

Hindu Code Bill  
A case of collective amnesia  
Anoop Kumar  
JNU.

September 22, 1951 is a black day in Indian history. On this day, Jawaharlal Nehru, fearing a caste Hindu backlash, dropped the Hindu Code Bill. Thus was lost a golden opportunity to remove all the constraints imposed on Hindu women by the patriarchal brahminical social order based on the dictates of Manu.

As is commonly known, women in Hindu society have historically been denied political social and economic rights. Brahminical texts denied women education. Sati, child marriage, widow ostracization were cunningly used to deny women their rights to property.

As free India's first Law Minister, Dr. Babasaheb Ambedkar recognized that it was his duty to free women from the clutches of Manu's laws. He drafted and introduced the Hindu Code Bill on 24 February 1949. Through this Bill, Dr. Ambedkar wanted to put an end to a variety of marriage systems prevailing in India and legalise only monogamous marriage. But most importantly, the Bill sought to confer on women the right to property. It also sought to give equality to men and women in all legal matters.

But caste Hindu "leaders" and "intellectuals", not prepared to respect women as equals, opposed this Bill calling it an attack on their religion. So-called liberal Congress leaders such as Rajendra Prasad, Govind Vallabh Pant and Madan Mohan Malviya revealed their true commitments and joined hands with reactionary RSS leaders to oppose the Bill. Even Sarojini Naidu threatened to go on a hunger strike if the Bill was not dropped. Many of them abhorred the very idea of Dr. Babasaheb Ambedkar, an "untouchable", drafting and piloting this Bill.

Dr. Ambedkar was heavily criticized for standing in favour of women's rights. He was dubbed a traitor to the country and an enemy of Hinduism, a "great" religion that kept two-thirds of its population in slavery. The orthodox elements together with "moderate" Congress leaders whipped up communal passion in the country by raising the cry of "Hinduism in Danger" in the hands of an "untouchable".

A spineless Nehru yielded to pressure and decided to drop the Bill. Dr. Ambedkar strongly backed the Bill and called on the liberal intelligentsia and the media to come forward in support of the Bill, but most failed to respond to his call unable to see beyond their caste prejudices.

Hurt by the lack of commitment to positive change and Nehru's spineless act, Dr. B. R. Ambedkar resigned from the Union Cabinet.

It has been 53 years. The mainstream media, including feminist writers are silent about the single-handed fight of Dr. Babasaheb Ambedkar for women's rights. This incident has been erased from the collective memory of the nation deliberately in order to ghettoize Dr. Ambedkar as only a Dalit leader and not a nation builder who also fought for women, tribal and minority rights. Otherwise, the efforts of Dr. Ambedkar in promoting the Hindu Code Bill would have been remembered as a landmark in the making of a free India.

(This article appeared in INSIGHT, a journal published monthly by the Ambedkar Study Circle, JNU. If you wish to subscribe to this journal (annual subscription Rs.200/, overseas US\$20/), please contact Anoop Kumar at: [insightjnu@rediffmail.com](mailto:insightjnu@rediffmail.com) )