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Problems of Justice and Social Change in India

The Indian society today (perhaps, like all other societies) is full of inequalities and, therefore, everyday one comes across human situations of injustice thwarting and preventing the development of man and presenting healthy changes in the traditional social set-up. But people have got accustomed to such situations and they have learned to ignore cases of blatant injustice and persuaded themselves that the only thing that matters is to concentrate on one's own individual well-being rather than waste time and energy on other people's problems. We shall briefly examine the forces and mechanisms behind this general attitude and indicate some ways in which this abnormal situation may be corrected.

India is a land of religions and conviction regarding religious values may be taken for granted in most people's lives. But these values are not often reflected in the organization of society as such. The reason may be that while in the West liberty, equality and fraternity were assumed as fundamental values and ideals India has in its religious tradition institutionalized inequality, based on one's individual merits and demerits. as the actual order of things. Hence in the practice of justice there is a certain dichotomy between personal well-being and social well-being. Pragmatically, people confine themselves to family well-being and even in the "vulnerable" moods of altruism manage to limit it to the members of one's own social group (caste, community, language etc.). The much honoured and publicized ideal of "social service" operates mostly as "paternalistic charity" or as a "cash crop" for buying political power, breeding further economic and social injustice in the process. The issues of justice and social development in India today are highly complex and the analysis of its context becomes a difficult task. This may, however, be done roughly in terms of factors like coercive forces, depressing psychological realities, and the consequent distress caused to various classes in society.

1. Coercive Forces

In the social context of justice there are certain forces that are dominantly operative. They thwart the promotion of justice in society and very often succeed in paralyzing the most determined struggle to change the oppressive structures of society and to build a better world.

a. *Economic Domination*

The ever-widening gap between the rich and the poor in India is bemoaned and denounced by all; but worse still is the economic domination of the whole country by a few both in the industrial and agricultural sectors. The economically dominant group also has a major role in framing and implementing the public policy that adversely affects the economically weaker sections of society. It is in the interest of the dominating group that the teeming millions who are illiterate, poor and often even below the poverty line be kept in their present condition to provide cheap labour satisfied with the barest minimum for survival. Hence the much publicized programmes for the eradication of poverty continue to remain merely a political slogan, whatever the party in power. The programmes are controlled by vested interest groups that swallow most of the money invested in the cause of the poor. When a part of the cash falls into the hands of the poor the traders who are controlled by the economically dominant are out there to rob them off by exploiting their ignorance. Thus the very existence of the weaker section continue to support the profit making activity of the few, through institutions such as bonded labour and loan-sharking. The implementation of the minimum wages act, eradication of bonded labour and the like is impossible without a wider distribution of the power that wealth brings.

b. *Parallel Economy*

The parallel economy maintained by the perpetual generation of black money practically rules the Indian society. It is impossible to conclude any major transaction (including renting a house) without generating black money. It is common knowledge that all "successful people" including private medical practitioners keep double books of accounts, one for the "white" and the other for the "black" income. Here again it is the economically dominant group that corners the major portion of the black money for affluent living, parallel business

transactions and unlimited purchasing power not only of goods but also of people in positions of authority and power. That even elected members of legislatures can be bought for a certain price and made to change political affiliations is common knowledge. Consequently, a large number of influential people in politics and in administration, not to mention the underworld and the anti-social elements, are all reaping the harvest of the parallel economy. The more transactions are done with black money the more does the parallel economy which flourishes on injustice get the control of the socio-economic and political activities. The vast majority of the population that does not have the blessing of the black "Lakshmi" will continue to groan pleading for mercy.

c. *Political Power*

Since political power controls every walk of life, the ultimate goal of the dominant group is to capture political power both at the state level and on the national level. The scramble for the "ministerial chair" by the "self-sacrificing leaders" belonging to all political parties is only one example of this. The only proven method for controlling the dissidents in political parties is "to accommodate them in the sharing of political power" rather than subject them to party discipline. Personal integrity and individual dignity are often abandoned in the game of musical chairs in capturing political power. In the process of exercising unlimited political power affecting everything essential for life, production in industry and agriculture, trade, issuing of licences, allotment of development funds, and the appointment and transfer of officials, justice and social order are often the main casuality.

d. *Immobilizing Poverty*

A large majority of the poor (and especially those below the poverty line) are unable to organize themselves. They are helplessly controlled by the stronger sections of the society. In order to eke out their miserable livelihood the poor have to depend on their masters' will and pleasure. They are immobilized by their very dependence on others. Occasional attempts made to express themselves against injustice do rely heavily on the planning and leadership provided by the "drop outs" from the affluent group or ambitious politicians who again belong to the well to do sections of society and are, therefore, out to exploit the poor for their own benefit.

e. *Evasive Legal Justice*

There is no doubt that the judicial system in India has managed to maintain its integrity and fairness. But as far as the people are concerned justice too has to be "bought" on account of the very high court fees, exorbitant fees of lawyers and the high cost of collecting evidence and, not infrequently, the "under-the-counter-payment" demanded by obliging custodians of the judicial machinery. In practice, the civil and criminal justice in India today swings in favour of the rich against the poor. The poor have to be satisfied with less competent lawyers under the state legal aid schemes. They have to bribe the peon and the pillar to reach the meagre assistance available to them.

f. *Social Prestige*

Symptomatic of the social malaise of India is the gradual transition that is taking place in the practical acceptance of "social prestige". The high position traditionally enjoyed by *rishis,* scholars and saints gives way to the influential politicians, wealthy black-marketeers, *"dadas"* and the like. Today the success story is woven around this new class. Public fanfare and adulation are used to please them and to gain their favour. Not infrequently, people try to get government ministers to grace a public celebration in the place of decorated elephants traditionally used for such occasions !

2. Psychological Realities

In working for justice and social change one has to deal with certain issues arising out of the psychosocial realities of today. To a great extent they are depressing and encourage a cynical outlook on society itself.

a. The Democratic Politics

The basic assumptions of democracy that all men are equal and that the one-man-one-vote ideal should prevail are true only for the rich or those supported by the rich. Only they can get elected to represent the people. The man at the bottom of society has no chance unless he subjects himself to the pressures that ensure the interests of the dominant few. Since votes are controlled by coercive tactics, caste and communal considerations very often the voter does not mind selling his vote for a good meal or for a few rupees in cash,

since he knows fully well that what the elected representatives are going to do, are irrelevant to his problems.

In the realm of caste politics it is clear that no political party will dare to put up a candidate of a caste different from that of the majority caste of the constituency. when all parties put up candidates from the dominant caste in the particular constituency the minority castes cannot accomplish anything by their voting rights !

b. Discrimination

Widespread discrimination in the name of caste, community, region and language is another source of psychological depression for the common man.   This discrimination takes place in employment, housing, admissions to institutions of learning and in upward mobility of classes.   Such discrimination is accepted as a fact of life and protests are made only occasionally and then only in the form of political slogans.

c. Educational System

Another source of psychological dissatisfaction in society is the educational system itself.   India has made considerable progress in spreading education and the efforts to reach remote towns and villages continue to be successful.   But what is deplorable is the quality of the education, which is poor and irrelevant for the actual needs and concerns of the people.   It does not create a sense of self-respect and responsibility for one's life in society.   Instead of developing a critical faculty to face and solve problems, through a system of question banks and answer sets it encourages rote learning and places a premium on passing examinations.

Here again the poor are worse off, since they have to be satisfied with poor schools, crowded class-rooms and incompetent teachers, while the rich and powerful have access to the best schools under existing conditions.   So the system of education as it operates now widens the gap between the rich and the poor, keeping the poor ignorant of their own human rights and oblivious of their own duty to work towards an equitable society.

d. The Demand Syndrome

In fighting for national independence from the British rule, Mahatma Gandhi effectively used the noble tools of *satyagraha* and civil

disobedience basing them on perfect self-discipline, non-violence and sincere love for one's opponent. But with this backbone of self-discipline gone these noble tools have today degenerated into a "demand syndrome" in which people expect somebody else to solve all their problems for them without their own active co-operation or positive input. Many innovations also have been added to the Gandhian tools like *"dharana", "gherao", "morcha",* hunger strike, wild-cat-strike and work-to-rule, and these are constantly used by opposition parties, communal organizations, trade unions, *"goondas",* and all kinds of vested interests to promote all kinds of selfish schemes.

The psychological attitude behind all these fighting techniques is that people have decided that all their problems should be solved by somebody else. They themselves do not assume any responsibility to find solutions. This is a childish attitude and a pathological symptom of inadequacy to face human problems in order to find positive solutions.

3. The Classes of Distressed People

To have a concrete idea of the Indian social malaise and to realize the enormity of the problem it will be worthwhile to look at some of the classes of people who are particularly in distress today.

a. The Landless and the Jobless

The problems of the landless in the rural sector and of the jobless both in the rural and urban areas are too well-known to need any description. In a heavily populated country like India with an agriculturally based economy everybody dreams of owning a piece of land however small it be. But those who already have some will want to accumulate and grab more for themselves and for the future generations. Bonded labour in some form or other and the money-lender with his tentacles spread around the unguarded poor not only prevent the poor from owning anything that is stable, but even takes away the little they already have. The pressure of unemployment and underemployment compels them to accept whatever form or amount of wages they are offered for staying alive. They are naturally unable to organize themselves and any effort on their part in that direction is ruthlessly suppressed by the privileged, who strongly resent any curtailment of their privileges as injustice.

b.   The Exploited Women

The subservient status of women in the Indian society has not changed much down the centuries.   Legendary figures like the ancient Queen of Jhansi or the modern Indira Gandhi are only exceptions to the age-old rule of women as the exploited half of humanity.   The common lot of women in actual life is ill-treatment, molestation, violence and treatment as mere property of men.   The degree of their suffering may vary from region to region and community to community.   Even the visibly liberated career women are not as free as they appear since they have to manage two jobs, one in the office and another at home under forced circumstances.

c.   The Miserable Children

Millions of children in free India find themselves in miserable conditions subjected to disparities caused by caste, religion, economic status, and lack of educational opportunities.   Large numbers of them lack proper childhood care including food, clothing and healthy living conditions.   At a very early age they are put to work in very unhealthy conditions like doing menial jobs in other homes, restaurants, illicit liquor dens or drawn into organized begging or the flesh trade or other such abominable activities.

d.   The Harassed Minorities

In a pluralistic society like that of India justice cannot be ushered n without making the minorities feel secure and confident in a non-discriminating socio-cultural atmosphere.   But often it would appear that it is thought to be the privilege of the majority to impose on the minority rigid regulations and psychological pressure for preventing them from upholding their cultural, religious and moral values.   It is a sad comment on the health of a democracy that the problems of minorities are brought to the public attention only through communal riots at the cost of lives and property of innocent people !

e.   Backward Classes

In India the interests of the minorities notified by the government as backward classes, including scheduled castes and scheduled tribes are legally protected for admission to institutions of learning, employment and promotional opportunities in their career.   However, in

the context of justice and social development, they do not have a good deal from society. The relaxation of qualification and standard at the entry point of learning and employment is admirable provided the finished products reach a comparable standard. In practice, however, these backward class candidates are being cheated since they are encouraged to be satisfied with a minimum level of achievement, and thereby the majority of them continue to be backward in training, achievement and efficiency. In the process of being protected they are also being exploited.

4. Towards Justice and Healthy Social Change

Injustice in the social set-up of India is not of recent origin. Its social structures have introduced and established forms of injustice which can be corrected only by a daring critical examination. For one thing, the existing social forms of injustice cannot be remedied by sporadic outbursts of revolution. The basic social problem of India is that the great majority of the Indian population with its faith in the theory of *karma-samsāra,* has blindly accepted the *status quo* as the only possible and acceptable order of things. As Sri Aurobindo Ghosh has stated, if Indian society has to be changed it has to be moved from its depths, from its deepest religious convictions.

a. A Man-Oriented approach to Justice and Society

It will be a futile academic exercise to examine the various theories of justice and social development in this context. The radical problem of the Indian society is that its outlook on justice has become impersonal taking for granted the justice of traditions and customs without a critical examination of how they affect persons in flesh and blood. Hence a "man-oriented" approach is the most effective, for practical considerations, in the Indian context. A conceptual framework, however, becomes necessary and it has to draw upon the ideas generally available in the field of justice and social development. There are three principles of social justice generally recognized today. They also accord well with the general feeling of the Indian religio-cultural tradition. The principle of RIGHTS is based on the idea that all resources available should be distributed out of natural obligation to all individuals. The principle of DESERT promotes the concept that a certain portion of the resources should be distributed according to the proportion of the contribution made by individuals. The principle of NEEDS stipulates that each man shall receive what he needs. Each

of these principles, though man-oriented, is not complete in itself and all three together do not necessarily cover all areas of social justice. Still, they emphasize the age-old Indian social idea that every individual and every section of human society receive all the gifts and talents from the one single source of all for the service of others. The basic understanding of Man as a gift of God should guarantee him equal opportunity and access to all physical, social, psychological and spiritual resources in this universe. At the same time it should be recognized that God has endowed Man with physical, psychological and spiritual abilities which may vary from individual to individual. All these talents are not merely for the benefit of the individual but for the service of the whole. The one who refuses to share his gifts with others and serve them in his natural capacity in fact loses his right for those gifts of nature. But in serving others one develops one's own identity and personality. This means that no one can achieve self-fulfilment in isolation from others, but only in communion with them and serving their common growth and development.

b.   *Integration of Life and Values*

The initiation and growth of justice in any society will depend on its core values both at the conceptual and operative levels. Indian people as a whole is still able to maintain the values at the conceptual level through speeches, from time to time purifying rituals, veneration of Holy Books, the exaltation of holy men and the pilgrimages to holy places and the maintenance of places of public worship. What is needed is to translate these high ideals and spiritual values into action in everyday life. A nation that proudly proclaims as its national motto *satyameva jayate*—"truth alone shall win"—has to be reminded that while holding that principle one cannot at the same time indulge in cheating, bribery and corruption.

Perhaps what is needed for India in this context is for its highly spiritual and mystical religions to come out of the temples, mosques and churches into the streets and confront people worship of the Deity. Honest people cannot continue to live in two different worlds, the world of pious ideas of justice and selfless service to others and the world of actual life of cheating, exploitation and corruption. If the gap between these two worlds is allowed to widen it can lead to a break-down of the psychological mechanism unless one comes to reject wilfully the ideals of justice and social obligations altogether.

c. Development of a Spirit of Self-Criticism

Perhaps the problem has to be met at a much deeper level in the rational life of the Indian people. While attaching the highest value to intuitive experience and mystical realization of the Deity people have forgotten the analytical and critical functions of reason to examine one's own motivation. Hence arrogant assertion of opinions and conclusions without paying sufficient attention to their accuracy and reasonability has almost become part of Indian national character. The arrogant, blind and speculative nature of the stand on various issues seems to obstract people from realizing their own inability to solve their problems. Be it science of technology, educational practices, religious precepts, practices or caste or even corruption people hold on to their opinion without giving a second thought to the opinion expressed by the other side. But people have to realize that this is a radical departure from the tradition of the Upanishads and other religious texts which were constantly on the search for Truth which was supposed to be ultimately ungraspable: One who thinks he knows, he does not know; but one who thinks he does not know may be actually knowing it. The uncritical attachment to one's opinions should be regarded as the result of the centuries long subordination to foreign powers. Today, with the national independence securely achieved, Indian people can afford to be self-critical.

The important change to be attempted here is in the educational process itself allowing greater scope for trial and error. People have to be trained in the process of thinking and helped to learn to keep one's options open and to preserve the right to opt out of a previous opinion when new light comes. This normal process of reasoning has to be encouraged right from one's childhood. The main emphasis should be an approaching various issues with an open mind as to what should be done.

d. Working towards Justice for All

The issues of justice and social development in India today are immensely complex and intervowen with psycho-social, socio-political and multicultural aspects of the present-day Indian society. It is the task of intellectuals, religious leaders, social workers, politicians and all enlightened people with concern for justice in the development of society to work out an immediate minimum programme. But the basic condition for achieving any success in bringing about social

change in the Indian context is to aim at changing the set views and attitudes of people and awakening them to their responsibility towards all their fellow human beings.