MANIKA IAS

TURNING ASPIRANTS INTO ACHIEVERS

SOCIAL JUSTICE

FOR UPSC CIVIL SERVICES EXAM

EXAM-ORIENTED CONCEPT -CENTRIC STRUCTURED & SIMPLIFIED

"True justice is not just in the courtrooms, but in classrooms, streets, and homes."

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1. CONCEPT OF SOCIAL JUSTICE

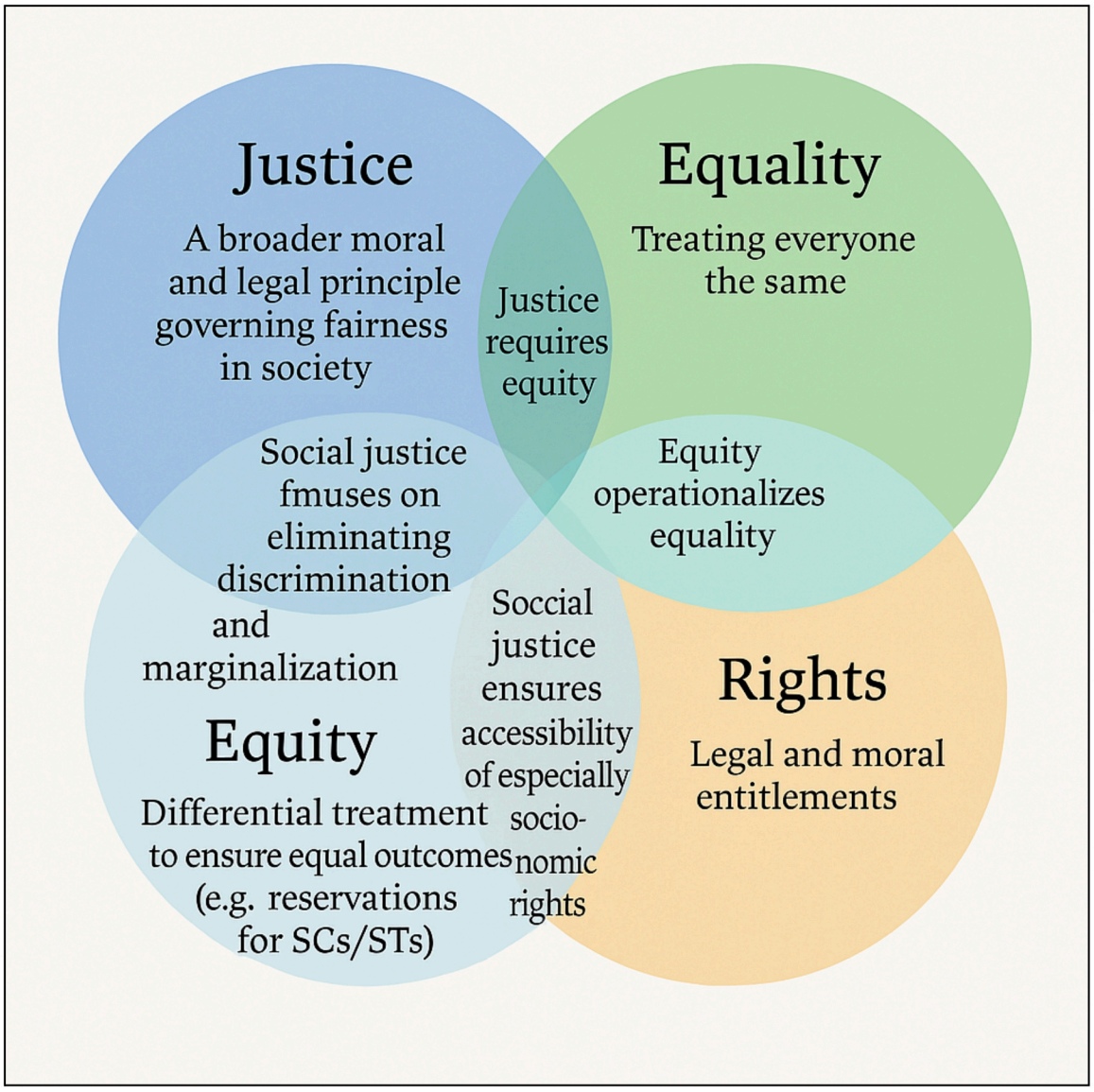
1.1. Meaning and Significance of Social Justice

Social justice refers to a system that ensures **equal rights and equitable opportunities** for all individuals in social, economic, and political spheres, especially focusing on the **marginalised and vulnerable sections** of society.

In the Indian context, social justice has a special significance due to the country's **deep-rooted social inequalities**, particularly along caste, gender, religion, and class lines. It seeks to correct the **historical injustices** suffered by Dalits, Adivasis, women, and other marginalised communities, ensuring their dignity, empowerment, and meaningful participation in the democratic process.

The ideal of social justice in India is not just about formal equality before law, but about **substantive equality**—creating actual conditions that allow all individuals to enjoy their rights and freedoms.

1.2. Relationship Between Justice, Equality, Equity, and Rights



- **Justice** is a broader moral and legal principle that governs fairness in the distribution of benefits and burdens in society. Social justice is a specific form that focuses on the **fair organisation of society** to eliminate discrimination and marginalisation.
- **Equality** refers to treating everyone the same, while **equity** involves recognising the need for **differential treatment** to ensure equal outcomes. For instance, reservations for SCs/STs are a tool for equity.
- **Rights** are legal and moral entitlements. Social justice ensures that rights—especially **socio-economic rights** like education, health, and livelihood—are accessible to all without systemic discrimination.

These concepts are interrelated: **justice requires equity**, equity operationalises **equality**, and both are necessary to uphold **individual and group rights**.

1.3. Social Justice in the Indian Constitution

The Constitution of India embeds the principle of social justice as a **core national value**:

a) Preamble

- Declares India to be a **"Socialist" and "Secular" Republic,** ensuring **justice—social, economic, and political** to all citizens.

b) Fundamental Rights (Part III)

- **Article 14:** Equality before law and equal protection of the laws.
- **Article 15(4) & 16(4):** Special provisions for socially and educationally backward classes.
- **Article 17:** Abolition of untouchability.
- **Article 21:** Right to life with dignity, which, under judicial interpretation, includes education, health, and shelter.

c) Directive Principles of State Policy (Part IV)

- **Article 38:** Strives to promote the welfare of people by securing social order and minimising inequalities.
- **Article 39:** Calls for equal pay for equal work and protection of the interests of vulnerable sections.
- **Article 46:** Directs the State to promote the educational and economic interests of SCs, STs, and other weaker sections.

Together, these provisions form the **constitutional architecture of social justice** in India.

1.4. Ambedkar's Vision of Social Justice

Dr. B.R. Ambedkar, the chief architect of the Indian Constitution, viewed social justice as essential to **real democracy**. His vision emphasised:

- **Annihilation of caste:** Ambedkar believed that **caste hierarchy** was the biggest obstacle to social justice in India.
- **State intervention:** He advocated strong **constitutional and legal safeguards** to protect the rights of the oppressed.
- **Equality of opportunity:** For Ambedkar, **formal political democracy** must be matched with **social and economic democracy**.

- **Education, employment, and empowerment** were central tools to achieve social transformation and dignity for the marginalised.

His legacy continues to shape affirmative action policies like **reservations**, and his ideas are frequently invoked in debates around **inclusion, dignity, and rights-based welfare**.

1.5. Judicial Interpretations and Social Justice

The Indian judiciary has played a pivotal role in advancing social justice through landmark judgments that expand the scope of constitutional provisions:

- **Kesavananda Bharati v. State of Kerala (1973)**: Established the basic structure doctrine, reinforcing the judiciary's role in protecting constitutional values like equality and justice.
- **Maneka Gandhi v. Union of India (1978)**: Broadened the interpretation of Article 21, linking the right to life with dignity and access to socio-economic rights.
- **Indra Sawhney v. Union of India (1992)**: Upheld reservations for Other Backwards Classes (OBCs) while introducing the "creamy layer" concept to ensure benefits reach the most disadvantaged.
- **Navtej Singh Johar v. Union of India (2018)**: Decriminalized homosexuality, advancing social justice for marginalised sexual minorities.

These rulings demonstrate the judiciary's role in interpreting the Constitution dynamically to address evolving social challenges.

1.6. Contemporary Challenges and Policy Interventions

Despite constitutional safeguards, achieving social justice in India faces ongoing challenges:

- **Persistent Inequalities**: Caste-based discrimination, gender disparities, and economic inequality continue to hinder equitable access to opportunities.
- **Implementation Gaps**: Policies like reservations and welfare schemes often face bureaucratic inefficiencies, corruption, or inadequate outreach to remote communities.
- **Emerging Issues**: New forms of marginalisation, such as those faced by LGBTQ+ individuals and migrant workers, require updated frameworks for inclusion.

Recent policy interventions include:

- **NEP 2020**: The National Education Policy emphasises inclusive education, targeting marginalised groups through scholarships and infrastructure development.
- **Atmanirbhar Bharat**: Economic empowerment schemes aim to uplift weaker sections through skill development and financial inclusion.
- **E-Shram Portal**: Launched to provide social security to unorganised workers, addressing economic vulnerabilities.

Addressing these challenges requires sustained policy innovation, grassroots activism, and public awareness to translate constitutional ideals into reality.

The concept of social justice in India is deeply rooted in the **constitutional framework** and reflects the **transformative intent** of the Indian state. It seeks to establish a society where individuals are not disadvantaged by birth or background, but are empowered to lead **dignified and equitable lives**.