

Ambedkar's Notion of Social Justice – A Different Perspective

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Abstract: State has a fundamental role to play to construct a just society. India has been implementing social justice programmes through its reservation policy which is in reality a problematic one from its very inception. Since ancient time, the Hindu social system based on caste has proclaimed a social order which was the main cause of injustice in Indian society. All human beings are equal by birth but few people constructed caste system based on occupations which contributed to the evil practice of untouchability. Certain sections of society whom we call dalits were denied access to the natural resources and denied right to livelihood, this practice excluded them from the mainstream political participation which further added to vulnerability. Later, their Ambedkar, the great social reformer had addressed these issues in a different way during the independence movement period and thereafter Ambedkar's leadership provided a fresh path for over all development of scheduled castes and his whole life was a constant struggle against injustice in society. He addressed the problem of untouchability and came out with concrete proposals for the removal of untouchability and the upliftment of the marginalized and the excluded. Ambedkar's contribution is now in a critical juncture to create the just and casteless society. He believed that the root of untouchability lies in the caste system and caste in the hands of the orthodox has been a powerful weapon for persecuting the reformers and for killing all reforms. He felt that no socio-political reform movement could be successful without the annihilation of caste. He wanted justice for untouchables as well as the weaker sections of the society by making provision in this regard in the Constitution itself. Ambedkar's just society is based on three fundamental principles viz., Liberty, Equality and Fraternity. But the present scenario shows us a gloomy picture of Ambedkar's idea of dealing with the weaker sections in the society. The ideas enshrined in our Constitution are not addressing the issue properly even after the 64 years of independence. The present paper would address the question that why did Ambedkar unlike Hindu religion? This study would discuss on Ambedkar's perspective of Hindu social system and his notion of social justice.

Key Words: Caste System, Conservation, Discrimination, Hindu Social System, Inequality, injustice, Social Democracy and Social Justice

1 Introduction

The analysis of Ambedkar's social and political philosophy is very tough job even though the researcher would like to make an attempt of his notion of social justice as a different perspective. Most of us only knew that Dr.B.R.Ambedkar was an architect of Indian Constitution and he also a great teacher, educationist, lawyer, economist, anthropologist, sociologist, author, orator, politician, trade union leader, preacher and above all social revolutionary. In India so many social reformers emerged to fight against injustice in favour of dalit communities, however a few leader successfully communicated they own ideas to societies towards the welfare of depressed society. Particularly, Ambedkar worked for the Dalit rights, women rights, backward castes, minorities and working class people and struggled all his life for the minimum dignity of all human beings irrespective of caste or class.

He brought dignity to the lives of the so-called untouchables what other social and religious reformers tried and failed to bring for centuries. He was one of the most educated persons of all politicians of his time with multiple degrees from India and Abroad and wrote several books and articles to put forth his theories for the problems facing India at that time. He also proved that intellect is not the property of any particular caste or class but given an opportunity the most despised on the earth can also surpass any other castes or classes.

His two well known works "*Who Were the Shudras?* (1947) and *The Untouchables* (1948), has for the first time analyzed in detail the 'Shudras' and 'untouchables' which created a stir in. Ambedkar advocated human dignity, liberty, quality, and fraternity through the legal provision. Jatava observed that Ambedkar is "the prevailing ethical and political drawbacks sprang from a total misconception of the meaning of human relationship, and the problem of rights human relations was the key to his entire thought and action. It was in this conviction and with an optimistic faith in human goodness, love and truth, which he entered upon his sacred mission. The aim of his mission was to arouse in men and women the passion for right relations. His purpose was practical rather than speculative and his philosophy of life was essentially a development and

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evolution under certain conditions and events prevailed in Indian society" (Lal 1998: 45).

2 Idea of Social Justice

The social justice twigs of justice which derivatives from concept of ethical morality. The issues of social justice is affected various developmental policy as well as whole development of social welfare programme. Kelson observed social justice is that what does it really mean to say that a social order is just? It means that this order regulated the behavior of man in a way satisfactory to all men so that all men find their happiness in it. Social justice is social happiness. It is happiness guaranteed by a just social order. Just social system seeks to remove social disability by birth resulting in social and economic inequality. Social justice means equal social opportunities shall be available to everyone to develop their personalities which is associated with equality and social rights. According to Ambedkar, his Justice is based on moral values and self respect. Justice situates through social, political and economic justices which regulated by the Indian constitution.

3 Ambedkar's Perspective of Hindu Social System

Ambedkar was against the concept of Hindu social system and did not like Hindu religion. Ambedkar believed that conversion of religion to give social justice in the name Buddha religion and he observed that Buddhism is the best way to be adopted to promote peaceful social livelihood. To quote Ambedkar "by discarding my ancient religion which stood for inequality and oppression today I am reborn, I have no faith in the philosophy of incarnation; and it is wrong and mischievous to say that Buddha was an incarnation of Vishnu. I am no more a devotee of any Hindu god or goddess. I will not perform Shrardha. I will strictly follow the eighty-fold path of Buddha. Buddhism is a true religion and I will lead a life guided by the three principles of knowledge, right path and compassion" (Larbeer 2003: 82) and also he quoted that "the world owes much to rebels who would dare to argue in the face of the polite and insist that he is not infallible. I do not care for the credit, which every progressive society must give to its rebels. I shall be satisfied if I make the Hindus realize that they are the sick men of India and that their sickness is causing danger to the health and happiness of other Indians" (ibid: 83). Ambedkar took decision for conservation to Buddha because of given factors are:

1. The rational consciousness of assessing things for a better life of human beings

2. The freedom of choice in which man realize his individual dignity
3. The realization of the higher life by transcending the lower plane of human existence
4. The revolt against suppression and enslavement of humanity
5. The entire change of traditional pattern of society for providing physical facilities for all
6. The emancipation of ignored humanity and the revitalization of overlooked reality.

The Hindu religion creates caste system based on occupation. Justice Venugopal says that the based on social system assigned a hierarchical position to each caste giving rise to conflict and disharmony. The caste system with its differential treatment stood for negation of social justice (Venugopal 2005: 16). Gopal Guru Quotes that Ambedkar's view of Hindu religion is that "Hindu law is that law of the established order and was made by the touchables. The untouchables had nothing to do except to obey it and respect it. The untouchables have not rights against the touchables. For them there is no equal right, not justice which is due to them and nothing is allowed to them. Nothing is due to them except what the touchable are prepared to grant. The untouchables must not insist on rights. They should pray from mercy and favour and rest content with what is offered" (Guru 2002: 41). This is rightly pointed out that Hindu law is against the equal right among all communities. The touchable communities create untouchable community and were treated as slaves.

Ambedkar says that caste is an artificial chopping off of the population into fixed and definite units each one prevented from fusing into another group though the custom of endogamy (Larbeer 2003:50). He quotes "Caste is the monster that crosses your path, you cannot have political reform, and you cannot have economic reform, unless you kill this monster" (Kazeha1988: 7). He believed that the root of untouchability is the caste system, the roots of the caste system is religion attached to Varnashram, the root of Varnashram is the Brahminical religion, and the root of Brahminical religion is authorization of power (Lal 1998: 66). Ambedkar said that the major discriminatory of features of casteism are;

1. Hierarchy
2. Lack of social efficiency

3. Social immobility
4. Responsible for disruptive tendencies
5. Excommunication
6. Endogamy and
7. Anti social spirit.

According to Ambedkar, "caste is religion and religion is anything but an institution. It may be institutionalized by it is not the same as the institution in which it is embedded. Religion is an influence or force suffused through the life of each individual molding his character determining his actions and reaction, his likes and dislikes. These likes and dislikes, action and reactions are not institution, which can be lopped off. They are forces and influences, which can be dealt with by controlling them or counteraction them. If social forces are to be prevented from contaminating politics and perverting it to the aggrandizement of the few and the degradation of the many then it follows that it will contain mechanism, which will bottle the prejudices and nullity and injustice, which the social forces are likely to cause if they were let loose" (Vijayan 2006: 18).

The castes were enclosed unites and it is their conspiracy with clear conscience that compels the ex-communicated the make is merciless and it is in obedience to its force that some unfortunate groups find themselves closed out, with the result that new groups by a mechanical law are constantly being converted into castes in a wildering multiplicity. The research feels that the existing Hindu social system was against the just social order. Ambedkar argued that the Brahmins were dominated Hindu society who was said that the fundamental principles of Brahminism are

1. Graded inequality between the different classes
2. Complete disarmament the Shudras and the untouchables
3. Complete prohibitions of education of the Shudras and the untouchables
4. Ban on the Shudras and the untouchables occupying places of power and authority
5. Complete subjugation and suppression of women

He suggested that the following changes in the Hindu outlook: 1. there should be one and only on standard work

of Hindu, religion acceptable to all Hindus and recognized by all Hindu, 2. Priesthood among Hindu should be abolished. 3. No ceremony should be allowing to be performed by a priest who does not hold a legally valid same, 4. Priests should be servants of the state and should be subject to disciplinary action and 5. The number of priests should be legally limited according the requirements of the state (Lal 1998: 66 & Sing 1997: 81).

4 Ambedkar's Nation of Social Justice

Injustice is everywhere not only western countries and India also. At present one of the contemporary issues is that injustice and caste discrimination. Ambedkar did a movement amongst marginalized communities. His concept of justice generated from the French Revolution of 1789. Ambedkar's perspective of social justice is based on social democracy which consists of three concept of justice namely liberty, equality and fraternity. Ambedkar addressed in constituent assembly that "the third thing we must do is not to be content with mere political democracy. We must make out political democracy a social democracy as well. Political democracy cannot last unless there lies at the base of it social democracy. What does social democracy mean? It means a way of life, which recognizes liberty, equality and fraternity as the principles of life.

These principles of liberty, equality and fraternity are not to be treated as separated items in a trinity. They form a union of trinity in the sense that to divorce one from the other is to defeat the very purpose of democracy" (Larbeer 2003: 64). These principles are fundamental rocks of Just Society Order and were origin from France revolution. Raphael admits "justice and liberty are the two basic ideas of all political thought. Every society needs some sort of concept concerning that structure. Justice is the basic concept of social values; it is what holds a society together" (Raphael 1986: 68). His concept of liberty is a fundamentalism among political and philosophy thought. According to Ambedkar, liberty has divided into two categories namely Civil Liberty and Political Liberty. Ambedkar's notions of civil liberty deals with three basic opinions are; Liberty of movement, Liberty of speech and Liberty of action. Civil liberties are often formally guaranteed in Indian constitution but ignored in practice which came from Bill of Rights. Civil right is often used to refer to one or more of these liberties or indirectly to the obligation of government to protect dalits from violations of one or more of their civil liberties.

Hindu Temples continue to be spaces for oppressing and resistance and remain a major source of caste clashes in southern district of Tamil Nadu. Dalit are at the receiving

and in issues like enter to temples and rights to participate in festivals and they face stiff opposition and attack from caste Hindus (The Hindu, June 14, 2009). It highlights that dalit communities do not have accessing civil rights and they are not allowed inside temples. Dalit have little access to temples, kids made to sit separately in schools (The Times of India, July 28). The National Commission for Scheduled Castes in Chandigarh received 3-4 complaints daily. The Prime Minister Manmohan Singh said that "disturbed at reports of continuing atrocities against Scheduled Castes and Scheduled Tribes" (The Hindu, September 8, 2009) which statements highly admits that SCs does not access civil rights. National Crime Record Bureau 2007 reported that there is an increase of 10.9% in crime against Scheduled Castes as 27070 cases reported in 2006 have increased to 30031 cases in 2007 under various crimes.

The political liberty consists in of the rights of the individual to share in the framing of law and in the making and unmaking of governments. He believed that liberty is accompanied with social and economic equality and there must be knowledge (education) made available to all. These liberties are restricted by old Hindu social system but these are the part of the human liberty to crate just social order. (Massey 2005:160). What does fraternity mean? Ambedkar gives answer is that "Fraternity means a sense of common brotherhood of all Indian, all Indians being one people. It is the principle which gives unity and solidarity to social life" (Jatava 2006:96).

He believed that democracy offers every individual achieve social equality, economic and political justice guaranteed in the preamble of the constitution. Liberty, equality and fraternity should be the only alternative to abolition caste society (Rajasekhria & Jayaraj 1991: 370). He argued that "liberty cannot be divorced from equality; equality cannot be divorced from fraternity. With equality, liberty would produce would kill individual initiative. Without fraternity, liberty and equality could not become a natural course of things. It would require a constable to enforce them. We must begin by acknowledging the fact that there is completes absence of two things in Indian society. One of these is equality" (Larbeer 2003: 64). Political democracy gives equal rights for everyone which assures legal provision to all. Ambedkar believed *One Man One Value* which means the basic need of each person are well satisfied with freedom and dignify. Uttar Pradesh Chief Minister Mayawati said that "on the threshold of social democracy and social harmony, solidarity and cohesiveness are the trump cards of success of a society and the country" (The Hindu, September 8, 2009).

Social and economic democracies are the tissues and the fiber political democracy. The social and economic problem of our society seeks to envisage. Whole-heartedly supports the system of fundamental rights of man in the constitution of free India. According to B.R.Ambedkar, combine individualism and socialism through the introduction of state socialisms, by means of the law of the constitution. Liberty retains the modified capitalist system of social economic, while if gives greater concessions to the poor, the fallen and the weak, under a parliamentary form of government (Jatava 1997: 209). Ambedkar's concept of State Socialism is based on following point;

1. State ownership of agricultural and key industries to meet the demands of the poorer strata of society,
2. Maintenance of productive resources by the state and
3. A just distribution of the common produce among the different people without any distinction of castes or creed (Jadhav 1991: 986).

Ambedkar believed that all man have value capacities, which can be measured easily by their coreligionists. Everyone has some value contribution in the civic order, in which he lives. Therefore, everyone must have an equal voice or share in the determination of the law of his land. He demands that the protection of law, equally and ethically, status be accorded to every member, without any regard to group morally status. State should allow participating in all democratic institution and be given their legal rights. Ambedkar believed that the rights are equal and common to all humans. He says that "we are demanding equal rights which are the common possession of the entire humanity but due to inhibitions created by the shastras we have been denied these human rights" (Larbeer 2003: 69). He further says that "rights are protected not by law but the social and moral conscience of society. If social conscience is such that it is prepared to recognize the rights, which law chooses to enact, rights will be safe and secure. But if the fundamental rights are opposed by the community, no law, no parliament, no judiciary can guarantee them in the real sense of the word" (Larbeer 2003: 73). The equality before law is in the main foundation social equality. The political equality lies in that the poor masses become educated and can make themselves so conscious of their rights that the governing classes cannot usurp their productive labour values. The economic equality emphasizes the quality of opportunity. It is a legitimate demand of the present generation, worth and works. Ambedkar suggested that the state control through the law of constitution is work consideration; it can provide

everyone with full equality of opportunity as one part of social justice. The state socialism is a worthy proposition, which envisage the placing of some economic restraints by the state upon the owners of the means of production.

5 Conclusions

This study concludes that Ambedkar's notion of social justice is based on equal rights and human dignity through legal framework. As the result of his thought, Indian constitution grants equal right to all. He was first person to demand separate electorates and reservation system in favour of dalit in round table conference hence three round table conferences failed. Ambedkar realized that affirmative action is only way to improvement of dalit communities which safeguards through legal institutions. Ambedkar did not encourage the aspiration of caste system within India and Caste system generates inhuman practice among the communities. Ambedkar believed that economically dalit are very poor which they are lack access to political, social and economic power. Ambedkar's ideas are supported on sustainable development of dalit through legal and constitutional provisions and also by organizing them for fighting for fundamental rights. These are banned by upper community in India and crime increased against. The execution body will be strengthening by the state through social democracy. Moreover, his socio-economic and political notion has accepted by everyone to address contemporary socio-political issues. Ambedkar did consider dalit representation into mainstream political arena which generates dalit movement in various Indian states for freedom and justice. He also believed that law is an important powerful weapon to fight against discrimination. Study observed that Ambedkar's notion of social justice could not achieve as a proper manner and his concept of justice will be propagated by institutions through civil society. Dalit and non-dalit community shall come forward to understand of his idea. Ambedkar concerned about over all development of vulnerable section of the Indian society and demolished exerting castes discrimination by enacting constitution. Therefore, Ambedkar's notion of social justice is relevant in contemporary Indian society to accomplishing just society within framework of constitutional and legal methods.

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