The period from 1947 to 1951 was for Ambedkar a period of creative cooperation with the Congress Government. It is interesting to note that once Ambedkar became the Law Minister of India, he fell in line with the views of Gandhi as far as the emancipation of the Untouchables was concerned. He gave up the concept of separate electorates and accepted that the Scheduled Castes were not a minority but were an underprivileged part of Hinduism and required safeguards for a temporary period to become an integral part of their community.¹

The greatest contribution of Ambedkar and the Congress, which represented the views of Gandhi, for the cause of the Scheduled Castes was that in the Constitution of India, the fundamental rights including equality before the law were made applicable to all citizens of India, irrespective of caste and creed. It should not be forgotten that Ambedkar was the only member of the Scheduled Caste in the Constituent Assembly who was elected on a non-Congress platform. The Constituent Assembly was dominated by the Congress. Although Ambedkar had a major role as Law Minister in the drafting of the Constitution, all the provisions were much debated and scrutinized by various luminaries.² It would not be wrong to say, therefore that the provisions of the Constitution granting equal rights to the Scheduled Castes embodied the dreams of both Gandhi (through the Congress) and Ambedkar, who without doubt were the greatest emancipators of the Untouchables in modern India. "Both of them strove for the uplift of the Scheduled Castes, but concentrated on different areas and their work was complementary and supplementary to each other. Ambedkar worked primarily amongst the Scheduled Castes and fought for their political rights to secure for them social and economic justice.³ Gandhi worked primarily amongst caste Hindus to bring about a change of heart towards the Scheduled Castes and to ensure that the Scheduled Castes remained within the Hindu fold. In assessing their roles, it would not be wrong to say that Ambedkar was the saviour of the Scheduled Castes while Gandhi was the saviour of Hinduism. In their rivalry Gandhi emerged the winner as even after his death his views were accepted by Ambedkar.⁴

The crowning glory of their mission was the Constitution of India which safeguarded the rights of the Scheduled Castes. The provisions of the Constitution which embodied the dreams of Gandhi and Ambedkar are highlighted below:

(i) **Equally before law**: Article 14 provides that the State shall not deny to any person equality before the law or the equal protection of the laws.

(ii) **Prohibition of discrimination on grounds of religion, race, caste, sex or birth**: 

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Article 15 provides that the state shall not discriminate against any citizen on these grounds. No citizen shall on these grounds be subject to any disability or restriction with regard to access to shops, public restaurants, hotels and places of public entertainment or the use of wells, tanks, bathing ghats, roads and places of public resort maintained wholly or partly out of State funds or out of State funds or dedicated to the use of general public. Article 15(4) also provides that nothing in this article shall prevent the State from making any socially and educationally backward classes of citizens or for the Scheduled Castes and Tribes.

(iii) Equally of opportunity in matters of public employment: Article 16 provides that no citizen shall on grounds only of religion, race, caste, sex, descent, place of birth, residence or any of them, be ineligible for, or discriminated against in respect of any employment or office under the State. Article 16(4) also provides that nothing in this article shall prevent the State from making any provision for the reservation of appointments or posts in favour of any backward class of citizens which in the opinion of the State is not adequately represented in the services under the State.

(iv) Abolition of Untouchability: Article 17 provides that "Untouchability" is abolished and its practice in any form is forbidden and enforcement of any disability arising out of "Untouchability" shall be an offence punishable in accordance with law.

(v) Freedom of Religion: Article 25 provides that all persons are equally entitled to freedom of conscience and the right freely to profess, practice and propagate religion. Article 25(2) provides that nothing in this article shall affect the operation of any existing law or prevent the State from making any law providing for social welfare and reform or the throwing open of Hindu religious institutions of a public character to all classes and sections of Hindus. Explanation II to Article 25(2) provides that the reference to Hindus shall professing the Sikh, Jaina, or Buddhist religion, and the reference to Hindu religious institutions shall be construed accordingly.

(vi) Welfare State: Article 38 provides that the State shall strive to promote the welfare of the people by securing and protecting as effectively as it may a social order in form all the institutions of the national life.

(vii) Protection from Injustice: Article 46 provides that the state shall promote with special care the educational and economic interests of the weaker sections of the people and in particular of the Scheduled Castes and Tribes, and shall protect them from social injustice and all forms of exploitation.

(viii) Welfare of Tribals: Articles 164 provides that in the states of Bihar, Madhya Pradesh and Orissa, there shall be a minister in-charge of tribal welfare who may in addition be in charge of the Scheduled Castes and backward classes or any other work.

(ix) Right to Vote: Article 325 provides that there shall be one general electoral role for every constituency for election to either House of Parliament or any House of the Legislature of a State and no person shall be ineligible for exclusion in such roll or claim to be included in any special electoral role for any such constituency on grounds only of religion, race, caste, sex or any of them.

(x) Adult suffrage: Article 326 provides that the elections to the house of people and to the legislative assemblies of states shall be on the basis of adult suffrage.

(xi) Reservation of seats for scheduled castes: Article 330 provides that seats shall be
reserved in the house of the people for the Scheduled Castes and the scheduled tribes as nearly as may be in proportion to their population as ascertained at the last preceding census of which the relevant figures have been published. Article 332 makes similar provisions in the legislative assemblies of the states.

(xii) Reservations for elections to be temporary: Article 334 provides that the reservation of seats for the Scheduled Castes and scheduled tribes shall cease on the expiry of 10 years. (However, this provision has been amended from time to time and now provides for reservations to cease on the expiry of 50 years.)

(xiii) Reservations of elections to be temporary: Article 335 provides that the claims of the members of the Scheduled Castes and scheduled tribes shall be taken into consideration, consistently with the maintenance of efficiency of administration, in the making of appointments to services and posts in connection with the affairs of services and posts in connection with the affairs of the union states.

(xiv) Special officer for Scheduled Castes and tribes: Article 338 provides that there shall be a special officer for the Scheduled Castes and tribes to be appointed by the president. It shall be the duty of the special officer to investigate all matters relating to the safeguards provided for the Scheduled Castes and tribes under the constitution and report to the president on the working of those safeguards at such intervals as the president may direct, and the president shall cause all such reports to be laid before each house of parliament.

(xv) Scheduled Castes and tribes: Articles 341 and 342 provide that the president after due procedure may by public notification specify the castes, races or tribes which shall be deemed to be Scheduled Castes or tribes as the case may be. Parliament may by law include in or exclude from the list of Scheduled Castes and tribes specified in a notification any caste, race or tribe. Article 366 defines Scheduled Castes and tribes to mean such castes, races or tribes or parts of or groups within such castes, races or tribes as are deemed under articles 341 and 342 to be Scheduled Castes and tribes. The fifth schedule also provides for the administration and control of scheduled tribes in certain areas through tribes advisory councils.

The system of separate electorates on communal lines granted by the British to religious minorities was given up; instead, a system of joint electorates with reservation of seats for Scheduled Castes and tribes was provided. Article 334 fixed the period of reservation as 10 years from the commencement of the constitution. Ambedkar has proposed a longer period; however, he accepted the period of ten years which was based on general agreement among the parties concerned, stating: "it was considered necessary to extend the period at the end of 10 years, it would not be beyond their capacity or their interests to invent new ways of getting the protection which they were promised here."

How farsighted and right was Ambedkar, as the reservations, which were to cease after 10 years, have continued till this day. In essence, Ambedkar was able to secure all the political safeguards he had been demanding, except the concept of separate electorates.

The safeguards provided for the Scheduled Castes in the constitution of India amounted to the implementation of the Poona pact. Ambedkar had finally given up the concept of separate electorates. In a speech at the inauguration of Siddhartha college parliament on 25 September 1947, be stated.

It is also interesting to note that after independence, Ambedkar like Gandhi stood
firmly for the unity for India. He favored centralized government, integration of Indian states with the union of India, Hindi as the optional language for every province and joint electorates.7

When Gandhi talked of Swaraj, he meant the achievement of the same ideals of liberty, equality and fraternity espoused by Ambedkar, which were ultimately enshrined in the preamble to the constitution of India. Gandhi's endeavour was that socio-economic justice should be available to all classes, irrespective of caste, creed, or religion. Ambedkar wanted a separate identity for the depressed classes and swaraj afterwards. To Gandhi this was placing the cart before the horse. To Gandhi, once swaraj was attained, other freedoms would follow, whereas Ambedkar's suspicion was that after independence, nobody would bother about the upliftment of the depressed classes. Gandhi wanted to remove untouchables from the hearts of the caste Hindus and absorb the Scheduled Castes as an integral part of the Hindu community. Ambedkar wanted the Scheduled Castes to organize themselves politically as a distinct entity and fight for their rights.8

Lealah Dushkin, in The Policy of the Indian National Congress, writes: "probably nowhere in the world is so large a lower class minority granted so much favourable treatment by the Government as are the Depressed Classes of India today." This would not have been possible without the efforts of Gandhi amongst the caste Hindus and Ambedkar amongst the Scheduled Castes. The policies pursued by Gandhi and Ambedkar, in the ultimate analysis, worked in conjunction with each other.

Both Gandhi and Ambedkar were great men. While Gandhi was the Father of the Nation, Ambedkar was the Father of the Indian Constitution. While Gandhi was an apostle of peace and non-violence, Ambedkar became a convert to Buddhism, which preached universal peace and non-violence. Both of them worked assiduously for the emancipation of the Scheduled Castes, though their means differed. For Gandhi, the change had to come primarily in the hearts of caste Hindus. He staked his life for retaining the Scheduled Castes within the Hindu fold. Gandhi wanted political freedom before the rights of various classes could be secured. Ambedkar agitated for separate electorates but showed generosity of spirit and gave up this demand to save Gandhi's life. It is unfortunate that Gandhi died on 30 January 1948 and could not see for himself the progress made by Scheduled Castes. Ambedkar was fortunate enough to see for himself the initial progress made by the Scheduled Caste arising out of the safeguards provided in the Constitution.9

However, without a leader of Ambedkar's stature, the Scheduled Castes are politically fragmented. Atrocities on them in the countryside continue though the educated amongst them have attained high positions in government or public life and fend for themselves. The reservations have benefited a segment of Scheduled Castes who are already economically better off. If the advantage of the reservations goes to the economically backward scheduled castes, the situation would be different. The progress of reconstruction of their social and economic life is tardy. The actual filling of reserved posts in the governments as well as the public sector continues to lag behind on the pretext do class coming scheduled castes. No leader of Ambedkar's stature has emerged. The Scheduled Castes federation and its successor, the Republican Party of Untouchability is a crime under the Untouchability Offences Act, 1955, the Act has proved extremely difficult to enforce. To take a case of court is expensive, and there are no central
resources to assist in a prolonged lawsuit. Untouchability has not completely gone away from Indian society and is still practiced in remote villages in backward areas. Occasionally, there are reports on atrocities on Scheduled Castes in different parts of the country.\(^\text{10}\)

There is, however a major redeeming feature. The condition and status of Scheduled Castes is not what it was half a century ago. A transformation has taken place for the better in their political consciousness, social intercourse, economic opportunity and style of living.\(^\text{11}\)

India still has mile to go before these centuries old disabilities disappear but much depends on the Scheduled Castes too. They must develop the spirit of independence and self-help, a sense of their own self-worth which compels respect. They must organize themselves and produce honest and able leadership to keep the caravan going. They must exploit the politics of numbers to their advantage and not allow themselves to be fragmented politically.\(^\text{12}\)

The constitution guarantees for the protection and progress of the Scheduled Castes for an initial period of ten years, were enshrined as a result of the life long efforts of Gandhi and Ambedkar. It was their dream that during these ten years, the Scheduled Castes would make adequate progress through education, employment and political development to become an integral part of the Indian society, not tainted in any way. The complete emancipation of the Scheduled Castes has yet to be attained, as is evident from the extension of the constitutional guarantees for the past forty years. At a time when untouchability was widely practiced in India, Ambedkar and Gandhi envisaged their social emancipation and worked with dedication for this goal. With each passing year, their version is nearing realization. However, the complete emancipation of the untouchables in modern India will be achieved when the constitutional guarantees are no longer required.

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6. Ibid., p. 995
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