

Social Justice Conference

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Popular Front of India

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People's Right to Justice

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Theme Paper

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Peoples' right to justice

On this auspicious occasion of Social Justice Conference on this 26th and 27th day of November 2011, we have come together here to discuss an important and well known issue "Peoples' right to Justice".

It is people who define a community, a society or for that matter a nation itself. Everything present in a nation like the government, its laws, its systems and all its resources are meant for the people. Such is the democratic setup of governance present in our country and it should also be meant only "for the people". Any society or nation is defined as civilized only if it transfers the benefits of its evolution to its people. On the other hand Justice cannot be defined as just an end result of a process but it is the process itself. Justice cannot be limited to a judicial perception we have; instead it more implies to its social, rather than judicial nature.

"People's Right to Justice", the theme of today's national seminar wishes to bring forward the issue of the peoples' tryst with justice from different perspectives. A discussion on serious theme like Justice is required when injustices prevails. Justice and that too Social Justice, in particular, is very fundamental to a democracy like ours. We can go ahead and say that democracy gained greater acceptance over other forms of governance only because of its guarantee of Social Justice which it promises to deliver to the people who in theory are the masters in democracy.

The quest for social justice is not a new issue. The idea of gaining freedom from foreign rulers was based on the fundamental concept of winning a dignified life for all the people of the country. The independence movement could gain enormous public support and participation only because the masses believed that social justice cannot be gained under the oppressive rule of colonialists and sovereignty in our land would be the only way to achieve such dignity and distinction. Our freedom struggle, which was one of the great struggles in human history could never transform into a revolution. Injustice and discrimination didn't just prevail under the rule of British. Since we find roots of social inequality deeper in ancient India as well, it cannot be claimed as political in nature. Therefore a change in political setup did not promise a whole new environment of social justice. The issue of justice, especially in India, has always been social in nature and only a social revolution could have made it possible to bring justice to the people. A political change happened when the British were replaced by a section of people who themselves for generations believed and practiced discrimination as an indigenous part of their culture. Unfortunately the joy of gaining freedom eluded us from the idea of a social change and by the time we could realize its importance we found

ourselves already enslaved by the social structure that prevailed before the colonial imperialist rule.

After independence the pre-colonial Aryan social structure which believed in polarizing the society on the lines of caste, religion and occupation made a deep impact on all the current institutions like legislature, executive, judiciary and media. In today's scenario whatever issues we talk about related to social justice are directly a by-product of the social structure which believes in denial of rights as divine.

It is believed that during the initial days of independence the government was more of a welfare state and worked for empowering the oppressed and marginalized sections. But there won't be enough evidences to prove that the government after independence made any sincere efforts for socio-political representation of the deprived sections and on the contrary in some cases the government proved to be a hurdle in socio-political empowerment of the backward and marginalized sections.

It was predicted that with each passing year the country and society would become more mature and the concept of Social Justice would become an achievable dream. All such hopes and expectations were laid to rest during the mid-eighties when the venom of communalism was spread across the country by the RSS and its parivar which finally led to the demolition of Babri Masjid. The demolition of Babri Masjid was a heinous attack on the constitution which provides equality and security to every citizen. By the demolition of Babri Masjid and the polarizing of Indian society the fascist forces were successful in dragging the country back to the dark old ages of denial of justice, provoking mutual distrust and overt discrimination. Just when the country was severely injured by the Trishuls of hatred, another serious attack was made by imperialism on the sovereignty of the country with the implementation of liberal economic policies and opening the doors to foreign multi-national corporations. We were back again to foreign imperial rule, the only difference is that our new masters controlled us virtually and without the expensive presence of their armies on our land.

What followed after these attacks is a painful story of shattered dreams. The condition is growing pathetic day-by-day with tall claims of development crashing to the ground. The corporate establishments are projected as the high towers of development of the country. Everyday in newspaper we can see news praising the wealth accumulation of one or the other such corporate tycoons. The increase in the number of millionaires and billionaires is celebrated almost like a festival. It is indeed a tragedy that development of an individual is misrepresented as a sign of national honour. The case of "Antilla" of Mukesh Ambani is an example. The Bollywood also joined the band wagon and almost all movies portray an India with big fat lavishing families and pompous functions. The recent and much-hyped crusade against corruption by a few individuals and groups also ignored the role of corporate in corruption; after all it was the privately owned Medanta Hospital which provided free medical care for Anna Hazare after his fast. The problem of the media is also under criticism. In fact corporate houses provide them the oxygen for their smooth running and survival in these competitive markets. It seems that everything seems perfect in developing India for a few political families, some corporate houses and miniscule urban middle class intoxicated by illusions of development.

On the other hand everything seems wrong to the majority of the masses for whom even living a life of dignity seems unachievable. What would justice mean for farmers who have no other options but to commit suicide for amount as paltry as Rs. 8000? What type of social equality can we call it when local banks provide loans at an interest rate of 7% for purchasing a Mercedes car, while on the other hand

charge 12% to farmers for purchase of tractors? With such injustices and double standards prevalent, it is not shocking to know that in just 16 years 2,56,913 farmers committed suicide with an average of 1800 per year - almost 5 per day. In most parts of India, including the cities, discrimination against Dalits has never ceased. In a recent incident near Bangalore, two Dalits died due to drowning in sanitation tanks while they were made to manually clean the channels by the local corporation. Tribals are another section to whom the meaning of freedom, justice and security has never reached. In this month itself 1500 Adivasis were forcefully evicted from their ancestral forests by the forest department at Haltigaon forest in Assam. Their case is more pathetic as they are scattered and not cared for by any political party as they are an ineffective vote bank.

In the past 60 years the country has failed to gain the confidence of Muslims who form the largest minority in this country. As mentioned in Justice Sachar Committee report it is a very humiliating fact that Muslims still feel insecure in India. Riots after riots have rocked the country but the high profile culprits responsible for anti-Muslim riots were never punished. In cases like Bombay riots and Bhagalpur riots the Police officers responsible for the killings of Muslims are let to go scot free. The simple question arises as to how can the Muslims trust the government and feel as a part of the mainstream? When those people responsible for Mumbai blast in 1993 are punished, the people like Bal Thackerey responsible for the Mumbai riots are not lodged in jail even for a single day? How can we expect the Muslims to forget the past and move forward when Muslim youth are falsely imprisoned for bomb blasts done by others.

Another disturbing fact is the steady transformation of our republic into a police state. It is a very disturbing thought that since last 60 years of independence there has been not a single year when our country didn't use our armed forces against its own people. If we need force to keep people under our rule, then what sense does democracy means? The draconian laws like AFSPA and UAPA gives unlimited powers to police and security forces. We have seen how the police and armed forces use these evil laws to kill innocents for the sake of gaining awards and promotions. The reluctance of the Central Government to repeal this law in Kashmir and North East makes it clear that our government has firm belief that democracy is limited to elections and ruling is completely dependant on the use of force, brutal if necessary at times.

People do have a right for justice. When there are many grave issues pending before the country, the idea of social justice doesn't find any ground to stand. The ground should be cleared and only then social justice can replace injustices. Expecting the government to change its policy inherited from the Aryan-Brahminical era sounds absurd. Similarly relying only on the intellectuals and activist won't provide any result until and unless the victims of injustice are motivated to strive for the cause. There is also a need to convert the sympathy of the people towards the victims into empathy. A joint national movement with equal participation from all the sections of the society seems the only viable option before us. We hope that today's discussion on various topics by experts will throw light on how to initiate this movement and carry it forward.

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