

Social Justice and Empowerment: Dr. Ambedkar's Thoughts

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Abstract

Social justice is an application of the concept of distributive justice to the wealth, assets, privileges and advantages that accumulate within a society. Development and empowerment of scheduled castes (SCs), scheduled tribes (STs), other backward classes (OBCs), minorities, disabled and other social groups in order to bring them at par with the rest of society is a commitment enshrined in the Constitution. This is to be done by adopting the approach of 'social justice' to ensure equal rights, access to benefits and resources and 'empowerment' to enable them to develop their potential and capacities as agents of social change, through the process of planned development. Social justice in India is the product of social injustice our Caste system and social structure is the fountain head for social injustice. It is unfortunate that even sixty eight years after independence social justice is still a distant dream not within the reach of the masses. Dr.Ambedkar is also one of the proponents of social justice in modern India. He was the chief architect of the Indian constitution. In this paper I will analysis his thoughts of social justice and empowerment in India.

Keywords: Social Justice, Empowerment, Caste System, Constitution, SC, ST, OBC, Democracy

Introduction

The country is celebrating 125th birth Anniversary year of Dr. B. R. Ambedkar and paying tribute to him on this occasion. The contribution of Dr. Ambedkar in social, political and economic sectors is enormous and he is one of the key founders of Modern India. The life of Dr. Ambedkar is an inspiration to millions. He is known as the architect of the Constitution of India. The hard work done by him in the drafting of the Constitution made it a powerful tool for social and economic empowerment of the downtrodden, which is praiseworthy.

Social justice issues occur globally, nationally, regionally, locally, and within groups. These issues are a result of unequal wealth and resource distribution, unfair treatment of individuals with differing traits (race, culture, sexual orientation, religion, etc), and laws that support segregation. Social justice has significance in the context of Indian society which is divided into Castes and Communities and they create walls and barriers of exclusiveness on the basis of superiority and inferiority such inequalities pose serious threat to Indian democracy.

Social justice issues can be divided into two categories, although they are co-dependent: Inter-Social Treatment and Unequal Government Regulation.

Inter-Social Treatment- this involves treatment of a group(s) of people within the local and regional scale.

1. Racism
2. Sexism
3. Ageism
4. Heterosexism

Unequal Government Regulation- this involves laws and regulations that purposefully, discriminate a group(s) from the same opportunities and resources based on differences.

1. Poverty (lacking access to food, clean water, and shelter)
2. Environmental Rights (racism)
3. Access to Health Care
4. Heterosexism
5. Labor Laws
6. Civil Rights (racism and sexism)
7. Access to Education

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". 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. Another important aspect of his theory is that while laying emphasis on the equal distribution of the "social primary goods", he envisages "an unequal distribution" of the "social primary goods" if such unequal distribution is "to the advantage of the least favoured". In envisaging such "unequal distribution" of the social primary goods to benefit the "least favoured" in the society. John Rawls has displayed a great sense of pragmatism, he rightly felt that equal distribution of the 'social primary goods' in an unequal or hierarchical society would result in perpetuating the already existing inequality and the social justice would become cry in the wilderness. The 'least favoured' in every society must be given initial advantages to compete with the most favoured in the society by the unequal distribution of "social primary goods" to the advantage of the least favoured. In enunciating this view, Rawls seems to have anticipated the doctrine of 'Protective Discrimination' embodied in the Constitution of India.

The Supreme 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. 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.

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 economical resources of the community. 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, the Aristotelian order, Plato's scheme, Gandhian sarvoday order and not even the proletarian socialism of Marx.

Objectives of the Study

There are some objectives for the present study.

1. To remove all kinds of inequalities based upon Caste, race, sex, power, position, wealth and affording equal opportunities to all citizens in social, economic and political affairs.
2. The research work focuses on Dr. Ambedkar's Vision of "Social Justice" on Women, Scheduled Castes and Scheduled Tribes. Remove man-made inequalities of all shades through law, morality and public conscience.
3. After the Constitution came into force, the Judiciary has interpreted the 'protective discrimination' clause to enlarge its scope and significance.
4. Though Constitution has provided certain special benefits to Women, SC, ST, and OBC yet these benefits are not effectively reaching the people to whom they are intended.

Research Methodology

The research methodology followed in commissioning the present work covers both empirical and non-empirical methods. Under the non-empirical, various legislations, text books, commission reports, judicial decisions, law journals have been comprehensively consulted and used. The empirical study focuses on the real problems and difficulties faced by respondents in availing of the Constitutional benefits. For the purpose of collecting data and information questionnaires and interview schedules are prepared and distributed to the respondents like government officials, number of Dalit leaders, number of SCs/STs political representatives etc.

Sources of Data

So far as collection of data is concerned there are sources such as direct source and indirect source. The former represents data collected directly from the respondents relating to the factual situation of their socio-economic backwardness, awareness of Constitutional and legal provisions, programmes and policies of the Government etc., The later comprises primary and secondary data such as, Journals, reports, legislations, Statutory rules, current awareness, publications, legal periodicals, websites, text books, hand books sponsored by the public offices, etc.

Review of Literature

In the examination of school-family-community partnerships, Bryan & Henry (2012), define them as collaborative initiatives and relationships among school personnel, family members, and community members and representatives of community-based organisations such as universities, businesses, religious organisations, libraries, and mental health and social service agencies. Partners collaborate in planning, coordinating, and implementing programs and activities at home, at school, and in the community that build strengths and resilience in children to enhance their academic, personal, social, and college-career outcomes (Bryan, 2005; Epstein, 1995; Henderson & Mapp, 2002). The benefits of school-based partnership programs is that it can create the environments, relationships, and experiences that reduce risks, build social capital, increase academic achievement and attendance, decrease behavioural

issues, enhance school climate, foster resilience, and create developmental assets for children and adolescents (ASCA, 2010; Epstein & Van Voorhis, 2010).

The emphasis, however, is that successful partnerships are intentionally infused with the principles of democratic collaboration; student, family, and community empowerment; social justice; and strengths focus (Bryan, 2005, 2009; Bryan & Henry, 2008; Nelson, Prilleltensky, & Mac Gillivray, 2001). Democratic collaboration means that school, student, family, and community partners have shared decision-making, ownership, and responsibility for the partnership vision, goals, and outcomes. Together, partners define pressing student concerns, reach consensus on the need for partnership programs and events, expand the leadership of the partnership, engage the local and wider community, and focus on and implement the program(s). In schools, students' and families' voices are typically silenced, and programs and interventions are designed for rather than with students and families. In partnerships that embrace democratic collaboration, school personnel share power with students, families, and community members and view them as equal and valuable experts in the children's education and the partnership process (Bryan 2009).

Empowerment and social justice are intricately interrelated. Whereas empowerment focuses on increasing participation and voice for families in the partnership process and in their children's education, social justice focuses on increasing access to resources, information, skills, and knowledge for families (Nelson et al., 2001). Principle-based collaboration is a vital tool of social justice (Bryan, 2009) for collaboration with traditionally marginalised students and families. Partners also ensure that marginalised families participate in school and community decisions and policies (Bryan, Day-Vines, Griffin, & Moore-Thomas, 2012). Furthermore, in partnerships focused on social justice, partners intentionally tackle pressing social justice issues, such as closing achievement gaps, reducing disproportionate disciplinary referrals among affected student groups, providing in-school and out-of-school supports for students without them, and creating college access for underrepresented student groups. Relatedly, school counsellors must be aware that families have different amounts of social capital that can be enhanced or further depleted by the relationships that counsellors build with families and their children (Bryan et al., 2011). Successful partnerships must also be attitude driven, vision driven, and data-driven (Bryan & Henry, 2012).

Evaluation theory, although disparate and in most cases unproven, provides a wide range of theoretical perspectives concerning the construction of knowledge, use of knowledge, and valuing knowledge. Social justice evaluation encompasses strains of methods, use and valuing theories, or approaches that provide a more equitable distribution of power in judging and valuing. Existing evaluation theoretical constructs and paradigms that advance social justice-oriented evaluation include

transformative evaluation (Mertens, 1999, 2009; Mertens & Hopson, 2006), deliberative democratic evaluation (Greene 2005; Greene, Millett, & Hopson, 2004; Henry, 2000; Hopson, 2009; House, 2000), contextually and culturally responsive evaluation, (Hopson, 2009; Hood, Hopson, & Frierson, 2005; Thomas & Stevens, 2004), and multicultural validity (Kirkhart, 1995, 2005).

The Hindu dharma sought to be maintained by the ancient Hindu legal system fully supported by the four Varnas and the Caste system. The Hindu legal system refused to recognize the basic fundamental right of humans that all are born equal. The glaring inequalities and dehumanization based on the hierarchical Caste system with its graded disabilities from birth and humiliating and degrading occupations assigned to certain designated low Castes to be followed by them till their death, was the greatest bane of Hindu society. The preservation of the important concern in our ancient system of law. There was no scope for moulding a new social order that can guarantee social justice (Venugopal P.1998)

Caste system founded on Varnashrama dharma is the negation of social justice. The Hindu Varnashrama dharma and the Caste system pushed forth Brahmins as the highly privileged Caste with a high hereditary social status and stamped the vast majority of the people as "sudras" and "untouchables" fit for only manual labour. They were deprived of educational opportunities and condemned to a low social status. In course of time the privileges for the privileged class increased and the other classes became more and more oppressed and depressed such a social structure breed inequality in status and denial of equal opportunities to all. It ushered an unjust social order in this country. Social justice in India seeks to remove glaring inequalities in society based in a hierarchical Caste system with its graded disabilities from birth on a large section of Hindu society and the conferment of privileges and position of dominance of Brahmins, a small section of the society (Venugopal P.1998).

According to Dr.Ambedkar the root cause of social injustice to the Scheduled Castes and Scheduled Tribes is the Caste system in Hindu society. He observed, Castes are enclosed units and it is their conspiracy with clear conscience that compels the ex-communicated to make themselves 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. 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 roof of Brahminism lies with the political power (Mohamed Shabbir 2005).

In the Book "Marriage, Dowry Practice and Divorce", written by S. Gokilav ani an attempt has been made to analyze the social evils of Women like dowry death, Women's status and feminism, divorce

Women's status and feminism, empirical study of dowry System of Practice in Kanyakumari District. She has given the suggestions for eradication of dowry also.

P. Nagabooshanam in her book "Social Justice and weaker sections" (2000) endeavours to secure the social justice to Women under the Constitution law, Women and their position during pre-Constitutional period, Social Justice and the courts, back ward Classes and reports of the commissions. The book deals with the role of judiciary and genesis of protective Discrimination provisions.

The Book "Atrocities and Untouchability against Scheduled Caste and Scheduled Tribes (2006) has written by V Narayana Swamy, analysis the various case laws relating to untouchability. The book deals with the atrocities inflicted on Scheduled Castes and Scheduled Tribes and various provision of Scheduled Castes and Scheduled Tribes (prevention of Atrocities) Act, 1989, the protection of civil Rights Act, 1955 and Rules relating to these enactments.

Shankar. L. Gaikwad, in his book "Protective Discrimination Policy and Social Change" (1999), endeavors to examine the implementation of protective discrimination policy in various sectors. His analysis the reasons of faculty implementation and also recommends what measures should be used for its efficient and effective implementation. The book deals with the SCs conditions in Maharashtra and Aurangabad, importance of educational and employment opportunities, discrimination and SCs perception of caste Hindu's attitudes.

M.K. Dongre in the book "Dimensions of Ambedkarism" (2005) has made an attempt to analyse the Ambedkarism and its dimensions like, social, political, Constitutional, religious, educational, cultural and dimension relating to Women in the first part of the book. In the second part of the book he analysed the economic dimension, the economic structure of Indian Society, economics of caste, economics of untouchability and economic of Hindusim.

An objective study of the Socio-economic conditions of Scheduled Castes and Scheduled Tribes in Karnataka State in early 70's was made by Prof. C. Parvathamma. The study covers all the 19 districts of the State. In the book "Scheduled Caste and Scheduled Tribes - A Socio-economic Survey", (1984) an attempt has been made to cover the various aspects of their social and economic conditions including demographic characteristics, caste and sub-caste composition, occupational structures, political consciousness and awareness of Constitutional benefits and the magnitude of untouchability. The study has given detailed account of the Socio-economic conditions of the most deprived sections of the population. While examining the main problems, the author opines Scheduled Caste and Scheduled Tribes in the country and the State as a whole continue that to be the most poor.

Hypotheses

On the basis of objectives of the study as Stated above, the following hypotheses have been derived.

1. In securing social justice, the implementing authorities are not honestly discharging their duties in implementing welfare programme launched by the State. The present event una and Rohitvemula
2. In tackling the problem of social justice through reservation, the existing laws and the Constitutional provisions are not strictly being enforced.
3. Unless the caste structured society is changed to egalitarian society, the protective discrimination clause under the Constitution is meaningless and useless.
4. The role of judiciary in the interpretation of "Protective Discrimination" Clause is not commendable so as to secure social justice to Scheduled Castes and Scheduled Tribes.
5. Ambedkar always insisted that egalitarian (casteless) society can be established by securing social and economic democracy to the Women, Scheduled Caste and Scheduled Tribes.

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 is real earnest, sacrificed his whole life for the amelioration of the women, Scheduled Castes and Scheduled Tribes in the society. He strongly fought against the prevalent Caste system and Gender discrimination in the society and ventured to secure social justice to these sections of the society. His struggle for social justice could be visualized in the ideals and philosophy of the Indian Constitution. Thus the Constitutional ethos of the social revolution running through the 'preamble', fundamental Rights and the directive principles expressly emphasize the establishment of an egalitarian social order and based on human values of justice, Social, economic and political, equality of status and of opportunity and fraternity assuring human dignity. Thus Dr. Ambedkar created a social revolution by awaking the women, Scheduled Castes and Scheduled Tribes and breaking all social values based on Hindu Social System.

Suggestion

In this regard, the following suggestions have been recommended.

1. Enforcement for laws at grass root level. Education and Awareness should be made compulsory for Women, SCs, STs and minority.
2. The government should relax the procedure to the Women, SCs STs and minority for obtaining loan from various financial institutions to secure the social justice.

3. The government should employ the Women, SCs, STs and minority to temples and private sectors, hotel industry.
4. The police and law courts should have a special responsibility in dealing with women, SCs and STs Cases for ensuring social justice.
5. 5.The policy of reservation should be extended to private sectors, Higher judiciary, Rajyshaba and to the non-government enterprises in the organised sector.

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