

Dr B. R. Ambedkar's Perception of Human Rights: Methods and Approaches

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Abstract: The present paper focuses on the basic issues which are barriers to the egalitarian democracy of Indian social system: Brahmanism and equivalent to the caste and class systems respectively. The paper adopts a novel perspective that is quite unknown to the west which perceives basic human rights as natural rights. In fact, the state is a social construction and human rights are the legal outputs. The paper proposes an alternative remedy the human rights issues in Indian context that is Ambedkar's thought which can be better qualified as Ambedkarism; a social medicine for caste-ridden sick Indian social order. In the end, in order to adopt human rights as a part of life to establish just social order, a series of strategies compatible with Indian situations are proposed; as used by Dr Ambedkar himself.

The present paper focused on the human rights concept, classification, and generations as well as Ambedkar's Methods and Approaches.

Keywords: Ambedkar, Human Rights, Methods, Approaches, Conferences, Newspapers, Organizations.

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I. INTRODUCTION

India has played the most significant role in the promotion of the cause of Human Rights. With the attainment of Independence, the declaration of rights, the most elaborate in the world, was incorporated in the new Constitution. India has made the most sincere efforts for the protection and promotion of human rights the world over and is the greatest champion of the human rights in the Third World. India has not only incorporated an elaborate Bill of Rights in her Constitution but efforts have also been made to translate this into reality. Thus we find that India has incorporated the most elaborate Declaration of Human Rights, 1948 in its Constitution (Singh et al, 2008). The Universal Declaration of Human Rights 1948 was the first legal document protecting universal human rights in the world.

II. STATEMENT OF THE PROBLEM

India is a country with unique populations in the world. There are many cultures, many religions live in harmony. The unity in their diversity is appealing. Human rights abuses have not improved despite the differences between the country and human rights abroad. Generally, all people had to respect everyone. But, in the name of religion, caste, colour, names etc. violations of human rights are continued. The present paper explores Ambedkar's perspective on human rights.

Objectives of the Paper

- To make out the human rights, its concept, classification and generations
- To make out the Dr B. R. Ambedkar perceptions of human rights

Short History of Dr B. R. Ambedkar

Dr B. R. Ambedkar full form is the Bhimrao Ramji Ambedkar (14 April 1891-06 December 1956) popularly known as Babasaheb. He was an Indian jurist, economist, architect of the Indian Constitution, politician, social reformer, champion of the women empowerment and many. His contributions to the development of Dams, establishment of Reserve Bank of India (RBI), maternal leave during pregnancy are other memorable achievements. He earned doctorates in economics from both Columbia University and London School of Economics. In 1956 he converted to Buddhism, initiating mass conversions of Untouchables (Keer, 2016).

Methodology: The present study, which is based on secondary data covering journals, articles, reports, and e-resources, etc.

Human Rights: Concept, Definition, Classification and Generations

The concept of Human rights is inalienable fundamental rights to which a person is inherently entitled simply because he or she is a human being (Centre, 2018). The definition of Human rights are rights inherent to all human beings, without distinction as to race, colour, gender, language, religion, political or another opinion, national or social origin, property, birth or another status (UNHR, 2018). The classification of Human Rights can be classified into three categories namely first generation, second generation and third generation rights. The first generation rights include liberty-oriented rights, namely civil and political; the second-generation rights include security-oriented rights such as social, economic and Cultural Rights; and the third generation rights are development-oriented rights, which include environmental and developmental rights (Rao, 2006). There is three generation, first-generation civil and political rights include right to life and political participation, second-generation economic, social and cultural rights, includes right to subsistence and third-generation solidarity rights, includes right to peace, right to clean environment (Cornescu, 2009).

The Constitution of India: The Fundamental Rights and Directive Principles of the State Policy (DPSP) is the highly supports of the Universal Declaration of Human Rights (UDHR). The Fundamental Rights of India are right to equality, right to freedom, right against exploitation, right to freedom of religion, cultural and educational rights, and the right to Constitutional remedies. These Rights are defined as basic human freedoms that every Indian citizen has the right to enjoy for a proper and harmonious development of personality. These rights universally apply to all citizens irrespective of caste, place of birth, gender, religion, and race. The DPSP is also the directing to protect human rights in the Constitution of India (MoLJ, 2018).

The Issues of Indian Social System

The root cause of decimations and inequalities as per Ambedkar in India are based on caste. Caste is a social construction and determines the social standing and fate of a person in the society. Caste as Dr Ambedkar further elaborates is like a ladder placing some handful persons like Brahmins on the top and Shudras in the down and Untouchables below the Shudras. Caste an ugly monster, therefore, ascribes caste-based occupations and divides people accordingly and prohibits any social relation. Surprisingly the women like Dalits in Caste hierarchy at all level are also discriminated, oppressed and exploited pulling them to sub-human status. Several states though are characterized by social inequality; perhaps nowhere else in the world has inequality been elaborately constructed as in India.

Caste has long existed in India, but in the modern period, it has been severely criticized by both Indian and foreign observers. Although some educated Indians tell non-Indians that caste has been abolished or that no one pays attention to caste any more such statements do not reflect the ground reality. Castes that fall within the top four ranked varnas are sometimes referred to as the “clean castes” with Dalits (Untouchables) considered “unclean”. Castes of the top three ranked varnas are often designated “twice-born”, in reference to the ritual initiation undergone by male members, in which investiture with the Hindu sacred thread constitutes a kind of ritual rebirth. Non-Hindu castes like groups generally fall outside these designations.

Many castes are traditionally associated with an occupation, such as high-ranking Brahmins; middle-ranking farmer and artisan groups, such as potters, barbers, and carpenters; and very low-ranking “Untouchable” leatherworkers, butchers, launderers, and latrine cleaners. There is some correlation between ritual rank on the caste hierarchy and economic prosperity. Members of higher-ranking castes tend, on the whole, to be more prosperous than members of lower-ranking castes. Many lower-caste people live in conditions of great poverty and social disadvantage. The most deeply researched critical analysts of several theories on caste (Ambedkar, 1990). It reflects that the untouchability which is the root cause of caste and division of labour and the labourers were born sometimes about 400 AD out of the struggle for supremacy between Buddhism and Brahmanism. There were contempt and hatred of the broken men of Buddhism by the Brahmins and the continuation of beef eating after it has been given up by others.

Whatever may be the sources of untouchability, the analysis of the philosophy of Hinduism, from the point of view justice reveals in a glaring manner how Hinduism is inimical to equality, antagonistic to liberty and opposed to the fraternity. The slavery which was elaborated and systematized by lawgivers of Hindu social system would have continued till to-day if British had not started enumerating untouchables separately in the all India Census survey and had not abolished untouchability during their regime (Ambedkar, 2014). Ambedkar was one of the victims of obnoxious caste discrimination despite unexpected credentials and achievements to his credit. He identified two enemies of humanity i.e. Brahmanism and Capitalism which are representative of caste and class. Brahmanism is also equivalent to Hinduism (Zelliot, 2012). What is social medicine and how the

caste can be eliminated are discussed in the following sections-perspective and methods. These illustrations are just illustrated rather than exhaustive in content due to limitations of time and references.

Dr Ambedkar Perception of Human Rights

As every learned person knows, the social, economic and political philosophy of Dr. B. R. Ambedkar is based on the eternal noble principles which always stood for emotional bonds or social convergence, building a strong nation by tapping of human and material resources for the production of goods and services for the equitable distribution among the different sections of the society. Such ethical and principled forces always stood and rebelled against all the oppressive features such as inequalities and discriminations especially rampantly found in the Indian Hindu society.

The basic principles of Dr Ambedkar are liberty, equality, fraternity and social justice. Human rights as a discipline did not emerge from Dr Ambedkar. Instead, it developed gradually and reflected in his speeches, memorandums, and movements etc and caught its speed and strength. He conceived these ideas deriving from the magnificent historical philosophers and pragmatists like Lord Buddha, Kabir and Mahatma Jotirao Phule whom he also considered as his great Gurus or teachers. None of these revolutionary philosophers belonged to the community to which Dr B. R. Ambedkar belonged. His noble ideas were also due to the process of socialization from the family which taught respect to others and follow Kabir the great saint. There was also the enormous impact of a book on Lord Buddha gifted by a teacher in his school education.

This reflects that the search for noble and humanistic ideas and approaches for the liberation of people from their age-old sufferings and discriminations by Dr Ambedkar was not ethnocentric as several Brahmanical privileged sections of the society propagate and confine him to Dalits. Many people still call him a Dalit leader though his ultimate goal and objectives as per his first conference of depressed Castes held in 1927 were to achieve manhood or universal humanity and brotherhood (Ambedkar, 1990). Very interestingly several likeminded upper castes were also the backbone of Dr Ambedkar movements. Even some of them took the responsibility of running the organization and weekly paper such as Janata weekly (Zelliot, 1996).

The ultimate aim was to convert to the Buddha Dhamma which combines all basic principles like equality, liberty and fraternity together making India an enlightened India. This according to Ambedkar is different from the religion. In order to convert to Buddhism in 1956, Dr Ambedkar took almost 20 years as he had to explore world religions, analyze them and find the best one which is extra-scientific and viable. There are also arguments that Dr Ambedkar despite scientific outlook and westernization preferred an only indigenous system of worship i.e. Buddhism ignoring all other modes of worships and respecting only Indian culture. It must be noted that Dr Ambedkar was not completely western but he was scientific. He constantly made a critical analysis of wide range of religious scriptures whether western or oriental and ultimately came to the conclusion of adopting Buddhism because if inherent basic principles that were present in it for any healthy society. In this process, therefore his framework of the evaluation was comprehensive and contained eternal principles required for all the living beings.

Dr. Ambedkar's approach towards human rights is visible in his all writings and speeches, memorandums submitted to various committees and above all as an architect of the fundamental rights, rights of the minorities, socio-economic rights in the form of Directive Principles of State Policy, and special safeguards for the welfare of the weaker sections of the society. He did not subscribe to the theory of Natural Rights. Dr Ambedkar advocates that the rights are the creation of the State; hence they are gifts of the State. Hence Fundamental Rights are the gifts of the Law he also held that fundamental rights are essential for the overall development of man, thus he beautifully combined Legal Theory of Rights with the ethical theory of Rights (Kishore, 2005). The special protections are desirable without which the depressed classes cannot be protected and uplifted. Some of the provisions he suggested for the social, political and educational upliftment of the Dalits are:

1. Reservation to the Lok Sabha and Assemblies (Articles 330 and 332);
2. Employment reservations (Articles 16 (1) 16 (4) and 335; and
3. Reservation in the admissions to educational institutions (Articles 15 (4) and 46) (MoLJ, 2018).

His struggle for separate electorate could not be realized due to Poona Pact. His monumental progressive document, the Hindu Code Bill, for the protection and development of Hindu women was turned down by the parliamentarians in the Parliament and the women themselves on the street due to instigation by the Hindu fanatic menfolk. This bill was a landmark in making the society humane and bringing down the imbalances between men and women. When the bill was not passed, Dr Ambedkar resigned to the Ministry of Law in protest against the fundamentalists and in favour of the rights of the Hindu women whose status was miserable like Dalits in India (Zelliot, 2012).

Methods and Approaches to Achieve Human Rights

The individual leaders and the organizations lead the Dalit movements and struggles. The farmer has a great impact than the latter. Because no Dalit organization has sustained for a long time because of organizational and several other problems, through all of them have done commendable humanitarian work and left a great impact on the Dalits. During colonial periods there were several organized movements such as Ad-Dharm movement in Punjab, the Illava movement of Narayana Guru in Kerala, the Adi-Hindu movement in U.P., Bengal (Namashudras), Adi-Dravidas in Tamil Nadu, Adi-Andhra in Coastal Andhra and Adi-Hindus in Hyderabad.

In the post independent era, several militant organizations emerged mainly as a result of Dr Ambedkar's thoughts and struggles. Dalit Panthers led by several leaders (1972), Mass Movement of Raja Dhale and Namdeo Dhasal, Kanshi Ram's Bahujan Samaj Party, Dalit Sangharsh Samiti (DSS) in Karnataka and several other unorganized movements thought have been in existence, they are split into several units due to petty reasons and lost their original force and impact. But still they are alive and there has been a feeling of isolation and victimization and this sentiment is being led to the process of convergence among the Dalits. The reorganization of caste by several organizations elsewhere in the world including the leftist organizations is a symbol of coming together of Dalits.

Among all the persons and organizations, that led the social movements, Dr B. R. Ambedkar has been not only the backbone of Dalits and their organizations but also for all the communities and societies in the world for building up a new social order based on liberty, fraternity and equality.

Some of the strategies that had been used by Dr Ambedkar himself during his lifetime suggested for further use to achieve the ultimate goal of dignified human existence, development and humanity. They are described in the Tabular form below.

Table: Areas, Methods/Approaches and Responsibilities to Achieve Human Rights

SN	Area of Concern	Method/Approach	Responsibility
1.	Social/Educational Development	Petition against atrocity, discrimination, exploitation	Dalits/Likeminded people
		Protest/Open revolt	Dalits/Likeminded people
		Expression of kinship and removal of rituals of unscientific nature	Dalits/Likeminded communities
		Giving up vicious habits/ Self-purification	Dalits
		Disapproval of discriminatory and divisive literature	Dalits/Likeminded people
		Self-respect	Dalits/All
		Educate, agitate, organize	Dalits/Likeminded people
		Positive discrimination	State/Govt
		Mass media-News papers	Dalits/Likeminded people/Organization
2.	Gender	Hindu Code Bill	State/Govt and Society
3.	Religious & Cultural Development	Language-Hindi, English, Regional Language	State/Govt
		Conversion to Buddhism	Dalits/Likeminded people/communities
4.	Political	One man one value	Dalits/Likeminded people and State/Govt
		Political activism/Pressure groups/Party/Party system	State/Govt
		Separate Electorate/Poona Pact	State/Govt and Dalits
5.	Economic	Productive small holdings	State/Govt
		State socialism	State/Govt

The first represents petitions in the courts and protests against the injustices caused to the Dalits due to the Hindu social order. These peaceful and legal affirmative action's adopted by the Dalits did not yield the desired results as the key positions at various levels such as Judiciary, Defence, Police etc are held by the upper castes.

The second method adopted is a direct protest against the institutions, which are discriminatory with not only Dalits but any human beings. This included various actions such as temple entry, fetching of water from the tanks, burning of Manusmriti etc. Dr Ambedkar adopted non-violence as a principle opposed to

strategy by the Marxists (Omvedt, 1994). Ambedkar expects that the Dalits should accept that they are slaves and this status is inhuman therefore one must revolt. Only Dalits can take the country ahead as they understand their situations better and can take the country to the better world. Dalits, therefore, must be ambitious based on their abilities to take to the hope of the pinnacle (Zelliot, 2012).

In order to build a strong cohesive nation, Dr Ambedkar strongly advocated kinship among the like-minded communities. Kinship is the antithesis of isolation, which is not desirable for any forward-looking and developing nation. Kinship is nothing but psychological and social bonds the communities hold based on liberty, equality, fraternity, justice, expansion of kinship and removal of rituals of unscientific nature and many other similar values of kinship. Kinship is possible only when we discard hedonism. Although people are segregated due to graded inequalities because of the caste system, Dr. Ambedkar himself tried his level best to keep in contact with several other communities belonging to Scheduled Castes such as Chammar and Mangs attending their meetings so that the most deprived sections of the society may be modelled first for the strong emotional integration i.e. entering into kinship and ultimately building up a strong nation destroying all the disruptive features of age-old caste system.

It is interesting to note that when the first conference of untouchables in March 1927 under the leadership of Dr B. R. Ambedkar was held it was not against the particular communities or class but was a fight for rights, giving up of vicious habit and rising to the full manhood. Because of this noble struggle, several caste Hindus were also part of the movement. The most important declaration in the conference was fought for equal social status, disapproval of any literature which supports the pernicious doctrine of inequality underlying the social order, every person nor merely Dalits or Caste Hindus must have his birthright to the liberty of action and speech.

Self-respect is vital in life. Dalits should, therefore, adopt it as a part of life (Zelliot, 2012). Any law should not be a command of any individual or group of individuals. Law should be the people's prescription for change. Dr Ambedkar further clarified that their struggle is for self-respect and self-esteem. Educate, agitate and organize is a combined slogan given by Ambedkar as a strategy to achieve the desired goals of prosperity and universal brotherhood.

Positive discrimination i.e. reservation in education, employment, and politics are correctional measures that one must judiciously use them to compete with others. Similarly, Dalits should also enter into the area of mass media with high professional ethics and accountable to society. So that the mass people may be educated and sensitized. Another Bill of Hindu code which was turned down during Ambedkar intended to bring down gender imbalances. Subsequently, various parts of this Bill came by four bills. Conversion to any religious or faith Dr Ambedkar considers is the right of the person and one must exercise it if he desires. Ambedkar advocates Buddhism as the future religion as it ruled the globe for centuries without bloodshed. Democracy should be based on one man one value rather than one man one vote to meet future challenges keeping the citizen secured, developed and happy.

Ambedkar suggested two methods in economic development-State socialism and thought on small holdings for peasants. The farmer suggest that the land be purchased from the people compensating satisfactorily and then after procuring the land reserve or allocate for road, buildings, schools, ponds, wells etc of public interest and then give it to the group of people who can cultivate with equipments and capital so that the cultivation may be done scientifically using advanced equipment and technology. The production is shared and at the same time, it contributes to the national income to a great extent. The role of the state is very important in his case. The latter method, for example, indicates that the size of the land holdings should be of a family. The productive size holding should compulsorily be supported by the water and other inputs as in the case of the industry. No size should be reduced beyond this. In the simplest form, the land should be nationalized and should be given as above to the peasants. The present land reforms are just a lip service to the tillers in the country pulling them into the worst condition. Ambedkar's dream is yet to be realized.

III. CONCLUSION

The Ambedkar perspective or as it is also called Ambedkarism is today a living force in India. The perspective though emerged gradually not with the intention of academic pursuits or a discipline meets the requirements of the universal principle of human rights making the people secured, civilized, and developed both morally and materialistically.

The movements led by the Dalits elsewhere in the country are based on the similar principles of liberty, equality and fraternity but with different intensity and force. The Amrutnak a soldier courtier at the court of the Muslim king of Bidar, for example, when offered a special service, he refused *jagir* for his service, instead, he asked for fifty-two rights for his people. Similarly, when the government of India was not introducing the recommendations of the Mandal Commission, many Dalit organizations including Dalit Sangharsha Samiti (DSS) in Karnataka took rallies and submitted memorandums for immediate action. As many knows, the recommendations of the Mandal commissions were meant for the upliftment of the persons belonging to the

Other Backward Classes (OBCs). This is the story of the Dalits and their movements, which always stood for principles and have been struggling and networking with other similar leaders and organizations to reconstruct the society based on the values and principles dear to one and all. Hence any organization set up by the Dalits either in the name of leaders or principles are all standing for kinship which further leads to national integration. Hence no Dalit organizations can be treated as communal. But on the other hand, any organization and movement set up in the name of caste can be banned as they try to consolidate the traditional caste structure and pave danger in building up a strong nation and egalitarian society, in other words, enlightened India.

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