality. It is grounded in freedom of thought, expression, belief, faith and worship, and with it, man becomes and grows rich when he express himself in various ways. It gives opportunities for development of human personality and even shapes one's destiny. To restrain absolute liberty, equality comes in picture. It knits men to men, groups to groups, and brings them in mutual ties, co-operation and social sympathy. Equality depends upon, acknowledges and gives effect to the consciousness of mutual obligations and mutual reorganization of right that binds the members of a society together. Equality recognizes equal basic rights of people. It may be said that equality is the original notion, and respect for human personality is reflection of it. So where equality is denied, everything else may be taken to be denied. Fraternity is the in-depth feeling to provide an atmosphere wherein people could enjoy the values of liberty and equality. "Fraternity, to Ambedkar, is the name for the disposition of an individual to treat men as object of reverence and love and desire to be in unity with his fellow beings".⁵ In Ambedkar's social and political scheme of things, though liberty and equality have prominent place, yet to him, it is not unlimited liberty, because it destroys the true sense of equality; and similarly, it is not absolute equality, because it leaves no room for liberty. Only the proper relation between liberty and equality can help both the individual and the society. Ambedkar has emphasized the need that liberty should provide grounds for equality; and equality, too, should protect liberty; both tough to be textured together for the well-being of the weaker sections of society. In brief, the three words: liberty, equality and fraternity form a trinity in his social thought, and it is an ethical standard to measure the conduct of human beings living in society.⁶ Dr.Ambedkar saw freedom, equality and fraternity as essential conditions for a good life and argued that they should be understood and pursued as one entity. It was only on their foundation that comprehensive regime of rights could be built. While different moral and religious pursuits might be reasonable, the premises of liberty and equality suggest that they are unavoidable.⁷While speaking of his own philosophy of justice, he said:

Negatively, I reject the Hindu social philosophy propounded in the *Bhagavat Geeta* based as it is, on the Triguna of the *Sankhya* philosophy which is in my judgment a cruel perversion of the philosophy of Kapila, and which had made the caste system and the system of graded inequality as law of Hindu social life. Positively, my social philosophy may be said to be enshrined in three

words, liberty, equality and fraternity. Let no one however; say that I have borrowed my philosophy from the French Revolution. I have not. My philosophy has roots in religion and not in political science. I have derived them from the teachings of my master, the Buddha. In his philosophy liberty and equality had a place; but he added that unlimited liberty destroyed equality, and absolute equality left no room for liberty. In his philosophy, law had a place only as a safe-guard against the breaches of liberty and equality. He gave the highest place to fraternity as the only real safe-guard against the denial of liberty or equality or fraternity which was another name for brotherhood or humanity, which was again another name for religion.⁸

As a political realist to the core, he denounced the *Varnashrama Dharma* of Hinduism. For him, Hinduism does not recognize the ideals of liberty, equality and fraternity. In the Manu Dharma, the Brahmin is placed at the first in rank. Below him is the Kshatriya. Below Kshatriya is the Vaishya. Below Vaishya is the Shudra and below Shudra is the Ai-Shudra (the Untouchables). They are placed in a vertical series, one above the other. Varna is the parent of caste and Manu is the progenitor, if not the author, of caste system. And Manu is responsible for upholding the principle of gradation and rank. This system of rank and gradation is another name for the principle of inequality. Manu recognises slavery and confined it to the Shudras. Only the Shudras could be made slaves of the three higher classes. Manu decreed that slavery shall not be recognized in its inverse order to the Varna system. This means that a Brahman may become the slave of another Brahman, but not of another Kshatriya, Vaishya, Shudra or Anti-Shudra. Manu's injunction in respect of marriage was for each class to marry within his class. A class can marry any woman from any of the classes below it, but not vice-versa. There has been discrimination in the rule of law as well. This is seen in the rules of witness and criminal jurisprudence. The idea is to idolize the upper classes.⁹ The *Ashrama* theory is a peculiar feature of Hindu philosophy. It divides life into four stages-*Brahmacharya*, *Garahastya*, *Vanaprashtha* and *Shanyasha*. These sacraments are only for the above of three classes. But the Shudras are kept out of the benefit of the sacraments. Thus Hinduism has in its philosophy both social inequality and religious inequality.

In Ambedkar's view, Hinduism does not recognise liberty. He stated liberty must be accompanied by certain social conditions. These are social equality, economic security, knowledge education. If liberty is to move to its appointed end, there should

be equality. But it is absent in Hinduism because it upholds privilege and inequality. The same spirit of denial effuses to give economic security. Hinduism denies freedom of a vocation. Secondly, it compels people to serve ends chosen by others. Manu tells the Shudra that he is born to serve the higher castes. And the king is instructed to 'order that each man of the service caste should act in the service of the twice-born'. Thirdly, Hinduism does not permit a Shudra to accumulate wealth for a Shudra who has acquired wealth gives pain to Brahmins. In the matter of spread of knowledge two conditions are prerequisites-formal education and literacy. It was Vedic education that benefited only the Brahmins, since the Shudra and woman were denied this. Women have no business with the text of the Veda. If the Shudra intentionally listens for committing to memory the Veda, then his ears should be filled with (molten) lead and lac; if he utters the Veda, than his tongue should be cut off. If he has mastered the Veda then his body should be cut to pieces.¹⁰

To Dr.Ambedkar Hinduism does not recognise fraternity. Fraternity is another name for fellow feeling. It consists in a sentiment which leads an individual to identify himself in the good of others whereby "the good of others becomes to him a thing naturally and necessarily to be attended to like any of the physical conditions of her existence". In the words of J.S Mill, 'Society between equals can only exist on the understanding that the interests of all are to be regarded equally'. But this does not exist among the Hindus. The splitting process is on and the society is divided into 6000 Castes and Sub-Castes. Even the Brahman Caste has 1886 Sub-Castes. The Caste system is a system of gradation in which every Caste except the highest and the lowest has the priority and precedence over some other Castes. There exist absence of fraternity among the Hindus-there is no sharing of joys and sorrows involved in the vital facts of life.¹¹ The essence of Hinduism is a direct denial of Fraternity. In Hinduism inequality is a religious doctrine adopted and conscientiously preached as a sacred dogma. Indeed inequality is the soul of Hinduism.¹² Thus, Babasaheb Ambedkar maintained that "the root of Untouchability is Caste System, the root of the Caste System is religion attached to Varnashrama; and the root of Varnashrama is the Brahminical religion, and the root of Brahminical religion is authorization of power".¹³ The Brahminical religion promotes social inequality as an official doctrine and advocates a deliberate debasement of human personality. That is why Ambedkar rejected the entire philosophy of Hindu *Varnashram Dharma* as it opposes the

essence of social justice. Indian social system is unnatural as it contradicts the law of change prevalent in the universe. Buddha believes nothing is permanent in the universe. Everything is in constant flux, there is nothing Sanatan, everything is impermanent; this is the law of nature. What scientists describe as the theory of cause and effect? Influenced by the universal law of change of Buddha, Ambedkar opposed the Hindu social system vehemently to get justice for those who have been made its victims for the benefit of a few.

Dr. Ambedkar, like the Buddha, did not try to find out the relation of man with God or the relation between Soul and God. In other words, he rejected the existence of God, the Eternal soul, heaven and hell, the transmigration of the soul and the like. He took philosophy in man's social context. Keeping the social interests of man in mind he visualized the pictures of future mankind and brought in the speculative philosophy of ancient saints and sages into the social value. The malaise of Indian society was a great problem to him. And he wanted to cleanse it by a social standard of his choice. In place of the *Manu Dharmas*, he brought in a standard of humanistic nature without any distinction of birth, place, religion, caste and wealth.¹⁴ Thus Babasaheb Ambedkar says:

The Hindu wanted the Vedas, and they sent for Veda Vyasa who was not a Caste Hindu. The Hindus wanted an epic and they sent for Valmiki who was an Untouchable. The Hindus wanted a Constitution and they sent for me.¹⁵

Though India has got independence, free India has not been free from the age-old practices of Caste, discrimination, injustice and inequality devoid of dignity and humanism. Caste still rampant with its evils in states where a large number of populations live along and below the poverty line. If caste is victimization of people for the service of the few, if religions are moral sanctions and punishments can be imposed on rebels wanting to live with freedom of dignity, then India's suffering, toiling masses are still in the clutches of it. In India, social experience says that caste domination is very much prevalent in one class structure. The Hindu Social Order as outlined in the *Manusmriti* as opposed to justice, liberty, equality and fraternity has been dominating the society for ages and economic classes have always been structured along the caste lines-be it in possession of land, or occupation of high posts in administration. Dr. Ambedkar, as the father of the Indian Constitution, endeavored to help the nation by pulling it from the quagmire of Caste, creed, discrimination and

communalities by incorporating the humanistic principles of justice, liberty, equality and fraternity in the Constitution of India.

While the major Constitutions of the World stand on three cornerstones- equality, liberty and fraternity, but the fourth cornerstone, namely justice, is a unique feature in our Constitution. Liberty is meaningless without equality; equality would be irreverent if it does not promote fraternity and fraternity is purposeless if it does not result in justice. An integrated view was therefore taken and all the four concepts enshrined in our Constitution. Participating in the Constituent Assembly Dr.Ambedkar expressed, “The Constituent Assembly declares its firm and solemn resolve...to draw up...a Constitution wherein (a) shall be guaranteed and ensured to all people of India justice, social, economic and political, equality of status, and opportunity before law, and (b) wherein adequate safeguards shall be provided for minorities, depressed and other backward classes’.¹⁶

As the chief architect of India’s Constitution, he got it shaped clearly on the values of justice, liberty, equality fraternity and dignity of man. The Preamble of the Constitution of India, since its inception on 26th January, 1950, has been invoking the spirit of India’s people of all castes, creeds and communities to secure to all its citizens: “justice, social, economic and political; Liberty of thought, expression, belief, faith and worship; Equality of status and opportunity; and promote among them all. Fraternity assuring the dignity of the individual and the unity of the Nation”. The mover of the Objectives Resolution declared in unequivocal terms: “The future of India that have been envisaged is not confined to any group and section or province or other but it comprises all the four hundred million people of India”.¹⁷ Dr.Ambedkar made two important changes in the Resolution which made the Preamble more meaningful and reflective of the aspirations of the people. He replaced the word ‘Independent’ by the word ‘Democratic’, and added a new clause regarding ‘Fraternity’ which was not to be found in the Objectives Resolution. He felt it necessary to embody in the Preamble the need for promoting fraternal concord and goodwill among the people in order to ensure the fruits of liberty and equality to all.¹⁸ The Preamble declares India ‘a Sovereign, Socialist, Secular, Democratic Republic’. The adjectives, ‘Socialist’ and ‘Secular’ were introduced into the Preamble by the 42nd Amendment of the Constitution in 1976 to reinforce the Constitutional commitment to social justice. The Preamble has further declared to secure certain

basic objectives to all its citizens and amongst these basic objectives pride of place is given to social, economic and political justice. The words, contained in the Preamble, “justice-social, economic and political”, “fraternity”, and “equality of status” to all the citizens are nothing but harbingers of social change in India. It is really the spirit of brotherhood that the Preamble seeks to achieve. It can be achieved by abolishing all communal, sectional local and caste ridden feelings which are the real bottlenecks in the way of equality, as well as the unity of India. Therefore, all the citizens of India will have to develop a feeling that they are all children of the same soil, the same motherland”.¹⁹ Apart from all sorts of age old social evils, social justice requires abolition of inequalities which result from inequalities of wealth and opportunity, race, caste, religion and titles. Fundamental Rights and Directive Principles of the State policy contain several provisions for providing social justice to the masses in general. Attainment of the ideal of socio-economic equality is the basis of the guiding principles of social welfare and common good.

Dr.Ambedkar’s foremost concern was equality. However, he was not willing to sacrifice liberty and fraternity. In his views, equality must come through non-violence and democratic process. He further stated that political democracy must be based on social equality; it must be enlivened by social justice. However, he had firmed belief in social democracy. For him, violation of human rights and freedom was the worst crime. And throughout his life he cherished these ideals and fought against it. To put it in his own words:

It is not my intention to add yet another catalogue of essential rights to the liberties of such lists which already exist; but these are two observations which apply to all of them. In the first place, if the rights are to be an effective guarantee of freedom, they must not be merely formed, like the right of all who can afford it to dine at the Ritz. They must be such that, whenever the occasion arises to exercise them, they can in fact be exercised. The rights to vote and to combine, if not wholly valueless, are obviously attenuated, when the use of the former means eviction and of the later the sack; the right to the free choice of an occupation, if the expenses of entering a profession are prohibitive; the right to justice, if no poor man can pay for it; the right to life, liberty, and the pursuit of happiness, if the environment is such as to ensure that a considerable proportion of those born will die within twelve months, and that the happiness-investment of the remainder are a gambling

stock. In the second place, the rights which are essential to freedom must be such as to secure the liberties of all, not merely of a minority.²⁰

Moreover, he asserted, “a society in which some groups can do much what they please, while others can do little of what they ought, may have virtues of its own; but freedom is not one of them. It is free insofar, and only insofar, as all the elements composing it are able in fact, and not merely in theory, to make the most of their powers, to grow to their full stature, to do what they conceive to be their duty, and since liberty should not be too austere, to have their fling when they feel like it. Insofar as the opportunity to lead a life worthy of human beings is restricted to a minority, what is commonly described as freedom would more properly be called privileges”.²¹ In his historic speech to the Constituent Assembly delivered on November 25, 1949, he warned that we must make our political democracy a social democracy as well. Political democracy cannot last unless there lies at the base of it social democracy. What does social democracy mean? It means a way of life which recognizes liberty, equality and fraternity as the principles of life. These principles of liberty, equality and fraternity are not to be treated as separate items in a trinity. They form a union of trinity in the sense that to divorce one from the other is to defeat the very purpose of democracy. Liberty cannot be divorced from equality; equality cannot be divorced from liberty. Nor can liberty and equality be divorced from fraternity. Without equality, liberty would produce the supremacy of the few over the many. Equality without liberty would kill individual initiative. Without fraternity, liberty and equality could not become a natural course of things. It would require a constable to enforce them. We must begin by acknowledging the fact that there is complete absence of two things in Indian society. One of these is equality. On the social plain we have in India a society based on the principle of graded inequality which means elevation for some and degradation for others. On the economic plane, we have a society in which there are some who have immense wealth as against many who live in abject poverty. He emphatically put across his conviction about the future of democracy in these words:

On the 26th January 1950, we are going to enter into a life of contradictions. In politics we will have equality and in social and economic life we will have inequality. In politics we will be recognizing the principle of one man, one vote and one value. In our social and economic life, we shall, by reason of

our social and economic structure, continuing to deny the principle of one man one value. How long shall we continue to live this life of contradiction? How long shall we continue to deny equality in our social and economic life? If we continue to deny it for long we will do so only by putting our political democracy in peril. We must remove this contradiction at the earliest possible moment or else those who suffer from inequality will blow up the structure of political democracy which this Assembly has so laboriously built up²²

India celebrates the 61st Anniversary of her Republic; however, the last speech of Babasaheb Ambedkar in the Constituent Assembly holds significant relevance till today. If justice is redress of wrongs then the Indian state is surely playing an interventionist role for eradicating the evils of an unequal social order. But as far as social exploitation is concerned, it has yet been largely unsuccessful in creating the human attitude of a man towards his fellow-beings that is the password for all civil rights movements carried out globally for several decades. Social justice to ensure acceptability in a common society to Scheduled Castes, Scheduled Tribes living in inaccessible areas, and the people of Backward classes along with religions minorities has not yet been dispensed. Legal systems are still unapproachable for them, property ownership and decent living still concentrated in particular layers of the society. Land reforms have been treated as one of the principal instruments for the creation of an egalitarian rural society, in tune with the socialistic spirit as provided in the Preamble and Directive Principles of the State Policy of the Indian Constitution. But land reforms have never taken place in a proper way. Under the prevailing reform system, at most the top upper caste landlords have lost their position; land has not been given in a massive way to the landless and by and large caste continued to be heavily correlated with agrarian position.²³ We have not made any tangible progress towards economic equality and equal distribution of agriculture lands, equal opportunities of employments, trade and business. According to the Planning Commission, 77 per cent of Scheduled castes and 90 per cent of Scheduled tribes are landless, without any productive assets and sustainable employment opportunity.²⁴ The Scheduled Caste and Scheduled Tribe people mostly lived in rural India and earn their livelihood by working on land. In rural areas the majority of these underprivileged sections are agricultural labourers having meager land holdings or sharecroppers or other types of insecure tenants.²⁵ Most of the nation's SC and ST people are landless poor, they have no land and work for others as agricultural labourers. Hence, their main source of

income comes from cultivation, wage labour or some kind of non-farm self-employment. In rural India, Dalits still pursue their traditional caste occupations like scavenging, weaving, leather works, and potting. In urban areas, the substantial portion of unorganized sector workers are from the Dalit community those who migrated to cities for the search of livelihood and leads their life in distress conditions. However, the government sponsored Schemes like National Rural Employment Guarantee Scheme or Food for Work Programmes are not sufficient to meet their demands or unable to reach to the target groups. Education and health which must be prioritised by the state for all its citizens are increasingly highly privatized resulting in rural and backward areas, in the creation of an alternative sector for the weak, and the underprivileged which shows the duplicity of the inequality-eradication process. Quality education and the means to achieve it are still restricted to elites while the weaks are made to feel fortunate enough to have a basic level of education. The dropout rates among the Dalit students are quite alarming. More than half of the Dalit students drop out before complete of Class VIII. Almost 80 % of tribal children were dropout by Class X. Dependence on economic resources and lack of social opportunities has debarred the oppressed classes to avail the full benefits of governmental schemes. Even there are more than five lakhs rural habitations in the country consisting of 50% of the total habitations which do not have primary schools. As against the national average of 61%, the literacy rate of SC is 39%. Likewise, the illiteracy levels of Tribals are higher around 70 per cent. Today 8 out of every 10 Tribal women are illiterate. But the Brahminical ruling class whose population merely 15% grabbed 66.5% in Politics, 87% in Government jobs, 97% in Commerce and Industries, and 78% in education. In case of different government jobs, the control of Brahmins are very clear from the facts that- in Class-1 Posts 89.62% are Brahmins, 5.69% are SCs/ STs, and 4.69% are OBCs; in Class-11 Posts 71.19% are Brahmins, SCs/ STs shares 18.20% and OBCs holds 10.64%; in Class-111& 1V Posts 56.62% are Brahmins, 24.20% are SCs/STs and 18.20% are OBCs.²⁶ The quotas of reservation fail to bring about any change in the condition of the poor, because they are principally for those whose backwardness will not allow them to take advantage of that benefits. The Constitutionally guaranteed equality for all is a rhetoric which cannot be realized as assimilated or pursued to the end due to the systemic inequality in society. The pre-conceived 'incompetence' of lower-caste people is a caste prejudice still followed in government services, teaching in schools

and colleges and in private sectors as well. Merits and competence are being defined by those who are advanced due only to their high caste positions and nothing else. It is they who decide policies, the framework of evaluation to the system of judging merit. No other skills and knowledge are acknowledged. Thus, the weaker sections are paying heavily throughout their life for an extremely inequitable social structure in India, and the weakest among them are the ex-untouchables of India. However, India's political and economic achievements unable to suppress the shocking inequalities in wealth and living standards; a third-rate education system and a fifth-rate healthcare system; a criminal justice system on the verge of collapse; a serious and still growing left-wing insurgency in central India; continuing tensions in the states of the northeast and north west; a spate of farmer suicides in the countryside; rising crime rates in the cities; rapid and possibly irreversible environmental degradation in both city and countryside; and more.²⁷ Furthermore, every fourth Indian is Dalit. But the huge chunks of population are subjected to violence, and torture. Dalit women are raped and murdered. Atrocities and crimes against Dalits are increasing over the years; in 2006 the crimes committed against Dalits were-27,070 and by the year 2009 the crimes figure has increased to 33,594.²⁸

Thus, Constitution is the formal framework of institutions and relationships that was adopted by the people of India to govern themselves. And the Indian Constitution as visualized by Ambedkar was normative Constitution. But during the 61st years of its functioning it turned into semantic Constitution. The socio-economic justice and equality contemplated in Chapter-IV relating to the Directive Principles of the State Policy which object was to Social Democracy has not taken place. Article 45 says that the State shall endeavour to provide, within a period of ten years from the date of commencement of this Constitution, for free and compulsory education for all children until they complete the age of 14 years. The ruling party ignored the Constitutional directions. Finally, after 61st years of completion of its Republic 'The Right of Children to free and Compulsory Education Bill' was passed in Parliament on 4th August 2009.

The Uniform Civil Code as visualized in Article 44 still remains a desideratum. Article 46 relating to the promotion of the educational and economic interests of the Scheduled Castes and Scheduled Tribes and Other Backward Castes of society lies even now on the road to its full implementation. Article 312 of the Constitution

recommended 'All-India Judicial Services' which is still remain unnoticed. Several provisions of the Constitution remain unfulfilled as the individuals deserved to be shaped it failed to deliver. Indian politicians, the tallest included, betrayed the trust reposed in them. Dr.Ambedkar addressing the students of the Lucknows University on 7th November 1951, 'declared that though the Constitution had introduced the system of adult franchise recognizing the principles of 'one man, one vote' in the economic and social life of India that the principle had not been adopted'.²⁹ As far back as November 19, 1954, the then Union Home Minister, Kailash Nath Katju, described the practice in vogue in these terms in the Lok Sabha: "Offer some plums before them, give a *laddu* to one, a *rasagulla* to another... members from Independents will join and you will then be able to produce a majority. Now, this is an insult to the Constitution. This is a mockery of the Constitution".³⁰ Addressing the Constituent Assembly, on November 25, 1949, Dr.Ambedkar said:

However good a Constitution may be, it is sure to turn out bad because those who are called to work it happened to be a bad lot.... It is, therefore, futile to pass any judgment upon the Constitution without reference to the part which the people and their parties are likely to play.³¹

Dr.Ambedkar is quoted as saying: "If the Constitution of India goes wrong, the reason will not be that we had a bad Constitution. What we will have to say is that Man was Vile".³² A time tested statement of Dr.Ambedkar is very much relevant in this contest. Thus he said:

Unless we in Parliament realise our responsibilities and shoulder the task of looking after the welfare and good of the people within a reasonable time, I have not the slightest doubt in my own mind that this Parliament will be treated by the public outside with utter contempt. It would be a thing not wanted at all.³³

Dr.Ambedkar provided a worthy Constitution to the newly awakened India. As the principal Architect of our Constitution he ensured the fundamental human rights against the state, the dignity of the individual, socio-economic justice and equality, promotion of social harmony and better standards of life with peace and security in all sphere of life. Unveiling the statue in the compound of Parliament House in New Delhi, Dr.S.Radhakrishnan, President of the Indian Republic, in 2nd April 1967, said, "The people of India will ever remain grateful to Dr.Ambedkar for devoting all his

time and talent in framing a worthy Constitution. India can never forget such a great son. The Smritis or the laws written by Manu have no relevance today. But Dr.Ambedkar, the architect of modern India's Constitution, has proved by his wisdom and intellect that great Rishis like him can take birth in any community. Dr.Ambedkar was not only an eminent Constitutional expert; he had also mastery over the Hindu philosophy and Hindu social laws. I feel pride in unveiling this statue of Dr.Ambedkar'''.³⁴

Babasaheb Bhim Rao Ambedkar was the builder of modern India and was also a great Statesman who worked for the welfare of every Indian. He foresaw the evils of Brahminism even in independent India and took upon his shoulders the task of obstructing with his full might the exploitation of the poorest people of India in the name of religion. In his unparalleled effort, he was the pioneer of bringing equality and justice, not as vacant words, but as meaningful forces which by dealing blow after blow to a very unjust social order, humanized it, civilized it, and paved the way for our country to be able to make the rhetoric of justice and equality come true in our national life.

Unfortunately, the conditions of the Untouchables, Tribals and Backward sections of India have not changed much as it was expected. Yet Dalits, Tribals or landless agricultural workers in Tribal dominated areas are not benefited from economic development and industrialization process over the last sixty years. Social and economic justice still remains unfulfilled. Likewise, equality in socio- economic life has not yet been achieved. Towards 1990s the neo-liberal economic policies (Liberalisation, Privatisation, and Globalisation) adopted by the mainstream political party has posed a great threat to the affirmative policies of the Constitution. The ruling Government is not willing to provide reservations (social justice and equality) in the Private Sectors. The Judiciary which is the sentinel of the Constitution also stands in the way to reservation for Backward Classes and religious minorities of our society. Dr.Ambedkar's dream of a society based on socio-economic justice, equality and human dignity is yet to be realized. Over six decades of its progress India has not realized our founders' vision of social democracy which is another name of justice and equality. It is high time the three organs of democratic set up i.e. the Executive, the Legislature and the Judiciary should come forward and implement the policies

regarding justice and equality, which holds enough relevance till today in a society like India.

However, I have attempted to chapterise 'justice and equality in Dr.B.R.Ambedkar's vision of India' in 7 chapters.

In the first chapter, concept of justice in western and Indian thought-role of morality is discussed. An attempt is made to examine his ideas on justice, religion and morality. As social justice was the core of his movement he realized justice as the value of treating everybody equal without any privileges or prejudices. Being influenced by the pragmatic thought of the west, he strove hard for the establishment of an egalitarian society on the principle of justice, equality and fraternity. He rejected the Varnashram Dharma or caste justice as a negation to the principle of justice, equality and fraternity. Religion is a driving force and act as social cement so also promote social progress and universal brotherhood. Man and morality must be the centre of religion. And all this he found in Buddha Dhamma, which he means Buddhism is nothing but morality.

In the second chapter, Ambedkar's repudiation of Hindu social order as an inegalitarian and unjust scheme is being discussed. In this chapter I have attempted to analyse Ambedkar's interpretation of Hindu social order and his criticism to the caste system as a divine institution, which is like a ladder of castes placed one above the other together representing an ascending scale of hatred and a descending scale of contempt; standing in the way to the establishment of egalitarian society. Therefore, if India to be a united, strong and viable nation its age old practices (Manu Dharma) of injustice and inequality must be abolished. He claimed untouchables are not Hindu and they should be free from the Hindu slavery.

The third chapter contains an alternative revisionary scheme as conceived by Dr.Ambedkar. In this chapter I have underlined his relentless struggle against the oppressive feature of Hindu society and several reformative measures undertaken by him including the Hindu Code Bill. With the Bill faced a strong resistance from the Hindu orthodoxy all his hope shattered, he convinced that there is no salvation for untouchables in Hinduism thus the traditional hierarchical and unequal social Hindu order is opposed by a religious alternative (conversion to Buddhism) of a society based on equality, justice and progress.

In the fourth chapter, Dr. Ambedkar's interpretation of Buddhism- Buddhist concept of Samya in Ambedkar's thought has been discussed. However, he brought back Buddhism in the land of its origin. He argued that Buddhism is the religion of the Broken Men i.e. religion of Shudras and Untouchables. Buddhism solved the problems of inequality, caste-discrimination and anti-women posture of Hinduism. The crux of Buddhism is equality and its motto is 'Bahujan Hitaya Bahujan Sukhaya'. This religion can serve not only our country but the whole world. In this changing world order, Buddhism is indispensable for world peace.

In the fifth chapter, Dr. Ambedkar's attempt to embody justice and equality in the Constitution of India has been discussed. As the chief architect of the Constitution his yeomen service to reconstruct the Indian society on egalitarian and humanistic principles. His emphasis on the affirmative action as a strategy which can bring a level of equality in an extreme unequal hierarchically constructed caste society of India.

In the sixth chapter, Ambedkar's thought on democracy and distributive justice- a rational approach to the fulfillment of Ambedkar's vision of India, has been discussed. Political democracy cannot last unless there lies at base of it social democracy. Social democracy as a way of life recognizes liberty, equality and fraternity as the principles of life. These principles of liberty, equality and fraternity are the other name of democracy. His aim was to realize the ideal of one man one value in all ways of life

In the last chapter, Influence of Ambedkar's thought on Dalit assertion in Indian polity is discussed. In this chapter, my intention here is to analyse his ideas of political power as the key to all social progress and his effort to give untouchables a separate political identity by forming political parties and its impact on the Post-Ambedkar Dalit movement. However, decisive and determining role of Dalit political parties particularly the king-making role of Bahujan Samaj Party in the era of coalition Indian political scenario is quite significant.

References

1. Moon Vasant, ed, Dr.Babasaheb Ambedkar, Writings and Speeches, Education Department, Government of Maharashtra, Bombay, Vol-13, 1994,pp.390-4.
2. Keer Dhananjay, Dr.Ambedkar, Life and Mission, Popular Prakashan, Bombay, 2003, p.73.
3. Jatava D.R, B.R.Ambedkar: Study in Society and Politics, National Publishing House, Jaipur, 1998, p.115.
4. MoonVasant,ed, Dr.Babasaheb Ambedkar, Writings and Speeches, Education Department, Government of Maharashtra, Bombay, vol-3, 1987,p.25.
5. Ibid, p-97.
6. Jatava D.R, B.R.Ambedkar: Unique and Versatile, Blumoon Books, New Delhi, 1998, p.13-14.
7. Rodrigues Valerian, ed, The Essential Writings of B.R.Ambedkar, Oxford University Press, New Delhi, 2009, p.39.
8. Narake Hari, ed, Dr. Babasaheb Ambedkar Writings and Speeches, Higher Education Department, Government of Maharashtra, Mumbai, vol-17,part-3, 2003, p.501.
9. Moon Vasant, ed, Dr.Babasaheb Ambedkar, Writings and Speeches, op. cit., Vol-3, pp.25-26.
10. Ibid, pp.38-43 .
11. Ibid., pp.44-45.
12. Ibid., p.66.
13. Prem Prakash, Ambedkar Politics and Scheduled Castes, Ashish Publishing House, Newdelhi, 1993, p.52.
14. Biswas Oneil, A Phenomenon Named Ambedkar, Blumoon Books, NewDelhi, 1998, pp.179-180.
15. Oniel Biswas, Thus Spake Dr.Ambedkar, Blumoon Books,NewDelhi,1988,p.30.
16. CAD, vol-2, pp.269-273.

17. C.A.D, Vol-1, pp.59-60.
18. Ahir. D.C, Ambedkar the Great, Blumoon Books, New Delhi, 2000,p.26.
19. D.D.Basu, Commentary on the Constitution of India, vol-1,Calcutta,1965,p.71.
20. MoonVasant, ed, Dr.BabasahebAmbedkar, Writings and Speeches, Education Department, Government of Maharashtra, Bombay, vol-5, 1998, p.110.
21. Ibid, p.111.
22. Moon Vasant, ed, Dr.Babasaheb Ambedkar, Writings and Speeches, Vol-13, op. cit., p.1216. / CAD, Vol.XI, pp.977-981.
23. Omvedt,Gail, Dalits and the Democratic Revolution: Dr.Ambedkar and the Dalit Movement in Colonial India, Sage Publications, New Delhi, 1994, p.327.
24. Agricultural Census 1990-91. Cited from Mohanty B.B.,“Land Distribution among Scheduled castes and Tribes”, Economic and Political Weekly, October 6, 2001, p.3857.
25. Ibid., p.3857.
26. Dalit Voice, October 16-31, 2006, p.19.
27. Outlook, The Republic Special Issue, February 1, 2010, p.26.
28. National Crime Records Bureau (NCRB), Ministry of Home Affairs, Government of India, Report-2006 and 2009.
29. Narake Hari, ed, Dr. Babasaheb Ambedkar Writings and Speeches, Vol-17, Par-3, p.447.
30. Frontline, February 13- 26, 2010, p.12.
31. CAD, Vol. VII, p-38. Narake Hari, ed, Dr. Babasaheb Ambedkar Writings and Speeches, Vol-18,Part-3,p.165.
32. CAD, Vol. VII, p.44.
33. MoonVasant, ed, Dr.BabasahebAmbedkar, Writings and Speeches, Education Department, Government of Maharashtra, Bombay, Vol-15, quoted in Editorial, 1997.
34. Ahir. D.C, Ambedkar the Great, Blumoon Books, New Delhi, 2000, pp.129-30.