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ROLE OF DR. AMBEDKAR TO EMANCIPATION OF WOMEN

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1. INTRODUCTION:

Dr. B.R. Ambedkar was one of the very few Indians, who struggled to restructure Indian society with the most egalitarian and humanitarian principles. He advocated social and economic democracy and insisted that without them there would be no peace, happiness and prosperity in India. An ardent supporter of the cherished values of liberty, equality and fraternity, Dr. Ambedkar's contribution for the betterment and progress of women is unique. He not only wanted to ensure social equality between man and man, but also equal status and dignity between man woman.



KEYWORDS: *Indian society, advocated social and economic democracy.*

2. DR. AMBEDKAR VIEW'S ON WOMEN IN INDIA:

Dr. Ambedkar criticized the traditional and conservative values and made Manu, the Hindu lawgiver, responsible for the decline of the status and dignity of women in India. According to him, egalitarian principles prevailed during the Buddhist period and it was a revolutionary act on part of the Buddha to have allowed women to take sanyas or parivraja (nun hood) as a member of the sangha. In allowing women to become bhikunis (nuns), the Buddha not only opened for them the way to liberty, he also allowed them to acquire dignity independent of sex¹. Thus, the effort of Lord Buddha was the beginning of the revolution and liberation of women in India.

On one occasion the Buddha speaking of the value of a woman to the world said, "woman is the commodity supreme because (as the commentator adds) she is indispensable utility or because through her Bodhi Sattvas and world rules take birth"².

There can be no doubt that there has been utter downfall in the position of the women in India from what it once was, there is no doubt that they did occupy a very high position in the social, political and intellectual life of our country. "That at one time a women was entitled to upanayan is clear from the Atharava Veda where a girl is spoken of as being eligible for marriage having

finished her brahmacharya; from the Shrauta Sutras it is clear that women could repeat the mantras of the Vedas and that women were taught to read the Vedas, pannins, Ashtadhyar bears testimony to the fact that women attended Gurukul (college) and studied the various shakhas (sections) of the Veda and became expert in Mimansa. Patanjali's Maha Bhashya shows that women were teachers and taught Vedas to girl students. The stories of women entering into public discussions with on most abstruse subjects of religion, philosophy and metaphysics are no means few. The story of public disputation between Janaka and Sulabha and between Yajnavalkya and Maitrei and between Shankaracharya

and Vidyadhari shows that Indian women in pre-Manu's time could rise to the highest pinnacle of learning and education"³.

That at one time women were highly respected cannot be disputed. Among the Ratnis who played so prominent a part in the coronation of the king in ancient India was queen, and the king made her an offering as he did to the other, not only the king paid homage to the queen he also worshipped his other wives of lowered castes"⁴. This is a very high position for a woman in any part of the world. Manu the law giver of the Hindus was responsible for their fall.

Dr. Ambedkar quoted some of the laws made by Manu regarding women and are to be found in the Manusmriti, they are:

II. 213. It is the nature of women to seduce man in this (world) for that reason the wise are never unguarded in (the company) of females.

II. 214. For women are able to lead astray in (this) world not only a fool, but even learned man and (to make) him a slave of desire and anger.

II. 215. One should not sit in a lonely place with one mother, sister or daughter, for the senses are powerful and master even a learned man.

IX. 14. "Women do not care for beauty nor is their attention fixed on age (thinking)" "(it is enough that) he is a man they give themselves to the handsome and to the ugly".

IX. 15 through their passion for men through their mutable temper, through their natural heartlessness, they became disloyal towards their husbands, however carefully they may be guarded in this (world).

IX. 16 Knowing their disposition which the lord of creature laid in them at the creation to be such (every) man should most strenuously exert himself to guard them.

IX. 17. (When creating them) Manu allotted to women (a love of their) bed (of their) seat and (of) ornament impure desires, wrath, dishonesty, malice and bad conduct⁵.

This shows how in low position was woman in the opinion of Manu, the laws of Manu against women are of a piece with this view.

Women are not to be free under any circumstances, in the opinion of Manu:

X 2 "Day and Night women must be kept in dependence by the males (of) their (families) and if they attach themselves to sensual enjoyments they must be kept under ones control.

IX 3 Her father protects (her) in childhood, her husband protects (her) in youth and her sons protect (her) in old age, a women is never for independence.

IX 5 Women must particularly be guarded against evil inclination, however trifling (they may appear) if they are not guarded they will bring sorrow for two families.

IX 6 Considering that the highest duty of all castes even weak husbands (must) strive to guard their wives.

V 147 By a girl by a young woman or even by an aged one nothing must be done independently even in her own house.

V 148 I childhood a female must be subject to her father, in youth in her husband when her lord is dead to her sons a women must never be independent.

V 149. She must not seek to separate herself from her father, husband or sons by leaving them she would make both (her own and her husbands) families contemptible"⁶.

Woman is not to have a right to divorce.

IX 45: the husband is declared to be one with the wife which means that there could be no separation once a woman is married.

For Manu one man should sell her, see what Manu says.

IX 46- Neither by sale nor by reputation is a wife released from her husband.

A wife was reduced by Manu to a level of a slave in the matter of property.

IX 146 A wife, a son and a slave these three are declared to have no property, the wealth which they earn is (acquired) for him whom they belong.

A woman under the laws of Manu is subject to corporal punishment and Manu allows the husband the right to beat his wife.

VIII 299 - A wife, a son, a slave, a pupil and younger brother of the full blood who have committed faults may be beaten with a rope or a spilt bamboo.

Under Manu, a woman had no right to knowledge, the study of the Veda was forbidden to her by Manu.

II 66 -Even for a woman the performance of the sanskaras are necessary and they should be performed but they should be performed without uttering the Veda mantras -

Manu forbids women from performing sacrifices, Manu ordains that

XI 36-37. "A woman shall not perform the daily sacrifice, prescribed by the Vedas if she does it she will go to hell.

Finally a word regarding the ideal of life – Manu has sought to place before women in his own words.

V 151 - Him to who her father may give her or her brother with the father's permission she shall obey as long as he lives and when he is dead she must not insult his memory.

V 154 - Though destitute of virtue or seeking pleasure elsewhere of devoid of good qualities yet a husband must be constantly worshipped as a god by a faithful wife.

V 155 - No sacrifice, no vows, no fast must be performed by women apart from their husbands, if a wife obeys her husband she will for that reason alone be exalted in heaven"⁷.

Manu was not worried by considerations of justice or injustice in framing his laws. He wanted to deprive women of the freedom they had under the Buddhist regime. "According to Dr.Ambedkar there is nothing new or startling in the laws of Manu about women, they are the views of Brahmanism that existed only as a matter of social theory before Manu – what Manu did was to convert what was a social theory into laws of the state – what was the reason which led Manu to impose the disabilities upon women? Because Manu was the greatest opponent of the Buddhist religion. At that time shudras and women were the two chief selections of the Aryan society which were flocking to join the Protestant religion of the Buddha, this would lead to undermining the foundations of the Brahmanic religion, so Manu wanted to stern the tide of women flowing on the direction of Buddhism"⁸.

Centuries rolled down in India civilization and the unheeded plight of women touched threat of many social revolutionaries, in the 12th centuries, the works of Basava and other sharanas put all their energies and made untiring efforts to build a society of equals, where both men and women could participate in spiritual and religious spheres on equal footing. Discrimination or exploitation of women on the basis of sex was opposed to the very principle of rationalism or humanism of Basava. The socio-religious movement or revolution of Basaveshwar in Kalyan against the discrimination of caste, creed or sex, cut across the country and attracted like minded people including the women, the vachanas with spiritual value containing the thoughts of sharanas appear to be more advanced even in this modern age of science and technology. To hear old a new way of hope to the humanity the thoughts of sharanas through vachanas aimed to creating oneness of mankind, the contributions of sharanas through vachanas literature have enriched the spiritual heritage of India.

"According to Veerasivism men and women differ only at physiological level but they are one and the same in metaphysical aspect"⁹.

Many reformist movements were launched by social reforms like Raja Ram Mohan Roy, Mahatma Gandhi and the host of others. But the earliest drives towards emancipating women was advocated first by Plato in his work **Republic** He is aptly regarded as the first feminist in the history of political thought. "According to him men and women differ in degree and not in kind. He condemns the seclusion of women to the household they like men have the three elements of reason, courage and appetite though in different degrees, women also become the rules and soldiers by receiving the right type of education, the unity and strength of the state depend on bringing out into public life"¹⁰.

Then arose what we call liberal feminism in the 18th century which was aptly known as the age of reason or enlightenment during which the first serious and systematic work on the cause of women was done. Mary Wollstone craft in her work "**A vindication of the Rights of women**" published in

1792 declared that **“Women are first and foremost human beings and not sexual beings, women are rational creatures, they are capable of governing themselves by reason”**¹¹.

But where the works of Dr. Ambedkar regarding the emancipation of women have a special mention.

3. CONTRIBUTION OF DR. B.R.AMBEDKAR TO EMANCIPATE WOMEN IN INDIA:

Dr. Ambedkar was one of the reformers who championed the cause of women, including the issues of Scheduled Castes and Scheduled Tribes, throughout his career, he discussed a number of problems of Indian women and sought of their solutions in Bombay Legislative Council in the viceroys executive council as a labour member, in the constituent assembly as the chairman of the drafting committee and also in parliament as the first law minister of independent India.

“Dr. Ambedkar was sworn in a nominated member in the Bombay Legislative Council on February 18, 1927. He regularly participated in the legislative debates and also delivered a number of speeches on the budget, education, panchayats, local boards, Khoti system, industries and participation in world war. His arguments on the maternity benefit bill and on the birth control were quite relevant to recognize the dignity of women, supporting the maternity benefit bill, he said – it is in the interest of the nation that the mother ought to get a certain amount of rest during the pre-natal period and also subsequently and the principle of the bill is based entirely on that principle.

That being so Sir, “I am bound to admit that the burden of this ought to be largely borne by the government, I am prepared to admit this fact because the conservation of the people’s welfare is primarily the concern of the government, and in every country therefore where maternity benefit has been introduced, you will find that the government has been subjected to a certain amount of charge with regard to maternity benefit”¹³.

Apart from that “according to him the employer should not be free from the liability, it is absolutely reasonable that to certain extent at least the employer will be liable for the kind of benefit when he gets a special benefit by employing women instead of men”¹⁴. Also Dr. Ambedkar thought that this Bill should not confine to the Bombay presidency only and that it ought to be extended to the whole of India.

Dr. Ambedkar was excessively worried for the over growth of the population in India and he wanted certain measure should be introduced for the birth control viewing the contemporary situation he remarked:

“the present keen struggle of the renders timely marriage impossible for many and thus exposes them to various diseases and habits, many women become invalid for life and some even lose their lives by the birth of children in their diseased condition or in too rapid succession. Birth control is the only sovereign specific remedy that can do away with all these calamities, where a woman is disinclined to bear a child for any reason whatsoever she must be in a position to prevent conception and bringing forth progeny which should be entirely dependent on the choice of women, society would in no way profit by the addition of unwanted progeny.”¹⁵ This is an abstract of a non-official resolution moved by Dr. Ambedkar regarding the measures of birth control in the Bombay legislative assembly on 10th November 1938. During this period of the assembly he used the forum of non-official resolution to invite attention of the party in power to some of the fundamental problems in the country in general and Bombay presidency in particular the problem of birth was one of such problems.”¹⁶

The theme of resurrecting this speech in this paper is to find out what vision Dr. Ambedkar had about the role of birth control devices in checking the rampant increase in the population and the relevance of that vision in the present society with special reference to scheduled castes and other weaker segments.

The impassioned appeal to cast off evil practices and customs among certain section of the depressed classes was made by Dr. Ambedkar at a meeting at the Damodar Thakersey Hall Bombay in 1936, the meeting was largely attended by men and women belonging to the Devadasi, Patraje, Bhute, Aradhi and Jagiti communities and was held to accord support to the mass conversion more inaugurated at Yeola, Dr. Ambedkar made an appeal especially to the women.

“Whether you change your religion along with us or not it does not matter much to me. But I insist that if you want to be with the rest of us you must give up your disgraceful life, you must marry and settle down normal domestic life as women of other classes do not continue to live under conditions which inevitably drag you into prostitution.”¹⁷

Thus Dr. Ambedkar's impassioned love for the fallen women's whole community, and his advice to rescue themselves from the despised and disgraceful life were quite meaningful.

At the All India Depressed Class women's conference held at Nagpur on July 20, 1942, Dr. Ambedkar emphasized that there could not be progress of nation without the progress of women. He spoke “I am a great believer in women's organizations. I know what they can do to improve the condition of the society, if they are convinced. In the eradication of social evils they have rendered great services¹⁸.”

“He underlined that women should learn to be clean and keep themselves away from all vices. They should educate their children and instill high ambition in them. The children's mind should be inculcated with the ideas that they are destined to be great¹⁹”. The sense of inferiority complex should be eliminated from their mind and heart.

Dr. Ambedkar advised that everybody should get married after they become financially able. According to him, marriage was a liability. Keeping in mind the problem of population also, he advised that to have too many children was a crime, the parents must be responsible to give each child a better start than they themselves had, the women should be on friendly terms with their husbands. And he did not agree that there should be a master-slave relation between the husband and the wife.

On the eve of Independence there was a rise of social consciousness among the people who advocated that Hindu law ought to be codified into one uniform law to ensure greater national integration and also to protect women's rights. All India Hindu committee was set up under the chairmanship of B.N.Rao in 1941 to go into the question. The committee heard the views of the people from all over India and introduced the draft of Hindu code in the legislative assembly in April, 1947. Many members disagreed with it, and therefore, a revised version was put before the constituent assembly on October, 1948. Later it was also revised and introduced by Dr. Ambedkar in the Constituent Assembly in October, 1948.

Many members of the assembly thought that the right to freedom of religion ought to be a restricted right. Prof.K.T.Shah and Tajmaul Hussain were among the articulate advocates for a truly secular state in which religion was considered to be a purely personal affair. Hussain even suggested the following be incorporated in the constitution. “No person shall have any visible sign or mark or name and no person shall wear any dress whereby his religion may be recognized²⁰”.

Women members like Rajkumari Amrit Kaur felt that “if the freedom of religion was enshrined as a separate and personal right it might not only be a bar to future social legislation but even invalidate past legislation such as the widow remarriage act, the sarada act and even the law abolishing sati. Everyone is aware of many evil practices, which should be abolished are carried on in the name of religion – purdha, polygamy, caste disabilities, animal sacrifices and dedication of girls to temples to mention a few²¹”. She believed that freedom of religion was amply ensured in the right to freedom of speech and expression.

Dr. Ambedkar favoured the uniform code of laws and in this content he said in the constituent assembly “we have a uniform criminal code, law of the transfer of property, Negotiable instrument Act. This would prove that this country has practically a civil code, uniform in its content and applicable to the whole of the country, the only province in the civil law has not been able to invade so far the marriage and succession. He challenged the statement that the Muslims personal law was immutable and uniform throughout the whole of India. He showed that the Chariot law was not applicable to the northwest frontier province upto 1935. He added it would not be open any Muslim to say that the framers of civil code had done great violence to the sentiments of Muslim community, the fear is nullified²²”.

But all these suggestions went unheeded and this freedom of religion was made a fundamental right and guaranteed as a special freedom, and the corollary to that was that each community would

continue to be governed by its own personal laws, thus the Hindus, Muslims, Christians, Jews and the Parsis had the freedom to live by their own traditions which could not evolve since they had been fossilized into codes. Personal laws cover all matters relating to the family, marriage, divorce, custody and guardianship, succession and inheritance, maintenance and adoption.

4. HINDU CODE BILL AND DR. B.R. AMBEDKAR:

After the adoption of the constitution, Dr. Ambedkar was entrusted with a new responsibility, the Hindu code bill. "He revised the Hindu code prepared by the Rao's committee and submitted to the constituent assembly (legislative) in October, 1948, the work of revising and codifying the Hindu law was going on for ten years, the bill has been in and out of the central assembly since 1946. Dr. Ambedkar transferred it and parts of the code bill relating to joint family and women property, became a nightmare to most of the members of select committee"²³.

As soon as Dr. Ambedkar touched the code and became its spokesman, the Hindu intelligentsia all over India was driven into two camps, some raising loud denunciations and some singing loud praises, traditions and modern times were at logger heads. Sanctimonious concepts were at groups with social progress and learning was pitted against the revolutionary intellect, the authority of Shashtra was invoked both sides. One side was for Manu, the ancient law giver, and another was the modern Manu, Dr. Ambedkar.

The social reactionaries raised a hue and cry in the name of the religion inside and outside the parliament. The congress party too was divided into sections over this issue. Nehru had vehemently declared on his arrival from America, that this government would resign if the Hindu code bill was not passed by the parliament. "Another leader of the congress party Sardar Patel had declared his unmistakable opposition to the bill and said that it would not be taken into consideration at all. Until then, Nehru seemed to throw his weight in favour of the bill and Sardar Patel and Dr. Rajendra Prasad were against it. It was in such an atmosphere that Dr. Ambedkar introduced the Hindu code bill on February 5, 1951"²⁴.

The Hindu code bill introduced only four new things in the then existing law, which were:

1. Abolition of the doctrine of the rights by birth.
2. Right over property to women.
3. Share to daughters from the parents property.
4. "Provisions for divorce. Also it insisted upon the consent of the wife to the adoption of a son by the husband. A daughter was permitted to be adopted, the provisions dealing with the joint family property included the abolition of the rule of pious obligation and the liability to pay primary debts which belongs to the family"²⁵, these provisions were new as far as the present Hindu law was concerned. But there was nothing either anti-social or anti-religious in them.

Explaining the bill Dr. Ambedkar spoke "that it would be wrong to describe the Hindu code bill as either radical or revolutionary. He said that the new ways of progress did not oppose the orthodox practices. He further stated that the new republican constitution of India had given a positive direction that the government should endeavour to prepare civil code for the benefit of the country as a whole, the purpose of the Hindu code bill was to codify and modify certain provisions of the Hindu law. It was beneficial from the point of the country's oneness that the same set of laws should govern the Hindu social and religious life. The Hindu code was a right step towards a civil code"²⁶.

As regards the authority under which the code was drafted "he said that the modifications proposed were based on the Hindu shastras and smritis, the property was governed by the Dayabhaga system, the child belonging to the caste of the father under Pitrisavaryna divorce was supported by the Kautilya and Parashara smriti and women's right to property was supported by Brishapati smriti, he concluded"²⁷. Dr. Ambedkar was also of the opinion that the "smritis both of Yajnavalkya and Manu had recognized the share after daughter in the property of the father as only one fourth"²⁸.

The discussion turned fierce in parliament, Dr. Shyama Prasad Mukharjee, Sardar Bhupendra Singh Mann, Pandit Madan Mohan Malviya and other members strongly opposed the bill, while N.V. Gadgil and Pandit Kunzru supported the bill with lofty eulogium, the women members described the bill as the testament of their faith in the constitution, while discussions were going on in parliament, Nehru lost his grip and suggested a compromise that the marriage and divorce parts of the bill should be taken up as a separate bill and the other clauses relating to property would be taken up later if time permitted. "Dr. Ambedkar agreed and announced in parliament on September 19 that since the exigencies of time would not permit the house to legislate on any more than part-II of the Hindu code bill during that session, the second part would stand a self-contained marriage and divorce bill"²⁹, this truncated bill was also hotly discussed by the opponents, there was no pressure from the whip, there was no time limit on speeches, it seems that the process was deliberately being delayed by which, the bill would not be passed. Suddenly most of the members of the house got enraged by Dr. Ambedkar, because of his criticism on the story of Rama and Sita in his speech thus alienated him. There was much excitement and Nehru asked Dr. Ambedkar to drop the bill, describing Nehru's state of mind at this junction one journalist quoted Johnson's famous remark on goldsmith "he wrote like an angle and spoke like poor Paul"³⁰.

On September 22, 1951, the debate on clause IV came to an end; on September, 24th debate was resumed; on 25th September clause-IV of the bill was adopted by the house without enthusiasm of protest and the galleries ebbed out as other bills came up for consideration. Even the marriage and divorce parts of the bill could not be completed.

The bill was let down in a tragic manner and in words of Dr. Ambedkar "it was killed and buried unwept and unsung after four clauses were passed. Dr. Ambedkar's disappointment was sore. He resigned his seat from the Cabinet on 27th September, 1951"³¹.

In his resignation speech, "Dr. Ambedkar clarified that the Hindu code was the greatest social reform measure ever undertaken by the legislature in the country. No law passed by the Indian legislature in the past or likely to be passed in the future, can be compared to it in points of its significance. To leave inequality between class and sex, and sex which is the soul of Hindu society untouched and to go on passing legislation relating to economic problems to make a force of our constitution and to build a place on a dung heap"³². Dr. Ambedkar was not at all convinced with the plea of the Prime Minister to abandon the bill on the ground of the lack of time or that the opposition was strong. According to him, when the bill was taken up in the party meeting out of 120 only 20 were found against it. When the bill was taken in the party for discussion 44 clauses were passed in about three and half hours of time; this shows how much opposition there was to the bill within the party. In the house itself, there had been divisions on three clauses of the bill namely 2, 3, and 4 every time there had been an overwhelming majority in favour even on clause-4 which was the soul of the Hindu code"³³.

The role played by Dr. Ambedkar has been aptly explained by Justice P.B. Gajendragadkar of Bombay High Court a famous Jurist and Sanskrit scholar thus "the honourable Dr. Ambedkar has played an important role in the progress of this bill and in introducing the code before the parliament he has shown his determination to persuade the legislature to see it through without delay, it is well known that Dr. Ambedkar can legitimately and justly feel proud for the substantial work done by him in the drafting of our constitution, if with the active co-operation and support of the prime minister who fortunately shares his law minister enthusiasm for the code Dr. Ambedkar is able to give it the pride of place in our statute book. If for one would hail it as times sweet revenge on the Hindu society as a whole, if Dr. Ambedkar gave us Hindus our code his achievement would go down in history as a very eloquent piece of poetic justice indeed.

CONCLUSION:

Therefore, it would be appropriate to regard Dr. Ambedkar as a humanist and as one of the saviours of the Indian women. His contribution is unique and cherished by all women of India, it should be the foremost duty of Indian women to integrate themselves to free their fellow sisters who are under the despaired and under graded profession and those who want the despaired and under graded

profession and those who want to onserve ust be ready to repair and all want is that if you want to maintain the Hindu system, the Hindu culture, the Hindu society do not hesitate to repair where it is necessary, the bill asks for nothing more than repairing those parts of the Hindu society which have almost become dilapidated.

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