

## **Concept of Social Justice in India: An Overview of the Impact of Dr. Ambedkar's Ideas**

**REEMA AGRAWAL<sup>1</sup> AND SHRAWAN KUMAR SHARMA<sup>2</sup>**

1&2 Assistant Professor-II,

Department of Law, M.M.H. College, Ghaziabad (U.P.) India

**Key Words :** Social justice, System of governance, Formulation of concept

Ideas of great men change the course of the development of a nation. Their ideas lay the foundation on which the edifice of whole system of governance is erected. India has produced many a social and political thinker and philosopher in the course of her long and chequered history. Among the galaxy of thinkers and philosophers of India, Bharat Ratna Dr. Babasaheb Ambedkar occupies undoubtedly the most important place.<sup>1</sup> Baba Saheb Ambedkar was one of the most illustrious sons of India. His varied contributions as a scholar, educationist, journalist, authority on comparative religion and, as a great social reformer and a champion of human rights for the downtrodden masses in India are widely recognized.<sup>2</sup> His personal bitter experience, progressive and liberal western education, extensive reading and research, wide mass contacts provided him the required perspective, theoretical frame, the depth and dimension for understanding and analyzing any problem, be it social, political or economic.<sup>3</sup>

Dr. Ambedkar stood apart from his eminent contemporaries because he combined in himself the distinction of being a social revolutionary, a statesman, a scholar and a visionary.<sup>4</sup> He was undoubtedly the chief architect and the Chairman of the Drafting Committee of the Constitution of Republic of India. He incorporated in the Indian Constitution socio cultural values as a means to achieve the goal of emancipation of millions of Dalit.<sup>5</sup> The object of this paper is to explore the impact of Dr. Ambedkar's ideas in laying the foundations of the social justice in India.

### **Influence and the Formulation of Concept :**

Dr. Ambedkar was influenced by Buddhism, Western Liberalism and Fabianism and he successfully interwove these threads to interrogate Indian social reality.<sup>6</sup> Dr. Ambedkar had studied under the foremost authorities of the time both at the Columbia University in the US and at the University of London. He saw the world through the lens provided by his famous teacher, the American pragmatic philosopher John Dewey. He refashioned the thought of Deweyan thought into a tool for his own investigations of Indian history and culture.<sup>7</sup> Actually Dewey had forsaken the then dominant Hegelian theory of ideas, and formulated an instrumentalist theory of knowledge, which conceived ideas as instruments to solve social problems. Dr. Ambedkar internalized Dewey's message, which considered philosophy, in its essentials, as criticism involving reconstruction.<sup>8</sup> He developed a concept of social justice and security of its own kind along with political equality and sought its due place in the Constitutional Law of India.<sup>9</sup> During his life period, Dr. Ambedkar struggled for the cause of social

justice and organized the scheduled castes to seek their due place in the new democratic order. He envisioned a public policy that would protect India's lower castes against discrimination through legal safeguards viewing it a strategy that would result in the eventual integration of the Untouchables into society.<sup>10</sup>

#### **Meaning of Social Justice :**

In its general sense social justice means availability of equal social opportunities for the development of personality to all the people in the society, without any discrimination on the basis of caste, sex or race. No one should be deprived of those social conditions which are essential for social development because of these differences.<sup>11</sup> Social justice is a bundle of rights, it is social life in civilized society that each individuals able to live a human life there in according to the standards of the society.<sup>12</sup>

Justice for Dr. Ambedkar simply referred to liberty, equality and fraternity. This forms the corner stone of his concept of social justice. It upholds the dignity of human personality.<sup>13</sup> For Dr. Ambedkar, political rights would guarantee social and economic rights and all these would enable the marginalized people to lead a dignified life. 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. Dr. Ambedkar was the champion of social justice in India. He not only strived for social liberation of Dalits but also built a just society by embedding principles of liberty inequality and fraternity in the Preamble of the Constitution of India.<sup>14</sup>

#### **State and Social Justice :**

Dr. Ambedkar believed that the State is an essential political organization for the welfare of society, by preventing the disorder for development.<sup>15</sup> The endeavor of State organizations is to uphold the right of every subject to life, liberty and pursuit of happiness. The role of state is to remove social, political and economic inequalities by providing better opportunities to the exploited communities. Further, the State is a positive institution for the protection of the down-trodden and minorities and their rights to enjoy freedom from want and fear besides ensuring internal peace and prevent external aggression.

#### **Democracy and Social Justice :**

Liberal democracy, which emerged in India in the context of anticolonial nationalism, remained differentially attractive to social groups. Historically disadvantaged segments of the population found liberal democracy attractive because it offered them an opportunity to acquire and then expand normative spaces involving not just equality, liberty, and rights but self-respect and dignity. Liberal democracy as an attractive ideal thus invokes different degrees of subaltern involvement in the project of producing an egalitarian India.<sup>16</sup> A democratic government for Dr. Ambedkar is that it presupposes a democratic form of society. His commitment of democracy as a mode of governance was unwavering but he argued that democracy needed to become a way of life.<sup>17</sup> According to him it may not be necessary for a democratic society to be marked by unity, by community of purpose, by loyalty to public ends and by mutuality of sympathy. But it does unmistakably involve tow things such as it is an attitude of mind, an attitude of respect and equality towards their fellows and secondly it is a social organization free from rigid social barriers.<sup>18</sup>

Dr. Ambedkar opined that democracy rests on four principles to attain social justice. They are:

- (a) The individual is an end in himself.
- (b) That the individual has certain inalienable rights which must be guaranteed to him by the constitution.
- (c) That he individual shall bon be required to relinquish any of his constitutional rights as a

condition to the receipt of a privilege.

(d) That the state shall not delegate powers to private persons to govern others.

Dr. Ambedkar considered social and economic democracy as the backbone of political democracy. Democracy is equality and Parliamentary democracy ensures an infatuation for liberty and equality in the individual in view of Dr. Ambedkar.<sup>19</sup>

Dr. Ambedkar asserted that democracy needs a moral order in society. Democracy is a free government having immense space for social life. Citizens are free to carry on their lives without interference of law or if laws have to be made, the law-makers accept that society will have enough morality embedded to make the law a success.<sup>20</sup> Dr. Ambedkar believed in democracy which needed public conscience which comes to be agitated at every wrong, no matter who suffers. If a democratic society fulfills all these conditions then it can be an effective democratic society.

### **Indian Constitution and the Social Justice :**

The Constitution of India lends uniqueness to the concept of social justice because it weaves a trinity of it in the Preamble, the Fundamental Rights and the Directive Principles. According to Dr. Ambedkar, Fundamental Rights and Directive Principles embody appropriate socialist principles in our Constitution.<sup>21</sup> The Preamble to the Constitution of India assures to all citizens, justice-social, economic and political. The Preamble of the Indian Constitution is the mirror of social justice. The Preamble of our Constitutions declares that we the people of India, having solemnly resolved to constitute India into a "sovereign, socialist, secular, democratic, republic" and to all its citizens: Justice, social, economic and political; Liberty of thought, expression, belief, faith and worship; Equality of status and of opportunity; and to promote among them all Fraternity assuring the dignity of the individual and the unity and Integrity of Nation.<sup>22</sup> The addition of 'socialist' indicates the incorporation of the philosophy of 'socialism' in the Constitution which aims at elimination of inequality in income and status and standards of life.<sup>23</sup> Although the expressions, 'justice', 'liberty', 'equality', and 'fraternity', may not be susceptible to exact definitions, yet they are not mere platitudes. They are given content by the enacting provisions of the Constitution particularly by Part III, the fundamental rights and Part IV, the Directive Principles of State Policy.<sup>24</sup>

The spirit represented in the Preamble is further enshrined in the Fundamental Rights and Directive Principles of State Policy, the purpose of which is to promote the social welfare of the citizens by securing and protecting as effectively as it may social order in which justice- social, economic and political shall inform all the institution of national life.<sup>25</sup> Part III of the Constitution as fundamental rights is related to the social justice.

The fundamental rights inculcate the sense of reconstruction and foster social revolution by generating equality amongst all. Further, the Constitution has empowered the states to make special provisions for the advancement of any socially, educationally backward classes and also for the Scheduled Caste and Scheduled Tribes. In this respect in Constituent Assembly debate Dr. Ambedkar stated, "all of us desire that this unfortunate class could be entitled to the same privilege as members of the other Communities without any let or hindrance from anybody."<sup>26</sup> He reiterated that if any community or person will violate this provision it will impose duty on the state to stop such violation through the law, because the Constitution contains enough provisions.<sup>27</sup>

Directive principles of state policy express ideas of social justice. Article 38 requires the state to strive to minimize the inequalities in income, and endeavour to eliminate inequalities in status, facilities and opportunities, not only amongst individuals but also amongst groups of people residing in different areas and engaged in different vocations.<sup>28</sup> Article 39 enjoin upon the state that the citizens, men and women equally, have the right to an adequate means of livelihood, the ownership and control of the material resources of the community are so distributed as best to subserve the common, the operation of the economic system does not result in the concentration of wealth and means of

production to the common detriment, and there is equal pay for equal work for both men and women.<sup>29</sup> Article 39A directs that the State shall secure the operation of the legal system promotes justice, on a basis of equal opportunity, and shall, in particular, provide free legal aid.<sup>30</sup>

### Conclusion :

In view of the aforesaid discussion it is very clear that Dr. Ambedkar laid the foundations of the concept of modern social justice in India in accordance with the circumstances and conditions of Indian society. His concern for social justice included the absence of inequalities in socio-economic and political life and also absence of discrimination on the grounds of caste, race, religion, sex etc. Social justice in his view meant giving equal opportunity to each and every person in every sphere of life to develop his total personality. The impact of the ideas of Dr. Ambedkar is evident in the fact that the concept has been well enshrined in the various provisions of the Indian Constitution including its Preamble. There is already a considerable distance travelled towards the realization of the concept. Severe blow to the deeply embedded systems of imbalances and inequalities has already been inflicted it further requires continuous observance to achieve its total annihilation.

### REFERENCES

1. A.M. Rajasekhariah and HemlataJayaraj, "Political Philosophy of Dr. B.R. Ambedkar", 52:5 *The Indian Journal of Political Science*, 1991, p. 357.
2. NarendraJadhav, "Neglected Economic Thought of BabasahebAmbedkar", 26:15 *Economic and Political Weekly*, 1991, p. 98.
3. A.M. Rajasekhariah and HemlataJayaraj, "Political Philosophy of Dr. B.R. Ambedkar", 52:5 *The Indian Journal of Political Science*, 1991, p. 357.
4. Sukhadeo K. Thorat, "DrBabasahebAmbedkar: Film as a Lost Opportunity", 35:1 *Economic and Political Weekly*, 2000, p. 1236.
5. H.S. Dwivedi and RatanSinha, "Dr. Ambedkar: The Pioneer of Social Democracy, 66:3 *The Indian Journal of Political Science*, 2005, p. 661.
6. N. Sukumar, "Indian Constitution and Social Upliftment", 64:2 *Kurukshetra*, 2015, p. 5.
7. Arun P. Mukherjee, "B.R. Ambedkar, John Dewey, and the Meaning of Democracy", 40:2 *India and the West*, 2009, p. 345.
8. S. Ambirajan, "Ambedkar's Contributions to Indian Economics", 34:46/47 *Economic and Political Weekly*, 1999, p. 3280.
9. N.S. Gehlot, "DrAmbedkar, Mahatma Gandhi and Dalit Movement", 54:3/4 *The Indian Journal of Political Science*, 1993, p. 382.
10. Sujit M. Raman, "Caste in Stone: Consequences of India's Affirmative Action Policies", 21:4 *Harvard International Review*, 1999, p. 30.
11. S. Waseem Ahmed and M. Ashraf Ali, "Social Justice and the Constitution of India", LXVII: 4 *The Indian Journal of Political Science*, 2006, p. 767.
12. Friedman W. *Legal Theory*, 5th Ed. Universal Law Pub., Delhi, 2002, p. 338.
13. M. Sampath Kumar, "B.R. Ambedkar and Social Justice: A Study", 13 *Historical Research Letter*, 2014, p.54.
14. See generally P.G. Jogdand, Prashant P.Bansode and N.G. Meshram, *Globalization and Social: Perspectives Challenges and Praxis*, Verlag, Rawat, New Delhi, 2008.

15. N. Sukumar, "Indian Constitution and Social Upliftment", 64:2 *Kurukshetra*, 2015, p. 5.
16. Gopal Guru, "Liberal Democracy in India and the Dalit Critique", 78:1 *Social Research*, 2011, p. 99.
17. Valerian Rodrigues, ed., *The Essentials Writings of B.R. Ambedkar*, 2002, Oxford, N.Delhi, as referred to in N. Sukumar, "Indian Constitution and Social Upliftment", 64:2 *Kurukshetra*, 2015, p. 5.
18. N. Sukumar, "Indian Constitution and Social Upliftment", 64:2 *Kurukshetra*, 2015, p. 5.
19. N. Sukumar, "Indian Constitution and Social Upliftment", 64:2 *Kurukshetra*, 2015, p. 6.
20. *Ibid.*
21. Sabyasachi Bhattacharya, "Secularism and the State", 33:2 *Frontline*, 2016, p. 61.
22. V.N. Shukla, *Constitution of India*, Revised by Mahendra P. Singh, EBC, Lucknow, 2001, p. 1.
23. *D.S. Nakara v. Union of India*, (1983) 1 SC 305.
24. V.N. Shukla, *Constitution of India*, Revised by Mahendra P. Singh, EBC, Lucknow, 2001, p. 4.
25. S. Waseem Ahmed and M. Ashraf Ali, "Social Justice and the Constitution of India", LXVII: 4 *The Indian Journal of Political Science*, 2006, p. 767.
26. Constituent Assembly Debates Vol. VII, p. 661.
27. Constituent Assembly Debates Vol. VII, p. 662.
28. V.N. Shukla, *Constitution of India*, Revised by Mahendra P. Singh, EBC, Lucknow, 2001, p.302.
29. *Ibid.*
30. V.N. Shukla, *Constitution of India*, Revised by Mahendra P. Singh, EBC, Lucknow, 2001, p.304.

\*\*\*\*\*