

**ADDRESS BY  
HON'BLE SHRI JUSTICE DIPAK MISRA  
FORMER CHIEF JUSTICE OF INDIA  
ON  
"DR. B.R AMBEDKAR'S MISSION AND VISION FOR  
PRABUDDHA BHARAT"  
ON THE OCCASION OF THE 128<sup>TH</sup> BIRTH  
ANNIVERSARY OF DR. B.R. AMBEDKAR**

**APRIL 14, 2019  
NORTH CAMPUS, UNIVERSITY OF DELHI**

Prof. Dr. Tyagi, Vice Chancellor of the University, Dr. Sanjay Paswan, Dr. Kavita Sharma, Dr. Mahabir Singh and Dr. Anupam Jha, Coordinators of today's programme, the members of the Faculty, young students, ladies and gentlemen:

It pleases me the most to be participating in an event that celebrates the birthday of Bhimrao Ramji Ambedkar, popularly known as Babasaheb Ambedkar, whom we fondly and respectfully remember whenever we are required to discuss the Constitution of India from any spectrum. The occasion gains further significance when it is celebrated by the Delhi University which has produced many legal luminaries and is in the process of giving the society some future celebrities. I am saying this without any kind of reservation.

The Coordinators have chosen the topic "Dr. B.R. Ambedkar's Mission and Vision for Prabuddha Bharat". Ordinarily when a Birth Anniversary is celebrated, there is an initial tendency to speak about the man, his sufferings and achievements apart from other aspects. I would like to focus exclusively on his futuristic ideas and I may politely remind all that when one articulates the said ideals or speaks something different, it is not necessary to use the word future. The ideas

gradually come by their own method of evolution - roll from the present to the future. That is the innate potentiality of the ideas of Dr. Ambedkar.

Dr. Ambedkar as the Chairman of the Drafting Committee of the Constitution of India had, on many an occasion, addressed the questions raised and sometimes explained complicated concepts with eloquent reasoning. The process of ratiocination was scholarly as well as original. He had a dream and the dream related to the great nation and that is why as you are aware, the name of his newspaper 'Janata' was changed to "Prabuddha Bharat". The name itself telescopes the idea of enlightenment and how the fructification of the ideas would be the laser beam for the future. When one thinks of the meaning of the term 'enlightenment', he/she is likely to be attracted towards the denotative meaning that is in the realm of spirituality. Keeping in view the context in which Dr. Ambedkar used the word 'Prabuddha', it assumes an expansion in its meaning. It includes in its fold the assertions on the freedom, asseveration of the individual's right to make a choice and, in the ultimate eventuate, to take a decision. It compels one to move from the pedantic to the progressive and the dogmas cease to dictate and

in fact, it would not be wrong to say that there is no one to command except the Constitutional values. And that is the constitutional spirituality. I would like to understand the concept of “Prabuddha” by Dr. Ambedkar in that context.

When one speaks about the ideas and philosophy of Dr. Ambedkar, one would never be oblivious how he cherished the values of social and political equality. The emphasis on personal liberty irrespective of caste, class, creed or gender is eloquent throughout his speeches and writings. The equality is not weighed on the scale of some kind of economic empowerment though such equality would come within its ambit but the real equality is embedded in social and political equality. A person who faces indignity in a society controlled by certain social measures and traditions is not given his real due, that is, the individual identity which the Constitution recognises. Throughout his life, Dr. Ambedkar fought for the same and for him, the human rights needed to be put on the highest pedestal and that need has eternal paramountcy.

For Ambedkar, the core values were liberty and equality which were central in a diverse society. The centrality owes its existence to its universal acceptance. It is easy to say that we are

in a global village but it is difficult in the truest sense of the term to practise and transform the concepts of equality and liberty to a reality. Actualisation of these values and fructification of the said phenomenon have to be understood as Ambedkarian enlightenment.

Dr. Ambedkar as the Chairman of the Drafting Committee of the Indian Constitution had mastered impeccable sense of logic and rationality and had a vision for an egalitarian and free India where people treat each other with mutual respect. The use of the word 'fraternity' in the Preamble has to be appropriately understood by all of us. As a thinker, the projection is clear. To elaborate, he laid emphasis on free thinking that frees an individual from any bondage. His desire was that the people of this country should develop a scientific temper.

It is to be borne in mind that elevation of right of humanity requires elimination of discrimination. Untouchability, a social disease, which was destroying the marrows of the society, required to be cured in the fullest sense and that is how Article 17 of the Constitution, which prohibits untouchability, came into existence. The Constituent Assembly led by Dr. Ambedkar made

it a constitutional principle:

The philosophy of Dr. Ambedkar strongly rested on building a society where everyone is included and no one is kept away from the mainstream. The doctrine of inclusion emphasizes on fraternity and integrity. To quote a passage from Dr. Ambedkar :

*"Fraternity means a sense of common brotherhood of all Indians - of Indians being one people. It is the principle which gives unity and solidarity to social life. It is a difficult thing to achieve. .... In India there are castes. The castes are anti-national. In the first place because they bring about separation in social life. They are anti-national also because they generate jealousy and antipathy between caste and caste. But we must overcome all these difficulties if we wish to become a nation in reality. For fraternity can be a fact only when there is a nation. Without fraternity, equality and liberty will be no deeper than coats of paint"*<sup>1</sup>

The aforesaid passage when appropriately understood conveys the concern of Dr. Ambedkar about the 'nation' in reality and how 'fraternity' can be the fulcrum.

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<sup>1</sup> Excerpt from the speech to the Constituent Assembly on November 25, 1949, p. 979.

The vision of Dr. Ambedkar laid stress on individual dignity of the citizen. He completely believed in elevation of the status of women in India. According to him, and I quote :

*“in view of the fact that you are pledged to a constitution which guarantees liberty and equality to every citizen you cannot allow this institution (of marriage) to stand as it is.”<sup>2</sup>*

On this day, it is necessary to clearly remember about the dignity of an individual and the equality in that regard between a man and a woman. Under no principle of law, men can ‘rule’ over women and subjugate them.

One has to remember constantly that his or her individuality is supreme subject to the Constitution. His/her dignity, choice, identity and individuality are to be respected by all. No one can treat a human being as sub-human. A person can never be regarded as a marginalised personality.

In an atmosphere where humanism is at the top of the pyramidal structure, any kind of unconstitutional imposition, without having the sanction of constitutional paradigm, is wholly impermissible. There can never be any dominance and inhuman

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<sup>2</sup> Constituent Assembly Debates, September 20, 1951

and undignified treatment by one on the other. It is never to be forgotten that individualism has its primacy. Personal dignity has its sacrosanctity.

In this context, I would like to emphasise upon the progressive hermeneutics or interpretation of law. It is because of progressive vision telescoping of rights and upheaval of the concept of human rights. I have always maintained and strongly say that a woman can never be treated as a chattel. She can never be regarded as a commodity or object. She has to be treated with respect in all spheres. That thought enhances the concept of gender equality.

We should always remind ourselves that there has to be respect for individual autonomy which will lead to democratisation of the principles on which our society is built. Dr. Ambedkar himself was a great proponent of democratic ideals which is significantly mirrored throughout the Constituent Assembly Debates. The unimpeachable faith for a true democratic body polity is evident. It would not be wrong to say that the thought, idea and the workable pattern formed every constituent of his soul. He believed that for the realisation of true democracy, there has to be full political and social participation.

He championed the cause of constitutional values and aspired for a Constitution which would be the instrument for effective fulfilment of civil, political and socio-economic justice. It is pertinent to quote Ambedkar at this juncture :

*“The third thing we must do is not to be content with mere political democracy. We must make our political democracy a social democracy as well. Political democracy cannot last unless there lies at the base of it social democracy. What does social democracy mean ? It means a way of life which recognizes liberty, equality and fraternity as the principles of life. These principles of liberty, equality and fraternity are not to be treated as separate items in a trinity. They form a union of trinity in the sense that to divorce one from the other is to defeat the very purpose of democracy.”<sup>3</sup>*

From the aforesaid speech, it is decipherable that social equality as an idealistic concept is Dr. Ambedkar’s primary syllogistic proposition. That invites economic equality. He laid stress on the absence of discrimination in the field of economic progress. He believed that the cornerstone of democracy rests on the trinity as he stated. The principle of trinity expects loyalty from every citizen. He had pronounced

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<sup>3</sup> Excerpt from the speech to the Constituent Assembly on November 25, 1949

with immense concern that in a democracy, the concept of equality cannot be achieved without liberty.

As a great visionary, he had used the word “constitutional morality” referring to the Greek thinker George Grote’s concept. The said term has, with the efflux of time, taken a quantum leap because it needed to be noted that it stands in contra-distinction with the majoritarian morality. It is necessary to state that constitutional morality shall always remain supreme. The concept is in consonance with constitutional sovereignty.

Today, while celebrating, I would humbly state as a student of law that the lawyers and judges have been able to interpret the Constitution in a progressive manner because of Dr. Ambedkar’s vision. The Supreme Court<sup>4</sup> has been able to conceive the idea of constitutional renaissance by stating :

*“It is to remain in a constant awakening as regards the text, context, perspective, purpose and the rule of law. Adherence to rationality, reverence for expected pragmatic approach on the bedrock of the constitutional text, context and vision and constant reflection on the valid exercise of*

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<sup>4</sup> *Government of NCT of Delhi v. Union of India & Another*, (2018) 8 SCC 501

*the power vested tantamounts to resurgent constitutionalism.”*

And further :

*“Fulfilment of constitutional idealism ostracizing anything that is not permissible by the language of the provisions of the Constitution and showing veneration to its spirit and silence with a sense of reawakening to the vision of the great living document is, in fact, constitutional renaissance.”*

While remembering Dr. Ambedkar, we humbly and respectfully bow to the intellect of the great soul.

Thank you for being patient and courteous.