

Dr. Bhim Rao Ambedkar's Views on Equality of Women: A Legal Perspective

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ABSTRACT

It is an established fact that Bhim Rao Ambedkar has contributed a great deal to the issues related to females in the society. Like a prophet, he was totally devoted to the problems and hardships of females in the society. For that, he was of the opinion that until and unless certain rules are devised in the form of legal laws, there is no possibility of eradicating the evils associated with females. That is why, he strongly advocates that some acts should be passed if we want some reforms in the lives of females.

There is no doubt in denying the fact that Bhim Rao Ambedkar occupies a prominent and towering place among the prophets of social and political welfare in India. It cannot be denied that he contributed a great deal in the social and political development of women in India. In this, way, his role as a social reformer and emancipation of women is quite noteworthy. He had a great respect for women without belittling their roles as mothers and wives. No doubt, in this respect, he resembles those who voiced for the liberation movement all over the world. In this regard, he was a strong believer of equality of women in family and their dignity and personality in society.

Being the chairman of the Drafting Committee of Constituent Assembly, he strongly raised his voice against the age-old subordination as well as the subservience imposed on women by Hindu Social Laws propounded by Manu. He strongly favoured the idea that until and unless the women themselves take an initiative to come to the front and struggle for the eradication of the social evils, there will be no improvement in the position of women in the society. For this, he holds responsible all the religious books in general, and Manusmriti in particular, for the deplorable condition of women in Indian society.

According to B.R. Ambedkar, the women, particularly the dait women, were not allowed to enter the temples in India. For this, he organized a number of processions to bring the dalit women on equal footing in the society as they were lagging behind at every front. In this movement, a number of dalit women including Shanta Bai Darii, Gita Bai Gayakwad and Meenabai Shivaraj supported Bhim Rao Ambedkar whole heartedly which resulted in becoming Baba Sahib Bhim Rao Ambedkar as the Law Minister as well as the member of Constitution Drafting Committee. After getting these prominent positions in the society, Ambedkar tried his best to eradicate some evils in the lives of women and also to restore the equality for women in every field in the society.

One of the notable contributions of Bhim Rao Ambedkar for the welfare and upliftment of women was passing the Abortion Act. Abortion was narrowly allowed under the Indian

Penal Code. Dr. Ambedkar had viewed that attempts at abortion, resorted to for the prevention of unwanted progeny, and exacted a heavy toll on female lives. His view was relevant at that time when abortion could arrest population which was needed to be increased and abortion was dangerous for the life of the mother. Moreover, under Indian Penal Code abortion was treated as a heinous crime.

After he was nominated the member of Bombay Legislative Council on February 18, 1927, he strongly expressed his views on the Maternity Benefit Bill and birth control which was really an important step to recognize the dignity of women in the society. He strongly favoured the idea that it will be in the interest of the whole nation if the mother gets some rest during the prenatal period and the main content of this bill based on the same principles. In the same Bill, Ambedkar strongly criticized the abortion act as he found the age-old discriminatory attitude developed against women who were perceptible after the birth of a female child and ends with even her death. In this regard, he witnessed that even today women are not considered the owner of their body, as in case she wants to get her pregnancy terminated, it is decide by her husband or the in-laws who decide whether the foetus should be flushed out or not.

B.R. Ambedkar also tried his best to provide social justice and upliftment of the down-trodden and weaker women. The concept of social justice was somewhat important for Ambedkar as it includes the collective measures for the welfare of down-trodden and weak women in the society. In Indian constitution, article no. 14, Baba Sahib has added a special clause for the equality of women before law as well as equal protection of law which, he considers, a fundamental right. Article 14 in Indian constitution powerfully explores the right to equality in case of women irrespective of caste, religion and race.

In addition to it, B.R. Ambedkar strongly advocates the need of women's organization at the all India depressed classes women conference held at Nagpur on July 20, 1940. He opines that without active participation, no welfare and progress can in imagined as far as women are concerned. For

this, Ambedkar struggled a lot in his life and was eventually succeed when he got the comprehensive code bill passed which rendered equal rights in the lives of women.

Ambedkar was also very much pained to watch the deplorable condition of women in the society, particularly of those working in mines in extremely horrible environment. It is clearly evident from Ambedkar's views expressed on the Maternity Benefit Bill. He strongly felt the need of some amendment in the Mine Maternity Benefit Act, 1941. In the section 5 of the same act, there is provision for the payment of maternity benefits and if honourable member will refer to the works as they stand in the line 9 of third section they will find that the words as they are absent from the work.

In 1941, Baba Sahib managed to get passed the Act regarding the mines maternity benefits. This is known as a landmark achievement in the direction of equality for women in the society. He argued that women working in the coal mines to which they had given their consent in the year 1939, and had within four years withdrawn from it.

Ambedkar also pleaded for lifting of the ban on women who have to work underground. Therefore, let us not forget that we dealing with an emergency and the lifting of the prohibition from allowing women to work underground are not an idle Act or a wanton Act on the part of the Government, but is an Act, which is amply justified by the facts and circumstances of the case. It is quite clear to everyone that work under coal mines is the most uncongenial work, even dangerous. It is for the first time that in any industry the principle has been established of equal pay for equal work irrespective of the sex. Women shall not be required to work in a gallery which is less than 5 feet.

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Beside all these reforms suggested by Ambedkar, we find various other Acts like The Hindu Marriage Act, 1955; The Hindu Succession Act, 1956; The Hindu Minority and Guardianship Act, 1956 and The Hindu Adoption and Maintenance Act, 1956 are the four other enactments which incorporate the ideas and principles of Hindu Code Bill formulated by Dr Ambedkar.

It is a fact that some people in the society think that Hindu Code Bill could not withstand the opposition from the Hindu orthodoxy and faced stiff opposition both in the Constituent Assembly and the country. While some other critics felt that the Hindu Code Bill would demolish the entire fabric and magnificent structure of Hindu culture and stultify the dynamic and catholic way of life that had wonderfully adapted itself to changes for centuries. In reality, the Bill was a threat to patriarchy on which traditional family structure, was bounded and that was the major reason behind the opposition. The Bill sought to abolish polygamy among the Hindu's it proposed the right to property and the right to divorce for women. The Bill tried to codify the Hindu Laws, which were in a scattered form his contribution.

In this way, after going through different legal acts propounded and formulated by B.R. Ambedkar, we can safely and rightly compare him with Budha and Jesus Christ who suffered a lot for the welfare of masses. The passing of Hindu Code Bill after a number of oppositions clearly reflects Ambedkar's success as far as the women's struggle for equality is concerned. The passing of this code bill he emerged as a pioneer of women's movement in Indian society. If today Indian women are enjoying a privilege position it is all because of B.R. Ambedkar's persistent efforts and the women of today are enjoying a meaningful and fruitful life with equality and freedom.