

# Hindu Code, Family Planning: BR Ambedkar Helped Shape India's Feminist Movement

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April 14, 2022

*(This article was first published on 14 April 2022 and is being republished from the archives on the occasion of Dr BR Ambedkar's death anniversary on 6 December.)*

Today is the 140th birth anniversary of Bhimrao Ramji Ambedkar (April 14, 1891-December 6, 1956), famously known as 'Babasaheb' across India. One might argue that Ambedkar's work, legacy, and contribution to independent India's social, legal, economic, and political foundations remain incomparable to perhaps any other national figure – some might debate and say, 'including Gandhi'.

As historian and Gandhi's biographer, Ramachandra Guha, in a chapter entitled *Arguments with Ambedkar* in his book '*Gandhi: The Years That Changed The World (1914-1948)*', observed:

The transformations in Gandhi's (own) view of caste, his increasing willingness to challenge its prejudices and proscriptions, were a direct consequence of his encounters with reformers more radical than himself – namely, Narayana Guru and his followers, and more recently, Ambedkar. The birth and subsequent career of BR Ambedkar had a far greater impact on Gandhi than he was sometimes willing to acknowledge.

## 'Pragmatic, Not Dogmatic': Ambedkar's Socialism

Ambedkar was not a socialist in the typical sense, but he was inclined towards evolutionary socialism. He developed his own ideas and emerged as a 'socialist' in his own way. His views on understanding and addressing caste-induced social and economic inequality or caste-based exploitation of communities were brought forth in an empirical-critical manner in all his work.

"Ambedkar's socialism", as Vivek Srivastava argues, was "innovative and indigenous". "It is pragmatic, not dogmatic", he says. "It is humane, not violent."

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Most of what I have said here is reasonably well-known about Ambedkar, including his teachings and interventions in mainstream social discourse.

But one key aspect of Ambedkar's work that still gets limited mainstream attention was his determined contribution to the cause of women's rights, the social movements of the



1920s and the 1930s, and their broader role in shaping India's modern feminist thought.

## Ambedkar as a Feminist

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In charting the history of feminist movements in India, as done by Radha Kumar in *The History of Doing*, the 19th century is seen as a period when the “rights” and “wrongs” of women became major issues, with efforts for reforms undertaken by only a few.

By the late 19th century (as argued by Kumar), women across social groups started joining and initiating various social movements in rural and urban spaces for enhancing women's well-being. By the early 20th century, various formations of women's own autonomous organisations came into being, allowing a special category of “women activism” in the late 1920s, 1930s and 1940s.

Ambedkar's own role in pushing for women's rights and their cause – in terms of safeguarding equal treatment and opportunity – is key in this period, ie, the early 20th century.

Right from the days of ‘*Mook Nayak*’ and ‘*Bahishkrit Bharat*’, oppression of women remained a major plank of Ambedkar's work. His own writings and efforts to set up newspapers (*Mook Nayak*, *Bahiskrit Bharat*) with exclusive sections dedicated to covering women's issues are seemingly inspired by earlier works of social reformers like Tulsibai Bansode (first participating in a Mahad Sabha in 1913), and who started newspapers like ‘*Chokhamela*’.

In recent decades, too, women writers such as Meenakshi Moon, in the field of political commentary, have contributed heavily towards writing about historical conditions of Dalit women, and even running journals like *Aamhi Maitarani* (Our Women Friends).

Writing about the status and position of women, as given by Manu, Ambedkar in the early 1920s remarked: “Can anybody doubt that it was Manu who was responsible for the degradation of women (and their agency) in India?” In a gathering of more than 3,000 women, Ambedkar (1927) famously remarked, “I measure the progress of a community by the degree of progress that women have achieved.” His concern about women’s rights and gender equality also echoed in some of his letters to his father.

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## **Ambedkar's Speech at Kamatipura**

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Ambedkar’s tireless emphasis on valuing human dignity – more in terms of how an individual is perceived from the lens of others – inspired Indian women to break out of pre-existing barriers of caste- and class-based subjugation, which was levied by discriminatory Hindu codes and Brahmanical patriarchy.

The way to do so, according to him, was by publicly denouncing texts preaching patriarchal norms and practices (like Manu itself) and by giving unparalleled attention to women’s education and well-being. He also believed in helping each woman progressively realise , irrespective of her social position, her basic socio-cultural and economic rights, including the right to property and involvement in political processes, etc.

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In a speech (1936) given to communities of Vaghyas, Devadasis, Joginis and Aradhis in Kamatipura, Ambedkar urged the Devadasi women – usually from the Dalit and other oppressed castes – to give up the regressive religious practice of ‘offering’ pre-pubescent girls to deities in Hindu temples and becoming “sexually available for community members”.

He said: “You will ask me how to make your living. I am not going to tell you that. There are hundreds of ways of doing it. But I insist that you give up this degraded life ... and do not live under conditions that inevitably drag you into prostitution.”

Ambedkar persistently talked about issues involving women and their basic rights in most of his Parliamentary discussions and speeches. To a certain extent, this helped catalyse greater public support for the work of women reformers around the time, while increasing the participation of women, especially from the least advantaged groups, in organised Satyagrahas during the late 1920s, 1930s and the 1940s.

For example, in the famous Mahad Satyagraha (1927) for temple entry, a number of women from backward castes participated together to burn the Manusmriti. Shandabai Shinde was one of the women who participated in this Satyagraha.

In the Kalram Temple Satyagraha in Nasik (1930), more than 500 women participated in the movement to restore equal treatment of women. Ramabai, Ambedkar’s wife, became the president of a women’s association founded in January (1928) in Bombay.

## **The Maternity Bill in 1928**

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As British India's first Indian Justice and Law Minister, Ambedkar advocated family planning measures for women in Bombay's Legislative Assembly. In 1928, he introduced a Maternity Benefit Bill in the Legislative Assembly with the following argument:

“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 (Maternity Bill) is based entirely on that principle ... That being so, Sir, I am bound to admit that the burden of this (creation and passing of the Bill) ought to be largely borne by the Government, I am prepared to admit this fact because of the conservation of the people's welfare is the primary concern of the Government ... And in every country, you will find that the Government has been subjected to a certain amount of charge with regard to maternity benefit.”

## How Ambedkar Confronted Shyama Prasad Mukherjee

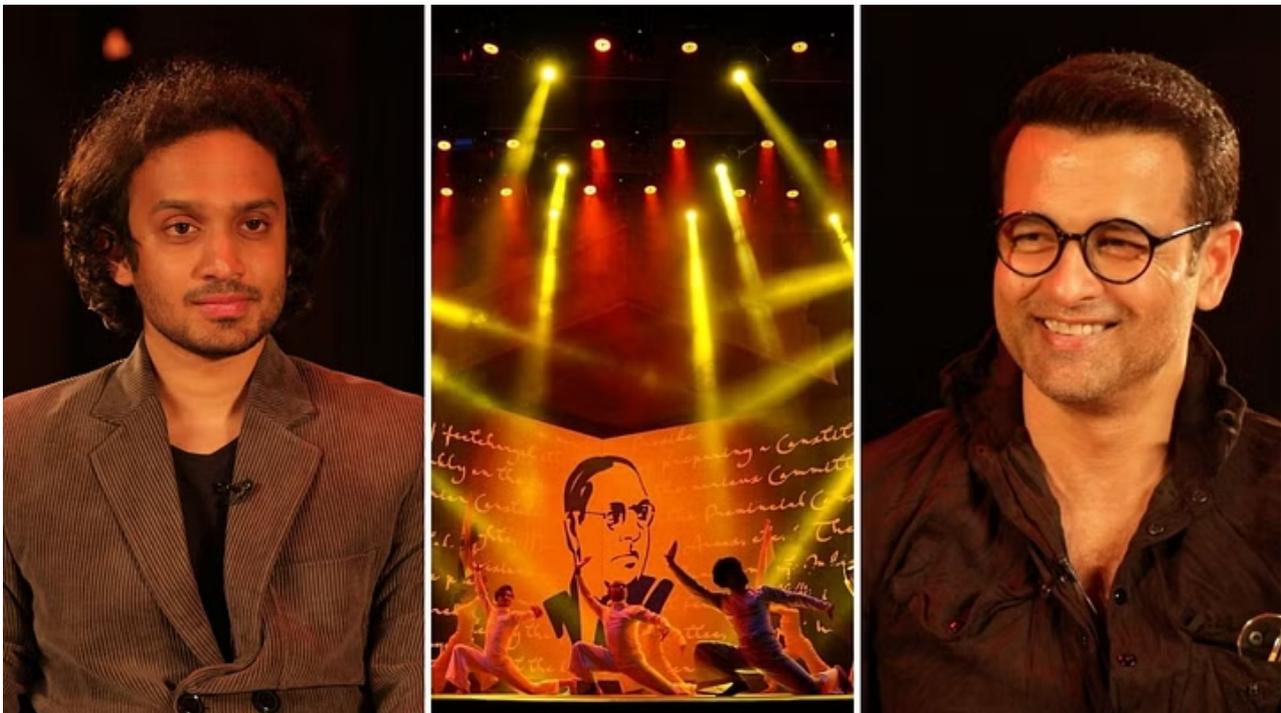
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Speaking about the Hindu Code Bill (1948) in the Constituent Assembly, Ambedkar urged members to have a common code that would replace the regressive practices of the Hindu Law with a reformatory code commenting on seven important matters, including the equal right to property, orders of succession among different heirs to the property of a deceased dying intestate, maintenance, marriage, and divorce.

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His direct confrontation with Shyama Prasad Mukherjee, who was revered by the Rashtriya Swayamsevak Sangh (RSS), over contested provisions in the amended draft of Code Bill (presented in 1951), particularly on the subject of diluting “the prescription of

monogamy”, is of particular importance.

Mukherjee, on the Code Bill, said: “Giving women the right to divorce was unacceptable ... the sacramental nature of marriage is an ideology which lies deep-rooted in the minds of millions of people ... it is the fundamental and sacred nature of Hindu marriage.”

Ambedkar questioned Mukherjee, asking him which Hindus he was referring to, considering 90% of Shudras accepted the right of women to divorce in their custom and practice. He added: “Sacramental marriage, in as few words as possible, is polygamy for the man and perpetual slavery for the wife.”

Ultimately, owing to pressure from Hindu orthodox sections, the Code Bill could not be passed. Among the reasons cited by Ambedkar for his resignation as the Law Minister then, he underlined how Parliament of independent India, by not passing the Bill, deprived its women citizens of their basic rights.

## **Ambedkar's Contribution Continues to Safeguard Women**

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Still, in Ambedkar’s contribution, as the framing architect of the Indian Constitution, provisions enlisted under Articles 14,15,15 (3), 16, 23, 39 (a,d), 42, 51 A (e) provide a feminist outlook on the Constitution, explicitly safeguarding equal rights and opportunities for both women and men.

In years since independence, legal jurisprudence across courts has used most of these provisions, invoking them in legal enactments to protect, safeguard and promote the individual and collective interests of women and their independent agency. This is especially observed in cases of labour law and family law.

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Upon reflection, Ambedkar’s vision went beyond the need to enable women, in their independent effort, to break through patriarchal norms imposed by Brahminical codes. His view on developing a collective, fraternal organisation that is led and managed by women – promoting women’s education and their own well-being while creating self-awareness on social issues – is critical to transforming Indian society, which is still a work-in-progress

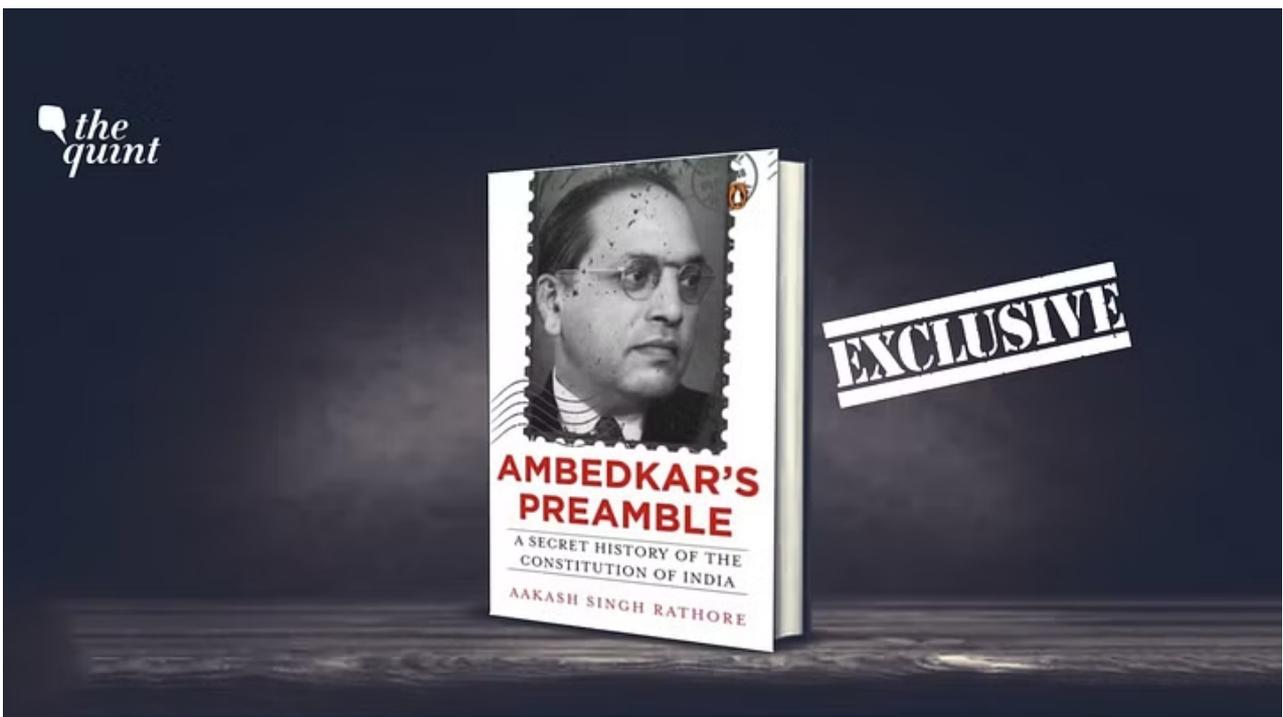
As we celebrate the 140th birth anniversary of Babasaheb, there is a need to see him and his contributions beyond what’s known in the mainstream. He was a constitutive leader who shaped the course of the modern Indian feminist movement and thought.

Also Read



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Published: 14 Apr 2022, 9:37 AM IST