

**DEMOCRATIC IDEAS OF DR. B. R AMBEDKAR****Rajni Bala¹, Ph. D. & Alisha Gill²**¹*Assistant Professor, Ramgarhia College of Education, Phagwara, Punjab*²*Researcher, Chitkara University, Rajpura, Punjab***Abstract**

Democracy, from layman's perspective is nothing but freedom, liberty. However, to understand the true meaning and importance of the concept of Democracy through the lenses of legal luminaries like Dr. B.R. Ambedkar. This research article is an attempt to analyse the views of Dr. B. R. Ambedkar on Democracy and to study its reflection in Indian Constitution and judicial decisions.



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Introduction

2016 is the 125th year of birth anniversary of legendary Indian Legal Philosopher (apart from he being economist, politician) Dr. B. R. Ambedkar, who played a vital role in framing the Constitution of India. The democratic nature of India flows from Constitution of India, adopted by the constituent assembly of containing politico-legal scholars like Dr. B. r. Ambedkar, Dr. B. N. Rau, A. Ayyangar, Alladi Krishnaswami Ayer etc. Dr. Ambedkar's contribution in the framing of democratic Constitution of India is enormous and long lasting.

Democracy from Dr. Ambedkar's perspective

Commenting on the Democracy, Dr. Ambedkar said, "There is one thing which I think is very necessary in the working of democracy and it is this that the name of democracy there must be no tyranny of the majority over the minority. The minority must always feel safe that although the majority is carrying on the government, the morality is not being hurt, or the minority is not being hit below the belt ."He further stated that, "Democracy is not a form of government, but a form of social organisation." Dr.Ambedkar always had the socialistic approach which is clearly visible in his statements about democracy. He believed that, Democracy essential in imparting social justice. He laid down certain conditions in this regard. They are as follows;

- (1) there should not be glaring inequalities in society, that is, privilege for one class;
- (2) the existence of an opposition;

- (3) equality in law and administration;
- (4) observance of constitutional morality;
- (5) no tyranny of the majority;
- (6) moral order of society: and
- (7) public conscience.

In views of Dr. Ambedkar, Political democracy cannot succeed without social and economic democracy. For him, the best mode of achieving socio-economic democracy is to achieve political democracy at the first instance. The importance of ideas of political social and economic democracy lies in the fact that, rights cannot be enjoyed by the citizens of any nation in the absence of them. The coexistence of all three democracies is imperative to achieve the goals of equality and fraternity as enshrined in our Constitution in Preamble.

Underlining the importance of democracy, Dr. Ambedkar stated that, “It seems to me that there lies on us a very important duty to see that democracy does not vanish from the earth as the governing principle of human relationship. If we believe in it, we must both be true and loyal to it. We must not only be staunch in our faith in democracy, but we must resolve to see that whatever we do not help the enemies of democracy to uproot the principles of liberty, equality and fraternity”.

He also expressed a caution and stated that, these three concepts i.e. liberty, equality & fraternity cannot be separated from each other and cannot be treated in trinity. The combination and coexistence of these will only serve the purpose and object of true democracy as stated by Dr. B. R. Ambedkar.

In today’s debates on tolerance and intolerance, all forms of democracies social, political, economic are the real solution to maintain the peace and harmony in the society.

Criticizing the system of caste in India, Dr. Ambedkar believed that, caste divides the society, thereby resulting in absence of equality and hampering the existence of true democracy as enshrined above in the words of Dr. B. R. Ambedkar. Dr. Ambedkar’s thoughts on democracy are of eternal nature and no humanitarian nation may neglect them. Keeping this in mind the framers of Indian Constitution including Dr. Ambedkar himself, have taken care that these principles of liberty, equality and fraternity are well represented and recognized in our Constitution.

At times, it seems that Ambedkar looked at democracy as a western creation that he had learnt from outside and imported. Certainly, he has read most of the European and American political philosophers of democracy and drew most of his inspiration from outside for drafting the Indian Constitution. His intellectual affinities with the Western developed during

his stays in the United States and in England. A good part of his ideas ensued from them. He also waited from the westerners an actual support. In 1931, his “Appeal on behalf of the Depressed Classes Institute”, by which he tried to collect 40,000 pounds sterling, asked “the Europeans and the Americans” to help a “deprived humanity” — a part of the human race (Dr. Ambedkar often resorted in his Marathi writings to the word *manuski* in English translated as “humanness”). However, he found variants of humanism in the Indian civilization, through Buddhism.

Impact of Buddhism on the ideas of Dr. B.R Ambedkar

Dr. Ambedkar was a religious person in some ways. He considered that “Religion is absolutely essential for the development of mankind” and diverged from the Marxists’ atheism in that respect. But his vision of religion was overdetermined by social considerations. He rejected Hinduism because he thought that the caste system was co-substantial to this religion, whereas equality was remaining in the Hindu religion nobody can prosper in any way. Because of the stratification in Hindu religion, it is fact that higher varnas and castes are benefitted. But what about the others? The moment Brahmin woman delivers a child, her eyes are focussed towards a post of High Court Judge where it is lying vacant. On the contrary, when our sweeper ‘woman delivers a child, her eyes are focussed on a post of sweeper where it is lying vacant. The Varna-System of Hindu religion is responsible for such a strange social structure. What improvement can take place from this? Prosperity can be achieved only in the Buddhist religion.

In the Buddhist religion 75% Bhikkhus were Brahmins. 25% were the Shudras and others. But the Lord Buddha said, « O Bhikkhus, you have come from different countries and castes ». Rivers flow separately when they flow in their provinces, but they lose their identity when they meet the sea. They become one and the same. The Buddhist Sangh is like an ocean. In this Sangh all are equal.

This reading of Buddhism does not only have social implications – it also has political implications. Considering that the “religion of the Buddha gives freedom of thought and freedom of self-development to all”, Ambedkar argues that “the rise of Buddhism in India was as significant as the French Revolution” – a political even in the first place. Ambedkar saw deep affinities between Buddhism and the French Revolution. In an All-India Radio broadcast speech on 3 October 1954 he declared:

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. (...) He gave the highest place to fraternity as the only real safeguard against the denial of liberty or equality or fraternity which was another name for brotherhood or humanity, which was again another name for religion.

In that sense, Buddhism is a democratic religion and Ambedkar, eventually found in this religion the societal values he had tried to promote via political democracy. Between 1919 and 1949-50 he tried to instill in the Indian society a more fraternal sense of human relations by making assemblies places of endosmosis, by arguing in favour of a new unity between the majority and the minorities within the Constituent assembly itself. To no avail: fraternity never resulted from these political arrangements. Hence the last resort device that conversion to Buddhism, a democratic religion, became in his eyes by the mid-1950s.

This rediscovery of Buddhism had important implications. If the teaching of the Buddha was democratic, then democracy is not an invention of the West – as the manner in which Dr. Ambedkar drew his inspiration from so many European and American scholars and leaders suggested -, but it's a product of the Indian history. In his historic speech of 25 November 1949 where Dr. Ambedkar presented the final draft of the Indian Constitution to the Assembly which was to pass it on 26 January 1950, he pointed out that by becoming a parliamentary constituency “again”, India is back to its Buddhist roots:

It is not that India did not know Parliaments or Parliamentary Procedure. A study of the Buddhist BhikshuSanghas discloses that not only there were Parliaments—for the Sanghas were nothing but Parliaments—but the Sanghas knew and observed all the rules of Parliamentary Procedure known to modern times. They had rules regarding seating arrangements, rules regarding Motions, Resolutions, Quorum, Whip, Counting of Votes, Voting by Ballot, Censure Motion, Regularization, Res Judicata, etc. Although these rules of Parliamentary Procedure were applied by the Buddha to the meetings of the Sanghas, he must have borrowed them from the rules of the Political Assemblies functioning in the country in his time.

Such an “invention of the tradition” (to use the words of Eric Hobsbawm) shows that even in his interpretation of the historical impact of Buddhism over India, Dr. Ambedkar remains deeply interested in political ideas. This is evident from a tangible fact: on 13 October 1956, the day before he converted to Buddhism in a grand ceremony in Nagpur, he addressed a press conference in which he announced that he had drafted the constitution of his new party, the Republican Party of India. (He called it the Republican Party of India by reference, at the same time, to Lincoln's American Republican Party and to the Republics of the Buddhist era

in India). In this charter, it was stated that this party would “stand for the Parliamentary system of Government as the being the best form of Government both in the interest of the public and in the interest of the individual”. This party would also uphold “the secular character of the State”. These components of Dr.Ambedkar’s ideology of Republicanism reflect his liberal values, which are even more obvious in his deep attachment to the rule of law.

Reflection of principles of democracy in Indian Constitution

The preamble of Indian Constitution recognizes India as a Democratic nation endeavoring to secure to the citizens of India, Justice, liberty, equality and Fraternity. The Constitution of India with long parliamentary debates drafted by the committee of wise people headed by Dr. B.R. Ambedkar borrowed from various Constitutions of the world over and Government of India Act, 1935 enacted during British days and having undergone about 100 amendments, now comprises of 39 5 Articles divided in 12 Parts and 12 Schedules, which broadly imbibes and adopts democratic values.

Rule of law

It is one of the basic tenets of democracy. In *Indira Nehru Gandhi v. Raj Narain*K.K. Mathew, J. considered the concept or rule of law as part of the basic structure of the Indian Constitution. He observed that, “If rule of law is to be a basic structure of the Constitution, one must find specific provisions in the Constitution embodying the constituent elements of the concept. I cannot conceive of rule of law as a twinkling star up above the Constitution. To be a basic structure, it must be a terrestrial concept having its habitat within the four corners of the Constitution. The provisions of the Constitution were enacted with a view to ensure the rule of law. Even if I assume that rule of law is a basic structure, it seems to me that the meaning and the constituent elements of the concept must be gathered from the enacting provisions of the Constitution. The equality aspect of the rule of law and of democratic republicanism is provided in Article 14.”

Basic Feature

In *Kuldip Nayar v. Union of India* Court after referring to various Constitutional Bench judgments and other judgments of this Court for the purpose of interpretation made by this Court in relation to phrases used in the Preamble of the Constitution of India such as "sovereign democratic republic" and "Parliamentary democracy" as the basic feature of the Constitution of India. This was reiterated in celebrated decision of SC in *Kihoto Hollohan v. Zachillhu* Court in this case held that, Democracy is a part of the basic structure of our Constitution; and rule of law, and free and fair elections are basic features of

democracy . Commenting on Indian Democracy, SC in *Km. Hema Mishra vs State of UP & Ors.*, observed that, The evolution of the State from police State to a welfare State is the ultimate measure and accepted standard of democratic society which is an avowed constitutional mandate. Though one of the main functions of the democratic Government is to safeguard liberty of the individual, unless its exercise is subject to social control, it becomes anti-social or undermines the security of the State. The Indian democracy wedded to rule of law aims not only to protect the fundamental rights of its citizens but also to establish an egalitarian social order.

Democratic State

A reference to the definition of the term 'State' in Parts-III and IV is enough to dispense any such notion. The fact that 'the State' has been defined in the same manner, in both Parts III and IV, is possibly an indication, that the founding fathers of the Constitution, were of the opinion that the nation's ideals viz, national unity and integrity and a democratic and equitable society, to be achieved through a socio-economic revolution pursued with a democratic spirit using constitutional, democratic institutions *Minerva Mills v. Union of India* The Court said that, rights in Part III are not an end in themselves, but are the means to an end, the end is specified in Part IV. Together, the two realize the idea of justice, which the Indian State seeks to secure to all its citizens.

Doctrine of pleasure vis-à-vis Democracy

In *Union of India and Ors v. Major S.P. Sharma and Ors*, SC discussed the nature of doctrine of pleasure in a democratic set up. Court observed that, in a democracy governed by rule of law, where arbitrariness in any form is eschewed, no Government or authority has the right to do what it pleases. The doctrine of pleasure does not mean a license to act arbitrarily, capriciously or whimsically. It is presumed that discretionary powers conferred in absolute and unfettered terms on any public authority will necessarily and obviously be exercised reasonably and for the public good.

Corruption and democracy

Corruption is one of the biggest challenges before the Indian Democracy in today's era. Misuse of public offices for personal gain goes against the basic tenets of Indian Democracy. In the words of Hon'ble SC, corruption in our country not only poses a grave danger to the concept of constitutional governance, it also threatens the very foundation of the Indian democracy and the Rule of Law. The magnitude of corruption in our public life is incompatible with the concept of a socialist secular democratic republic. It cannot be disputed that where corruption begins all rights end. Corruption devalues human rights, chokes

development and undermines justice, liberty, equality, fraternity which are the core values in our Preambular vision.

Conclusion

Indian Constitution, says Granville Austin, is first and foremost a social document. Its founding fathers and mothers established in the Constitution both the nation's ideals and the institutions and processes for achieving them. The ideals were national unity and integrity and a democratic and equitable society In the views of Dr.Ambedkar“Indian Democracy is workable, it is flexible, and it is strong enough to hold the country together both in peace time and in International Journal of Applied Research war time.” No one can doubt the workability and strongness of Indian democracy as prescribed by Dr.Ambedkar.However, the journey of Indian democracy has not been smooth and easy and it has, time and again, faced many challenges like emergency of 1977, Godhra riots etc. Even in 21st Century, larger part of Indian population has not enjoyed the fruits of democracy. They do not have access to basic amenities like education, health services and proper commutation. These are still unresolved challenges before Indian democracy. Proper implementation and observance of rule of law and constitutional principles is the only solution to address this challenge.

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Social democracy in the words of Dr.Ambedkar means, way of life which recognizes liberty, equality and fraternity as the principles of life

Supra note 3

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