

Social Justice and Indian Context

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Abstract: *The concept of basic human needs involves drawing a list of foundational needs of both, physiological and social. The term social justice implies a political and cultural balance of the diverse interests in society. Social justice is a principle that lays down the foundation of a society based on equality, liberty and fraternity. The basic aim and objective of society is the growth of individual and development of his personality.*

Keywords: Human development, social justice, democracy in India

1. Introduction

Human development means the expansion of freedom and rights of the people so that they may have the capacity to lead the kind of life they value. The persistence of social disabilities such as the caste system, untouchability, religion and discrimination against women, the development and socio-economic changes is to have a right based approach to development. Human development is based upon the principles of equality and justice for all. The constitution reflects an uncompromising respect for human dignity, an unquestioning commitment to equality and an overriding concern for the poorest and weakest in the society.

The concept of basic human needs involves drawing a list of foundational needs of both, physiological and social. It arrives at a list of the minimum social needs- right to food, housing, health, education and livelihood provide foundation upon which human development can occur and human freedom can flourish. These basic social rights should be conceptualized in terms of an entitlement both to be equal as humans and to be equal as members of the society. Naom Chomsky once said, "In this terminal phase of human existence, democracy and equality are more than just ideals to be valued, they may be essential to survive."

The term social justice implies a political and cultural balance of the diverse interests in society. Pluralism or democracy is the only means by which is indeed a dynamic process because human societies have higher goals to attain. Social justice is an integral part of the society. Social injustice can not be tolerated for a long period and can damage society through revolts. Therefore the deprived class should be made capable live with dignity. Social justice is a principle that lays down the foundation of a society based on equality, liberty and fraternity. The basic aim and objective of society is the growth of individual and development of his personality. The concept of social justice is a revolutionary concept which provides meaning and significance to life and makes the rule of law dynamic. When Indian society seeks to meet the challenge of socio-economic inequality by its legislation and with the assistance of the rule of law, it seeks to achieve economic justice without any violent conflict. The ideal of a welfare state postulates unceasing pursuit of the doctrine of social justice. That is the significance and importance of the concept of social justice in the Indian context of today.

Social justice is not a blind concept. It seeks to do justice to all the citizen of the state. A democratic system has to ensure that the social development is in tune with democratic values and norms reflecting equality of social status and opportunities for development, social security and social welfare. The caste system acts against the roots of democracy in India. The democratic facilities like fundamental rights relating to equality, freedom of speech, expression & association, participation in the electoral process, and legislative forums are misused for maintaining caste identity. It is true that India has been an unequal society from times immemorial. There are enormous inequalities in our society which are posing serious challenges to Indian democracy. Democracy, therefore, must not show excess of valour by imposing unnecessary legislative regulations and prohibitions, in the same way as they must not show timidity in attacking the problem of inequality by refusing the past the necessary and reasonable regulatory measures at all. Constant endeavour has to be made to sustain individual freedom and liberty and subject them to reasonable regulation and control as to achieve socio-economic justice. Social justice must be achieved by adopting necessary and reasonable measures. That, shortly stated, is the concept of social justice and its implications. The basic aim of social justice is to remove the imbalances in the social, political and economic life of the people to create a just society. It means dispensing justice to those to whom it has been systematically denied in the past because of an established social structure.

Babasaheb Dr. Ambedkar did not propound any specific definition or theory of "Social Justice". On the basis of these we can easily argue that Ambedkar has mentioned multiple principles for the establishment of an open and just social order in general and Indian society in particular. Therefore with the help of these elements we can carve out a theory of social justice, what can then be referred as Ambedkar's theory of Social Justice. We can extract five basic principles, from writings and speeches of Ambedkar, through which justice can be dispensed in the society. These are:

1. Establishing a society where individual becomes the means of all social purposes
2. Establishment of society based on equality, liberty and fraternity
3. Establishing democracy- political, economic and social.
4. Establishing democracy through constitutional measures and

5. Establishing democracy by breaking monopoly of upper strata on political power

Going by the principles of Ambedkar's theory of social justice, Ambedkar was of the opinion that Social Justice can be dispensed in a free social order in which an individual is end in itself. Associated life between members of society must be regarded by consideration founded on liberty, equality and fraternity.

2. Conclusion

It might be asked why the principle of equal justice has failed to have its effect. The answer to this is simple. To enunciate the principle of justice is one thing. To make it effective is another thing. Whether the principle of equal justice is effective or not must necessarily depend upon the nature and character of the civil services who must be left to administer the principle. The solution to social injustice lies within us only. We should be aware of the expressions - the poor, the backwards, social justice which are being used to undermine standards, to flout norms and to put institutions to work. We should shift from equality of outcomes to equality of opportunities. And in striving towards that, politicians should be doing the detailed and continuous work that positive help requires, the assistance that the disadvantaged need for availing of equal opportunities. Social processes are constantly changing, a good legal system is one which ensures that laws adapt to the changing situations and ensure social good. Any legal system aiming to ensure good should ensure the basic dignity of the human being and the inherent need of every individual to grow into the fullness of life.

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