

CHAPTER 4

Social Justice

Q1. What does it mean to give each person his/her due? How has the meaning of “giving each his due” changed over time?

ANSWER:

Giving each person his/her due means providing justice by ensuring the well-being of all the people.

In contemporary time, the concept of “giving each his due” has changed to the understanding of what is due to each person as a human being.

The German philosopher Immanuel Kant argued that if all persons are granted dignity then what is due to each of them is the opportunity to develop their talents and pursue their chosen goals.

Q2. Does the principle of considering the special needs of people conflict with the principle of equal treatment for all?

ANSWER:

- The principle of considering the special needs of people does not raise a conflict with the principle of equal treatment for all.
- People with special needs are given special treatment to facilitate their participation in the running of the society.
- People with special needs also require special treatment for integration with society and for securing opportunities and basic needs that would be otherwise denied to them.
- The senior citizens, women and socially backward people are given special treatment due to their special needs.

Q3. What are generally considered to be the basic minimum requirements of people for living a healthy and productive life? What is the responsibility of governments in trying to ensure this minimum to all?

ANSWER:

Housing, supply of clean water, basic amount of nourishment to remain healthy, education and minimum wage are the basic minimum requirements of people for living a healthy and productive life.

Government is responsible for providing these services to all sections of the society irrespective of their class, caste, race and gender at a cost they can afford.

- Supporters of free market ideology are in favour of providing goods and services by the private agencies and the state or government should only try to empower people to buy

those goods and services. However, eventually, free market tends to work in the interest of the powerful section.

- Government checks the interference of private agencies in some sectors of the economy so that the goods and services in the free market do not become out of reach for the weaker sections.

Q4. Does the principle of considering the special needs of people conflict with the principle of equal treatment for all?

ANSWER:

- The principle of considering the special needs of people does not raise a conflict with the principle of equal treatment for all.
- People with special needs are given special treatment to facilitate their participation in the running of the society.
- People with special needs also require special treatment for integration with society and for securing opportunities and basic needs that would be otherwise denied to them.
- The senior citizens, women and socially backward people are given special treatment due to their special needs.

Q5. Which of the following arguments could be used to justify state action to provide basic minimum conditions of life to all citizens?

(a) Providing free services to the poor and needy can be justified as an act of charity.

(b) Providing all citizens with a basic minimum standard of living is one way of ensuring equality of opportunity.

ANSWER:

(a) Providing free services to the poor and needy as an act of charity is unjustified basis of state action to provide basic minimum conditions of life to all citizens. Services to the poor and needy are their rights and the government should not give these to them as charity.

(b) Providing all citizens with a basic minimum standard of living to ensure equality of opportunity is justified basis of state action to provide basic minimum conditions of life to all citizens. This is because it is the responsibility of the government to provide opportunities for citizens.

Q6. Briefly discuss the three principles of justice outlined in the chapter. Explain each with examples.

Equal Treatment of Equals:

- This indicates the principle of treating people equally.

- All individuals share certain characteristics as human beings. Therefore, they deserve to be treated equally and provided with equal rights.
- It includes civil rights like right to life, liberty and property, political rights like right to vote and social rights related to equal social opportunities.
- It also prohibits discrimination on the grounds of class, caste, gender and race.
- For example, two individuals from different backgrounds should be paid same reward for the same kind of job.

Proportionate justice:

- This principle indicates rewarding people in proportion to the scale and quality of their effort.
- It is just to reward different jobs differently on the basis of efforts and skills required and the danger involved.

Recognition of Special Needs:

- This principle is based on distributing rewards and duties on the basis of special needs of people.
- On the basis of factors such as age, physical disabilities and lack of access to good education or health care, special treatment is given in many countries

Q7. Discuss the importance of social justice.

ANSWER:

The importance of social justice is increasing day-by-day in a modern democratic state. Social justice is the very basis of present welfare state. Once Pandit Nehru expressed his view that Marxism is extremely popular not because of its scientific principles but for its readiness for social justice. Social justice is very essential for the maintenance of social harmony and peace in the society. To make democracy a success, social justice is essential.

Q8. Do you agree that a majority of people are denied social justice in India? Discuss.

ANSWER:

Though the makers of the Indian Constitution have made a provision for social Justice through Fundamental Rights and Directive Principles of State Policy, yet majority of the people are being denied social justice in India. The citizens enjoy right to equality which is the very basis of the social justice, but in practice economic equality does not exist which is the pre-condition for social and political equality.

Though Article 17 had abolished untouchability, 'yet' in practice, untouchability is followed in many parts of the country. Poor people are not getting social justice and more than thirty per

cent of the people are living below the poverty line. Children, women and weaker sections of the society are still exploited and they do not enjoy social justice..

Q9. What is Distributive Justice?

ANSWER:

Distributive Justice means socially just allocation of resources. Often contrasted with just process, which is concerned with the administration of law, distributive justice concentrates as on outcomes. Distributive justice is defined as received fairness of how rewards and costs are shared by group members. If rewards and costs are allocated according to the designated distributive norms of the groups, distributive justice has occurred. Distributive justice assumes that there is a large amount of fa

Meaning of Justice and its Basic Postulates

Q10. Explain the term ‘Justice’.

Or

Define the term ‘Justice’. Discuss the . fundamental postulates of Justice.

ANSWER:

‘Justice’ is of utmost importance in Political Science. Its existence is as ancient as the human society. Several scholars have defined justice differently in every age. Meaning and definitions of Justice: The word ‘Justice’ has been derived from Latin word ‘Jus’ which means a bond or tie. It means, Justice is that system wherein all the individuals are related to each other. In modern terms of political science, Justice stands for that state of social life in which personal rights are combined with social welfare. Main definitions of justice are mentioned below:

1. To quote J.S. Mill, “Justice is the name for certain classes of moral values, which concern the essentials of human well-being more clearly and are, therefore, of more absolute obligations, than any other rules for the guidance of life.”
2. According to Barker, “Justice is an order of persons and an order of the principles regulating the distribution of rights to persons, which is measured and determined by a final and ultimate value.”
3. According to Salmond, “Justice means to give every individual his due share.”
4. Merriam opines, “Justice consists in a system of understandings and procedures through which is accorded what is agreed upon as fair.”

Merriam’s definition highlights the following four aspects:

- Justice is concerned with moral values and conceptions of society.
- Justice is related to procedures also. Law and courts are set to get justice.
- The aim of justice is to arrange rights and conveniences for people.
- Different classes of society at a time can have different conceptions of rights and conveniences.

5. Respect for the essentials of nature: It is against the spirit of justice to compel a man to do some work, which is beyond his capacity naturally. For example, to expect an old and ill man to put in physical labour is purely injustice.

These above-mentioned five fundamental postulates are necessary to be followed to get justice at the local, national and international level.

Q11. Briefly discuss the three principles of justice outlined in the chapter. Explain each with examples.

ANSWER:

- Principle of treating equals equally refers to equal rights and equal treatment to individual who share certain characteristics as a human being, i.e. civil rights including right to life, liberty and property and political rights including right to vote, to enable rights to individuals to participate in political processes, etc.
- Principle not to treat any individual on the basis of discrimination on the grounds of caste, race, religion, colour, language, etc. the individuals should be judged on the basis of their capabilities they perform, i.e. male teachers get higher salary than female teachers, the persons performing the same tasks but getting different amount due to caste is unjust.
- Equal treatment is not the only principle of justice because some circumstances may be appeared to be unjust if equal treatment is given, i.e. some marks to be awarded to all the students of a class if they have appeared in an examination in a uniform manner in place to award the marks on the basis of performance. This principle measuring people in proportion to the scale of equality of their efforts

Q12 . How does Rawls use the idea of a veil of ignorance to argue that fair and just distribution can be defended on rational grounds?

ANSWER:

- John Rawls argue that the only way we can arrive at a fair and just rule is to imagine ourselves to be in a situation in which we have to make decisions about how society should be organised despite we do not know the position to be occupied by ourselves in society. That is, we do not know what type of family we would be born either in upper caste or lower caste, rich or poor, privileged or disadvantaged.
- Rawls argue that if we don't know who we will be and what options would be available to us in future society. We would support those rules and organisations of future society to be fair for all members.
- Rawls under the concept of 'Veil of ignorance' expects situation of complete ignorance, each person would decide in terms of their own interests only.
- But since no one knows who would be and what is going to benefit him, each will envisage the future society from the point of view of the worst off, it will be dear to a person who can reason and think for himself that those who are born privileged will enjoy certain privileges.
- If some people are born in a disadvantaged section, they will make sense to ensure reasonable opportunities to the weaker sections.

- The efforts would be made to make important resources available (education, health, shelter) to all persons.
- It is not easy to erase our identities and to imagine oneself about veil of ignorance. But then it is equally difficult to be self-sacrificing and to share good fortune with strangers.
- Hence, given these human failings and limitations it would be better to think of a framework that does not need extraordinary actions.
- “Veil of ignorance” expect the people to think for themselves and select what they considered to be in their interest.

Q13. What measures have been taken in India to secure social justice to its citizens?

ANSWER:

At the time of independence in 1947, India was one of the poorest countries in the world. It was largely as a result of the economic exploitation by the British regime. At that time there was no economic and social justice in India. There were inequalities based on caste, class and region. That is why the framers of the Indian Constitution set the goal of social justice in the Preamble of the Constitution.

1. Untouchability abolished. Untouchability has been a bane to the Indian Society. Social justice is impossible to achieve where untouchability is practised in any form. Article 17 abolishes untouchability and its practice in any form is forbidden. This Article was further strengthened by the Untouchability (Offences) Act, 1955. It provided punishment for refusing admission to places of worship, restaurants, hotels, hospitals and public wells.

2. Equal access to public places. All the citizens of India, irrespective of their caste and creed, have an equal access to public places like parks, hotels, places of entertainment, roads and the use of wells, tanks, bathing ghats, etc.

3. Scheduled castes and scheduled tribes:

Indian Government has taken special steps to improve the economic conditions and social status of the Scheduled Castes and Scheduled Tribes. Reservations have been made in the services for the Scheduled Castes and Scheduled Tribes. Seats have been reserved for them in the Parliament and the State Legislatures. The community development schemes have also been extended to the Harijans to remove social and economic inequalities. The Scheduled Castes and Scheduled Tribes have been given preferential treatment in schools, colleges and employers. On 14 January 2019, 10% reservation was also given to economically weaker sections of general category.

4. Abolition of Zamindari: Zamindari is abolished and many steps have been taken for the welfare of small farmers.

Q14. Study the passage given below carefully and answer the questions that follow:

ANSWER:

All cultures and traditions have grappled with questions of justice although they may have interpreted the concept in different ways. For instance, in ancient Indian society, justice was

associated with dharma and maintaining dharma or a just social order, was considered to be a primary duty of kings. In China, Confucius, the famous philosopher argued that kings should maintain justice by punishing wrong doers and rewarding the virtuous. In fourth century B.C. Athens (Greece), Plato discussed issues of justice in his book Republic. Through a long dialogue between Socrates and his young friends, Glaucon and Adeimantus, Plato examined why we should be concerned about justice.

The young people asked Socrates why we should be just. They observed that people who were unjust seemed to be much better off than those who were just. Those who twisted rules to serve their interests, avoided paying taxes and were willing to lie and be deceitful, were often more successful than those who were truthful and just. If one were smart enough to avoid being caught, then it would seem that being unjust is better than being just. You may have heard people expressing similar sentiments even today.

- (i) What is Justice?
- (ii) Confucius belonged to which country?
- (iii) 'Republic' book is written by which thinker?

Answer:

- (i) The word 'justice' has been derived from Latin word 'Jus' which means, bond or tie. It means, justice is that system where all individuals are related to each other. Justice is connected with the fact as to what type of moral, social, economic, political and legal relations an individual has with the other individual. In modern political science, Justice stands for that state of social life in which personal rights are combined with social welfare.
- (ii) Confucius belonged to China.
- (iii) 'Republic' book is written by Plato.

Q15. Read the following passage carefully and answer the questions that follow:

ANSWER:

'Justice' is of utmost importance in Political Science. Its existence is as ancient as the human society. Several scholars have defined justice differently in every age. The word 'Justice' has been derived from latin word 'Jus' which means a bond or tie. It means, Justice is that system wherein all the individuals are related to each other. In modern terms of political science, Justice stands for that state of social life in which personal rights are combined with social welfare. Main definitions of justice are mentioned below:

According to Salmond, "Justice means to give every individual his due share."

6.1. What is of utmost importance in Political Science?

- (a) Truth
- (b) Justice
- (c) Newspaper
- (d) Magazine

Answer:

- (b) Justice

6.2. The word 'Justice' has been derived from which language?

- (a) Hindi
- (b) Latin
- (c) English
- (d) Greek

Answer:

(b) Latin

6.3. The word 'Justice' has been derived from which Latin word?

- (a) Law
- (b) Status
- (c) Jus
- (d) Rights

Answer:

(c) Jus

6.4. What is the meaning of word 'Jus'?

- (a) Bond or tie
- (b) Right
- (c) City
- (d) Country

Answer:

(a) Bond or tie

Q16. What do you know about numerical concept of justice?

ANSWER:

According to British utilitarian philosopher Jeremy Bentham, "Everyone is to count for one, nobody for more than one". This statement of Bentham may be considered as the core of the concept of Numerical Justice. Numerical Justice gives equal share to all. Numerical Justice emphasises that none should be given preferential treatment. Numerical Justice opposes inequality. It means even unequal would be treated as equal. The Greek city states took

the rule so far that many offices were filled by lot. Modern liberal democracies are also based on this principle. Numerical Justice is sometimes called democratic justice. Numerical Justice is opposed to the geometrical concept of justice. While the Numerical Justice emphasises on equal share to all, the geometrical concept of justice means, "equal share to equals and unequal to unequals".