



## AMBEDKAR: ARCHITECT OF THE CONSTITUTION OF INDIA

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### Abstract

*Ambedkar was a remarkable and diverse figure in Indian history and culture. He was well respected in the academic community for his work as a research scholar, economist, political scientist, philosopher and humanitarian. He was the first person to grasp the need for a democratic system in India and was the first person to study the social, economic and political system of India in comparison to that of other nations. When he contrasted this system with that of other nations, he saw that there had been extremely substantial shifts in the socio-economic and political structure of India. He is aware of the challenges and needs of Indians, both of which could be met by instituting a democratic system in India. As Chairman of the Drafting Committee, he did everything in his power to ensure that India's new constitution would be a robust expression of democratic ideals.*

**Keywords:** Constitution; Socio-Economic System; Democratic System; Dalits; Social Justice; Fundamental Rights; Parliamentary System.

### I

#### Introduction

In the framing of the Constitution of India, Dr. Bhimrao Ambedkar made a significant contribution and became a champion of human rights. He was born on April 14, 1891 in the city of Mhow (now in Madhya Pradesh). Following his graduation from Elphinstone College in Bombay in 1912, he went to Columbia University in the United States, where he was awarded Doctor of Philosophy. Later on, he was enrolled in the London School of Economics, where he conferred Doctor of Science degree in Economics. After that, he was invited to practise law at Gray's Inn. On October 14, 1956, Baba Sahib Ambedkar declared his conversion to the Buddhist faith. Up to the day he passed away on December 6, 1956, he remained steadfast in his commitment to the cause of social revolution. In April 1990, he was presented with the Bharat Ratna, which is India's highest civilian honour. One of the most notable natives of India, Dr. Babasaheb Ambedkar was a social reformer and humanitarian who worked tirelessly to reorganise Indian society according to the most democratic and compassionate ideals. He was the first Indian political theorist who saw the relevance of the western model of democracy to India as well as the imperative of bringing it about there. He was a legislator, a scholar, an Indian jurist, an advanced thinker, a philosopher, an anthropological, a historian, an orator, a



prolific writer, an economist, and a constitutionalist of international renown. He was a multi-dimensional personality.

He was a rescuer of those who were untouchable and a warrior for the oppressed. He devoted every waking moment of his life to advancing inclusive democracy and the causes of the untouchables, Dalits, and other marginalised members of society in particular and democracy in general. In addition to being an accomplished scholar and prominent lawyer, he was a revolutionary who campaigned against societal ills such as untouchability and caste limitations. He spent his whole life fighting against social injustice and advocating for the rights of the Dalits and other socially disadvantaged communities. He was an economist, and the many academic publications and speeches that he delivered demonstrate his profound awareness of the challenges that the Indian society is confronted with. He was India's first ever Law Minister after being given the job. Even now, many still refer to him as the Father of the Indian Constitution. His participation at the Second Round Table Conference and its Federal Structure Committee, both of which were intimately involved with the process of writing the new Constitution for India, received a lot of praise and admiration from those in attendance. After the British had a knowledge of his patriotic thinking and brave advocacy for ordinary people and democracy, they appointed him to serve on the Federal Structure Committee rather than the Indian National Congress, which was responsible for the appointment. It was not sufficient for him to make a distinction between the state and society, the state and the government, and the state and the nation rather he went to the roots of these institutions in order to point out the essential element that constitutes these institutions, which is the people. He believed that this was the best way to approach the problem.

At the same time, even well-known western authors like Harold Laski and Melver stopped short of doing more than just speculating about the existence of a divide between the state and society and other related issues. They simply made passing allusions to the social and economic standing of the many classes of individuals that make up the society and the state, and even those remarks were just on the surface. The framing of the Constitution of India was not a simple endeavour by any stretch of the imagination. It required the greatest level of statecraft, statesmanship, scholarship and intellectual acumen equipped with a flood of knowledge about the history of countries in the given context as well as the working of the Constitutions in the democratic, totalitarian, dictatorial, and other kinds of governments. Dr. Bhimrao Ambedkar is well-known across the country as the principal architect of the Indian Constitution. This is due



to the fact that he played a pivotal role in the formulation of the Indian Constitution. Because of his tremendous efforts to remove societal problems, he is known as the messiah of the Dalits and other oppressed people in India. His efforts earned him this title. Times of London observed that Dr. Ambedkar's name had a dominant place in the social and political life throughout the latter decades of the British Empire in India. His countenance conveyed his bravery despite the fact that no one else in the world had the knowledge of his level. He did not let his accomplishments make him arrogant. He could never be thought of as flamboyant. On the 29<sup>th</sup> August, 1947, Dr. Ambedkar was designated the Chairman of the Drafting Committee that was created by the Constituent Assembly to write a constitution for independent India. This appointment was made in consideration of the breadth and depth of his insight and study. A galaxy of great politicians and legal academics in the Constituent Assembly worked together to produce the draught Constitution. These individuals include Jawaharlal Nehru, Rajendra Prasad, B.R. Ambedkar, Sardar Patel, B.N. Rao, and Alladi Krishnaswamy. Ambedkar stated that I believe that the Constitution is practical; it is adaptable; and it is strong enough to keep the nation together both in times of peace and in times of war. On January 26, 1950 it came into force for the country. In honour of Dr. Ambedkar's work on the Constitution of India, Columbia University awarded him the LL.D. degree at its Special convocation on June 5, 1952. This was done in acknowledgment of his role in crafting the document. It was observed that the degree is being bestowed in appreciation of the effort done by him in connection with the formulation of the Constitution of India. He was praised by the university as one of India's greatest citizens, a brilliant social reformer, and a staunch upholder of human rights. For him, the Constitution was more than just the fundamental law that governed the country. It was a vehicle for the progress of the nation. It reflected the best that the country's traditions had to offer from the past, was adaptable enough to meet the challenges of the present, and was robust enough to face the challenges of the future. In the same breath, he was of the opinion that it had to be a living organ not only for the next one or two generations but for future generations as well. Ambedkar ensured that the provisions of the Constitution were sufficiently malleable to let revisions to be made whenever and whatever the circumstances warranted them. He contributed an edifying Preamble to the Constitution, which ensured justice on all fronts (social, economic, and political), as well as liberty, equality, and brotherhood. The establishment of a social order that is equitable is still a dream that has not been realised till now. He was an extremely important contributor to the writing of the Indian Constitution.



When he was working on the Constitution, he put all of his expertise and his knowledge to good use.

As a direct consequence of the devolution of authority to the people, he has bestowed to the people of India a legal framework for the establishment of India as Ganarajaya (Republic). His contribution was important, substantial, and outstanding toward accomplishing this objective. In his pursuit of social, economic, and political justice for everyone, Dr. Ambedkar made a significant contribution to the development of a free India. This was the foundation of his work. Pandit Jawaharlal Nehru made the following statement in recognition of Dr. Bhimrao Ambedkar's significant role in the writing of India's Constitution. Dr. Ambedkar had played a highly important part in the designing of Constitution of India. He exerted more effort and attention than anybody else in the process of drafting the Constitution. In the annals of the history of the free Indian people, he chiselled out a unique and unassailable pride of place and honour for himself. Babasaheb Ambedkar's legacy will go on in perpetuity so long as the Indian Constitution is there to bear witness to it. He will always be remembered with love by all who have been oppressed. Dr. Rajendra Prasad, the first President of India, paid tribute to Dr. Ambedkar for the contributions he made to the drafting of the Indian Constitution while saying that I have closely followed the day-to-day operations from the presidential seat. Because of this, I appreciate more than others how much passion and vigour this mission has been carried out with by the Drafting Committee, and in especially by its head Dr. Bhim Rao Ambedkar. We could not have made a better decision than to invite Dr. Ambedkar to serve on the Drafting Committee and to choose him to lead the committee.

## II

### **Contribution in making of constitution**

#### ***The Fundamental Rights***

Ambedkar was a staunch supporter of basic rights and held that I came into the Constituent Assembly with a bigger goal than to defend the interest of the scheduled castes. I did not have the slightest inkling that I would be asked to take on a more responsibility duty at any point in time. As a result, the fact that the assembly chose me to serve on the Drafting Committee came as a surprise to me. When the Drafting Committee decided to appoint me its chairman, I was more than taken aback by the decision. The people of India have basic rights that are guaranteed to them by Part III of the Indian Constitution, which protects them against the state. Because they are very significant rights, such as the prohibition of discrimination based on religion,



race, caste, sex, or place of birth etc., some of the fundamental rights contained in are also enforceable against individuals. This is because the rights relate to the prohibition of discrimination. The document that was drafted by Ambedkar included constitutional guarantees and safeguards for a broad variety of civil rights for individual people. These civil liberties included the eradication of untouchability, freedom of religion, and the prohibition of all types of discrimination. Ambedkar spoke in favour of women having a wide range of economic and social rights.

Dr. Ambedkar was considerably more instrumental in the incorporation of provisions for the 'Abolition of Untouchability,' wherein Untouchability is abolished and its practise in whatever form is outlawed. He was also somewhat more involved in the incorporation of any kind of discrimination that can be traced back to the concept of untouchability a must be considered a criminal offence and must be punished in accordance with law. In order to safeguard the rights of Dalits, the Parliament of India passed two laws: the Civil Rights Protection Act of 1965 and the Prevention of Atrocities (Scheduled Castes and Scheduled Tribes) Act of 1989. Despite the fact that prejudice and violence based on caste are still a part of everyday life in modern India, there has been significant advancement for the historically disadvantaged parts of society. Numerous political parties have been formed on the basis of voters from oppressed sectors, and the advantages of education and economic progress have also been gradually reaching these sections. His perception was based on the philosophy considering its 'people' as the centre of society and change. Although the achievement of genuine social equality is a process that takes time and may be several generations away. Ambedkar is credited with putting us on this path. It should not come as a surprise that the invocation of his life and the achievements he made continues to be a significant influence in political mobilisation even in the present day.

He was very careful to make sure that the Constitution included all of the progressive ideas and objectives that were discussed in the National Congress. Recently, the government of India introduced a bill in Lok Sabha to prohibit manual scavenging. The bill also includes the provision to rehabilitate those who are engaged in such inhuman employment and to impose stringent measures to stop such practises. It is possible that it was under his spellbinding influence that the bill was introduced. His part was similarly important in the introduction of other basic rights, like as the Constitutional provision that all Indian citizens are entitled to equal justice, freedom, and dignity regardless of their caste, creed, or religious affiliation. In light of this, the New York Times held that the entire world recognises him as the leader of



untouchables. But very few people were aware of the lasting influence he would have on the constitutional framework of India. The document that was drafted by Ambedkar included constitutional guarantees and safeguards for a broad variety of civil rights for individual people. These civil liberties included the eradication of untouchability, freedom of religion, and the prohibition of all types of discrimination.

His efforts in enacting the Constitution which guarantees a citizen the fundamental right to move the Supreme Court directly for enforcement of his or her fundamental rights was a noteworthy one. This is despite the fact that he made an outstanding contribution to the framing of the Constitution of India. Despite this, his efforts were noteworthy. Orders or writs in the nature of habeas corpus, mandamus, certioraris, etc., or any other appropriate remedy, as the case may be, for the enforcement of fundamental rights guaranteed by the Constitution were intended to be obtained in a quick and inexpensive manner. The rationale behind this goal was to ensure the protection of fundamental rights. This clause was something that he is considered to be the spirit and heart of the Constitution.

#### ***Socio-economic Justice for the people***

The idea of socio-economic fairness that Ambedkar had in mind is very well expressed in the Directive principles of State Policy. The right to adequate means of livelihood, the right against economic exploitation, the right of both sexes to equal pay for equal work, the right to work, the right to leisure and rest, and the right to public assistance in the event of unemployment, old age, illness, or other similar circumstances are all included in Part IV of the Constitution, which is entitled as Directive Principles of State Policy. This section also includes certain concepts of economic and social justice as well as some goals that the state ought to work toward achieving. For instance, Article 38 instructs the state to establish a social order in which social, political, and economic justice is applied consistently throughout all aspects of national life. This provision applies to all institutions. Article 39 endeavours for the creation of conditions in which there will be no concentration of wealth and means of production to the common detriment and it directs the creation of conditions in which ownership and control of the material resources of the community are so distributed as to best sub-serve the common good. Both of these conditions are intended to protect the common good.

#### ***Parliamentary Democracy***

He held that the parliamentary system is distinct from a non-parliamentary system. These two types of systems also vary regarding the time and agency for assessing their respective levels



of accountability. The Draft Constitution, in proposing the Parliamentary form of executive branch government, has prioritised increased levels of responsibility above increased levels of stability. Even before the passage of the Government of India Act in 1935, he was a staunch supporter of the parliamentary system of government as the best method for running the country. He was adamant in his conviction that the only way for the ideas of social democracy to be put into practise and provide the conditions for an equal society through parliamentary form of government. Politicians, political parties with high standards of political morality, honesty, and integrity, and a powerful and highly responsible opposition party or parties devoted to the cause of the underprivileged and depressed classes were all components of his social democracy. The Preamble of the Indian Constitution, which was drafted by Dr. B. R. Ambedkar, contains a reiteration of the principles of parliamentary democracy. The Preamble ensures to secure to all its citizens—Justice, Social, Economic and Political; Liberty of thought expression, belief, faith and worship; Equality of status and of opportunity and to promote among them all—Fraternity. He was a staunch supporter of the federal system of the Union and the States, which is built on the ideals of a powerful central government and autonomous state governments. He was of significant benefit to the country since he advocated for the establishment of a united legal system as well as common All India Services with the goal of enhancing national unity and integrity.

### ***Protective Discrimination and Provisions relating to the Reservation***

The real contribution made by Ambedkar is reflected in the protective discrimination scheme or the reservation policy of the government envisaged under some provisions of Part III and many provisions of Part IV dealing with the constitutional mandate to improve the condition of the Scheduled Castes and Scheduled Tribes and the other backward classes. These provisions deal with the constitutional mandate to ameliorate the condition of the Scheduled Castes and Scheduled Tribes and the other backward classes. Provisions like and dealing with the protection of minorities are some of the notable examples of Schedule V and VI dealing with the upliftment of the Scheduled Castes and Schedule Tribes speak clearly about the substantial and significant contribution of Ambedkar for the development of untouchables. Similarly, the protection of minorities are some of the notable examples and Ambedkar ensured to bring the untouchables and other oppressed groups of people from an uneven position of inferiority to one of equality and parity with high-caste Hindus in terms of their socio-economic standing. He did this by working to abolish the caste system. In order to accomplish this



objective, he supported and put into action the reservation policy, also known as the scheme of protective discrimination, for at least ten years (beginning on the day the Constitution went into effect) in order to improve the living conditions of the most disadvantaged members of Hindu society.

### ***Socialism***

Within the framework of the proposed Constitution, Dr. Ambedkar campaigned for his economic concept of socialism. He recommended a collectivised mode of cultivation using state-owned land and a modified version of socialism in the realm of industry. He also advocated for state ownership of agricultural land. However, since he faced such strong resistance in the Constitution Assembly, he was not able to successfully include his plan to put socialism beneath the basic rights as a component of the Constitution. Statements by Dr. Ambedkar such as rights are protected not by law but by the social and moral conscience of society; and a democratic form of government presupposes a democratic form of society are at the heart of his political philosophy. The only thing that can protect all of our rights, whether they are basic or not, is our social conscience. According to Ambedkar, democracy is fundamentally a social structure and a way of life that is related with other people. It is possible to trace the origins of democracy back to the social relationships that existed between the individuals who made up a society and the ways in which their lives were intertwined. Ambedkar was well aware that only including a democratic form of administration in the Constitution would not be sufficient to achieve his goals. The success of democracy in India is contingent upon a number of factors, including the existence of equality in society, equality before the law and administration, constitutional morality, an absence of tyranny of the majority, and the growth of a public consciousness. According to Ambedkar, the most important prerequisite for democracy is the establishment of equality in society. According to Ambedkar, equality is the cornerstone upon which the values of liberty and brotherhood are built. Given the nature of the paradoxes that are inherent in society, he was also aware of the reality that the Constitution will continue to be interpreted according to its pre-existing provisions despite the high goals that it contains. If equality in social and economic life was denied, it would put the political democracy of the country in jeopardy. In the event that the inconsistencies are not resolved, those individuals who are subjected to unequal treatment would destabilise the framework of political democracy that the Constituent Assembly has painstakingly constructed. Given the current political climate in our nation, Dr. Ambedkar's





thoughts from November 25, 1949 are eerily prescient and pertinent. It doesn't matter how well-written a Constitution is and in the end, it will fail miserably because the people who will be responsible for putting it into effect are a miserable bunch. No matter how terrible a constitution may be, it still has a chance of producing positive results if the people who are tasked with putting it into action are a particularly admirable group. Only the three branches of government—the legislative, the executive branch, and the judicial branch—can be established by the Constitution. The people and the political parties that they will establish as their tools to carry out their goals and objectives are the variables that determine whether or not these organs of state are able to function effectively.

### ***Social Philosophy***

Ambedkar was the consummate spokesperson for the underrepresented members of the society, including wage earners, small farmers, and landless labourers. He articulated the woes of the untouchables and made an earnest effort to steer the actions of the oppressed classes in a positive direction. Through mobilising them, he instilled a sense of respect for themselves as well as pride in them. He committed his whole life to the movement to abolish the practise of untouchability and thoroughly associated himself with the socially discriminated against segment of Indian society. He began a campaign that would last his whole life in the hope of freeing them from the centuries-long captivity and social exclusion they had endured. This crusade is what lifted him up high from an ordinary slum youngster to a legend in his own lifetime. He had a tremendous desire to see that untouchables are better situated in social, political and economic spheres since he had spent his whole life as an untouchable. He was born an untouchable. He advocated the complete reorganisation and rebuilding of Hindu society on the basis of two primary principles: equality and the elimination of caste systems. Dr. Ambedkar held the hope that the concept of political democracy may also be applied to the concept of social democracy. He made an attempt to reorganise something that had completely broken down. Ambedkar's way of thinking developed as a direct result of his extreme annoyance with the peculiar treatment that was administered to the members of his community. His thoughts were consumed with bringing about spiritual enlightenment, political enlightenment, economic well-being, and social improvement for those who were oppressed. He had a profound belief in the basic human rights, in the equal rights of man and woman, in the dignity of the person, in the development of higher living conditions, and most importantly, in peace and security in all aspects of human existence. He was a staunch supporter of this



cause. He was a supporter of the idea that a change in the laws of the nation might be brought about by the movement of popular opinion, and he advocated for this change to take place. He was not an idealist but a realist in his outlook. He saw a significant gap between a revolution and genuine social transformation. According to him, the transition of power must be followed by a distribution of power of such a kind that the end consequence would be a genuine societal shift in the proportional strength of the various forces at work in society.

Ambedkar was absolutely devoted to the elimination of the caste system in all of its forms. His interpretation is that the caste system is more than just a separation of labour; rather, it is a division of the people who do labour. It is organised in the form of a hierarchy, in which each level of workers is ranked higher than the previous one. The division of labour in question is not determined by the inherent talent or personal preference of the individuals involved. As a result, it is detrimental subjecting a person's innate abilities and tendencies to the requirements of a set of societal norms and standards. Ambedkar said once again that the caste system prohibits common action and by prohibiting it, it has hindered the Hindus from becoming a community with united life and an awareness of its own existence.

Since, the great vision that Ambedkar had required the elimination of casteism in all of its guises and manifestations because he was opposed to any and all factors that contributed to social division and sought to bolster the impetus toward national unification. Fraternity and equality were the cement with which he intended to bond together a perfectly cohesive country. His long-term solution was a frontal assault on the underlying problem which he identified as the caste system. He was a friend to the people who belonged to the lower strata of society. He was also a philosopher and a guide. All of these individuals have gained a glimmer of optimism as a result of Baba Sahab's perspective. It was a huge hope that turned out to be realised, which cleared the road for the disadvantaged people of India to have their path illuminated.

### **Conclusion**

The primary goal of Ambedkar was to eradicate the pernicious effects of a deeply ingrained caste system and to lead this nation in its transition from an uncivilised condition to a civilised one. His unrelenting efforts and methodical approach to the framework of the system are directly responsible for the development of the Indian Constitution. The inclusion of certain clauses by Ambedkar in the Indian Constitution have made it possible for dalits and women to realise their distinct identities and take pleasure in the possibilities of freedom. He was the sole person responsible for the overall growth of disadvantaged people in India even if this progress



is just beginning to become noticeable on a very small scale. Lack of interest in the proper application of the Constitution is what ails an intelligent citizen in the present society. The urgent matter at hand is to put into practise the principles of the constitution as they were originally written. It will make it possible for the Indian society to triumph over all of the social and economic ills that the country is now experiencing. While Manu was responsible for the institution of caste-based social stratification in India, Dr. Ambedkar worked for the abolition of caste in the country. Manu was a prominent figure in Indian Hindu orthodoxy whereas Ambedkar was a prominent figure in the advancement of dalits and women in India. Ambedkar overcame Manu through the constitutional provisions by including various clauses to safeguard individual human dignity, human rights, equal opportunity and most importantly social justice. This was Ambedkar's strategy to beat Manu. The situation of India's untouchables and other marginalised members of society have not significantly improved in recent years. They have not yet attained the social and economic fairness that they seek. The pitiful state of the disadvantaged classes has not showed any signs of showing any improvement as was anticipated. Both social and economic disparities are still widely prevalent today. It has not yet been possible to build the society based on the principles of socio-economic justice, human dignity and equality. Ambedkar's legacy will have to be reclaimed and expanded upon by activists dedicated to the social and cultural renaissance he had envisioned, and not by political purveyors of an exhausted rhetoric who claim to speak in his name. This task will have to be accomplished by activists committed to the social and cultural renaissance he had envisioned. The social causes he championed and the exemplary manner in which he did it have earned him the right to hold this honour. His life is an epic tale of huge challenges and much greater victories. His message to the people was that they needed to have a strong conviction in the sanctity of their mission. Your goal is to be noble, and doing it in a majestic and wonderful way is your purpose. Those who become aware of the responsibilities they have for the community into which they were born are really blessed. He was an essential figure in the formation of the Indian Constitution and was primarily accountable for its writing. Through the use of the ballot box, the people of India have been granted their freedom. The credit has to be given to Baba Sahab Ambedkar since he made such an excellent contribution to the cause of social justice in India.

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