CHAPTER - I

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The theoretical approach to the title, furnishes an account of the idea which is widely and loosely employed but rarely understood, namely socio-economic justice. Several scholars will undoubtedly suspect that this idea is nothing more than a useful and attractive ornament for rounding off party manifestos or reform tracts, fine sounding but fading away as pious platitude soon after the election. This is true of many a political party and its leaders in our country, and this is the bitter and hard experience of Indians during the quarter century after independence.

The term, socio-economic justice, is used here in the context of distributive justice i.e., whether the benefits that follow the activities of major social institutions and political policies reach the last man in the society.

Social justice is that aspect of justice which is oriented towards the interests of the individuals and groups composing the society and concerned with safeguarding their rights and providing them with opportunities.
While political justice considers the forms and institutional devices utilized by state power in the accomplishment of its functions, social justice deals with the allocation of substantive rights and powers to the members of the body politic. It is not confined to normative arrangements which "spring from the womb of society as living laws, but also includes constitutional and other norms which belong to the imperative area of the laws."1

The dichotomy between political and social justice reflects the dialectical relationships and tensions existing between government and society, and their partial reconciliation in a legal order seeks to give society and its component parts what is due to them. The distinction between these two kinds of justice cannot always be sharply upheld since they are often intertwined. It is proposed to deal with the two aspects in this chapter.

In juxtaposing political and social justice in the title of this chapter, it is assumed that the political structure known as the state embodies social co-operative activity in its totality... and must therefore be
considered a metaphysical unity, or 'invisible personality'. What draws the individual parts into an organised whole is implicitly rejected. In view of this position, the social principle loses its distinctiveness and becomes fully absorbed by the political principle. Although attempts have been made in totalitarian states to subject the whole range of the "social" to the direct control of the state, these attempts have never been entirely successful. It is likely that there will always be some distinct activity of society which the state cannot completely integrate into its regulatory or planning scheme.

The distinction between state activity and the separate movements of societal groups, whether these are spontaneous or directed by non-governmental organisations, is reflected in the inter-disciplinary boundaries between political science and sociology. It is possible, of course, that in a particular social order the sphere of autonomy exercised by society, by intermediary organisations between the individual and the state, has been reduced to insignificant proportions. In that event sociology will become almost fully fused with political science.
But such a condition is not likely to be permanent, and at some later stage of development, society is bound to regain some of its vitality and independent power, and reassert itself against the forces striving for total control. In this chapter an attempt is made to explain the concept of social justice in the height of the primitive conditions envisaged in the social contract theory, leading in later theory to socio-economic justice.

**Social Justice in Primitive Society:**

The concept social justice that prevailed in the primitive society by and large was the out-growth of the then prevailing conditions of life. It depended purely on the considerations of natural law and natural justice. The primitive society did not follow a policy of segregation or vivisection among themselves even though they had a pronounced aversion towards other groups. Naturally they developed a group - consciousness and this went a long way in influencing their actions.

The development of a class consciousness was largely derived from caste distinctions which came to have a strong religious sanction but in course of time
this became stronger and the social structure came to be pyramidal in character.

But unfortunately in India, the caste system is strong, deep-rooted and entrenched. If elsewhere it is the class concept that introduces distinction and discrimination, in India it is the caste system that has created social hierarchies and stratification.

In all societies, primitive or civilised, with the exception of most primitive ones such as food-gathering tribes, we do always come across distinctions, not all of them, however assigned to a class, "its social position of superiority or inferiority to other classes" on the basis of material wealth and power.

Hindu society, for instance, assigns the top-most rank to the Brahmins, the class or rather the caste of teacher-priests. The function of teaching and religious administration was considered most valuable in society and its performers as a class were assigned the highest position. The Kshatriyas, the soldiers and administrators, were assigned the second position, the function of maintaining law, order and good government
being deemed the next important function of society.

The Vaishyas, agriculturists, craftsman-merchants, manufacturers, were third in the hierarchy, even though they had more wealth. Last came the Shudras, the servants. Such a functional class hierarchy conforms neither to the premises nor to the conclusions of the Marxist class sociology.

In the money-oriented economy of the West, class affiliation came to be determined by the income of the person and his family. On this basis, there are roughly three classes in their society; the upper, the middle and the lower class. W. Lloyed Warner has defined these categories into "upper-upper, lower-upper, upper-middle, lower-middle, upper-lower and lower-lower." 

Affiliation to any one of the class-groupings is determined, sociologically if not psychologically, by the level of living and such other features. What then are classes? A class is an aggregation or unit with common characteristics. Sociologically, classes are sections of the population with differential access to the rights and privileges as well as to the goods and services available in a community. Most discussions
of groups on the basis of income are important, but they do not exhaust the field.

Membership in a class means social location of the members through rank and position both within the class and with reference to other classes. Their location of rank and position is technically called status. As pointed out by Ralph Linton:

"Behaviour associated with a particular status is called by the sociologist a role. A person's role in the group is the dynamic aspect of his status. Since status is position in a group, a person has many status as he has group affiliations. But when we speak about a man's social status, we ordinarily make not a generalization but a section. We have in mind one status, in particular his social class status... class status seems to overshadow all other kinds of status... A social class is the aggregate of persons having essentially the same social status in a given society... The fundamental attribute of a social class is thus its social position of the superiority or inferiority to other social classes. The arrangement is much like that of the college with freshman, sophomore, senior and senior classes."

In the words of Ogburn and Minkoff, "a social class is the aggregate of persons having essentially the same social status in a given society." What we understand is that a social class is a group of people
who maintain and share external and internal unity. 
External congruence is the congruence based on similarity 
of dress, custom, language and other external factors. 
Internal unity is unity based on standard of living. 

The standard of living is an empirical concept 
relative to time and place. What may be considered 
minimum requirements of decent living in our south with 
its warm climate may be substandard in the north with 
its cold climate. The relativity of the standard of 
living becomes more vivid when two societies or cultures 
are compared. "The amount of goods and services 
commanded by the 'lower class' in America would entitle 
its possessor to be ranked as a member of the middle 
class throughout the orient and in most of Europe." 

Administration of Justice 
in Primitive Days : 

As already pointed out, the administration of 
justice is the modern and civilised substitute for the 
primitive practice of private vengeance and violent self-
help.
The progress from primitive times to modern days has been through various stages. The first stage:
In the early days of mankind, "a person redressed his wrongs and avenged himself upon his enemies, supported by his friends and kinsmen where necessary." At this stage, every man carried his life in his hands as it were. He was liable at any moment to be attacked on his person or on his property and could only resist by overpowering his opponent. In those days, every man was a judge in his own case and might was made the sole measure of right. There was no guarantee at this stage that a crime would certainly be punished, and if met with punishment, that the punishment would be in proportion to the crime. Often, one crime led to another and the consequent crime would not confine itself to the criminal, but along with him, his family and even his tribe would be the victims of retaliation. Thus it led to group conflicts and tribal conflicts. Blood-feuds became very common. At some stage, when blood-feud proved to be disastrous, the primitive society provided for payment of some money, or its equivalent, as a compensation to the victims of the crime or to the relative of the victim, as the case may readily seen and it developed until a regular sliding scale was fixed. Even in the case of murder,
the vengeance of the relatives could be brought off by paying 'blood money' which varied according to the importance of the victim.

The second stage in the history of administration of justice begins with the rise of the State, but these infant states were hardly powerful enough to regulate crime and to inflict punishment on the criminal. The 'law of private vengeance and violent self-help' continued to prevail. The function of the state was just to regulate private vengeance and violent self-help. At this stage, the state prescribed certain rules for regulation of private vengeance. All that the state could ensure was that the act of revenge or retaliation was not disproportionately severe. "The state at this stage enforced the concept of 'a tooth for a tooth' and 'an eye for an eye' and 'a life for a life'. All that the state enjoined was that a life shall not be taken for a tooth nor a life for an eye."11

This was an important stage in the development of criminal justice. In the days of Saxons, for instance, vengeance was not totally absent. It was merely restricted and regulated. It was thought proper that
everyman should have a right to do himself what is to-day done by the machinery of the State.

The third stage: In the first and second stages there was hardly any difference between criminal justice and civil justice. With the growth of the power of the state, the state began to act as a judge, to assess liability and to impose penalty. It was no longer a regulator of private vengeance. The civil law and administration of civil justice helped the wronged and became a substitute for the violent self-help of the primitive days. Thus, it will be seen that modern administration of justice is a natural corollary to the growth of the power of the state.

Socio-Economic Justice:

Social justice has become a cliche of politicians to-day. This thesis intends to examine the possible correlation between the ideas and programmes of an individual politician or statesman, but in the context of the concept of socio-economic justice in general. Social justice has become the favorite theme of political platforms and almost an accepted goal of
modern society. Yet justice itself is essentially a quality of the behaviour of one man towards another, that is of man as a member of a society.

Justice is both a legal and a moral concept. Justice is not easy to systematise in social and economic terms. The former are too wayward, the latter too many to fit satisfactorily into any framework. Yet if there is to be a summary frame, some system of classification must be there and if the summary classification is implemented through the three organs namely legislature, executive and judiciary with sanction of the sovereign, the progress would be apparent in any nation or state.

The concept of social justice is best understood as part of the broader concept of justice in general. To comprehend it properly, we should begin by looking at justice as a whole, and then attempt to mark off that aspect of justice which we consider justice. It needs only a little reflection to realise that the terms 'just' and 'justice' have a broader connection. "Ancient Greeks meant (that) the term justice was equivalent to virtue in general"; Nevertheless we use
the concept in many ways to establish a variety of moral and political points.

We talk of just men, just actions and a just state of affairs. But the last of these usages must be regarded as the primary one, for when we describe a man as just, we mean that he normally attempts to act in such a way that the state of affairs results (or at least, that a state of affairs results which is no less just than the state of affairs which obtained before his actions). "If we were not to have an independent criteria for assessing the justice of a particular state of affairs, we will not be able to describe them as just or unjust."^{13}

In a similar way we describe actions as just either when we believe that they were undertaken in a serious attempt to bring about a just state of affairs or when we find that they actually have this desirable result. It is therefore impossible to assess the justice of actions without prior identification of just state of affairs.

Again, the theory of state in the 'Republic' of
Plato culminates in the following conception of justice. "Justice is the bond which holds a society together, a harmonious union of individuals, each of whom has found his life work in accordance with his natural fitness and his training." It is both a public and private virtue because the highest good, both of the state and of its members, in thereby conserved. There is nothing better for a man than to have his work and to be fitted to do it; there is nothing better for other men and for the whole society than that each should be thus filling the station to which he is entitled.

Social justice thus may be defined as the principle of the society consisting of different types of men... who have combined under the impulse of their need for one another and say their combination in one society, and their concentration on their separate functions have made a whole which is perfect. 

It is the product and the image of whole of the human mind. This is Plato's explanation of the prima facie definition of "justice as giving to every man his due." for what is due to him that he should be treated as what he is, in the light of his capacity and
his training, while what is due from him is the honest performance of those tasks which the place accorded him requires.

Sometimes the term may be used to distinguish moral or natural justice from the legal justice of the laws enforced by particular states. More often, however, it is probably meant to describe justice in the broad fields of social and economic policy, as contrasted with justice in personal and private affairs which the law courts of all ages and countries have traditionally administered.

In this sense it comprehends precisely a large part of my subject, with the proviso, that justice knows no boundaries, and its interpretation in all spheres of government including social, economic, industrial and political must be based on its fundamental principles. What is the in a country? "...justice is being taken away, then, what are kingdoms but great robberies? for what are robbery themselves, but little kingdoms."17
Between the social approach, which emphasizes the organic aspects of political society and the controlling or distributional functions of government. "...justice without power is insufficient; power without justice is tyranny. Justice without power is opposed because there are always wicked men. Power without justice is soon questioned. Justice and power must therefore be brought together, no whatever is just may be powerful, and whatever is powerful may be just..." The opposite approach of individualists minimises the state functions in favour of private responsibility. The issue at this stage must not be prejudged but held work open. The search is for justice itself "justice disregards party friendship and kindred and therefore represented as blind." 

Although it is nearly 2400 years since Socrates and Plato set off in hot pursuit of a definition and they themselves were craving for justice in their days and said "...so my judges, face death with a good hope and know for certain that no evil can happen to a good man either in the life or after death."
Like everything else, justice must be defined both by what is and by what it is not; to understand it, one must understand its difference from this duty of love or beneficence. In the words of Daniel Webster "justice is the greatest interest of man on earth. It is the ligament which holds civilised beings and civilised nations together by moral duties and love."\(^{21}\)

The need for such an attempt requires no further elaboration. But with one spectacular exception, there has been little attempt to correlate ethics and economics since the domination of the utilitarian (political) theory in the mid-19th century.

The stupendous advance of natural science and technology have not been accompanied, despite all the ferment and iconoclasm by any correspondingly agreed advances in our social moral, political and religious thinking. The principal reason for this failure is the complexity and intertwining of the moral, social, economic and political aspects. From Aristotle to the latter part of the 19th century, the greatest minds could try to comprehend the whole subject. Then came Karl Marx (the exception mentioned) and his
followers with a messianic prophecy of the proletarian paradise, the advancement of which is itself the whole duty of a man; but in the non-Marxist world the growth of specialisation has prevented and prevents any synoptic view of justice. Economics itself proliferated into a multitude of subjects, while moral philosophy has been riven by dissension and in the last fifty years, has undergone a revolution which is best left to its pupils with both feet suspended in mid air.

Yet morals must either deal with economic affairs or neglect a large part of its sphere, and "economic and social justice without moral and political laws is like a ship without a rudder." The curse of specialisation is the dilemma that presents to those trying to combine several disciplines. Further you penetrate deeply enough (time and energy permitting) into each subject to have reasonable familiarity and competence, or over a part of the field you simply assert conclusions and apply them to the other parts. The former course will be condemned as pedantic and prolix, the second as exhibiting ignorance or contempt for the alternatives rejected. So the differences
among the experts continue, and the ordinary man who wants to integrate his ideas is left to feud to himself. Here perhaps is the opportunity, as well as the excuse, for an amateur with no professional reputation at stake."23

The traditional short definition of justice is suum cuique tribuere, viz., 'giving to each his due'. This certainly contains the crux of the matter, since each word of the definition connotes an essential aspect of the total concept. The problem is therefore to interpret and examine each aspect.

According to Delvoscchio, justice, in this context as supreme expression, requires that every subject be recognised and treated by every other on the absolute principle of his own acts! "Justice requires that in ideal basis an original 'right to solitude' so that in the actual concrete structure of social life there may be reaffirmed and developed (it may be even through apparent denials, as moments of a dialectic process) that an ideal element of autonomy which constitutes the inviolability of the person."24

"Do others as you would have them do to you."
Ethical and political writings are full of discussions about how things should be distributed, whether it is wealth in general or the minimum essentials or opportunity or education or health services and so forth, and similarly with the burden of taxation. The prior issue which is commonly given much less or no attention, is how or why the benefits and burdens come under the power and responsibility of the distributors who distribute them. Usually it is assumed that such distribution is a function of the state, but this assumption begs the question of what are the functions of the state regarding justice. This is a subject of immense importance and problems of justice, and also of beneficence in which individuals are interested. The state enforces the rules of justice among its citizens.

Economic considerations cannot evade the great ethical concepts of freedom, justice, altruism, slavery, servility and their opposite. Further they must be introduced explicitly as accepted rules or hypothesis or (as almost invariably happens) they are used unexamined and confused as the basis of approval or the disapproval of economic policies.
On the political left, the mythical dichotomy appears in the loaded slogan "production not for profit but for use." This blinkered outlook, the mongrel product of social-cum-professional snobbery and anti-capitalist dogma, somehow continues to survive despite what should be the clarifying solvent represented by the export trade.

The potency of these moral concepts cannot be over-estimated. It is no exaggeration to say that the greatest single factor restraining free economic growth and social order, whether for self-advancement of individuals and nations or the joy of helping the less fortunate in one's own or other countries, the feeling of justice received and done is the sine qua non, almost the mainspring of willing and effective co-operation.

Karl Marx and Economic Justice:

Not until the nineteenth century, when Karl Marx tore the reports of our factory inspectors from our unread blue books and revealed capitalism in all its atrocity, did pessimism and cynicism reach their
He proved up to the hilt that capital in its pursuit of what he called *Mehrworth*, which we translate as *surplus value* (it includes rent, interest, and commercial profit), is ruthless, and will stop at nothing, not even at mutilation and massacre, "white and black slavery, drugging and drinking, if they promise a shilling percent more than the dividends of philanthropy."\(^{26}\)

When confronted, as they are to-day, with upstart foreign dictators who have read Karl Marx in the light of bitter personal experience of proletarian poverty and persecution, and therefore know the worst of the world they are living in, the resulting misunderstandings, are tragic as well as comic, and in either case disastrous. "To the old school Tories the dictators seem ignorant and uneducated rebels. To the dictators the Tories seem sordid exploiters who live by robbing the poor, and intend to go on doing it by hook or crook, mostly by crook."\(^{27}\) And both factions have the best intentions, and believe they are doing good. This led to a movement which tried to steal the thunder of the socialists and substitute state capitalism for private capitalism whilst maintaining private property with all its privileges intact, and
buying off the proletariat with doles and higher wages. This movement was called Fascism in Italy, and Nazism in Germany; in both of which countries it captured and financed proletarian leaders, put them in command of the government: namely Benito Mussolini and Adolf Hitler. In England and America, where it was much less lucid, it was called the New Order and New Deal respectively thus securing a footing in both the democratic and plutocratic camps, but at the cost of a war with Italy and Germany for European hegemony, for when the new Fascist dictators invited Western states to join them in a grand attack on proletarian Russia they are rebuffed as dangerous and subversive revolutionaries; whereupon the two dictators desperately undertook jointly the subjection not only of Russia but of Britain and America as well.

The only considerable ally they gained was Japan, leaving them in the position of having to fight both the communists and the plutocracies in a paradoxial but terribly formidable combination to destroy them.

The few, who do know, find that the nineteenth century socialism was too much preoccupied with the
abolition of poverty and too little with the employment of leisure and culture. The word, socialism, jars on them as shopsoiled bad English; and they are substituting scientific Humanism for it, which is more comprehensive, better English, and free from the inhumanism which has so horribly shopsoiled the name of science during the last hundred years.

Twentieth century sociologists must begin with an emphatic repudiation of the eighteenth century pre-Marxian delusion that all men are born free. "They must rub on the fact that we are all born in a slavery to nature which compels us to work 10 hours a day, as cows are compelled to graze, on pain of death by hunger, thirst, cold and exposure. No one can shirk this burden of work except by imposing a double burden of it on somebody else, or, if this is impossible, a tenth of the burden on ten other people." 28 This can happen only when the shirkers are political masters of the workers, and the workers the political slaves of the shirkers as well as the slaves of nature.

Every one, worker or shirker, must sleep for eight hours out of the twenty-four hours, and reserve two
hours more for meals, dressing, washing, and the locomotion that cannot be shifted to horses, cars, or the back of Sindbad the sailor. However as eating, drinking and sleeping and moderate exercise are agreeable, nobody wants to be relieved from them; and as anyhow, "they cannot be materially altered by legislation, the statesman is troubled only with the fourteen hours left available for productive and serviceable work." 29

Marx’s Class Society:

The theoretical approach to the title of this thesis will not be fully vindicated without a reference to Marx’s views on class society. A careful analysis is essential and analysing justice that is based on the economic classes i.e., rich and poor is basic and indispensable for discussing socio-economic justice in Tamil Nadu.

The revolutionary and popular phraseology - class struggle - refers to the gap between the capitalists and labourers, bourgeoisie and proletariat, the rich
and the poor. Marx, the great revolutionary and theoretician of the proletariat of the modern age, sowed the seeds of revolutionary ideas to obtain justice in economic sphere and for the economic classes. It is necessary here to examine his entire concept of justice in the economic sphere, commending the socialist thought throughout the world as "he claimed to be a citizen of the world and insisted that science must not be a selfish pleasure."

He was the 'Great Brain' of the modern era. His brain was like a man-of-war in port under steam, ready to launch into any sphere of thought. It analysed all the constituent parts of a system or institution in their mutual action or reaction, each isolated from other and traced to its growth. Then he went on from the system to its surroundings, and observed the reaction of one upon the other. He traced the objects, the changes, the evolution and revolution it underwent and proceeded finally to its remotest effects.

In other words he did not see a thing in isolation from its surroundings, and he saw a highly complicated
world in a continual motion. He was so humane and famous, for, his maxim was "Homo Sum, et humane nihil" (I am a man; nothing pertaining to man is alien to me). Another favourite motto of his was 'De Omnibus dubitandum' (one must doubt every thing)."30

On the one hand, there was a paradise for the bourgeoisie or capitalists; on the other, there was the hell for the worker whose helpless condition without either land or tools, compelled him to accept work on such terms as were offered. Wages were low and hours of labour long, ill-ventilated, poorly lighted, insanitary factories, menaced health and morals. The threat of unemployment, resulting from recurring industrial crisis, further technological improvements, or the displacement of men by women and children at cheaper wages was ever present. The workmen and their families were crowded together in dirty slums near the factory, where cheerless houses in cheap tenements, too often drove them to spend their free time in corner saloons.

Drunkenness and immorality were rife and disease, the result of filth and the lack of hygienic necessities,
periodically swept off its victims by the thousands. The bourgeoise or capitalist civilisation had snapped all bonds between man and man except the hated self-interest and callous cash payment.

If the workers united in trade unions they were beaten up, for trade unionism was looked upon by the establishment as a criminal movement. In Britain they were recognised in 1825, but in France not before 1884 and in India in 1926. In the name of religion and morality, every evil was practiced. Man was outgrowing the intoxication of his triumphs and began to feel the weight of his desolate and incommunicable singularity.

Pragmatism and social Darwinism were being invoked to support the theory that 'will power' (voluntarism) and doing power (energism) counted more effectively in the effort to survive than the dictates of reason or the requirements of logic. Deepening class antagonism within each nation and national rivalries generated ever increasing tensions.

The widening disparities of wealth only reflected the growing chasm between the theory and practice of
morals. The labourers, harbourers, litterers and toilers were forced to remain in the same plight, if not pushed to the valley of ill-health and penury. They had no room to breathe and hope for going a step forward.

Marx's task, therefore, was to reveal to the workers their actual place in modern society, the part they played in the capitalist system, how they got into it, why it was economically impossible for their position to be raised by willing help from above, and yet how help from above was not coming to them. He wanted to show the wage-earners as to why they should and could successfully 'unite' in overthrowing the present economic order and how they should go about it. Hence his revolutionary call to the workers was "...the workers have nothing to lose but their chains. They have a world to win. Workers of the world unite..."31

He believed only in scientific methods. He combined analysis with synthesis, thought with action in his dialectical method. That is the reason why his method is best understood not by reading a theoretical exposition of it but in the first instance by observing
it at work. The scientific method which Marx applied consisted of empirical observation, description, hypothetical explanation, further verification and conclusion. "...I administer historical justice," he said, 'I give each one his due.'

He insisted upon his method and applied its razor's edge to the brutal facts of social and economic life. He loved and freely gave expression to value judgement, both negative and positive, about the generation yet unborn. He also insisted, in the first place, that history would inevitably move to the final stage of socialism, any way, whether or not that was a juster system.

Marx reached his climax when he said that "... Democracy is a sham, parliamentary government is a mere mask for the class rule of capitalists - All men are brothers." The single purpose was the forcible overthrow of the whole existing social order.

A class is defined by Marx as a group of people having common economic interests fundamentally different from these of other groups. "The interest
of one (group) class are antagonistic to those of another because the various classes receive unequal shares from the stock of wealth produced. The history of all hitherto existing society, Marx says, is the history of class struggle.

Freeman and slaves, patrician and plebian, lord and serf, guildmaster and journeyman, in a word, oppressor and oppressed stood in constant position to one another, carried on uninterrupted fight, now hidden, now open, a fight that each time ended, either in a revolutionary reconstruction of society at large, or in the common ruin of the contending class. This is the Marxist theory of class struggle. The fire of class struggle was fed by the constant exploitation of the labour. The classes correspond to the exploiters and the exploited.

Under capitalism the owners of the means of production are the exploiters, the wage-workers or the proletariat are the exploited.

What is the principle or the law of exploitation? The principle is the labour theory of value and theory of surplus value. Commodities differ in countless
ways, size, form and material - but they all have one thing in common, namely human labour which alone gives them social utility. Labour, Marx says, is the source of all value. The value of each commodity is determined by the amount and intensity of labour time used to produce it. "Labour is meant not the work of the individual labour but of collective or social labour directly or indirectly engaged in production."35

The worker is at the mercy of the capitalist who owns the means of production because of the existence of the private property. The workers can earn enough in six hours to obtain the daily necessary minimum subsistence level. The capitalist however does not let him stop at the point and the worker is forced to work for 12 hours. The wage paid are earned by the workers during six hours. What they produce during the rest of the six hours is unpaid for. "The unpaid part of the workers' produce is 'surplus value' which is confiscated by the capitalist in the form of profit, rent and interest." Surplus value is therefore, according to Marx, the difference "between what the labourers create (all the value) and the share they get as wages - machinery creates no value; it merely
increases the surplus value of capitalists by enabling the workers to produce more in a given time."

Surplus value is a subtle way of stealing from the workers, no different from forcible expropriation of lands and goods which took place in earlier societies.

Thus, Marx says, from this exploitation, two consequences follow: "One is the ever increasing misery and number of the working class. Capitalism, therefore contains within itself the seeds of its own destruction." This leads Marx to develop his theory and technique of revolution, smashing of the bourgeois state, setting up of a proletariat state and a classless society, since the state is the expression of class, a classless society will be a stateless society. With the death of 'class' the state will wither away. This will be 'the synthesis' at which point Marx leaves the argument open. In short, the essential elements of Marxist theory which challenged the capitalist world and strove for the class struggle are the following: his analysis of the capitalist order; contradictions of capitalism; his labour theory of value; his doctrine of class struggle; his programme of action and tactics; his theory of the
proletariat communistic stage; his view on religion; his theory of alienation and his theory of state.

Thus his sense of history was remarkable and he was the first to see that the old social classes which had endured since the beginning of civilisation were in the process of dissolution and regrouping. With great imagination and capacity for generalisation, he related the social movement with the trade union movement. He looked upon the latter as a motive force in history. He was an active revolutionary in the movement for the overthrow of the capitalist society and for the liberation of the labour class (Proletariat). He gave a scientific foundation to socialism which, up to his day, was a confused heap of wishful thinking. His socialism is revolutionary in the sense that it insists upon the irreconcilable antagonism between labour and capital and the relentless class struggle. His attitude was pragmatic and his view flexible and free from dogmatism.

Lenin then spells out the four "essential pre-requisites of a successful socialist revolution."38 The first is the existence of a revolutionary cadre with well-defined objects and consciousness. This
cadre must be educated in Marxist principles; it should be well-organised, well-knit and disciplined. It is the cradle of revolution. It is the revolutionary vanguard which will give lead. Secondly, there must be a revolutionary party to lead this class - a tightly organised force, determined to operate like a column. Thirdly this party should have a leader who knows his mind and who has a strong will, who understands the pulse of the class and the party and who can guide both through the revolution. And finally there must be an active unrest among the people; they must be seething with discontent against their exploitation by the property-owning class.

Marx, thus, found social justice through his theory of class struggle. Lenin put it into practice by establishing a just and socialist government on the basis of Marxian theory.

Socio-Economic Order in India:

In the preceding pages an analysis of the principle of socio-economic justice based on the western thought has been attempted. In the light of
the foregoing discussion it is necessary to examine the background of the century-old Indian socio-economic order. The socio-economic order in India did not depend upon the economic differentiation or the relation between the rich and poor or the capitalist and labour or bourgious and proletariat or the master and serf; but it was purely based on the religious sanctions of the *Varna* system which created in turn a bewildering multiplicity of castes and sub-castes in an hierarchical order with their prescribed duties in accordance with laws.

The *Vedas* are considered to be unquestionable and infallible. Therefore the graded society came to be fully justified with its resultant impact on the social and economic structure. Of course after independence some changes have taken place in the political and economic organisation, but in respect of social order the stratified society is still steeped in the century old religious principles and practices.

Let us now attempt a detailed analysis of the problem. It is an established fact that the *Vedic* scholars did not find any caste system in India. They
knew nothing of the caste system. But it is held in general parlance that the caste system is a perverted outcome of the division of labour. The Aryans divided themselves for different occupations on the basis of division of labour according to aptitude, taste, liking, capacity and ability. This was based purely on Vedas because it was considered an infallible and unquestionable authority. The second thesis was the salvation of the soul - i.e., escape from transmigration - can be had only by the due performance of Vedic sacrifices and observances of religious rites and ceremonies and the offering of gifts to Brahmins. The theory was not only of an ideal religion as contained in the Vedas but also of an ideal society.

But the structure of this ideal society came to be called Chaturvarna. Because it is imbedded in the unquestionable and infallible Vedas, this pattern was binding and it was based upon certain rigid rules. The first rule was that the society should be divided "into four classes - Brahmans, Kshatriyas, Vaishyas and Shudras." As a second rule there cannot be social equality among these classes. "They must be bound together by the rule of graded inequality, the
principle of division of work based on birth alone.\textsuperscript{40} The Brahmins to be at the top, Kshatriyas to be kept below the Brahmins but above the Vaishyas, the Vaishyas to be below the Kshatriyas but above the Shudras and the Shudras to be the lowest of all. In matter of rights and privileges, these four classes are not at all equal. The question of rights and privileges, the rule of graded inequality was determined by the belief that Brahmins are born from the Creator's mouth, Kshatriyas from his shoulder, Vaishyas from his thighs and Shudras from his feet. Brahmin had all the rights and privileges which he wished to claim, Kshatriya could not claim those which the Brahmin could; but he had more rights than Vaishya. The Vaishya had more rights and privileges than a Shudra but he could not claim what a Kshatriya could. And Shudra was not entitled to any right, much less any privilege. His privilege was to subsist without offending the three superior classes.

The third rule of Chaturvarna related to the occupations. Brahmin's occupation was learning, teaching and performance or religious observances. Kshatriya's was fighting. Trade was assigned to
Vaishyas. The Shudras were designated to serve the three superior classes. The occupations assigned to different classes were exclusive and one class could not trespass upon the occupation of the other.

The fourth rule of Chaturvarna related to the right of education. The pattern of Chaturvarna gave the right to education to the first three classes, the Brahmins, Kshatriyas and Vaishyas. The Shudras were denied the right to education. It was denied not only to Shudras but to all women, including those belonging to the first three classes.

There was a fifth rule. According to it, man's life was divided into four stages. The first stage was called Brahmacharya; the second was called Grahastha; the third was Vanaprastha and the fourth was called Sanyasa. The object of the first stage was study and education; the second was to lead a married life; the third was to familiarise a man with the life of the hermits i.e., severing family ties but without deserting the home. The object of the fourth stage was to enable a man to go in search of God and seek union with Him.
The benefits of these stages were open only to the male members of the three superior classes. The first stage was not open to the Shudras and women. Equally the last stage was not open to the Shudras and women. Such was the divine pattern of the so called ideal society under Chaturvarna system. The Brahmins had idealised the rule and had realised the ideal without leaving any loopholes.

The fourth thesis of the Brahmin Hindu philosophy was the doctrine of *Karma*. It is part of the thesis of transmigration of the soul. The *Karma* of the Brahmin was an answer to the question. Where did soul land on transmigration with his new body or new birth? The answer of the Brahminic philosophy was that it depended on a man's deed in his past life. In other words it depended on his *Karma*.

Thus, in the words of Dr. B. R. Ambedkar, the cardinal philosophy of Brahminism or Hinduism is as follows: (1) Graded inequality between different castes. (2) Complete disarmament of the Shudras. (3) Ban on the Shudras acquiring property. (4) Ban on the Shudras occupying places of power and authority.
(5) Complete prohibition of education of the Shudras.
(6) Complete subjugation and suppression of women.

In regard to the social structure, the outstanding features of Hindu society are: segmental division of society, hierarchy, restrictions on feeding and social intercourse, civil and religious disabilities and privileges of the different sections and lack of any restriction on marriage.

Caste is Innate:

The membership of caste 'is determined by birth'. A person remains the member of the caste into which he is born. His membership does not undergo any change, even with changes in his status, occupation, education, wealth etc. There are laws concerning food in the castes. Each individual caste has its own laws which govern the food habits of its members. Generally there are no restrictions against fruit, milk, butter dry fruit etc. But Kachcha food (bread etc.,) can be accepted only from a member of one's own or of a higher caste.
Untouchability in Hindu Society:

Untouchability is an integral part of Hinduism. This is the first lesson a Hindu learns from his mother in his cradle and tries to follow it faithfully till his last day on this earth. Untouchability is not mere touch-me-not-ism. It is much more. It is a prejudice much stronger than the racial prejudice and more dangerous because it is invisible. It is what Dr. Ambedkar called, 'a mental twist' which is very difficult to remove. It poisons the mind and stigmatizes the vision of those who practise it and dwarfs those who have accepted it. It has done enormous harm to our country and nation. Yet Hindus have no sense of remorse but surprisingly attempt to justify its existence and practice. Even to-day a separate place and separate eating and drinking vessels are given to scheduled castes in Tamil Nadu.

Incidentally, the word Harijan, the children of God, coined by a Maharastrian Saint-poet Narsi Mehta and borrowed by Gandhiji is not popular with scheduled caste people. To many among them it sounds like a word of abuse. In spite of the fact that this hurts
them, Hindus and their American and European friends continue to use it. This is not a statutorily recognised title nor is it acceptable to the self-respecting among the scheduled caste people. "thus... through a religious approach and through the leadership in the person of the Mahatma who claimed not only paternalism for them but also lifted them to the status of children of God!"43

The Mahatma gave wide publicity for the word, Harijan, and to the extent of naming his journal as Harijan. Thus the word Harijan was thrust upon scheduled castes and gained a propaganda value. To a Brahmin born in the temple of the Brahma, the Hindu, population shows their honour and respect and Bhakthi. Towards the untouchable (as per the definition of the Mahatma), the children of God, as usual they show their hatred and contempt. There is no radical change in their conditions as Harijans. They are still unseeable, unapproachable, and untouchable. They are born in debt in the Hindu sector; they perish in debt in the Hindu sector. These children of God still remove defecation (night soil) of other men. They continue to follow the age-old practices endowed by Hinduism.
In a closely reasoned speech Dr. Ambedkar voiced his opposition to all this through conferences and appealed to the Legislature of Bombay not to give statutory recognition to the word *Adhijan* and added "if the untouchable classes were the people of God, were the touchable classes assumed to belong to the monsters?"

Hardekar Manjappa, a nationalist leader in Karnataka, a social philosopher and a staunch opponent of *Varnasharma*, opposed Gandhi vehemently for renaming scheduled castes as Harijans - "but he preferred the Harijan because they are descendents of the original inhabitants of Indian soil." His views should be valued because his pen displayed a balanced and dispassionate approach to social and political problems.

Periyar E.V. Ramaswamy passed a resolution through the Justice Party conference at Thiruvarur on 25.8.1940 "that the word Harijan should not be recognised or called on our Adidravida brothers." In Kerala a Namboodri Brahmin is defiled by the touch of a Nair, but in the case of a Thiya caste a distance of thirty-six feet must be kept to avoid being defiled; and in
the ease of a member of the Pulya® caste the distance must be ninety-six feet. The stringent observation of the system of untouchability has resulted in some low castes of the Hindu society being called untouchables who were consequently forbidden to make use of places of worship, cremation grounds, college, public roads and hotels etc., and prohibited from living in the cities.

The degradation of caste system, with its religious sanctions, has degraded all the class structures and had driven majority of the people to a subhuman and inhuman state of existence. Therefore any public or social worker has to face to the monster of caste system before entering into public life. India is the only country where the intellectual class, namely the Brahmins, not only made education the monopoly but declared acquisition of education by the lower classes a crime punishable by cutting off the tongue or pouring molten lead in the ear of the offender. If the large majority of the people (85% of Shudras and Scheduled castes) appear to-day to be thoroughly emasculated, spiritless with no manliness, it is the result of the Brahmin policy of
whole-sale disarmament to which they have been subjugated for untold ages.**

If we further probe into the cases of scheduled castes in India, we find that untouchability was the gold-mine to the caste Hindus who sucked their blood to the last drop. "They did not allow scheduled caste to take water from well, enter in schools, travel in buses, in the same railway compartment, to wear clean clothes, to wear jewellery, to put tiles on the roof of their houses will not tolerate owning land, to keep the cattle, to sit when Hindu is standing. They are not isolated acts of a few bad men among the Hindus." To-day in politics, they are kept as tools and they are in tutelage to political chiefs or bosses. They will be ever oppressed in Indian society. The simple reason for this is that they do not have their own press, platform, organisation etc. Let a commoner judge their position without prejudice. How many scheduled castes have automobile vehicles, their shops in big cities or towns, own textile, industries, owning farms and estates, in principal posts? In spite of the famous phraseology and pious slogans of government, their position is not yet raised by 0.5%
when compared to the caste Hindus. These destitute and deplorable condition are the same. The so-called changes are invisible.

"Were the scheduled castes allowed to be at least lowest marketing class from milk to grass? Who will purchase from them?" Thus punitively they were driven to barbaric life to live with cats, rats and dogs. There is no comparison anywhere in the world either in social or in religious sector. The unapproachability, the unseeability and untouchability were their human right conferred on them by the Hindus. This is purely a betrayal and nothing but a betrayal. But the pious platitudes of Brahmins say that they will enjoy the fruits of this day's suffering in next life! Oh! what a mockery to the rationalistic and scientific world..." These are outcastes and untouchables who had not sprung from divine soil, and hence kept at the lowest level (Chaturvarna) by Vedic scriptures. The four original divisions had "multiplied like cancer cells into almost 5,000 sub-castes; 1,886 for the Brahmins alone."50

The afore-said analysis obviously reveals the
nature of caste system of Chaturvarna based on Manusmriti and the class struggle pointed by Marx in the economic field, which aimed at equality in society. What is the impact of these theories? Did Marxist theory provide the panacea for social justice? Has the difference and the distinction been completely eradicated from the society? But modern science and technology, and the acceleration of pace of civilisation such as the reclamation of desert lands by the extension of canals, patronage, in the services; introduction of Western system of education, have produced economic, social and political change. This, of course, did not change the Indian society fully.

The urge for ruling on the part of the upper class reached its climax during the post-independence period, when it wrested power from the foreigners to rule over their own countrymen. This class aimed at change of rulers. The Indian socialists, gradually and following the European theories are seeking to apply the economic interpretation of history to the facts of India. This ideology is fully based on 'Man' as an economic creature, whose activities and aspirations are expressed in economic facts, such as
accumulation and acquisition of property and lands, which are the only source of power.

They, therefore, conclude and preach from many a platform that political, social and religious reforms are gigantic illusions and that economic reforms by equalisation of property must have precedence over other kind of reforms. An average man will never accept that economic motive is the only motive by which a man in society is activated in his environment. It is an established and living factor that Mahatmas, Sadhus, Fakirs are full of authority and power over many because of their social status.

These illustrations will suffice to show that the emancipation of the mind and soul is a necessary preliminary for the political liberation of a people. The Mahatma and no politician has taken the burden of removing the social inequality that could alone be achieved by political power.
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