

# **Social Justice Conference**

Ramlila Maidan, New Delhi

26, 27 November 2011

## **Popular Front of India**

---

### **National Seminar**

#### **People's Right to Justice**

26 November 2011

### **Social Justice in Indian Context**

**Presented by:** Shri Thol.Thirumaavalvan, Member of Parliament,  
President-Viduthalai Ciruthaigal Katchi (V.C.K)  
Tamilnadu

The ruling elites of India often speak proudly about the uniqueness of the Indian Democracy. From Mahatma to Anna Hazare everybody interprets democracy on their own. But, we may now ask ourselves whether India will ever attain democracy. It can only happen if the climate is conducive for such a development. Ambedkar identified certain factors that can help create that climate. Those who want to nurture democracy in India must think of the six conditions necessary for the successful working of democracy, pointed out by Dr. Ambedkar in his lecture, 'On the Indian Constitution':

#### **1. There must be No Glaring Inequalities**

In a land which would nurture democracy, there must not be any oppressed class, nor there a class which enjoys all kinds of exclusive powers and privileges. If that class does not voluntarily give away its privileges, then the gap between it and the oppressed ruins democracy.

#### **2. Existence of Opposition**

Opposition is necessary for the successful functioning of democracy. Any nation be doomed if it is ruled permanently by a particular class. If there is an opposition, people will get a chance to elect a different government as they choose.

#### **3. Equality in Law and Administration**

No one has to explain to us that the Constitution treats everybody as equals. What we need to see is that the administration treats them as equals. If it functions in favour of the ruling party, then democracy will not prevail. 'If there is a law saying, "a profession should not be taken up without proper license" then it should be applicable to all. In case one approaches the minister instead of the (concerned) officer, what will happen? If he is known to him, then the minister will try to do a favour for him. This should not happen.'

#### **4. Constitutional Morality**

Adherence to the Constitution alone is not sufficient. A nation should possess morality. Though it is not a written law, it must be strictly followed. When the first US president George Washington was asked to continue his presidency, he refused the people's plea saying that it would abolish the difference between monarchy and parliamentary democracy.

This is Constitutional morality. Besides this, the majority should respect the rights of the minority communities and should not behave in a tyrannical manner.

## **5. Social Order**

For democracy to prevail, society should have a moral order. Usually politicians see social values as different from those of government administration. This is wrong. Democracy demands a free society, a society in which there is no interference in the law legal proceedings. For successful functioning of the Constitution, it is necessary that society function ethically; failing which, democracy will be shattered.

## **6. Public Conscience**

This means 'conscience which gets agitated at every wrong'. The burden of injustice may vary. But 'everybody whether he suffers that particular wrong or not, is prepared to join him in order to get him relieved'. White' participation in the protest against the oppression of Blacks is an example of public conscience at work.

Dr. Ambedkar clearly stated that if a nation did not fulfill these prerequisites, democracy would neither grow nor even survive in that land. Here it is important to note Ambedkar's statement that democracy is not a plant that grows everywhere. It is known to have died even in lands where it had begun to show itself. So democracy requires careful nurturing. For which social justice is the water.

To establish social justice in India understanding the majority – minority question is important. Of the several interpretations, Abraham Lincoln's oft-quoted definition of democracy: 'a government of the people, by the people and for the people' is the revolutionary one. For Dr. Ambedkar, who preferred to have his own definition, democracy 'is a form and method of government whereby revolutionary changes in the economic and social life of the people are brought about without bloodshed'. While Lincoln laid stress on the 'form', Dr. Ambedkar stressed the system's intrinsic structure. Dr. Ambedkar's philosophy, his attitude to politics, economics and religion, was shaped by his notion of democracy. He carried out an in-depth study of democracy across the globe, but never simply copied other forms.

When he studies the content of democracy elsewhere, Dr. Ambedkar identified an important difference between India and Europe. "In India the majority is born; it is not made. That is the difference between a communal majority and a political majority. A political majority is not a fixed or a permanent majority. It is a majority which is always made, unmade and remade. A communal majority is a permanent majority fixed in its attitude. One can destroy it, but one cannot transform it" he said. That's why he categorically stated that "Majority Rule is untenable in theory and unjustifiable in practice". He explained his position in clear terms. He has stated five points to argue his case:

(1) A majority community may be conceded a relative majority of representation but . it can never claim an absolute majority.(2) The relative majority of representation given to a majority community in the legislature should not be so large as to enable the majority to establish its rule with the help of the smallest minorities.(3) The distribution of seats should be so made that a combination of the majority and one of the major minorities should not give the combine such a majority as to make them impervious to the interest of the minorities.(4) The distribution should be so made that if all the minorities combine they could, without depending on the majority, form a government of their own.(5) The weightage taken from the majority should be distributed among the minorities in inverse proportion to their social standing, economic position and educational condition so that a minority which is large and which has a

better social, educational and economic standing gets a lesser amount of weightage than a minority whose numbers are less and whose educational, economic and social position is inferior to that of the others. But nobody listened to Dr. Ambedkar's diagnosis. That's why India suffers with communal disease.

Understanding the content of the Indian democracy is not a theoretical exercise. We have to chalk out plans and political programs to make it as a true democracy. Democracy is intertwined with social justice. Our forefathers correctly identified that the reservation is an important tool to establish social justice in India. Though the concept of reservation was adopted by Shahu Maharaj in 1902 the British government introduced it in Madras Presidency only in 1921. It has introduced Communal G.O. in which provisions for reservation were made: 44% for non-Brahmins, 16% for Brahmins, 16% for Muslims, 16% for Anglo-Indians/Christians and 8% for Scheduled Castes. But the fruits of reservation were denied to Muslims in independent India. Now some state governments made some provisions to give reservation to them. But it is not enough. We should fight for the rightful share of our community.

British government not only conceded reservation to the Muslims, it provided the separate electorate – a right to elect their own representatives with their own votes through the 'communal award'. But it was snatched by the 'Poona Pact' in 1932. The time has come to fight back our rights. We have to sensitize our people the importance of political power. In India, if Dalits and Muslims come together then nobody can form a government at the centre without our support. I invite all the politically sensitive people who believe in democracy to attain this goal.

\* \* \* \* \*