

# Relevance of Dr. B.R. Ambedkar's Social Justice in Contemporary Age

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## Abstract

Through this research I attempt to understand and discuss the new political structure with special emphasis on the scenario of the Dr. B.R. Ambedkar and his Social justice in India. Social justice being a multi-dimensional concept has been viewed by scholars of law, Philosophy Political Science and History differently. The term social justice is quite comprehensive. Social justice is a bundle of rights, it is balancing wheel between haves and have not. It is a great social value in providing a stable society and in securing the unity of the country. In general, Social justice may be defined as "the right of the weak, aged, destitute, poor, women, children and other under-privileged persons." Justice is a matter of social conflict. In a one-person world, justice is pointless. It is only when people interact and their Interests collide that justice enters the scene. In this sense, the very concept of "social" justice is ill-defined since justice is always a social issue, the attribute "social" must take on special connotations if any meaning at all is to be given to the term "social justice."

**Key Words:** *Dr. B.R. Ambedkar; Privileged Persons, Social Justice.*

## Introduction

At the end of the nineteenth century, when the term "social justice" came to prominence, it was first used as an appeal to the ruling classes to attend to the needs of the new masses of uprooted peasants who had become urban workers. Theorizing about social justice became a major concern in the early years of the twentieth century, and the first book actually called Social Justice was published in New York in 1900. Its author was Westel Willoughby, a professor of political science at Johns Hopkins University who was influenced by the late idealist philosophy of the school of T.H. Green. According to John Rawls,<sup>1</sup> 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." The contents of the "social primary goods" specified by Rawls are of particular importance, for the fair distribution of them, namely, liberty and opportunity, income and wealth and basis of self-respect in a society will undoubtedly help to achieve the much needed social justice.

The term "social justice" was first used in 1840 by a Sicilian priest, Luigi Taparelli d'Azeglio, and given prominence by Antonio Rosmini-Serbati in *La Costituzione Civile Secondo la Giustizia Sociale* in 1848. Later, British authors such as John Stuart Mill, Leslie Stephen and Henry Sidgwick referred from time to time to social justice, although without marking it off sharply from distributive justice generally.<sup>2</sup>

The concept of social justice is closely linked with human rights as envisaged by the United Nations in its 1948 declaration and fundamental rights as provided in the Constitution of India but they are not synonymous. Fundamental rights, i.e. the right to freedom and equality, the right against exploitation, and right to constitutional remedies, etc. are essential for the free and natural development of

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the human personality and hence are the backbone of a just social order but they are subject to control or limits if they adversely affect the pattern of social justice in society. Social Justice encompasses economic justice. It is the virtue which guides us in creating those organized human interactions which we call institutions. Social justice is also equated with equality, liberty and dignity; which mean that all three are essential for social justice and that denial of any one of them is a denial of justice. Dignity is generally coterminous with freedom and equality.<sup>3</sup> An illiterate, poor and ill fed person is hardly said to have any dignity.

The concept of social justice has been enshrined in the Indian Constitution. The fathers of the Indian Constitution had the dream of a new social, economic and political order, the soul of which was social justice. Dr. Ambedkar was the chief architect of the Indian Constitution. He was fully aware of the pattern and problems of the society and their conflicting interests. The Constitution is a monumental example of social engineering.<sup>4</sup> Social justice is not defined in the Indian Constitution but it is relative concept taking in its wings the time and circumstances, the people their backwardness, blood, sweat and tears. Justice is very complex concept as it has a number of sources (as example religion, nature economics needs an ethics) and dimensions. It has been examined by different people from different view points within the limits of the time, place and circumstances they lived in. Social justice is one of the dimensions of the concept of justice which stands for organization society based on the principle of equality, liberty and fraternity. Its greater emphasis is on the principles of equality both social and economic and fraternity with a view to create such human social condition which ensure free and fair development of all human beings. As such, the concept of social justice sometimes require unequal or preferential treatment for, certain sections of population, who have been deprived of certain 'values' for ages, with a view to bring them on an equal footing with the other sections of population.<sup>5</sup> After independence, India received only political freedom "social and economic freedom" was yet to be fought. Because feudal hijacked the economic freedom in their favour, fate of Scheduled Castes remained hanging on the peg of reservation, so that neither they should economically grow nor they should revolt against the non-fulfillment of social justice. Thus social justice is not yet reaches to the Scheduled Caste people in India even today who are subjected to recurrence of killing, burning and gang rape of their women folk. Many people question,

why do Scheduled Castes not fight against such atrocities done to them? How can they fight with empty stomach against feudal-land lords who are rich and resourceful, police and courts are also hand in glove with them, therefore, the social justice still beyond their reach even after 69 years of independence.<sup>6</sup>

The Constitution of India brings a renaissance in the concept of social justice when it weaves a trinity of it in the preamble, the fundamental rights, and the directive principles of state policies and this trinity is the "the core of the commitments to the social revolution. This is the conscience of the Constitution. The preamble of the Indian Constitution is the mirror of social justice. It provides social, economic and political justice to the citizen of sovereign, socialist, secular, democratic, republic of India. The first task of the Assembly was to formulate the objectives and the guiding principles of Indian Constitution. Therefore the resolution of the preamble and objective of the Constitution was discussed in the Constituent Assembly for nine days from December 13 to 19 and January 20 and 22 of 1947. Before the actual work of the constituent Assembly had commenced in full seeing, Dr. Ambedkar proposed a memorandum on 15 March 1947 entitled "States and minorities".<sup>7</sup> What are their rights and how to secure them in the Constitution of free India? This proposed explained the aspect of social justice for minorities in free India. Although no cognizance was taken on this memorandum on the ground of academic interest. However, feeling expressed by Dr. Ambedkar in this memorandum was special to protect the minorities and weaker section.<sup>8</sup> Besides, the proposed memorandum submitted, he was himself presided the meeting of draft for the preamble of the Constitution.

Dr. Ambedkar's concept of social justice stands for the liberty, equality and fraternity of all human beings. He stood for a social system which is based on right relations between man and man in all spheres of life. For the proper grasp of Dr. Ambedkar's concepts of social justice, one has to go through his view about religion particularly Hindu religion which is the source of exploitation and injustice. His concept of social justice is closely connected with his concept of religion and morality. Dr. Ambedkar was not closely connected with his concept of religion and morality. Dr. Ambedkar was not an atheist.<sup>9</sup> He was a religious minded man. He writes "It pains me to see youths growing indifferent to religion. Religion is not an opium as it is held by some. What good things I have in me or whatever have been the benefits of my education to society, I owe them to the religious

feelings in me". But the religion which he conceives is a rationale ethical spiritual and humanitarian and full of 'Karuna'. It is a religion which grants equality and treats all its believers equal. To him, the religion which discriminates between tow fellows is a partial religion. The religion which treats crores of its adherents worse than dogs and criminal and inflicts upon the insufferable disabilities is no religion at all. DrAmbedkar a rationalist and humanist did not approve any type of hypocrisy, injustice and exploitation of man by man in the name of religion. He stood for a religion which is based on universal principles of morality and is applicable to all times, to all countries and to all races. It must be in accord with reason and must be based on the basic tents of liberty, equality and fraternity.<sup>10</sup> He was highly dissatisfied with Hinduism as it gives no support to principle of social unity and believes in social separation and discrimination.

According to Ambedkar, 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 economic resources of the community. Ambedkar was the chief architect of the Indian Constitution. He was fully aware of the pattern and problems of the Indian society. The aspirations of the different sections of the society and their conflicting interests. 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. Ambedkar did not accept the theories of social justice as propounded by the Varna system,<sup>11</sup> the Aristotelian order, Plato's scheme, Gandhiansarvoday order and not even the proletarian socialism of Marx.

Dr. Ambedkar wanted to reform and restrictive the Hindu social system which ascribes status to man on the basis of his birth in a particular low or high caste. In this social system. Individual's personal achievements have no value and his status is treated as divinely ordained. He stood for a social system in which man's status is based on his merit and achievement and where no one is noble or untouchables because of his birth.<sup>12</sup> He stood for society where human beings live a human life based on the principle of liberty, equality and fraternity. He stood for a social system where the liberty of an individual is to slavery of his fellow being. He advocated the policy of preferential treatment for the socially oppressed and economically exploited people of the country. The Constitution of India, which was

drafted under his chairmanship, contains a number of provisions which enjoins the state to secure to all its citizens justice, social economic and political, along with liberty, equality and fraternity. It also contains a number of provisions which guarantee a preferential treatment to the down-trodden people in various sectors or life. Dr. Ambedkar was really interested in the welfare of the down-trodden people of the country, because instead of accepting any assignment abroad he preferred to live amidst them. He was really the savior of the down-trodden people in Indian.<sup>13</sup>

TheSupreme Court has explained the concept of social justice i.e. "the Constitution commands justice, liberty, equality and fraternity as supreme values to usher in the egalitarian social, economic and political democracy". Social justice, equality and dignity of persons are corner stones of social democracy. The concept of "social justice" which the Constitution of India engrafted consists of diverse principles essential for the orderly growth and development personality of every citizen.<sup>54</sup>Social justice is thus an integral part of justice in the generic sense. Justice is a genus of which social justice is one of its species. Social justice is a dynamic device to mitigate the suffering of the poor, weak, Dalits, Tribes and deprived sections of the society. This indeed is social justice guaranteed by the Constitution of India because it strives to create a "balancing wheel between freedom, political and economic indeed, makes the survival of democracy" Dr.Ambedkar concluded the debate on the preamble in these words."I say that this preamble embodies what is the desire of every member of the house that this Constitution should have its roots its authority, its sovereignty from the people, that it has.<sup>14</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, prohibiting discrimination on the grounds of Caste, religion, sex, creed, place of birth, abolishing untouchability and making its practice punishable by law, banning trafficking in human beings and forced labour. Moreover, the Indian 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.<sup>15</sup>These provisions of the fundamental rights of the Constitution are related to the real concept of social justice.

Ambedkar was concerned with man, his status and well-being in this world man is centre of his thoughts and action. Men are the masters of their fate they are

also captains of their souls. He says, “we will attain self-elevation only if we can learn self-help, regain our self-respect and gain self-knowledge”, According to Dr. Ambedkar, “the belief in soul is also unprofitable as the belief in God because it not only creates priesthood but it gives priesthood complete control over man from birth to death”. He also rejected the theory of past karma which holds that man take birth in a rich family because of his past good karma. It is a dangerous doctrine as it creates a mentality which makes man helpless and hopeless.<sup>16</sup> Dr. Ambedkar was dead against the Hindu Caste structure as he was of the view that this structure has been primarily responsible for committing all sorts of atrocities on the various sections of the society particularly the weaker sections Scheduled Caste and Scheduled Tribes. He was against Manusmriti as it gives a blank Cheque to the Brahmins to commit all sorts of atrocities on Scheduled Castes and Scheduled Tribes and justify their evil designs.<sup>17</sup> In this regard at the time of constituent Assembly debate Dr. Ambedkar expressed his views that “All of us desire that this unfortunate class could be entitled to the same privileges as members of the other Communities without any let or hindrance from anybody. He recreated 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 ample provisions. The important part of the Social justice is the part IV of the Constitution as directive principles of state of policy. Although this part of Constitution is not enforceable by any court. However the principles laid down there are nevertheless fundamental in the governance of the country and it shall be the duty of the state to apply these principles in making laws. In this regard Dr. Ambedkar Said “It is not the intention to introduce in this part these principles as more pious declarations.<sup>18</sup>

It is the intention of the assembly that in future both the legislature and the executive should not merely pay lip service these principles enacted in this part but that should be made the basis of all executive and legislative action that may be taken hereafter in the matter of the governance of the country”. The ideology of the Dr. Ambedkar influenced the Indian judiciary on the basis of this ideology supreme court of India declared that directive principles of state policy are enforceable with the fundamental rights.<sup>19</sup> Dr. Ambedkar was a social reformer. He stoically suffered the humiliation of his birth and was determined to redeem the Scheduled Castes by the sacrifice of his life. Poverty, misrepresentation,

jealousy, scandals and even threats of violence had not deterred him from his chosen path. His whole life was a sage of sacrifice for the cause of the downtrodden. Dr. Ambedkar stood for the independence of the country. While he stood like a rock in the cause of the backward communities, he did not fall a prey to blandishments of power or manoeuvres of the enemies of the country.<sup>20</sup> He was a great patriot who fought for the Scheduled Castes without sacrificing the wider interest of the nation. Dr. Ambedkar’s undoubted talents had been fully utilized by the nation. The nation was poorer for this default. A nation which neglects brilliance and encourage mediocrity, discourages intellectual honesty and courage of conviction but favours courtiers and yes-men, is bounded to go caliber had been in charge of the constructive activities of our country. Every Hindu must learn a lesson from the life of Dr. Ambedkar. The blackest spot in Hindu religion is the action of the doctrine of Untouchability. It has become a hereditary sin of every Hindu.<sup>21</sup> It is not enough that the Constitution has redeemed his sin by going all out to eradicate this stigma from Hinduism.”

Dr. Ambedkar’s greatest contribution to our social and political life has been that he made the socially-oppressed sections like the Scheduled Castes to challenge the social orthodoxy, with the piercing questions which Abraham Lincoln had asked, “It might be in your interest to be our masters, but how is it in our interest to be your slaves?” To the extent this question finds its echoes in the remotest corners of India with the requisite follow-up action,<sup>22</sup> Dr. Ambedkar’s life-long dream of ensuring social liberation of the oppressed and the downtrodden will be translated into reality.

## Conclusion

Dr. Ambedkar’s social vision is reflective in his own words. As an economic system permits exploitation without obligation untouchability is not only a system of unmitigated economic exploitation, but it is also a system of uncontrolled economic exploitation.<sup>19</sup> 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 reasons that they are all down from the Hindus, and take side of exploiters. The contents of Ambedkar’s concept of social justice included unity and equality of all human beings, equal worth of men and women, respect for the weak and the lowly, regard for human rights, benevolence, mutual love,

sympathy, tolerance and charity towards fellow being. Humane treatment in all cases dignity of all citizens, abolition of Caste distinctions, education and property for all and 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 Dr. Ambedkar the root cause of social injustice to the Scheduled Castes and Scheduled Tribes is the Caste system in Hindu society.<sup>17</sup> He observed, Castes are enclosed units and it is their conspiracy with clear conscience that

compels the ex-communicated to make them into a Caste.

The logic of their obdurate circumstance in 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.<sup>18</sup> He further maintained that the root of untouchability is the Caste system and the root of the Caste system is religion, the root of the religion attached to varnashram and the root of the varnashram is the Brahminism, the root of Brahminism lies with the political power.

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