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SOCIAL JUSTICE: A RELATIVE CONCEPT

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“Freedom is incomplete without Social Justice- Atal Bihari Vajpayee”

ABSTRACT

From time immemorial, the concept of Social Justice is to be understood as social fairness. But there have been many misconceptions arising in the current scenario. Our society has been incapable to put the true meaning to this concept. Social Justice is the act of fair opportunities and rights. There should be no discrimination based on gender, caste, religion etc. The society is apparently a place denuded of any sort of biasness. But due to the social imbalance of various cultures, religions, etc., there is an extreme discrimination. But the society is evolving with time. Various measures and steps have been taken to reduce this gap and avoid this injustice.

INTRODUCTION

Before setting forth and explicating the concerned topic, we need to understand the term ‘Social Justice’. The Oxford Reference of Social Justice states it as *‘the objective of creating a fair and equal society in which each individual matters, their rights are recognized and protected, and decisions are made in ways that are fair and honest.’*

The significance and importance of Social Justice have always been in the representation, be it the historical era or the present times. Social reformers left no stones unturned when it came to fight for evils of the society. The sacrifices and efforts made to glorify the notion of Social Justice are remarkable. These concoctions of alphabets would have crossed every mind on this Earth but the point of concern is whether it has been interpreted correctly and fed to the brain or is it still a debateable issue? The term social justice implies the political and cultural balance of the distinct interests. The concept of social justice finds itself evolving as law. It emerges into new patterns and expands its frontiers. Despite the reason of being an important concept, its prevalence cannot be forever. It leads to rebellions and discontent among the members of the

society. Social justice is a concept of the society and thus it should be adopted in a rational manner without jeopardizing any personal rights and liberties. The Supreme law of land enunciates social justice as an integral part and thus requires obeisance. The meaning and mannerism of life is engraved through this revolutionary notion of social justice. This concept is gorged up with myriad connotations and involves aspects of economic justice too. It includes being at par with the concept of welfare state and is a consequence of Rule of Law. It is supposed to be conterminous with social welfare. This is said so because social justice is expected to expunge all sorts of inequalities and discrepancies of wealth, caste, sex, colour.

Mr. Justice K. Ramaswamy has expounded the concept of social justice in **Consumer Education Research Centre v. Union of India**¹ and observed:

‘The Preamble and Article 38 of the Constitution of India, the supreme law envisions social justice as its arch to ensure life to be meaningful and liveable with human dignity. Social justice is thus an integral part of justice in a generic sense. Justice is genus, of which social justice is one of its species. Social justice is a dynamic device to mitigate the sufferings of the poor, weak Dalits, tribal’s and deprived sections of the society and to elevate them to the level of equality to live a life of dignity.’

Social Justice is a hollow concept if there is no description of B R Ambedkar. He is one of the proponents of the Indian culture and is the moderator of social concepts like untouchability, social justice etc. According to Ambedkar, the term “social justice” is based upon equality, liberty and fraternity of all human beings. In his vision, there should be no discrimination, inequality based on caste, creed, sex, wealth and power. Since, this concept involves multiple aspects; it therefore attracts views and opinions of various scholars, jurists and thinkers. According to Ambedkar, social justice is a bundle of rights which includes certain haves and haves-not. He belonged to the Mahar Caste which had to deal with untouchability and was subjected to socio-economic discrimination. Here not only did the man hated man but there was an absolute distancing from the shadows of certain group and communities which were known as Dalits or Harijans. The file of untouchability is anyway opened and known to everyone. The derogatory behaviour towards the lower castes was highly condescending. They were always

¹MANU/SC/0175/1995

looked down and were deprived of the best opportunities in the society. Beaming around were only eyes full of disdain geared up with weapons of humiliation. The downtrodden found it impossible to take a stand and come forth their suppressors since it was nothing but the gift of the caste system and social structure that protected the upper castes. The need of the hour was a knight in shining armour to save the community which was up the creek. This is when, Ambedkar was more than willing to take a stand for getting justice to his fellow community members and raise the issues being faced by all other lower castes. He completed his higher education and threw himself into this fire of inequality in order to represent the depressed classes and fight the evils of the society.

He was the crusader of social justice and the chief architect of the Indian constitution. He ensured through this Supreme law of land that there stays no inequality in the society. His perception involved providing for a different and altered social order conceiving the ideas of equality, liberty and fraternity. These three words were his only motto and weapon to achieve his goals and make the society a better place to live in for the lower caste. Ambedkar was very clear on his idea of social system wherein it was supposed to be fair and impartial place for everyone. No man would be preferred over other owing to his/her caste or birth. He was completely against any sort of hypocrisy, inequality or favourable treatment of man by man over religion. But, he did single out the policy of preferential system for the socially oppressed and economically backward people. His idea of social justice involves fraternity and emotional integration. He drafted the Constitution of India that contains numerous provisions and articles that make it a state obligation to cater to the needs and rights of the downtrodden. It enjoins the state to provide for equal economic, social, political and all other opportunities to each and every citizen of the country. He believed in a real democratic establishment only when equal opportunities were to be available for the untouchables in a society. The principles of reservation for the betterment of the SC's and ST's were sanctified by him for them to outclass in all spheres of life; economically, socially and educationally. Due to his efforts, today it is well observed that there are multiple schemes and programmes for the lower class which provides them reservation and/or pecuniary concessions so that there remains no hardships in getting equal opportunities. His philosophy encouraged social amelioration, political enlightenment and social awakening.

Ambedkar was recognised to be the leader of Dalits. He ensured no discrimination against them and all other lower castes. He provided for equal opportunities for women as well. He had an impeccable vision and always thought far ahead of his contemporaries. It was sighted by him that the progress of women in a society is an indicator for the advancement of that society. He used to often deliver speeches and launch programmes for creating awareness amongst the lesser known. He addressed and encouraged many Devadasis, Muralya's and Jogathinis to come out of their occupations and live a life of comfort and content. His arguments were always unbiased and were probed deep into the centre of the problem.

There has been adoption of numerous practical measures to evolve the paradigm of Social Justice. First and foremost is the addition to the constitutional provisions to bring into reality, the thoughts of Ambedkar and Nehru. Politically, there have been advancements to make the influence felt. This can be witnessed in the composition of the Cabinets at the Centre and the State level.

To put the lid on, I would like to comment that though Ambedkar is no more with us but his efforts should not go barren. We should strive to accomplish what he aimed for; because although we are in the 21st century, but this notion of equality is still a dream. On one hand, the city holds skyscrapers but the other side is still covered with dirt of unhealthy living laces, crime rates, and illiteracy and is definitely far from that luxury. His ideas could not be realized completely and lack a proper mannerism. The efforts are yet to be maintained in order to propagate his ideas in the civil society.

It depends on us: Social Justice: dream or reality?