

# LEGALFOXES LAW TIMES

## Dr. B.R. Ambedkar & Social Justice

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### INTRODUCTION

**Rousseau once wrote- ‘Man is born free, but everywhere he's in chains’.** This very idea became the foundation on which the French Revolution was fought. Ideas of justice, liberty and fraternity became the dominant principles of the revolution. These ideas also influenced the Indian national movement and its leaders including Dr. Ambedkar.

B.R. Ambedkar, as is well known, the Chairman of the Drafting Committee of the Constitution of India, devoted most of his intellectual, social and political efforts to give expression to his belief in the ideal, “Sarve Bhavantu Sukhinah SarveSantu Niramayah” i.e. the good and prosperity of all and struggled throughout his life for securing the rightful place for the discriminated, deprived and downtrodden sections of our society. This was unthinkable for most belonging to his caste. Dr Ambedkar belonged to the ‘mahar’ caste who are considered untouchables. Even at the time of independence India was still a socially backward country.

### CONCEPT OF SOCIAL JUSTICE

The concept of social justice emerged out of a process of evolution of social norms, order, law and morality. It laid emphasis upon just action and created space for intervention in the society by enforcing rules and regulations based on the principles of social equality. The term ‘social justice’ consists of two words: one is social and the second is justice. The term ‘social’ is concerned with all human beings who live in society, while the term ‘justice’ is related to liberty, equality and rights. Thus, social justice is concerned with ensuring liberty, providing equality and maintaining individual rights for every human being in society. In other words, securing the highest possible development of the capabilities of all members of the society may be called social justice.

Being a multi-dimensional concept, social justice has been viewed by scholars of law, philosophy and political science differently. The term is quite comprehensive. Social justice is a bundle of rights; it is the balancing wheel between the haves and have-nots. One of the most disturbing facets of Indian society was the caste system. **It is unfortunate that even sixty years after independence social justice is still a distant dream not within the reach of the masses .The Schedule Castes, Schedule Tribes and women under the traditional Hindu Caste hierarchy had suffered for centuries without education and opportunities for advancement in life. Social justice is compensatory justice to offset the accumulated disabilities suffered by these historically disadvantaged sections of society and absorb them educationally and occupationally in the mainstream of national life.**

## **AMBEDKAR'S VISION OF SOCIAL JUSTICE**

According to the Ambedkar's vision , the term "social justice" is based upon equality, liberty and fraternity of all human beings. The aim of social justice is to remove all kinds of inequalities based upon caste, race, sex, power, position and wealth. The social justice brings equal distribution of the social, political and economical resources of the community.

Systematic discrimination was widely prevalent and practised. This was one of the cardinal principles which shaped Dr Ambedkars fight for justice. He knew that as a society which had cultivated a certain mindset for hundreds of generations, it would be difficult if not impossible to do away with caste. In light of the above he devised a system of reservation to allow equal access and opportunities to all.

This view was different from Gandhi who viewed only untouchability as a problem and not the whole caste system. Gandhi wanted to eradicate untouchability but did not fully open discussion on how to ensure equal opportunity. Dr. Ambedkar did not agree with this view. He believed that

as long as there were castes there would be outcastes. As long as the caste system existed there would be a hierarchy. His vision was a society where there were channels for everyone to access opportunities equally. Dr Ambedkar had a clear vision regarding social justice- he was deeply influenced by ideas of liberty, equality and fraternity. He envisioned a society wherein no one would be destined to a miserable fate because of the chance of birth and everyone would have equal opportunities. Dr Ambedkar's views can be found imprinted in our constitution. He also said that legal, political justice or rights are conterminous with social rights.

When speaking of Dr Ambedkar one must not only understand his views but also the person he was. He was more than a person who drafted the constitution. He was the foremost leader of the lower castes in India. If it wasn't for him there may not have been a unified movement for the betterment of Indian society. Not only was he a leader but as an educated leader, he also stood an example to the lower castes about the opportunities which were lost them. One of the most crucial ways through which a system of suppressing the lower castes continued so effectively for years was the denial of knowledge. Before anything else his first task was to help the lower castes realise their predicament and streamline a discourse around it asking for rights. Furthermore he was not only against the caste system but the religion which propagated it. Dr. Ambedkar was a very logical, critical man who refused to be lulled into silence by ideas of religion. He questioned all aspects of religion which encouraged hierarchy that was favourable to some but not to others. He tried to achieve social justice and social democracy in terms of one man-one value. He treated social justice as a true basis for patriotism and nationalism. His view on social justice was to remove man-made inequalities of all shades through law, morality and public conscience, he stood for justice for a sustainable society.

### **AMBEDKAR'S VISION OF SOCIAL JUSTICE RELATED TO WOMEN**

Dr. B.R. Ambedkar, being a philanthropic, kind and generous social reformer was much moved with the pitiable and pathetic condition and low status of women in society and he was a torch bearer in the direction of social uplift of women generally and Hindu women specially. Ambedkar chooses his social reform approach only after understanding the reality of the status of women.

Dr. Ambedkar was of the opinion that the Hindu women are tied with bandage of superstitious which they can till their death. The reforms introduced by Dr. Ambedkar through 'Hindu code Bill' have been adhered to and have been accepted by the large. He by codifying by Hindu law in respect of marriage, divorce and succession, rationalized and restored the dignity to women. It is needless to say, the bill was the part of social engineering via law, sharp criticism of this Bill in and outside parliament led many to belief that it might inflict heavy damages on the Hindu society. Ambedkar impartially concentrates on Muslim women also. Ambedkar comments are sharp in saying "Purdah" deprives Muslim women of mental and moral nourishment. The segregation from outer world makes them engage in their minds in petty family quarrels which develop narrow outlook.

They are also responsible for inculcating these wrong notions learnt by them through baseless traditions and preaching of the shastras in the budding mind of their off spring. She has been used just like a machine for procreation. It has also been mentioned in Hindu Shastras that women is the bond slave of her father when she is young to her husband when she is middle aged and to her son when she is mother. According to Ambedkar, women were treated as mere tools to bear the burdens of the family, restricted to the role of bearing children and fulfilling duties of a wife or mother any. They have to face discrimination on gender basis and because of this availability of equal opportunity for remains a dream of them.

## **CONCLUSION**

The fundamental meaning of this concept of "Social Justice" is to bring a just society. The main objective of this concept is to uplift the women, Scheduled Castes and Scheduled Tribes in the society and pull them to the main stream of the society. This concept also prevents unjust enrichment at the cost of the weaker sections. So far as Dr. B.R. Ambedkar vision of 'Social Justice' is concerned, he sacrificed his whole life for the amelioration of the women, Scheduled Castes and Scheduled Tribes in the society. Thus Dr. Baba Saheb Ambedkar created a social revolution by awaking the women, Scheduled Castes and Scheduled Tribes and breaking all social values based on Hindu Social System.

Dr Ambedkar's views can be summarised as given below-

**“If you ask me, my ideal would be the society based on liberty, equality and fraternity. An ideal society should be mobile and full of channels of conveying a change taking place in one part to other parts.”**