# Reconstructing Social Justice Through the Lens of Janapada: A Post - Colonial Perspective

**Shikha Kumari**

Assistant Professor, Department of Political Science, Sunbeam Women's College, Varuna
Email: *shikhapathak5801[at]gmail.com*

**Abstract:** *The word Janapada is first mentioned in the Shatpatha Brahman and Aitareya scriptures. Additionally, according to the Vedic Samhita, Janapada derived from the name Jana, which signifies tribe. Unknowingly or intentionally, the tribe's members developed the concept of social justice by believing that their community shared resources and ancestors. These tribes were also pastoral communities, but over time, they became linked to particular regions, which limited their mobility and led to the creation of the Janapada system in antiquity. Janapada, thus, might be interpreted as a community or as the land that people live on, signifying a comprehensive interdependence between governance, land, and society. The idea of social justice will be reconstructed in this essay using post-colonial philosophy as a framework. Justice has always been a difficult idea to describe precisely. Plato, a political philosopher, characterised justice as a virtue that fostered harmony and order in a particular community. The definition in the Janapada system will be examined in this essay while ensuring social justice for the Jana. It will also look at post-colonial theory, which believes that the Janapada system strives for community well-being and cultural reassertion. An indigenous system has been severely destroyed by the colonial system and contemporary ideas of centralised power. It is always said that the colonial system introduced good governance techniques and the idea of justice to India. However, social fairness, good governance, and public engagement were fundamental principles of Indian society. Through the proposal of a community-based model of justice that recognises indigenous knowledge systems and social cohesiveness, as well as a system of decentralisation of power, this article will offer pathways. Additionally, this article will offer a strategy for re-establishing social justice in post-colonial cultures by supporting local administration, distributing resources fairly among the underprivileged, and highlighting the indigenous culture of each and every tribe.*

**Keywords:** Social justice, post-colonial theory, good governance practices, colonial theory,

## 1. Introduction

According to Mahajan (2008), the term "justice" implies the state of being rational, right, or just. From the Greek era until the present, the term "justice" has been derived from a variety of ideas, including legal, natural, moral, and divine. People's social consciousness is the driving force behind the creation of the concept of justice. Justice in Plato's view is virtue. Justice may be served if a man performs his duties without interfering with other people's work. However, John Rawls argues that the modern conception of justice is more legal in nature. Legal justice deals with the idea that everyone should receive justice in accordance with the law and that laws should be reasonable.

However, the idea of justice encompasses more than just treating equals equally and unequal unequally. It is more about the growth of the entire community, which gave rise to the concept of social justice. The idea of social justice was first introduced by Karl Marx, who called for the distribution of resources among all members of society, particularly the working class

However, Social justice remains a contested concept within social work, social development and policy debates (Che, 2024). In the pre-colonial era, social justice was a topic that many scholars, researchers, and activists had studied. In the post-colonial era, it has become a global issue, especially in the wake of colonialism, which hampered and upended indigenous culture, tradition, and the knowledge governance system. Colonialism's western paradigm of total isolation, little intervention, and governmental structures has supplanted traditional social organisation, community feeling, and political engagement. According to Edward Said,

orientalism is the term used to characterise the West's frequently skewed and condescending perception of the East. In contrast to the dynamic and forward-thinking west, Eastern cultures were frequently portrayed as backward, foreign, and unchanging, which contributed to the perception of Eastern cultures as other.

Deeply ingrained in prehistoric Indian sociopolitical systems, the idea of Janapada provides a crucial framework for comprehending and re-establishing social justice in a post-colonial setting. Social, political, legal, and economic justice were all practiced by Janapada. However, the question is whether indigenous social justice practices have an impact on the modern state, particularly the capitalist one, where there are notable disparities between various societal segments. What indigenous practices of good administration, which have been practiced since ancient times by several historical rulers like Ashoka and Samundragupta, were interrupted by colonial power? How might indigenous political culture be revitalised by post-colonial theorists? Is the 73rd Amendment Act of 1992 a step in the direction of social justice? Was it influenced by the Janapada system, in which units were more powerful and actively participated in promoting political awareness and social justice. In light of this, this essay will investigate how Janapada might help rebuild social justice by looking at its meaning, historical significance, cultural resonance in post-colonial societies, and applicability in resolving current social issues. It will also highlight the significance of 73rd in ensuring social justice, which will empower all facets of society.

### Understanding Janapada
Janapada, derived from the Sanskrit words "Jan" (people) and "Pada" (foot or place), refers to the land or territory inhabited

by a community of people bound by common cultural, social, and economic ties. Word Janapada can trace through various sources of ancient period. Panini, the celebrated Sanskrit grammarian mentioned a word janapada as locality or the inhabitant in his famous work Asthadhyayi (Bapat, Gokhale; 2006). In Rigveda one finds the concept of state and kingship which was controlled by Sabhas and Samiti. Due to great centralization of power and rise of small states affect power of Sabhas and Samiti and these small states which was not bigger than district called as Janapada (Bapat, Gokhale: 2006). Some of the Janapada were Anga, Avanti, Cedi, Sakya, Trigarta and so on which later became a Mahajanapadas. Only 16 Mahajanapadas had survived and rest Janapada had fallen down because of absolute monarchical nature of Government. These 16 Mahajanapada had also recorded in Buddhisit texts. During his time Janapada were affected due to annexation, breakup and invasion coming from inside and outside of India(Shah;2022). In short, Janapada translates to "land" or "territory," encompassing not just the physical space but also the communities that inhabit it. In ancient texts, Janapada is associated with governance, community identity, and socio-economic life. It reflects a collective identity, where the term signifies both the people (Jana) and the land (Pada) they occupy. This duality is crucial for analyzing how social structures are formed and maintained.

## The Historical significance of Janapada

People in Janapada were bound together by social, cultural, and economic bonds. As he engaged with his cosmic surroundings, whether consciously or unconsciously, man in Janapada could anticipate perfect equity (Underwood, 1978). They ensured social fairness through their engagement. The Janapada were autonomous, decentralised areas with a system of local government based on cooperation and support among themselves in ancient India. Villages were a tiny but significant unit of government that frequently handled all welfare tasks for its residents and relied on consensus for all of its decisions. Local elders, also known as sabhas and samities, were crucial in resolving conflicts between villages under the Janapada system, which guaranteed local autonomy. Greater cohesiveness, shared accountability, and respect for one another's customs were all guaranteed by this decentralised structure. There were very few limitations on marriages, changing occupations, and commensality in Janapada society, which was mostly separated along occupational lines.

Local autonomy gradually declined as a result of foreign invasion and the establishment of a bigger monarchy. But after India was conquered, it lost all of its standing. These structures were drastically changed by colonialism, which also created a centralisation system and destroyed the old legal system. In his book "Black Skin, White Mask," Frantz Fanton made the case that native people attempt to become as white as possible by assimilating their western cultures, morals, and fashion sense, which upends their own set of values. It was referred to as mimicry by Homi K. Bhabha. The idea of social justice has been totally transformed by this process. In an effort to mend the scars left by colonialism, post-colonial cultures fight to restore indigenous models of social justice. Thus, in order to achieve true equity in society, W.E.B. Du Bois and Frantz Fanon stress the importance of resolving historical injustices. An older concept of social

justice cannot be brought back, but some of its fundamental ideas could be updated to promote equality and fairness among various societal segments.

## Reconstructing Social Justice: Lessons from Janapada

Through the lens of Janapada, social justice must be reimagined as a living, communal process rooted in local custom, shared values, and relationships developed among them, rather than as a set of moral ideals as supported by Plato, as ensuring natural justice in which the state will only protect people's life, liberty, and property, or as a legal abstraction enforced by distant authorities. The following Janapada concepts can be used as a basis for its rebuilding in the modern day.

## Decentralization and local autonomy

In the Indian political system, the decentralisation notion dates back 150 years (Rao, Hazarika, 1978). Decentralisation is the process of transferring political, economic, and administrative authority from the federal level to state and local levels of government, or distributing authority, organisational tasks, and activities among the lowest tiers of government. Political organisation was not explicitly mentioned in the Janapada system, but according to certain literature, political life was arranged under a single, powerful leader—the king—who could also be removed by the populace (Singh, 1998). The king's primary duty was to defend the populace against foreign invasion and outsiders. Local governments, mostly villages or Grama, which were the fundamental administrative units, were given the authority to enact laws. The head of Gram, known as Gramini, was more of a fighting unit than a fixed entity. Gramini served in both the military and the civil service. Additional Janapadas were centred on local councils or assemblies, where people from the community came to decisions together. This demonstrates that the Janapada system was more decentralised and power flowed from top to bottom, ensuring greater good governance, in contrast to the colonial system, which maintained a position of superiority and followed a regulatory process.

## Community Participation and Consensus-Based Decision Making

In Janapada, the pursuit of justice was frequently a group endeavour. In his book "A Theory of Justice," John Rawls also introduced the idea of the Veil of Ignorance. It was more akin to an experiment in which individuals designed a just society without being aware of their own personal details, such as gender, race, or caste. Two assemblies known as the "Sabha" and "Samiti" existed in the Janapada system. The purpose of the Sabha, an elder assembly, was to uphold law and order. Women also had the right to take part in and talk about community issues. The strict caste system, untouchability, and racial and gender discrimination were barely noticeable. Samiti, on the other hand, was an august assembly of a bigger group of people to conduct tribal business and oversee the king's election (Singh, 1998). Women participate in it as well. Elders or village assemblies served as mediators in this manner, and disagreements were settled by discussion, compromise, and agreement. In order to guarantee that judicial systems are influenced by the ideals and lived experiences of the people they impact rather than being merely imposed by elites or outside authority, this participatory paradigm is crucial. In addition to allocating

resources, social justice also involves guaranteeing that citizens participate in political decision-making.

## Equity and Collective Welfare

Pastoral and agricultural activities were the primary economic activities of Jana of Janapada. Barley and wheat are two crops that are found in the Rigveda. The agricultural area was separated into tiny plots, and cooperative farming was used for irrigation, water conservation, and cultivation. Community welfare and resource sharing were the guiding principles of Janapada life. The distribution of land, labour, and wealth was frequently based on community needs rather than personal accumulation. The Vidath system was the name given to this method of redistributing income and resources. Kautilya did not stifle individual initiative and profit in production since, as he wrote in his book Arthashastra, the state's prosperity was reliant on the wealth of its citizens (Bhat,2023). The contentment of his subjects also affected the king's level of happiness. Kautilya goes on to recommend several ways to guarantee social justice, including instructing the state should provide for the needs of education, health, entertainment, and spirituality; making sure that tax laws and regulations are clear; and encouraging social harmony to prevent the weak and impoverished from feeling vulnerable and taken advantage of (Bhat, 2023). The Janapada model provides a vision of justice that puts the needs of the community first and works to alleviate structural inequalities in contemporary post-colonial situations where the legacy of colonial exploitation has resulted in notable economic inequities.

## Post-Colonial Theoretical Framework

By highlighting the perspectives and experiences of marginalised communities, post-colonial philosophy aims to eliminate the legacy of colonialism. Important theorists like Gayatri Chakravorty Spivak and Homi Bhabha offer frameworks for analysing Janapada in modern settings:

## Hybridity

It is always the tendency of colonial authority to present itself as superior. The foundation of white subject theory was the idea that he was unaffected by the thing he invaded (Mizutani, 2013). Many ideas, such as the concept of liberty and western traditions and values, were brought by white subjects and had an impact on Indian culture. Numerous political procedures and governing concepts have been created. However, it would be inaccurate to claim that every white person alienates them from the place they colonise. The term "hybridisation," coined by Homi K. Bhabha, refers to the way colonialism produced new cultural forms by fusing aspects of both coloniser and colonised cultures. It would be incorrect to claim that colonialism is what led to India's progress in securing justice; rather, it was a part of Indian cultures where resources were divided fairly, community-based agriculture was practiced, women were respected, and they had access to both political and economic rights. Complex solutions are needed for today's problems, such as environmental degradation, global inequality, and technological transformation. Nonetheless, Janapada ideals such as equality, decentralisation, and community involvement can support contemporary legal and political structures, offering

a comprehensive strategy for social justice that honours both history and advancement.

## Subaltern Voices

In his book "Can Subaltern speak?" Gayatri Spivak analyses the idea of a subaltern group using three frameworks: Deconstructivism, feminism, and Marxism. Spivak's emphasis on subalternity emphasises how crucial it is to provide voice to people who are excluded by prevailing narratives. This strategy promotes an investigation of how local populations in Janapada negotiate their identities and oppose prevailing cultural impositions. According to Spivak, people or groups moulded their lives in accordance with social and political unseen voices. Western society created them. Her concept might be used to investigate the colonial exploitation of underprivileged groups whose voices were ignored. Their voice is frequently silenced or distorted by the system they established for the underprivileged. Their governmental system's agriculture policies were wholly exploitative of the underprivileged. As the backbone of Janapada societies, peasants were frequently used by state authorities and landlords to pay greater taxes, settle permanently, and other benefits. During Janapada, women who enjoyed equal treatment and the political and economic right to participate in the Sabha and Samiti had lost their status during the colonial era. The Janapada system's restorative justice, which frequently re-establishes community balance by reintegrating wrongdoers, has evolved into punitive justice for marginalised groups, where vengeance takes precedence over reconciliation. The marginalised segments of society are becoming increasingly violent as a result of this system. In order to help reduce in bigger communities, it is critical to listen to the voices of subalterns and ensure their social justice.

## Contemporary reflections of the Janapada system in ensuring social justice

For modern post-colonial societies, reconstructing social justice via Janpada's perspective has useful ramifications. The effects of colonialism, including racial prejudice, economic inequality, and political disenfranchisement, are still being felt in many of these cultures. The Indian government had a difficult time upholding justice after gaining independence. Despite the aforementioned issues, Indian citizens also had to deal with issues related to agriculture, education, health, and unfair land distribution, among other things. In addition to reflecting the Janapada System, which offers a route to healing and reconciliation, our constitution contains numerous articles that guarantee social fairness.

## Community Empowerment

The social justice philosophy envisioned in the Indian Constitution's preamble is essential to the operation of democracy (Verma, 2002). The community had greater political ability to make laws during the Janapada period, the king was primarily in charge of protecting his subjects, and the elder members of the society were primarily interested in discussing political issues. They were likewise justified in overthrowing their ruler. In particular, Janapada practiced deliberative and participatory democracy. The idea of basic democracy has changed, been refined, and become flawless in modern times (Verma, 2002). Empowering the community is crucial to re-establishing the harmonious cohabitation of

social and political institutions. Consequently, the Panchayati Raj system was established by the 73rd amendment of 1992. The idea of a panchayati raj institution is not new to India; it has been around since ancient times (Ananth, 2014). According to Anatha (2014), we have proof of the Manusmriti, Arthashastra, and Mahabharata. However, as time went on, authority became concentrated, and the fundamentals of the Panchayati Raj system were lost. Mahatma Gandhi always envisioned the Panchayati Raj system as a way to give "power to people." With 50% reservation, women's empowerment really progressed alongside economic prosperity thanks to the panchayati raj system. The Panchayati Raj system thereby strengthened the drive for economic modernisation and guaranteed the growth of local leadership. Additionally, PRI was in charge of maintaining facilities related to health, education, hygiene, and other welfare.

### Inclusive Governance
The equitable distribution of power, resources, and rights among societies is a fundamental value of good governance. Both the procedure and the result must be equitable and open. Political accountability, inclusive participation, listening to the opinions of under-represented groups, and embracing the nation's diversity are its defining characteristics. In the past, Janapadas' governance structures comprised councils that represented a range of community interests. Articles 14 to 16 of the Indian Constitution guarantee that all citizens are equal before the law, that they have the right to defend themselves against discrimination based on caste, class, race, and gender, and that they have the right to employment opportunities. These provisions are meant to promote good governance in the country. The Indian government adopted the ideas of Lokpal and Lokayukta as well as the right to information in an effort to increase citizen participation in political matters and make government procedures more transparent. Although they operate at separate levels, Lokapal and Lokayukta both sought to combat corruption and advance accountability in India. While Lokayukta performs a similar role at the state level, Lokapal is the national anti-corruption authority. The Right to Information Act gives citizens more authority, encourages accountability and openness in government operations, combats corruption, and ensures that our democracy truly serves the interests of the people. Article 19, which guarantees freedom of speech and expression, is further embodied in this statute.

### Cultural Reclamation
Reclaiming indigenous knowledge and practices is becoming more popular in post-colonial contexts as a way to preserve culture and promote social change. Societies can benefit from centuries-old customs that have been overlooked or forgotten by incorporating aspects of the Janpada system into modern government. The scars left by colonialism can be repaired and a more just and equal society can be established via this process of cultural revival. Certain clauses in the Indian constitution protect the cultural customs of the underprivileged. The Indian Constitution's Article 29(1), for example, provides the right to preserve "any section of citizens" who speak a particular language, script, or culture. Minorities' right to defend and maintain their culture is so guaranteed by this article. Because it forbids discrimination on the grounds of race, religion, caste, or language, Article 29(2) safeguards the equality of all citizens. Cultural and linguistic minorities are permitted to create and run their own educational institutions under Article 30. Minority communities' rights to promote their cultures and languages are so safeguarded by this right. The government is not allowed to refuse state funding or assistance to minority educational institutions, according to Article 30(2). Stated differently, it guarantees equal protection for all groups in the educational system and forbids discrimination. Provisions concerning cultural life are also included in Part IV of the Constitution (Directive Principles of State Policy). The state has a positive duty under Article 43 to guarantee that all workers can take use of social and cultural possibilities. According to post-colonial theorists, attaining justice requires regaining cultural identities.

## 2. Conclusion

Through the lens of Janapada, social justice reconstruction is a viable way for post-colonial nations to confront the systemic inequities that colonial institutions have long maintained. Societies can develop more inclusive, participatory, and equitable systems that represent the needs and values of the populace by incorporating indigenous models of social welfare, justice, and governance. The decentralisation, restorative justice, and collective welfare tenets of the Janapada model offer a useful framework for rethinking social justice in the modern world, even though it might not provide a one-size-fits-all answer. In this sense, Janapada functions as a living tradition as well as a historical idea that can direct the post-colonial era's reconstruction of justice.

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