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HINDU LAW VISIONARY: DR. B. R. AMBEDKAR

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ABSTRACT: Dr. B. R. Ambedkar is well known for his efforts as a fighter and a scholar to bring liberty, equality and awareness in Indian society regarding various social and legal matters. Various scholar regard Dr. Ambedkar as a feminist by heart. In the early 19th century, world at large witness a specific reformed movement in favour of women in which prominent figures such as Raja Ram Mohan Rao, along with Mritunjay Vidyalankar tried to draw the attention of the society towards wretched conditions. Dr. B. R. Ambedkar was the first ever Indian who tried to brought justice and equality for women under the umbrella of law rather than in air. The major step taken by him can be seen in the codification of Hindu code which bring the concrete and sincere efforts in Hindu personal laws, which provides women equal rights in various civil matters from marriage rights to adoption and from adoption to succession. Dr. B. R. Ambedkar conceptualize a gynocentric society, wherein patriarchal norms are subverted. Ambedkar recognized the impact of caste patriarchy, caste position, and internal Dalit patriarchy on Dalit women. Keeping in mind the importance of women in the society despite of their caste, Dr. Ambedkar by the way of various speeches try to make the people understand that the true equality and liberty lies in equal opportunities for all i.e., for both men and women. This research paper will focus on the efforts made by Dr. Ambedkar for the shaping of Hindu code and his views on women problems in pre and post independent India.

KEYWORDS: women, rights, Hindu code, equality, women empowerment.

“I measure the progress of a community by the degree of progress which women have achieved.”

-Dr. B.R. Ambedkar

INTRODUCTION

Babasaheb Ambedkar is one of the first feminist leaders and women's rights advocates in the country. Even yet, his contributions to feminism are frequently downplayed and disregarded. Even Indian feminists frequently confine his efforts to improving the lot of Dalit women. The initiation of Ambedkar and his life's work is indicative of feminist movements within the upper caste. Ambedkar is only called upon when

upper-caste women speak to and of Dalit women, beyond that Babasaheb's work in pushed to the margins¹. His liberal and progressive stance on women's liberation stemmed from his conviction that social justice can only be achieved within a contemporary institutional framework. As a result, he supported the spirit of constitutionalism that guaranteed women's equality and dignity. The Hindu Code Bills and his conversion to Buddhism are significant reminders of Ambedkar's efforts¹. Dr. B. R. Ambedkar was a natural rebel and champion of social justice. He is generally recognised as the leader of the movement to change Hindu society in general and to improve the plight of his untouchable brethren in particular. This was one of his life's sacred tasks. But many people are unaware of another cause for which he battled fiercely: the empowerment of women via legislative reforms. Superstitions and erroneous practices have caused women to suffer severe difficulties in the male-dominated Indian culture since the Vedic era. Numerous practices have been used to victimise women, including child marriage, sati pratha, parda pratha, restrictions on widow remarriage, exploitation of widows, and the devadasi system. Consequently, giving birth as a woman had though Dr. Ambedkar's passion to reform the Hindu society by empowering women is perhaps best brought out in his crusade to pass the Hindu Code Bill in the parliament².

CONTEXTUALIZING WOMEN'S EMPOWERMENT HISTORICAL BACKGROUND OF WOMEN'S OPPRESSION AND INEQUALITY IN INDIA

The Vedic Age is supposed to be the golden era of women's status in India. The age of marriage was higher, that is, after brahmacharya. Women had a significant role in performing yajnas, rites, and other religious activities. Hindu society became more inflexible in the later Vedic Period. Over time, the patriarchal nature of the culture took hold, dictating every aspect of women's lives. Following the Vedic era, women's status in society saw a sharp decline.

In performing yajnas, rituals, and other religious activities, women had a major part. During the later Vedic Period, Hindu society was increasingly rigid. The culture's patriarchal tendencies eventually spread and began to rule all facets of women's life. After the Vedic era, women's standing in society precipitously decreased. They were, therefore, restricted to the four walls of their home. Religious prescriptions and social practices reinforced each other to relegate women to secondary status. Women were denied education as a result of this opinion of them; they were not allowed to study the Vedas or recite mantras. A married woman's responsibilities were limited to taking care of her house and her husband. During the Muslim and Mughal eras, these customs were deeply ingrained in the Indian society. Women's seclusion and suffering increased in response to the prospect of Muslim invasion. When the British arrived in India, women's standing had fallen to its lowest point. Women were ignorant and illiterate; were bound by innumerable rituals and fasts; married early and were treated as property and the most menial servant of the husband.

¹ Available at: <https://theprint.in/opinion/seeing-ambedkar-as-dalit-icon-is-narrow-understand-his-feminist-vision-for-indian-women/915663/>, (last visited on May 5th, 2023).

² Available at: Hindu Code Bills - Support and Opposition | Support Opposition (liquiseach.com), (last visited on May 5th, 2023).

D.R. AMBEDKAR AND HIS ENCOUNTER WITH GENDER DISPARITIES

Growing up in a society marked by deep-rooted caste and gender inequalities, Ambedkar witnessed firsthand the discrimination and oppression faced by women, particularly those from marginalised communities. These experiences shaped Ambedkar's of social injustices and fuelled his commitment to fighting for gender equality.

D.R. B.R. AMBEDKAR AND WOMEN'S EMPOWERMENT

Ambedkar strongly advocated for women's rights and worked towards fostering gender equality. He thought that women's social and economic emancipation was crucial to society's advancement as a whole. He battled conservative groups that opposed women's rights in order to guarantee that the Indian Constitution had provisions for gender equality. Dr. Ambedkar said **“Unity is meaningless without the accompaniment of women. Education is fruitless without educated women and agitation is incomplete without the strength of women.”** In his personal life also, Ambedkar actively supported the education of women, including his own wife, Savita Ambedkar, who became the first dalit women in maharashtra to complete formal education.

THE ROLE OF MATRIMONIAL LAW REFORM IN PROMOTING WOMEN'S RIGHT

Historically, Matrimonial laws often favoured men and perpetuated gender inequality. Because personal laws are so common, they have historically discriminated against women by denying them rights to property, adoption, etc. Matrimonial law reforms are an excellent illustration of a bottom-up strategy for advancing women's rights. Given the importance of the family as a social institution, modifications to the marriage laws were necessary in order to achieve equality. Dr. Ambedkar worked to equalise the status of men and women in marriage. He supported the Hindu Code Bill throughout discussions in the Constituent Assembly and in parliament when he first presented it as the nation's law minister.

THE NEED FOR HINDU CODE BILL

As early as 1832, it was decided that it would be beneficial to codify Hindu law. This led to the appointment of a Royal Commission to codify both Hindu and Muslim law. This assignment was given to Lord Macaulay, and twenty-two years later a new criminal code was enacted. The existing civil law was preserved. The push to amend and codify the social and legal status of Indian women has been driven mostly by their growing dissatisfaction with these limitations in recent years. Hindu homes are governed by ambiguous and conflicting regulations, particularly those that deal with marriage, divorce, inheritance rights, etc. The Hindu Women's Rights to Property Act, enacted in 1937 by the Indian central legislature, gave Hindu widows for the first time the right to claim a share in their husbands' property and to demand partition of his estate.

HINDU CODE BILL IN PARLIAMENT

The Hindu Code Bill, introduced by Ambedkar as law minister of independent India, reveals his views on gender equality, and his strong stance against a caste-based society. Among other reforms, the Hindu Code Bill, the most powerful piece of legislation in contemporary India, aimed to outlaw all other marriage systems and make only monogamous marriages lawful. The Code further aimed to grant women the property and adoption rights that Manu had previously refused. It levelled the playing field for men and women in all legal affairs. Dr. Ambedkar said, “I should like draw attention of the house to one important fact. Those

who wish to conserve must be prepared to mend, according to the renowned political philosopher Burke, who produced a seminal work criticising the French Revolution. And that is all I am requesting of this House: Do not hesitate to make repairs where necessary if you wish to preserve the Hindu system, Hindu culture, and Hindu society. All that this Bill calls for is the restoration of the Hindu system's broken-down components.

OPPOSITION IN THE HOUSE AND AMBEDKAR'S RESIGNATION

The idea behind the resistance to the measure was that it would enact too extreme reforms that deviated from the traditional Hindu social structure. They said that Hinduism in no way supported behaviours like divorce. "To a Hindu the marriage is sacramental and as such indissoluble." Additionally, they believed that the foundation of Hindu civilization and the Mitākṣarā notion of a united family would collapse if women were granted equal property rights. They also insisted that were daughters and wives given inheritance more conflicts would arise within families³. Jawaharlal Nehru dropped the bill as it was facing opposition and could not get public support. In his letter of resignation dated the 27 September, 1951 to the Prime Minister, he wrote¹ "For a long time I have been thinking of resigning my seat from the Cabinet. The only thing that had held me back from giving effect to my intention was the hope that it would be possible to give effect to the Hindu Code Bill before the life of present Parliament came to an end. I even agreed to break up the bill and restricted it to Marriage and Divorce in the fond hope that at least this much of our labour may bear fruit. But even that part of Bill had been killed. I see no purpose in my continuing to be a Member of your Cabinet"⁴. Dr. Ambedkar's efforts to raise awareness about the Hindu Code Bill were not limited to the Parliament. He also wrote extensively on the subject, including a book titled "The Hindu Code Bill: Its Meaning and Significance. He also gave speeches and lectures across the country to explain the importance of the bill and its provisions. Despite the opposition to the bill from various quarters, including the Hindu Mahasabha and conservative sections of the society, Dr. Ambedkar and his team continued with their efforts and presented the draft bill to Nehru's cabinet, which unanimously approved it. The bill was reintroduced by Nehru and passed as the Hindu Marriage Act, Hindu Succession Act, Hindu Minority and Guardianship Act, and Hindu Adoptions and Maintenance Act during 1955–1958.

CONCLUSION

Women enjoyed significantly greater independence during the Vedic era than they did subsequently in India. In terms of religious issues, Hindus have elevated women to the rank of divinity. The origin of all masculine strength is the feminine. Adopting the traits and qualities of women from the Vedic age can be extremely beneficial for oppressed and powerless women in modern society. One indicator of social organisation is the place of women in society. In conclusion we can say that Dr. Ambedkar championed the cause of depressed classes and women. In 2014, Dr. B.R. Ambedkar was celebrated by American President Barack Obama, who dedicated a monument of him at Colombia University. In addition, the UN declared April 14th, the anniversary of Dr. Ambedkar's birth, to be "A Universal Day of Knowledge" in 2016. Dr. B. R.

³ Available at: Hindu Code Bills - Support and Opposition | Support Opposition (liquisearch.com), (last visited on May 5th, 2023).

⁴ Available at: Hindu Code Bills - Support and Opposition | Support Opposition (liquisearch.com), (last visited on May 5th, 2023).

Ambedkar was a revolutionary, a social justice pioneer, and a genuine reformer who made a substantial contribution to the development of women's rights and the social, political, and civic landscape of India. He was adamant that eliminating unfair gender roles and improving women's standing were essential components of the social reconstruction process, which was his life's work.

