

Dr. B. R. Ambedkar's Views on Muslim Women in India

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¹*Date of Receiving: 21/07/2025*

Date of Acceptance: 15/09/2025

Date of Publication: 30/10/2025

Abstract

Bowed by the weight of centuries he leans

Upon his hoe and gazes on the ground,

The emptiness of ages on his face,

And on his back the burden of the world.- The Man with the Hoe.²

The concept of democracy will be of no vital significance to the common man and woman of India unless it serves as a means to bring about a change in the socio-economic relations of the community to achieve the ideal of social equality. Thus the social justice forms the signature tune of the Indian Constitution.³

Dr. Ambedkar, "the harbinger of social renaissance in India"⁴ was the master-mind behind this silent revolution which is now unfolding itself with all its beneficial effects of increasing social solidarity in India.⁵

Dr. Ambedkar was emphatic that "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." To Dr. Ambedkar, "democracy" refers to fundamental changes in the social and economic life of the people and acceptance of those changes by the people without resorting to disputes and bloodshed.

As Justice V.R. Krishna Iyer opines, "Communalism and religious fanaticism are invasions on social justice, especially gender justice, because our gods are masculine as professed by fundamentalists of every faith. Wearing the holy visage these exploitative forces use theology of human rights. The biggest minority in India is its womanhood subjected to generations of gender injustice.

Women's Emancipation: Dr. Babasaheb Ambedkar's Perspective

A distinct feature of Ambedkar's theory of women's emancipation is that there is a close association between women's status and the philosophy of Brahminism, He contends that annihilation of the caste is the only way to establish a social order in which people can live together with equality.

¹ *How to cite the article:* Shirin S.N. (October 2025); Dr. B. R. Ambedkar's Views on Muslim Women in India; *International Journal of Law, Management and Social Science*, Vol 9, Issue 4, 52-56

² Edwin Markham, *The Man with the Hoe*, Stanza I, (Doubleday, Page & Co. 1899).

³ Manju Kumar, *Social Equality – The Constitutional Experiment in India*.(1982), p. (iii).

⁴ As described by Laxmanshastri Joshi, *Tarakateertha Asmita Darsha*, Marathi Quarterly, Diwali Special Issue(1973).

⁵ *Supra*, Note 9, p. 250.

Women: Gateway to Caste System

Dr. Ambedkar opined women to the caste system. It is women who bore the onus of maintaining castes, he thought. He enumerated the measures adopted by various castes of maintaining the balance of sexes in the succeeding manners:

1. Sati Tradition.
2. Prohibition on Widow Marriages.
3. Restrictions on Men.
4. Imposition of Continence on Widowers.
5. Consent to Minor-Girl Marriages.

Women in Islam:

After having taken to task the Hindu fundamentalism, Dr. Ambedkar switched over to Islamic fundamentalism. Comparatively, “The Islamic fundamentalism has caused more damage to its women than what Hindu fundamentalism is said to have done to its women folk. The progress of women got stagnated due to religious dogmatism”⁶, he asserted in “Thoughts on Pakistan”.

Law of Inheritance and The Practice of Polygamy:

The Holy Qur’an is the religious scripture says that...Marry only one. It says in Surah Nisa Chapter no 4, verse no 3, “Marry women of your choice, in twos, three or four. But if you cannot do justice, marry only one”- Islam puts an upper limit. In other ways of life,

You can marry as many as you want-no upper limit. Islam puts upper limit, of four. But you can marry, only if you can do justice. If you can’t do justice, marry only one. And the Holy Qur’an says in Surah Nisa, Chapter no 4, Verse no 129...”It is difficult to do justice between your wives. So don’t altogether turn away from them”. It is nowhere mentioned, that if you marry more than one wife, you get more blessings. No where its mentioned- Its optional.

Ambedkar experienced discriminatory treatment personally by upper classes on lower class and by males on females. The Muslim law permitted polygamy. In Muslim Law, a women gets half of the share to the share of her counterpart male, i.e., daughters gets 1/3 and son 2/3rd share in the property of the deceased father.

“The Muslim men are allowed to marry four women at a time. The Muslim Personal Law permits the husband the right to divorce and the process of divorce is very easy, which has been a source of severe trouble for the Muslim women. The religious rights going in favour of men”⁷ according to Dr. Ambedkar’s comment in “Thoughts on Pakistan”, cause women unbearable humiliation. Although the Supreme Court of India had given a verdict in favour of Shabano’s right to get alimony, the Muslim Ulema opposed the decision and made the then government pass a constitutional amendment.

Monogamy has been adhered among Hindus, Christians and Parsis and the judiciary has approved the statutory adherence of monogamy in Hindu law as a policy of social reform and social welfare. Then why should only a Muslim male is permitted to have more than one wife as part of Muslim personal law? When polygamy was regulated by majority of Muslim countries, why is the government hesitant to regulate it in India? Is it not a case of inequalities and inequities against Muslim women as Indian citizens have fundamental right of equality enshrined in Article 14 of the Constitution?

⁶ Kashap Omprakash(Edited), Babasaheb Ambedkar ka Sampurna Wangamaya, Vol.15, (Hindi), p. 223

⁷ Kashap Omprakash(Edited), Babasaheb Ambedkar ka Sampurna Wangamaya, Vol.15, (Hindi), p. 218

The Practice of Talaq:

He remarks that “Take the position of women. It is insisted by Muslims that the legal rights given to Muslim women, ensure them a greater measure of independence than allowed to other Eastern women ... the Muslim woman is the most helpless person in the world ... her fate is ‘once married, always married’. She cannot escape the marriage tie, however irksome it may be. While she cannot repudiate the marriage, the husband can always do it without having to show any cause. Utter the word ‘Talaq’ and observe continence for three weeks and the woman is cast away ... This latitude in the marriage in the matter of divorce destroys that sense of security which is so fundamental for a full, free and happy life for a woman. This insecurity of life, to which a Muslim woman is exposed, is greatly augmented by the right of polygamy and concubinage, which the Muslim law gives to the husband”

With regard to unqualified and arbitrary right of the Muslim husband to pronounce divorce at his whim and fancy at any time, without assigning any reason, Justice Khalid of the Kerala High Court held in Mohd.Hanifa Vs. Pathimal Bivi¹ that permitting unbridled power of Muslim husband to divorce his wife is painful aspect. “Should their personal law remain so cruel towards these unfortunate wives? My judicial conscience is disturbed at his monstrosity. The conscience of the leaders or the public opinion of the community will be disturbed . According to Hedaya, Almighty dislikes talaq, even then a prerogative right of Muslim male to divorce his wife at any time without assigning any reason is regarded as part of religious injunctions in India.

Justice Krishna Iyer gave a comparative position and stated that most of the Muslim countries have regulated this unilateral arbitrary right of the Muslim husband to divorce his wife without any rhyme or reason, then why should it not be regulated in India?

In his famous book ‘Pakistan and partition of India’ he expressed his views about Muslim women and their religious traditions, about wearing veil, their marriages and so on. Muslim women were suppressed under various religious traditions. Towards all the women irrespective of their religion, cast and class, Babasaheb had a particular humanitarianism view. He frequently raised his voice against all supports of injustice towards women.

Dr. Babasaheb Ambedkar was a path-maker of all the women irrespective of religion, caste, creed, gender and brought a new trend for uprising the women through his thoughts and beliefs. Along with women all the people of India should be proud for the tremendous and everlasting steps for the empowerment of women in Indian society carried by Dr.Babasaheb Ambedkar. He also talked about the Muslim women about wearing veil, their religious traditions and marriages and fought against all kinds of discrimination against women throughout his whole life. But still discrimination against women in Indian society is over looked. So it is a duty of every Indian to fulfil the dreams of Ambedkar for a better life world of women. It may also be mentioned here that the term, ”Social Justice” will not be exercised properly if the people of India should not be able to change their attitudes specially towards women, SCs, STs and other weaker section of the society.

The Practice of Burkha, Purdah:

In Arabic, the veil is called ‘hijab’ which means to cover, to hide or to stand in between. The Holy Quran does not use the word hijab for women in general. Instead it exhorts women not to display their zeenath (adornments, charms) publicly. (verse 2431)

Since the crucial word in the Holy Quranic verse is ‘zeenah’, and not ‘hijab’ , Ulema agree that women can keep their faces exposed . The Holy Quran places no restrictions on women such as we find in many Muslim societies today. They are free to move, exercise their rights and even earn a living. One does not find a culture of purdah, as observed today, anywhere in the Holy Quran. Women are supposed to be active members of society alongside men. Dr.Ambedkar highlighted the issues of Muslim women. His secular perspective is known through his thoughts on ‘purdha’(Veil) system, religious conversions and legal right for Muslim women. In short, along with the depressed class women, his thoughts for emancipation of all the women are expressed with same allegiance.

Dr.B.R.Ambedkar quoted that “There can be no manner of doubt that the Muslim society in India afflicted by the same social evils like that something more is the compulsory system of purdah for Muslim women. As a consequence of the purdah system a segregation of the Muslim women is brought about. The ladies are not expected to visit the outer rooms, verandahs or gardens; their quarters are in the back- yard. All of them, young and old are confined in the same room. No male servant can work in the presence. A woman is allowed to talk only her sons, brothers, father, uncles and husband or any near relation who may be admitted to a position of trust. She can go even to the mosque to pray and must wear burka (veil) whenever she has to go out. Such seclusion cannot but has its deteriorating effects upon the physical constitution of Muslim women. Their bodies are deformed, with their backs bent; bones protruded, hands, feet crooked. Ribs, joints and nearly all their bones ache. Heart palpitation is very often present in them. The result of this pelvic deformity is untimely death at the time of delivery. Purdah deprives Muslim women of mental and moral nourishment. Being deprived of healthy social life, the process of moral degeneration must and does set in. Being completely secluded from the outer world, they engage their minds in petty family quarrels with the result that they become narrow and restricted in their outlook. “They lag behind their sister from other communities, cannot take part in any outdoor activity and are weighed down by a slavish mentality and an inferiority complex. They have no desire for knowledge, because they are taught not to be interested in anything outside the four walls of the house. Purdah women in particular become helpless, timid, and unfit for any fight in life. Considering the large number of purdah women among Muslims in India, one can easily understand the vastness and seriousness of the problem of purdah.

Let us thus follow the Holy Quran and not the social customs and traditions of yore which only reflect certain medieval values more than the actual Quranic injunctions. Let us not paralyse half of the Muslim population in the name of Islam. If women too become active members of Muslim society, the order emerging will be much more dynamic and socially healthier. The Muslim has the lowest literacy rates among all religious communities in the country. Muslim lagged behind with a literacy rate of only 67.6% as against the national rate of 74%. Across India, 48.11 per cent (4.03 crore) of Muslim women cannot write or read even their names. The worst literacy rate among women is in Muslim Community at 51.89 per cent. While 4.35 crore out of 8.39 crore Muslim women have ability to read and write.

Constitutional Provisions for Women Emancipation:

Dr.Ambedkar was appointed Chairperson of the Drafting Committee for the Constitution. Hence, he is rightly called the architect of Indian Constitution. There have been made special provisions in the Articles 13, 14, 15 and 19 assuring no discrimination based on religion, race and gender. The 15th Article is about equality allowing the women the right to visit public places. Article 15 D gives assurance of special protection to women and children. The 16th Article allowing women job opportunities in Government sector. Article 19th is about their right to freedom. The 21st Articles helps women save from exploitation, whereas the 23rd Article bans the trade of bonded women. The women are given cultural and religious rights according to article 25th. These Constitutional provisions bear witness to the earnest efforts taken by Dr. Babasaheb for women’s emancipation.

Conclusion

Dr. Ambedkar criticized the fundamental reasons responsible for the exploitation of women. He was against polygamy which was an expression of male domination. For him both men and women must have equal status. For him both men and women must have equal wages for the same kind of work. Dr.Ambedkar emphasised the need of giving women their due respect and freedom. He attached great importance to the character of women. He demanded political rights for women. Thus, Dr. Ambedkar focused all-round development of women.

Dr.B.R.Ambedkar was one of the very few Indians who struggled to restructure Indian Society with the most equalitarian and humanitarian principles.⁸There is no field of human activity which the woman has not stormed her entry into; and none in which they failed to perform equally well with men. Once entered any field, they never stepped

⁸ Salwade.S.N, Dr. B.R.Ambedkar and Emancipation of Women, Oxford Book Company,2011,p,1.

backward, rather, many times overstepped their male colleagues forward. They are good educationist, teachers, scientists, politicians, administrators, business executives, artists, etc. and, given an opportunity, can do any job, and carry out any assignment. She has attained some economic independence, one may say so. The status of Muslim women has, indisputably, in some respects, improved, and the constitutional guarantees have worked well to bring about that state of things. Despite a number of constitutional guarantees and enactment of various laws providing against exploitation and enactment of various laws providing against exploitations of women, wherever and in whatever form it be-like, for instance, statutes prohibiting dowry, granting equal treatment in matrimonial, divorce and succession matters, and in the matters of adaptation, giving liberty to a widow to re-marry, liberalising maintenance laws, so on and so forth, the women still remains unequal; her role as a house-keeper and bearer of children, and that of second fiddle to man, unchanged.

We need total transformation of the man's mind. And the outlook of the society towards women drastically changed, for the emancipation of women. And that is our goal.

On this occasion, let us take a pledge that we as a nation, and individually, set down to contributing whatever we can for achieving the constitutional goal of equal society, as envisaged by the preamble and Part IV of our constitution, in which alone can the equality before law be meaningfully predicated, and, thereby, help realise fully the constitutional concept of social justice, and the most cherished dream of Dr. Ambedkar. To me, it seems, education, and a greater lot of it, at grass root level, is the surer means for obtaining the desired results, and by various methods, including the use of electronic and press media more constructively and creatively. Let us seek pride in belonging to an egalitarian, just and prejudice-free society.
