

Reservations - as a Step of Social Democracy: Review of Dr. Ambedkar's Principles

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ABSTRACT: The paper aims to highlight the key frameworks of Dr. B.R. Ambedkar, his thoughts, philosophies, and goals behind the framing of the Indian constitution. Based on different theories and philosophies, the concept of the reservation system adopted by the Indian Constitution, and its relevance in today's scenario is being portrayed. Dr. Ambedkar's idea of a classless and casteless society is somewhat achieved but due to the undue advantages of the reservation system, the individuals are deprived of equality and equal opportunities. The rights of representation given to minors were for some time only but the parliament till today haven't changed this system which is a curse in the economic and social development of the nation.

KEYWORDS: Reservation, Minorities, Dr. Ambedkar Philosophies, Casteism, Indian Constitution, Right to representation

1. Introduction

The World's largest Written Constitution, the Indian Constitution is a bag of borrowings. The majority of the elements that are enshrined in the Constitution are taken from other countries. These countries were having different geographies, different societies, different classes of people, different cultural and religious practices, and altogether different ideologies. Being diverse, India borrowed the elements from these countries and molded them to frame the Indian Constitution.

After attaining freedom from the British, The Governance of the Whole Territory which was united to form the Union of India was in question. Indian at that point of time was in need of Legislation that will govern the nation and will protect the rights, integrity, and interests of the people of India. This legislation that will be the foundation of the Indian Government and regulatory systems, was the Indian Constitution. Framing of the Constitution for an Independent Nation that has attained its independence after years of struggle and countless sacrifices of the freedom fighters, needs to be done. For this purpose, in 1946, a Constituent committee was established under the chairmanship of Dr. Bhimrao Ambedkar, commonly known as Babasaheb [1].

Dr. Ambedkar always wanted equal representation and thus he adopted this system just to ensure that no unjust should be made to the underprivileged sections. They should get time and opportunities in order to come up and stand in the same row as other castes. Thus, Dr. Ambedkar was in favor of implementing reservation only and for 10 years only. But, In the Constituent Assembly on 25/08/1949, Objections of S. Nagappa and B. I. Muniswami Pillai were coming on the proposal of restricting the reservation of Scheduled Castes, Scheduled Tribes for only 10 years. They said that 10 years is a very short time period for the upliftment of these vulnerable sections of society. Dr. Ambedkar said I do not think that we should allow any change in this subject. If the status of Scheduled Castes does not improve in 10 years, it will not be beyond their intellect power to seek measures to achieve this protection [2].

2. Dr. Ambedkar's theory on Rights of Minorities

Dr. Ambedkar himself belongs to a Scheduled class where they were deprived of basic human rights. These classes were called and untouchables and there was a belief that they are not pure. If one touches them they will become impure, hence they use to live with many restrictions. They were not allowed to access public places; they were not a part of the society or township; they use to

reside in the outskirts of the village and had no dignified life. Exploitation, Ill-treatment, were rampant.

As per the formation of Ancient Indian societies, the people were divided on the basis of the occupation they are into. There used to be classifications based upon purity. The traders, soldiers, tailors, goldsmiths, zameendars, etc. belonged to a high classed society as the work they were doing was treated as pure. On the other hand, sweepers, cleaning persons, tribals, etc. were treated as impure based on the type of work they do. They were called Adivasis and Dalits (Shudras). These setting based upon occupation gave rise to the caste system in India. Generally, individuals belonging to a particular class or caste are found financially and socially vulnerable.

Thus to prevent the rights of these weaker sections of the society, Articles 15(3) and 16(4) were inserted that gave advantage to these sections for their equal representation [3], [4]. The rationale behind it was very simple, if you are not starting from the same line you cannot finish at the same line. The condition of these untouchables was brutal and they were constantly suppressed by the persons rich in caste. There was a huge gap in terms of education, wealth, and other privileges between classes.

The concept of minorities is way too far from what people think today. Dr. Ambedkar referred people under two classifications, such as privileged and underprivileged. Privileged are those who have sufficient means and can fulfill their necessities with ease. Underprivileged were those who were economically, socially, and educationally backward sections who if left untouched, will continue to remain the same, their exploitation will continue and they will be deprived of the dignified life.

3. Dr. B.R. Ambedkar's Philosophies

Dr. Ambedkar, a great scholar, a true visionary, a philosopher, and historian, was the only one who could lead the Constituent Assembly and after a fruitful hardship of 2 years, 11 months, and 17 days, finally, the first draft of the constitution was prepared. Dr. Ambedkar, a learned philosopher, having broad visions for Free India, drafted the Indian Constitution and his philosophies and progressive ideas are clearly traceable in many aspects of the Constitution.

Dr. Ambedkar believed that only the goods of a person should be seen and one should only intake the goods and must leave the evils. He also laid high emphasis on learning and believed that one should learn from the experiences of oneself as well as from others. These philosophies were followed in the framing of the constitution [5]. Different aspects were borrowed from different countries but only the good i.e. pros were taken. Now the question was how to evaluate the pros, for the

purpose, Babasaheb followed the Gandhian Philosophy. Mahatma Gandhi quoted that "If you make legislations, try to make them keeping in mind, its causes and benefits to the least privileged sects of the society, and you will never make mistake" [6]. Dr. Ambedkar, thus evaluated constitutions of different countries making no straight implications, instead, he analyzed the relevance of those aspects, measured the pros and the cons, and beautifully molded these aspects as per the relevance in the Indian Context.

The concept of fundamental rights taken from the US Bill of rights [7], being framed in Part 3 of the Indian Constitution are modified as per the suitability and practices of India and its people, because ultimately a nation is made by its citizens and they need to be protected, hence all the Articles framed are Human-Centric [8].

India, favored substantive equality which was adopted by Dr. Ambedkar by giving some special privileges and opportunities of recognition, in the form of reservation, to these group who was deprived of many rights as the question of their overall upliftment was concerned. If they were deprived of these reservations, then they will end up being in the same state of life and their exploitation will be continued.

Dr. Ambedkar believed in equal representation of each class of society at every level, hence for the protection of their right to representation, Dr. Ambedkar made reservations for these underprivileged and weaker sections of the society. Dr. Ambedkar being of a scheduled caste and after facing outrageous hate and indignity in his life, never favored casteism. He stated that If some people are residing on a piece of land, it doesn't become a country. There should be a feeling of nationality. Caste is against nationality. It creates indifferences between two persons belonging to the same nation but different castes. In social and economic life, discrimination breaks people and humanity is at stake. Dr. Ambedkar used to give more emphasis on the development and social harmony of the nation by rising above the caste system.

Here, Dr. Ambedkar classified minorities based on two types as Religious minority and Linguistic minority. Religious minorities mean the followers of a particular religion who were very few in number. Religious Minorities are given rights for the protection of religion. Being a secular nation all religions should be respected equally and everyone has the right to profess their religion with freedom. The Linguistic Minority means the people of different languages. A person having no knowledge of the language spoken in a particular state will surely face many difficulties to survive. Linguistic minors such as people belonging to a rural tribe or any other linguistic community having their own distinct language and are not able to communicate in the official languages need to

get some benefits. India, a diversified state with different languages and religions, is required to recognize the minorities to render them equal status [9].

4. Dr. B.R. Ambedkar's Ideology Rights to Representation

Aristotle said: *"It is an injustice to treat unequals as equals just as it is an injustice to treat equals as unequals"*

Dr. Ambedkar in his writings, used the term "Rights to representation", instead of reservation, enabling the representation of backward classes instead of reserving them. He always wanted a classless and casteless society. In Public Administration, He never favored the representation of candidates from scheduled castes who fails to fulfill the minimum required educational qualification, so he never wanted to compromise the quality of administration in public services. Representation was strictly based on the quantum of a population of scheduled castes corresponding to their proportion in the total population.

Most importantly, he did not bat for reservations in education, rather he merely states that the state should take care of financial assistance in education at every stage for the betterment of Scheduled Castes. This is a striking feature of Dr. Ambedkar's line of thinking.

Reservationists do not value the nation's supremacy of Dr. Babasaheb Ambedkar and have started doing politics of vote not adhering to Dr. Ambedkar's principle. There should be a deadline to give reservations so that the downtrodden can emerge. When the crushed people emerge under the prescribed limit of reservation, then the implementation of the reservation should be considered successful.

5. Conclusion

Reservation is a curse in the development of any nation. Today, if we want to take the country towards progress and to maintain the unity of the country, it is necessary to remove reservations and give equal opportunities in education, employment, welfare and all the means of social advancement. Therefore, to keep the development of the nation alive, reservation needs to be separated from politics. Today political parties in order to safeguard their vote bank promise reservations to the people.

Fondly remembering Dr. B.R. Ambedkar, Subhash Kashyap, former secretary-general of three Lok Sabha said, "Dr. Ambedkar did not spell out too many things but on the point of reservation for SC and ST, he had said that 10 years is too short a period and it should be 40 years, but thereafter the Parliament should have no power to extend reservation by law. He was against reservation in

perpetuity. He had said *'I would not want that symbol to continue in Indian society forever.'*" [10].

Dr. Ambedkar would be pained to see that these sections still need reservations. The concept of reservation was just to give a chance to a downtrodden section for their upliftment. But instead of upliftment, reservationists are using the reservations to get the unfair advantages and benefits that are associated with them. Dr. Ambedkar clearly stated that the reservations are only for the selected class of people who are exploited by the other. The concept was only to help them to stand along with other castes and contribute equally towards the growth and development of the nation. But in today's scenario, many of the classes are demanding the reservations for themselves, which is not at all an acceptable situation in long run. If reservations will be given to the majority of the classes, the whole system of equality of law, and equal opportunities will come to end.

Dr. Ambedkar stated that the reservations should be made available for a period of 40 years and after that, it will be the responsibility of the parliament to end the reservations and make laws that will be equally applicable to all. The role for which the reservations were made is still not achieved but the alternative method of providing benefits should be used. Equal opportunities on the basis of merit should be promoted. As per the current Indian Scenario, the benefits should be only given to those who are economically backward, and that too for their upliftment only. No undue advantages of these benefits should be made. Reservations should be based on merit and not on basis of religion or caste. Today all the classes and religions are economically stable and no need for reservation is felt, and those who are deprived must qualify to get these benefits.

As long as the unqualified people continue to play with the country with the help of reservation, neither the nation will benefit nor the society nor their caste. Reservation is the reason for the destruction of the country. Racism is breaking the country only through the politics of the vote bank, and the craving of some people. The day people of every caste will forget caste and will come forward on the strength of merit and on the basis of merit, will ensure the future of the country, the country will move on its own path of progress.

6. Recommendations

Dr. Ambedkar rightly said that, - *"However good a constitution maybe, if those who are implementing it are not good, it will prove to be bad. However bad a constitution maybe, if those who are implementing it are good, it will prove to be good."* [11]. Hence it solely depends on the people who are implementing the constitution. Thus we need to move towards equality by following Dr. Ambedkar's Philosophies and Principles to attain the growth and

development of the Nation. And It will happen only when casteism be overruled by Nationalism.

It is also true that the earlier societies oppressed the Scheduled classes and Tribes. It excluded them and exploited them at every stage. Reparations for historical injustices are just, but it cannot be endless and limitless. Its been 75 years since the reservation system is being practiced in India and if not changed will continue for decades. Dr. Ambedkar was very clear against offering majority seats to minorities. According to him, any such attempt would grossly commit an injustice to the majority. Baba Saheb Bhim Rao Ambedkar too became the creator of the constitution by his own merit and deeds and not from the reserved quota [2].

There was a need for the representation of the underprivileged sections in society, but now things have changed, there are rich and poor sects of people in all classes of society. No special protection is required anymore. Protection, if given, should be given based on the vulnerability and to only those who deserve it. In India today also there are many sects that are deprived of daily necessities. They should be given protection and protection here doesn't mean reservation. They should be provided with better opportunities just to improve their status of living. Beyond basic necessities, if reservations are made for any class based on minorities without considering their standard of living and resources available to them, it will be unjust. The reservation system if further carried on based upon the minorities and ignoring the standard of life and no. of opportunities will become a threat to both, economical development and social development.

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