

B. R. AMBEDKAR'S VISION ON SOCIAL JUSTICE IN INDIA

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1.0 Introduction

B. R. Ambedkar is considered as a pioneer visionary and the doyen of Indian politics who dedicated himself for establishing a socially- just and an egalitarian society. He thought not only of his community but nation as a whole. He gave India a new vision, philosophy and a new way for progress. His political thought is an attempt to provide empirical solutions to complex problems of the Indian society.¹

His life, philosophy and mission were devoted to securing human rights for overall amelioration of the suppressed humanity. He being a true socialist, sought to establish social democracy, which could satisfy the economic, social educational and cultural needs of the people. He was one of those who helped to accelerate the process of social change in the country. Ambedkar was a militant rebel whose sword of social justice was always used to wage war against the indignity and inhumanity practiced against the depressed classes and untouchables of the Indian society.

He was convinced that without social emancipation of the depressed classes, political emancipation had no meaning. He went to the extent of saying that no economic or political reform would be successful unless the monster of social injustice was destroyed. He believed that their liberation could be achieved through political means. He claimed that nationalism cannot be attained unless national feelings were awakened and strengthened. He held social reform quite essential for achieving this noble end, and as such, he declared that without social reform true feeling of nationalism cannot be evolved.

His mission was to make the Indian polity free from social exploitation because he strongly believed that political justice cannot be achieved without social justice. This article is an endeavor to analyze B. R. Ambedkar's vision ideas on social justice.

The concept of social justice is dynamic and changes according to the needs of the society. It evolves itself into progressively new patterns and expands its frontiers and assumes new dimensions. Social justice has significance in the context of Indian society which is divided into castes and communities and they create water tight compartments on the basis inequalities which pose serious threat to Indian democracy.

In modern times, the term social justice is associated with the idea of social good. Social justice is the availability of equal opportunities for the development of the individual without any discrimination on the basis of race, colour, caste, sex. etc.² In practical terms social justice means bringing together all strata of the society on equal footing so far as governmental and non-governmental treatment is concerned.

2.0 Ambedkar : Concept of Social Justice

Social justice is an application of the concept of distributive justice to the wealth, assets, privileges and advantages that accumulate within a society or state because the essence of justice is the attainment of the common goods as distinguished from the goods of individuals even of the majority. It is a revolutionary ideal and includes both the economic and social justice. It involves the creation of just and fair social order to one and all.

Social justice in India is the product of social injustice and it is unfortunate that even seventy one years after independence social justice is still a distant dream not within the reach of the masses.

The Scheduled Castes, Scheduled 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. If opportunities are not given to develop their neglected talents there will be social imbalance and tension resulting in anarchy and disobedience to the rule of law.

Ambedkar's concept social justice can be understood in the context of the depressed, the underprivileged and the untouchables who were the victim of the *Varna* system of the Hindu social order. It was less to provide justice to 'haves' but to care for the 'have-nots', the underdogs, disadvantaged, scorned and under-privileged. Ambedkar's views on social justice are relative to the victims of the caste system of Hindu society.³

3.0 Ambedkar's vision

Ambedkar is one of the proponents of social justice in modern India. According to Ambedkar, the term "social justice" is based upon equality, liberty and fraternity and emotional integration 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 and to bring equal distribution of the social, political and economical resources of the community. He was fully aware of 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. 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.⁴

3.1 Ambedkar's Plea for Social Justice

He argued that a society based on equality, liberty and fraternity would only make the democracy possible. For him democracy is not merely a form of government but also primarily a mode of associated living. Contrary to his ideals, he found that there was absence of liberty, equality and fraternity due to prevalence of caste system in India. In social order denied a large section of Hindu society of their human rights. He remarked rights are protected not by law but by the social and moral conscience of society. He conceded the fact that equality in absolute sense is not possible but equal treatment of men is possible.

Ambedkar pointed out that man constituted a society because they had things which they possessed in common. It continued to exist by communication. He emphasised: "The caste system prevents common activity and by preventing it, it has prevented the Hindus from becoming a society with a unified life and a consciousness of its own being. There is only individual share or part in the associated activity".⁵

Hindus observed caste not because they were inhuman. But because their religion and religious shastras such as the *Vedas*, the *Purushasukta*, the *Brahmanas* and the *Upanishads* had taught them do so. People being religious minded observed it blindly. He called upon the people to disobey the unscientific, inhuman and unsocial rules and authority of the *shastras*.

His social thought is in fact a class in itself as to he vigorously pleaded for providing social justice to the people of his caste throughout his life. The bitter experiences which he had right from his childhood due to the prevalent Hindu social order brought a change in his outlook. His thinking arose out of his acute dissatisfaction with anomalous treatment meted out to his community by the Hindus of so called higher castes.⁶

In India the problem of social justice is much broader, deeper and more complex, and the economic problem is only a part of it. The social status of an individual in India is determined by the terms of his caste, the higher the caste the higher the social status. By virtue of his non-caste status an untouchable belongs to the lowest rung of the social order. It is a vicious circle where almost the entire lower strata of the society like untouchables remain always poor and could not rise above the poverty-line. Ambedkar identified the real cause of social injustice rooted in the *Chaturvarnya* of Hindu social order. Therefore, he confronted on two fronts i.e., one was the annihilation of caste and the other was the eradication of untouchability.⁷

3.2 Origin of Caste System and Untouchability

Ambedkar believed that caste system in the Hindu society arose because of *Brahmanical* hypocrisy of establishing the authority of *Vedas* and *Shastras*. According to him *Purushasukta* provided the social order *Chaturvarnya* as sacred institution. But it was Manu, who invested the social idea of *Chaturvarnya* with a degree of divinity and infallibility. In the opinion of Ambedkar the attempt of *Purushasukta* to realise the ideal was nothing short of criminal.

In his book 'Who Were the Shudras' Ambedkar clearly stated that the *Shudras* were initially *Kshatriyas*. Their degradation to the position of *Shudras* was the result of constant conflict between the *Shudras* and the *Brahmins* in which *Shudras* got defeated. As a result *Brahmins* who hated *Shudras* also imposed a number of penalties on them. The Law made against *Shudras* reflect the inhuman and degrading attitude of higher caste people towards this section of society.⁸

Brahmin law-givers made the life of *Shudras* miserable, denied very human right to them and practically turned them into slaves. The *Shudras* were denied *Upanayana* or the wearing of sacred thread, the study of the *Vedas* and the kindling of sacred fire; being impure, no sacred act should be done within his sight and within his hearing; to acquire knowledge and to give *shudra* would be sin and crime; was not allowed to acquire property or hold office under the state and a *Brahmin* could take his property at his pleasure; the life of the *Shudras* was of no value and anybody might kill him without paying compensation and if at all of small value as compared with that of *Brahmana*, *Kshatriya*, and *Vaishya*; the duty and salvation of the *Shudra* lay in his serving the higher classes; and the higher class was not allowed to intermarry with the *Shudra*. The *Shudra* being born in servility must be kept in servility ever.⁹

Gradually, due to inequality and suppression, the *Shudra* was treated like an untouchable whose mere touch was considered to be a cause of pollution by upper caste people. The reason of their being considered as an untouchable was because of their birth in this particular caste.

In his book entitled 'The Untouchables', he gave a novel thesis on the origin of untouchability. He regarded the untouchables as broken men. According to him during ancient times there were constant wars among various tribes in search of fertile land and maintenance of supremacy. In the continuous tribal warfare, "a tribe instead of being completely annihilated was defeated and routed. As a result, the defeated tribe became broken into bits, these broken tribesmen who kept on roaming in all directions in need of protection and shelter. Since the broken men had no blood relations with the settled tribe they could not become one with it they lived outside the villages. Ambedkar considered them belonging to warring race and they were all the *Kshatriya* and thus many tyrannies and social oppressions were inflicted on them for centuries. Therefore, he held that the institution of untouchability did not possess any divine sanction. It was the result of the transformation of the primitive and nomadic communities into a settled community."¹⁰

These untouchables were considered to be outcasts. They were treated so shabbily by the caste - Hindus that even their mere touch or shadow was considered as a source of pollution. They were reduced to the status of bonded labourers and denied the basic human rights and many tyrannies and social oppressions were inflicted on them for centuries.

Even during the period of freedom struggle not much attention was paid to their deteriorating plight. No attention was paid to social injustice meted out to this section of society. The leaders of Indian National Congress demanded self-government from the British rule. The demand for independence was a democratic one but at the same time they totally forgot that Indians should also practice democracy in the social sphere. Though they were aware of the fact that national unity and strength demand equal rights and freedom to all for self development, but equal rights were denied to the depressed sections. .¹¹

4.0 Call for Liberation

Ambedkar regarded their liberation from this humiliation as a matter of deep concern. He dealt heavy blow to the idea of hereditary status on which the feudal Indian society was based. An individual, he said, had equal right to follow whatever vocation he liked. He should be treated on the whole at par with other fellow citizens before law. This reasoning inspired the socially submerged classes to rise in revolt and smash the chains of slavery imposed on them by caste Hindus.¹²

He also called upon the untouchables to participate actively in power politics of the country and capture the power to fight out injustice and release the downtrodden people from the bondage. He wanted to gain power because he thought that political power is the key to all social progress. But his major emphasis was that before these political reforms, social and religious reformation of society must take place. He himself led the untouchables in their fight for their rights.

In 1928, before the Simon Commission he pleaded their case for reservation of seats in legislature along with a post in the cabinet, as they had no link with the Hindu community. The depressed classes as a minority needs far greater political protection as they were educationally very backward and economically poor and socially enslaved. But despite his strong plea, the Commission rejected his demand and awarded separate electorates to Sikhs, Muslims and Christians but included the untouchables with Hindus.¹³

During 1930-1931, B.R. Ambedkar represented the 'untouchables' in the Round Table Conferences and pleaded for a separate electorate separate from the Hindu majority. He also clarified with evidences that the untouchables are not Hindus and hence they should be treated accordingly, and particularly for the purposes of constitutional reforms and changes. He said, the Hindus used to call the untouchables as their men only to usurp their political rights. As a result British Government agreed to give separate representation to untouchables in the Third Round Table Conference and gave the Communal Award in 1932 whereby the untouchables were given the right to elect their own representatives to separate seats in provincial assemblies and other to vote with Hindus in general constituencies.

Ambedkar was so much concerned with social justice equality for all the people can be proved by the fact that he even resigned from the post of Law Minister in the cabinet of Jawaharlal Nehru in September 1951, on the issue of non-acceptance of Hindu Code Bill.

In short in the context of social justice, Ambedkar concluded that: The untouchables must possess pride and self-respect and for that disassociate themselves from traditional bonds of untouchable status. They must become professionally qualified and transform themselves to fit into the modern civilization. They must be represented by their own representatives at all levels of government. Ambedkar was convinced that leadership of the untouchables should emerge from the untouchables themselves. Government must take responsibility for their welfare by creating special rights in the field of education and occupational opportunities. The untouchables should have recourse to legal channels for the protection of their rights; and all forms of caste

must be abolished. He believed that caste has been created by man and could be abolished by him as well. This would amount not only to the abolition of traditional discrimination between high and low castes but make their caste system itself redundant. Functions of each member of society should be redefined on a rational basis, corresponding to each individual's qualifications and training.¹⁴

His abandoning of the Hindu religion and conversion to Buddhism in 1956 was the clear indication of his opposition to the social system which imposed the hegemony of few privileged people on considerably large section of society. He felt that untouchables in independent India had acquired political equality but failed to acquire social equality. He regarded conversion of Buddhism as welcome relief from casteism of Hinduism.

The concept of social justice that Ambedkar envisioned was incomplete without emancipation of women who were neglected sections of the society. For centuries, they had been denied full justice, social, economic and political and largely they were ignored as the weaker sex.¹⁵ The self respect for women and struggle for women emancipation occupied a pride place in his life. He criticised the traditional and conservative values which were responsible for the decline of the status and dignity of women in India. His arguments on the Maternity Benefit Bill and on birth control were quite relevant to recognise the dignity of women.

He supported that right to divorce must be given to women. Besides, a daughter was permitted to be adopted. The social reformers prior to Ambedkar focused only on issues such as widow remarriage, child marriage, etc. which aimed at reforming the Hindu family. They attacked the ideological basis of social institutions such as the caste system and untouchability. The climax of this struggle occurring towards the end of his life was a total rejection by him of Hinduism. His life-long battle reflects his world view, philosophy and ideology which we call "Ambedkarism" today.¹⁶

5.0 Under the Constitution of India

The Constitution is the fundamental and recognized source of social justice which binds the state to distribute equal share of basic needs to the people of the society. The Constitution of India is a monumental example of social engineering and provides that the state being a social welfare organ will distribute the basic needs to the Indian people.

The fathers of the Indian Constitution had the dream of a new social, economic and political order, the soul of which was social justice. Social justice is not defined in the Indian Constitution but 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 India, equality of status and of opportunity and to promote among them all fraternity assuring the dignity of the nation. 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."

Fundamental rights enshrined in Part III of the constitution are related to the real concept of social justice and 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.

The important part of the social justice is contained 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. These provisions are towards social transformation and reconstruction of the Indian society which constitute the gist of social justice.

B. R. Ambedkar single-handed shook the foundations of that monolithic structure of the caste system and encouraged millions of its victims to fight against the inhuman treatment meted to them. Ambedkar started a rebellion against the absurd notion that the position of each individual in this life has been in his previous births and his place in the social organism is irrevocably fixed and cannot be changed. He fought against the orthodoxy in Hinduism and encouraged his fellowmen of depressed classes to raise the banner against the Hindu social system. He felt that the root- cause of all the problems in Indian society whether social, economic or political squarely lies in inequality. Therefore, he vigorously pleaded for equality in all spheres of life so as to establish a socially just order in society.

It was due to his efforts that untouchability has been abolished by law and provision of reservation in the services and institutions of education for the people of depressed classes has been enshrined in the Constitution.. They have equal rights and opportunities to surge ahead in their lives. All this has been made possible due to the

spirit of self-respect, vision of progress through education and political power inculcated in the minds of untouchables by the efforts of Ambedkar.

The reforms introduced by Ambedkar through 'Hindu Code Bill' have been adhered to and have been accepted by and large. He by codifying Hindu law in respect of marriage, divorce and succession, rationalized and restored the dignity to women. The whole story of Hindu code bill presents the determination of Ambedkar to bring about the changes in the society. It is not wrong to say he was a great feminist of his day. Because women's rights form a part of human rights and Babasaheb can rightly be termed as the champion of it.

The Scheduled Castes and Scheduled Tribes are socially and economically infirm and disabled even today. They were provided Constitutional safeguards by providing reservation in services but in private sector, there is no such concession. Therefore, government must take policy decision to provide representation to Scheduled Caste and Scheduled Tribes in "private sector" too in order to provide social security to them and to protect their livelihood.

Ambedkar pleaded for the realization of economic and social democracy in India, for political democracy was unreal preceded by economic and social democracy. He acknowledged the fact that there is complete absence of equality on the social and economic plane. It is the need of the hour that such contradictions should be removed at the earliest, otherwise the sufferers would put political democracy in peril.

At present, there are a number of women empowerment programmes, concern for women is show-up by all political parties, even though some time just lip service. Ambedkar created a social revolution by awaking the women, Scheduled Castes and Scheduled Tribes and breaking all social values based on Hindu Social System. Ambedkar has been criticized most for initiating the policy of reservation in government services and institutions of higher learning. It is also alleged that he was the main force behind the incorporation of Article 15-A and Article 16(4) of the Constitution which empowers the State to make any special provisions for the advancement of socially or educationally backwards classes or for Scheduled Castes and Scheduled Tribes. He is often accused of propagating such a line of action which ignores merit at the cost of reservation on the basis of caste only. It could be said that this is true up to some extent, however, Ambedkar cannot be held responsible for it, as the time at which he had made this demand of reservation, circumstances were quite different. Indian society was deeply engulfed by menace of casteism. There was no way out for the people of depressed classes to progress as higher caste Hindus did not allow them to come forward, however educated or talented the person from depressed class might be. His aim in supporting this policy was to help the lower caste people to come at par with people of higher caste socially, politically and economically.

He was one of the valiant fighter for human freedom and dignity. His life and work shall remain a source of inspiration to men and women all over the world for a long time to come.

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