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## DR. BABASAHAH AMBEDKAR AND SOCIAL JUSTICE

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*"A delay in justice, is injustice"*

Dr.B.R.Ambedkar

**Abstract:** Social justice is an application of distributive justice to wealth, assets, and privileges and advantages within a society or a state. The essence of justice is the attainment of common good for all. Social justice involves the creation of a just and fair social order and provides justice for every member of the community. Social justice involves removing inequalities in society and affording equal opportunities to all individuals in social, economic and political affairs of society. This paper attempts to explain Ambedkar's view on social justice and apply it to the present scenario

**Keywords:** Concept of Social Justice, Ambedkar view on Social Justice,

### I. INTRODUCTION:

Indian society is divided into castes and communities, which create walls and barriers of exclusiveness within society on the basis of superiority and inferiority. Social justice in India is the product of social injustice of the caste system. Such social inequalities pose a serious threat not only to society but also to Indian democracy. Under the traditional Hindu caste hierarchy, backward communities and women have suffered for centuries because they were denied equality, education and other opportunities for advancement. Social justice in the context of Indian society provides benefits, facilities, concessions, privileges and special rights to those who were denied these for centuries. If opportunities are not given to develop their neglected talents there will remain social imbalance in Indian society.

For B. R. Ambedkar, the concept of social justice stood for liberty, equality and fraternity for all human beings. He advocated a social system based on equalization in society among individuals in all spheres of life. Being trained as a social scientist, he acquired deep knowledge in every field of human activity to become a founder of his own independent ideology. He understood social, political, religious and economic problems as associated with caste and the position of women in Indian society. His ideology and beliefs are important for social progress and stability of the Indian society.

## II. Concept and Meaning of Social Justice:

The concept of social justice is broader than that of justice. The word 'social' is connected with society. Its scope is wide, including social issues, problems and reforms; thereby it encompasses social and economic change. Social justice involves measures taken for the advancement of the depressed and disadvantaged classes of society. Hence it calls for social engineering which is an attempt to change society in order to deal with social problems. Such socio-economic changes can be brought through law.

Social justice aims towards creating political, economic and social democracy, ending class and caste distinctions. It combines the principles of socialism with the personal freedom granted by democracy. So the word 'social' has a wide connotation, connected with society and how it should be organized, and what should be its social values and structure.

The concept of justice can be defined by different perspectives. The Greek philosopher Plato saw justice as the true principle of social life. According to Ernest Barker, an English political scientist, justice was the hinge of Plato's thoughts and the text of his discourse. Plato in his book *The Republic* discusses the concept of justice through a dialogue with friends like Cephalus, Polemarchus and Glaucon. Cephalus says justice consists in speaking the truth and paying one's debt, while Polemarchus explains justice is in giving to each man what is proper for him. "Justice is the art which gives good to friends and evil to enemies." Glaucon argues justice is in "the interest of the weaker Thrasymachus, a sophist of ancient Greece, saw justice as the interest of the stronger, in other words, might is right. Plato rejected all these definitions because they treated justice as something external and artificial. For Plato, justice is the primary moral value and is intrinsically linked with other essential and moral qualities.

Another Greek philosopher, Aristotle, propounded the concept of 'distributive justice'. Aristotle's distributive justice is the name of that principle of distribution by which goods, services, honour and offices are distributed among the citizens of the state. But the principle of distribution is based upon the worth or virtue of an individual. The principle recognizes and preserves distinction between the worthy and the non-worthy. It counters equality of the unequal and ensures that a man's rights, duties and rewards correspond to his merit and social contribution. Aristotelian distributive justice is thus, another name for proportionate equality.

The word 'justice' means fair treatment of people: which means law based on the principles of justice and rationality, that is, equal rights and justice for all, irrespective of class, sex, race or caste distinctions. It means that the state should deal with people correctly and completely; it should be morally fair and reasonable; and it should frame just laws and enact them justly.

The word 'social justice' is formed by combining two words: social and justice. Each has a specific meaning and they convey a particular meaning when conjoined. According to John Rawls, the concept of social justice is: all social primary goods – liberty and opportunity, income and wealth, and the basis of self-respect are to be distributed equally unless an unequal distribution of any or all of these goods is to the advantage of the least favoured.

**Roscoe Pound**, a jurist, classifies three legally protected interests:

1. Public interests
2. Social interests and
3. Private interests.

**Justice V R Krishna Iyer**, a former judge of the Supreme Court of India, says, "Social justice is not cant but conscience, not verbal borrowing from like documents but the social force of the supreme law". Social justice is people oriented; legal justice is canalized, controlled and conferred by law.

The concept of social justice is multi-dimensional and has been viewed differently by scholars of law, philosophy and political science. The term social justice is quite comprehensive and presents as the balancing wheel between the haves and the have not's. Social justice is the equitable distribution of social, material and political resources to all citizens. It seeks to remove all social, economic and political inequalities and discriminations, and affords equal opportunities to all men and women in social affairs and economic activities. Social justice is the product of social injustice; it seeks to ensure equality of status and opportunity to all. In general, it may be defined as "the right of the weak, poor, aged, destitute, children, women and other under-privileged persons in society".

## III. AMBEDKAR AND SOCIAL JUSTICE:

According to B. R. Ambedkar, social justice is a means to create an ideal or a just society. To him a just society is a casteless society, based on the principles of social justice and a combination of three components: liberty, equality and fraternity. Ambedkar's ideal society is based upon two fundamental principles.

The first is that the individual is an end in himself and that the aim and object of society is the growth of the individual and development of his personality. Society is not above the individual and if the individual has to subordinate himself to society, it is because such subordination is for his betterment and only to the extent necessary. The second essential is that the terms of associated life between members of society must be regarded by consideration founded on liberty, equality and fraternity.

James Massey writes that in Ambedkar's view, a caste-based society gives no place to an individual, whereas, in Ambedkar's proposed society, individual is the final end. In a Caste-based society a person's relationship with members of other classes is already fixed. But in the society envisioned by Ambedkar, relations have to be based on liberty, equality and fraternity. Besides the two essential principles, one of the most important components is 'justice', or the 'principle of justice', because for Ambedkar, "the norm or the criterion for judging right and wrong in the modern society is justice". Justice, according to him, was "simply another name for liberty, equality and fraternity. "Thus the key components of Ambedkar's concept of social justice are liberty, equality and fraternity.

The first component is liberty. Ambedkar, quoting Laski, said: that for liberty to be real, it must be accompanied by certain social conditions. Firstly, there should be social equality. Privilege tilts the balance of social action in favour of its possessors. The more equal are the social rights of citizens, the more able they are to utilize their freedom.....If liberty is to move to its appointed end it is important that there should be equality.

Secondly, there must be economic security. A man may be free to enter any vocation he may choose....yet if he is deprived of security in employment, he becomes a prey of mental and physical servitude incompatible with the very essence of liberty.....The perpetual fear of the morrow, its haunting sense of impending disaster, its fitful search for happiness and beauty which perpetually eludes, shows that without economic security, liberty is not worth having. Men may well be free and yet remain unable to realize the purposes of freedom.

Thirdly, knowledge must be made available to all individuals. In the modern complex world, man lives at his peril and must find his way in it without losing his freedom. There can, under these conditions, be no freedom that is worthwhile unless the mind is trained to use its freedom. The right of man to education becomes fundamental to his freedom. Deprive a man of knowledge and you will make him inevitably the slave of those more fortunate than himself.....deprivation of knowledge is a denial of the power to use liberty for great ends. An ignorant man may be free.....but he cannot employ his freedom, so as to give him assurance of happiness.So, Ambedkar believed that the three essential conditions that make liberty real were:

1. Social equality,
2. Economic equality and
3. Access to knowledge.

He believed that there can be no real liberty in ancient societies and under Hinduism because of the absence of these three conditions. The second component of social justice is equality. It means all men are of the same essence, all men are equal and everyone is entitled to the same fundamental rights and to equal liberty. Ambedkar says, The system of rank and gradation is, simply another way of enunciating the principle of inequality so that it may be truly said that Hinduism does not recognize equality.

It is to be noted that in ancient societies there is no equality because they are based on the principle of gradation and rank. The antique society as also Hinduism leads to a degradation of human personality because of denial of social and religious equality. Ambedkar held that with social justice, equality would be the mainstay of a modern society. The third component of social justice is fraternity. Ambedkar, talking about the importance of fraternity in a society, writes, there are two forces prevalent in society such as Individualism and fraternity.

Individualism is ever present. Every individual is ever asking "I and my neighbors, are we all brothers, are we even fiftieth cousins, am I their keeper, why should I do right to them" and under the pressure of his own particular interests acting as though he was an end to himself, thereby developing a non-social and even an antisocial self. Fraternity is a force of opposite character. Fraternity is another name for fellow feeling. It consists in a sentiment which leads an individual to identify himself with the good of others whereby "the good of others becomes to him a thing naturally and necessarily to be attended to like any of the physical conditions of our existence." It is because of this sentiment of fraternity that the individual does not "bring himself to think of the rest of his fellow-creatures as struggling rivals with him for the means of happiness, whom he must desire to see defeated in their object in order that he may succeed in his own." Individualism would produce anarchy. It is only fraternity which prevents it and helps to sustain the moral order among men.

Ambedkar believed that it is only fraternity which prevents anarchy and helps to sustain the moral order among men. Individualism produces anarchy. Without fraternity, which is a very significant component of social justice, an ideal society is inconceivable. Therefore, according to Ambedkar, the core components of social justice are liberty, equality and fraternity. Social justice means a complete change in the fundamental notions of individual life and a complete change in our outlook and attitude towards men and things.

Ambedkar was fully aware of the pattern and problems of Indian society. Hence Ambedkar's concept of social justice included:

- a) unity and equality of all human beings
- b) equal worth of men and women
- c) respect for the weak and the lowly
- d) regard for human rights
- e) benevolence, mutual love, sympathy, tolerance and charity towards fellow beings
- f) humane treatment in all cases
- g) dignity of all citizens
- h) abolition of caste distinctions
- i) education and property for all and
- j) good will and gentleness.

He emphasized more on fraternity and emotional integration. 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. According to Ambedkar the root cause of social injustice to the Scheduled Castes and Scheduled Tribes was the caste system in Hindu society. He observed that castes are enclosed units and it is their conspiracy with clear conscience that compels the excommunicated to make them into a caste. The logic of their obdurate circumstance is merciless and it is in obedience to its force that some unfortunate groups find themselves closed out with the result that now groups by a mechanical law are constantly being converted into castes in a widening multiplicity. He further maintained that the root of untouchability was the caste system; the root of the caste system was religion; the root of the religion was attached to varnashram; the root of the varnashram was Brahminism and the root of Brahminism lies in political power.

Ambedkar's social vision is reflected in his own words. As an economic system permitting exploitation without obligation, untouchability is not only a system of unmitigated economic exploitation, but it is also a system of uncontrolled economic exploitation. That is because there is no independent public opinion to condemn it and there is no impartial machinery of administration to restrain it, there is no check from the police or the judiciary for the simple reason that they are all Hindus, and take side of exploiters.

B. R. Ambedkar was fully aware of the pitiable and pathetic condition and the low status of women in the Indian society. He tried to uplift women generally and Hindu women in particular. According to Ambedkar, women were treated as mere tools to bear the burdens of the family and were restricted to the role of bearing children and fulfilling duties of a wife or mother. Division of labour is not in their favour, as a result Indian women have lost their identity. They have to face discrimination on the basis of gender and because of this, equal opportunity remains a dream for them. They have to endure poverty, illiteracy, lack of health, inequality and powerlessness. Traditional attitudes regard them as physically, intellectually and socially inferior to men and subject them to male exploitation and unjustified division of labour. Such a society, where women, comprising half of the population, have a low status, came into being primarily due to the fact that women have no control over material and social resources. This is further compounded by lack of participation opportunities for women, in the decision-making process of the family.

The concept of social justice is enshrined in the Indian Constitution. The fathers of the Indian Constitution had a dream of a new social, economic and political order, the soul of which was social justice. Ambedkar was the chief architect of the Indian Constitution. He was fully aware of the pattern and problems of the Indian society and the conflicting interests. The Constitution is a monumental example of social engineering. Social justice is not defined in the Indian Constitution. It is a relative concept, taking in its wings the time and circumstances, the people and their backwardness, blood, sweat and tears.<sup>20</sup> The Constitution of India brings a renaissance in the concept of social justice when it weaves the trinity of the Preamble, the fundamental rights, and the directive principles of state policies. This trinity is the "the core of the commitments to the social revolution."

Though social justice is not defined in the Constitution, the Preamble, the directive principles of state policy and the fundamental rights clearly illustrate the philosophy of social justice. Social justice, according to a writer is, a relative concept taking in its wings the time and circumstances, the people, their traditions and aspirations, their turmoil and torrents, their backwardness, blood, sweat and tears.

Therefore, all these three sections are important for social transformation and reconstruction of the Indian society, which constitute the gist of social justice. Ambedkar argued that social justice alone could lead to social harmony, social stability and patriotic feelings of all individuals in society.

#### IV. CONCLUSION

Dr. Babasaheb Ambedkar views can be summarized as: "If you ask me, my ideal would be the society based on liberty, equality and fraternity"

This study concludes that social justice is based on equal rights and human dignity through legal framework. Ambedkar did not encourage caste system because it generates inhuman practice among the communities. His ideas supported for the sustainable development of dalit through legal and constitutional provision and being dalit he recognized them for fighting for fundamental rights. He believed law is the powerful weapon to fight against discrimination. His notion of social justice is to accomplish just society within the framework of constitutional and legal methods. Ambedkar dedicatedly struggled throughout his life against discrimination of untouchables and women His ideals, philosophy and struggle for social justice are enshrined in the Indian Constitution. The Constitution clearly emphasizes the establishment of an egalitarian social order in the Preamble, Fundamental Rights and the Directive Principles. These three sections of the Constitution are based on human values of justice: social, economic and political, equality of status and opportunity, and fraternity assuring human dignity. Thus, his main objective was to uplift women and weaker sections and bring them into the mainstream of society. He considered, "The disease of caste akin to cancer and preached the gospel that it can't be cured just by antibiotics. It will require a reform-cancer cells need to be removed to get it cured." I like the religion which teaches Liberty, Equality and Fraternity".

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