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# **THE IMPACT OF GLOBALIZATION** **ON SOCIAL JUSTICE IN INDIA**

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## **Abstract**

The term ‘Globalization’ is an English origin terminology that was traditionally used to refer to the emergence of transborder economic transactions. However, in the current pretext, the terminology has substantially evolved to include the growth of networking among the different sects of people across the globe through transborder modes of connection which includes information technology, education, employment, and many other methods within its ambit. Thus, globalization could be regarded as a dynamic transitory force that is inevitable in a progressive society. It is usually used as a buzzword to indicate all forms of growth witnessed around us which has a significant impact on the growth of our organic society. Several eminent proponents at different times have attempted to define the term ‘globalization’ according to the perspective they perceived based on the societal changes occurring at that point in time. Globalization has permeated to a substantial extent across the border. If we look around us, there is nothing hidden about the culture, economy, diversity, usage, sustainability, and climate change of different Nations which would not have been possible a few decades back. Thus, this growth is the child of Modernization and liberalization. However, every positive enhancement has to be tested upon societal parameters to adjudge the utility of the model. Globalization though has made the World, an Integrated Nation nevertheless it has not done enough for the marginalized segment of the population. In this article, the researcher will be delving into examining the concept of globalization beyond its economical facet and its effect on social justice in Indian society where a substantial section of people are marginalized. The barriers and methods to tackle the problems which hamper the fruits of globalization to come into the

hands of these segments would also be a significant part of this research. The study would end by providing the researcher's own analysis of the abridgment of the gap towards achieving socialism while balancing globalizing world's needs.

## INTRODUCTION

The term 'Globalization' was coined by Theodore Levitt who championed the undervalued role of marketing in defining what businesses should make and sell.<sup>1</sup> In terms of sociological context, the word was used by Robertson in 1985. He defined 'Globalization' as a concept that refers to the compression of the world and the intensification of consciousness of the World as a whole.<sup>2</sup> Thus, his definition was inclined towards indicating that time and space are compressed in a global world making people to think in more global perception and having instantaneous communication.

*Vladislav Inosemtsev* defines the term as "one of the most popular social studies of today, but is at the same time an empty term".<sup>3</sup> The First Wave of Globalization was witnessed in the era of First Industrial Revolution<sup>4</sup> which described the economic growth of Britain from 1760 to 1840.<sup>5</sup> Globalization denotes the forces that crumbles the political and economic importance of national boundaries and gradually exert influence on livelihood by way of set of regulations that form the global order. Globalization is not a novel concept. Its development and early origin can be traced back to changes that took place in the fifteenth century due to European control, which kept on going with the establishment of new states either through freedom or through the end of imperialism. In 1795, Kant could write that the "community of the nations of the earth has now gone so far that a violation of right on one place of the earth is felt in all"<sup>6</sup>. Eminent philosophers of the 17<sup>th</sup> and 18<sup>th</sup> Centuries such as Pufendorf, Grotius, Kant, Vattel,

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<sup>1</sup> Barnaby J. Feder, 'Theodore Levitt, 81, Who Coined the term 'Globalization', is Dead', [6 July 2006] <https://www.nytimes.com/2006/07/06/business/06levitt.html> accessed on 6th January 2023.

<sup>2</sup> Jan Currie & Janice Newson, 'Universities & Globalization: Critical Perspectives', Sage Publication [1998], p. 1  
[https://books.google.co.in/books?hl=en&lr=&id=j651AwAAQBAJ&oi=fnd&pg=PP1&ots=6r2T1ibqpw&sig=mqg07rRiQve5ISnmlpvVFNTQEZk&redir\\_esc=y#v=onepage&q&f=false](https://books.google.co.in/books?hl=en&lr=&id=j651AwAAQBAJ&oi=fnd&pg=PP1&ots=6r2T1ibqpw&sig=mqg07rRiQve5ISnmlpvVFNTQEZk&redir_esc=y#v=onepage&q&f=false) accessed on 6<sup>th</sup> October 2022.

<sup>3</sup> Vladislav L. Inozemtsev, 'The Present Day Globalization' [2008] p.46-47  
[https://www.socionauki.ru/journal/files/aog/2008\\_1/the\\_present\\_day\\_globalization.pdf](https://www.socionauki.ru/journal/files/aog/2008_1/the_present_day_globalization.pdf) accessed on 6th October 2022

<sup>4</sup> Peter Vanham, 'A brief History of globalization' [17 January 2019]  
<https://www.weforum.org/agenda/2019/01/how-globalization-4-0-fits-into-the-history-of-globalization/> accessed on 7<sup>th</sup> January 2023

<sup>5</sup> The Editors of Encyclopaedia Britannica, 'Industrial revolution', [23 August 2022]  
<https://www.britannica.com/event/Industrial-Revolution> accessed on 10th January 2023.

<sup>6</sup> James Scott Johnson, Kant's Philosophy: A study for Educators [2013] p. 156

Locke, etc. raise voice questioning the phase of globalization. The doctrine of sovereignty was expounded by them to find out under what situations one could run for non-European territories, and contest on ownership of the seas. The Major fact about the 19<sup>th</sup> century is the creation of a single global economy, writes historian Eric Hobsbawm<sup>7</sup>, a progressively thick web of transborder economic activities, dissemination of information and movements of goods, money and people. The evolution of this economy indicated the dissemination of European control. In late 19<sup>th</sup> century, political philosophers such as Alexis de Tocqueville and J.S. Mill were found engaged in elucidating rationale as to why non-Europeans should persist political reliance. After World War II, “global governance” came into its own, and talk about a “global (economic and political) order” and progressive connectedness to the world so that it would become an appropriate commonplace for all. Since this global order had no government, it was carried on by the text of multilateral treaties, protocols and International Convention-based regulations administering the territorial sovereignty of the state, Rights relating to property, trade and commerce, security and human rights, and also the environment. The United Nation Charter laid down the comprehensive rules to administrate the political structure. For the Economical upliftment several Institution like IMF, WTO, the World Bank, GATT, etc. were constituted with the intent to curb future wars and pioneer better economic world order and subsequently the inclusion of powerful and wealthy states led these institutions reshape the economic order for the collective benefit of all. At this stage of globalization, one issue that concerned the philosophers was the governance concern of these institutions as the participation of underdeveloped nations were less.

### **Globalization beyond Economical Aspect**

Globalization although has created unprecedented opportunities but brings dreadful consequences on the marginalized section by increasing the bridge between individualism and consumerism as it attenuates the interest of the deprived class to substantiate that of privileged section which ultimately dilutes the identity of the large section of deprived class of people. Thus it clearly provides that the impacts of globalization do not confine themselves within the economic purview rather it also takes into account the social culture of the citizens. The alterations brought by this phenomenon are therefore important to be understood by all the sections of a Nation to appreciate its true features and critics. Globalization brings in such changes which have an apparent impact on the wellness of the citizens. The unequal

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<sup>7</sup> Mathias Risse, On Global Justice [2012] p.3.

distribution of resources brings a feeling of exclusion among the members of the society which forces them to alienate and generate the thought of deprivation, discrimination, and ultimately injustice. According to Zygmunt Bauman<sup>8</sup>, globalization has changed the way people think about the world and themselves. A traditional model of stable and reliable employment has given way to a new experience of a working life characterized by the absence of contracts, outsourcing, unstable working conditions, labor market deregulations as well as social and job insecurity<sup>9</sup>. Globalization in India is the consolidation of socio-economic, and social-cultural outcomes emancipating from the exposing of Indian Market to the global world.<sup>10</sup> The Indian economy witnessed significant policy conversions in the early 1990s leading to novel reforms in economic sector based on LPG Model i.e., ‘liberalization’, ‘privatisation’ and ‘globalization’, with an objective to remake the Indian economy as an expanding and combative one. A chain of refinements were commenced in the different sectors to create an effective economy. Claims were made that the policy of economic liberalization has led to emergence of affluent middle-income group—the foremost *cestui que* of the globalization process. While they have reaped profits from utilization of new opportunities for education and jobs and are perceived as the cause of advancement, on the other hand, it has worked to the detriment of the lives of the deprived and marginalized sections causing to rise in purchase prices, increasing arrears and contentions for employment. Despite the fact that chances to develop one’s personality have substantially grown, they coexist with higher pecuniary stress<sup>11</sup>. The approach of globalization has been steered by the proposition of neoliberalism, which extends the public with the possibility of choices while being detrimental to principles of equality and liberty. Thus, Globalization could be contemplated as compulsive and unbalanced vigor which generates unlike distribution of benefits and losses at both stages i.e., among the different countries and also within a country among different income group.

## JUSTICE & SOCIAL JUSTICE

The outright concept of Justice can be traced back to time since the human civilization has come into existence. Human by its very nature desires to live a peaceable life on this planet. However, this desire is obstructed by many intrusions in form of clashing interests, this clash

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<sup>8</sup> Globalisation: The Human Consequences, Cambridge: Polity Press, 2000

<sup>9</sup> Vishal Bhavsar and Dinesh Bugra, “Globalisation: Mental Health and Social Economic Factors”, Global Social Policy, vol8, December 2008, p.380

<sup>10</sup> Ruchira Ganguly and Timothy J Scrase, Globalisation and the Middle Classes in India: The Social and Cultural Impact of Neoliberal Reform, New York: Routledge, 2009, p4.

<sup>11</sup> *Ibid*, p3

occurs due to an anticipation that the very right of a man is obligated to be recognized and protected by the state and the society. If we refer to the importance of Justice emphasized by Pound and John Salmond, we would find the inherent fear of a man of his interests to be protected consequently gave rise to the perpetual concept of Justice. Justice is inextricably twined together with the absolute concepts of rights, equity and duty, asserts Blackstone. John Salmond has stated rightly that each person wants others to be good and empathetic towards him howsoever that person is being 'selfish' towards others in reciprocal conducts, which is the rationale behind the need of an external force for the emancipation of an orderly society. Therefore, for John Salmond, A balanced societal order cannot be imagined without the existence of Justice.

The concept of Justice as per my supposition is a very vague and ambiguous concept because the parameters and standards of justice vary substantially for each individual, what may be just for me, might not be just for others and vice-versa. Justice may be regarded as a notion of satisfaction and contentment which differs from each person's ideology. The Natural School of Law advocates the perpetual question of absolute justice which in today's contemporary scenario find little significance. Aristotle distinguished between distributive and corrective justice. Out of these two for our study Distributive Justice is of important significance. It provides equality of opportunity and equitable treatment. It ensures equal treatment among the equal before law. Equal man must have equal rights is what distributive justice resonates. Aristotle's great contribution to legal theory is his distinction between Natural Justice and Legal Justice or positive Justice. According to him, Natural Justice is that which everywhere has the same force and it exists uniformly everywhere.

In today's world the concept of absolute justice is difficult to achieve therefore, the society must not look to achieve the 'perfect justice' rather it shall concentrate towards achieving a society where injustice can be reduced substantially, this idea perpetuates the thought of Justice given by Amartya Sen. Our Indian Constitution through the Preamble at first place itself aspires to secure its citizens Justice whether it be social, economic or political. Advancing the idea of Preamble, the concept of Equality and Liberty has been enshrined in the form of Fundamental rights in Part III of the Indian Constitution. Particularly if we see, Art. 14 of the Constitution, it guarantees right to equality to all the persons within the territory of India, this notion of Art. 14 lays down the general concept of equality which is focused on to achieve equality among

equals but not among unequal. The equality among unequal is in fact the treatment of inequality. This article does not guarantee mechanical or absolute equality but it guarantees a justified equality. In the case of *Chiranjit Lal v. Union of India*<sup>12</sup>, the hon'ble Supreme Court has held that the varying needs of different classes of persons often require separate treatment. Thus, the guarantee against the denial of the equal protection of the law does not mean that identically the same rule of law should be made applicable to all persons in spite of different circumstances and conditions. The legislature is under obligation to rectify the diverse problems emancipating from infinite variety of human relation. In the matter of *RK Garg v. Union of India*<sup>13</sup> the hon'ble Supreme Court has held that the aim of art. 14 is to protect persons similarly placed against discriminatory treatments.

Social Justice is an ambiguous concept as it cannot be defined by certain statements. It is rather a perpetuating fact which asserts that there must be removal of impediments in the form of injustices within the personal ties of the citizens. Thus, it advocates the removing of injustice in the political, social and economic life of the citizens. The objective of social justice is to facilitate the undermined class to equal access of opportunities. It focuses on the empowerment or upliftment of disadvantaged class and that so without undermining the interests of other sections of the society, particularly the privileged class. Under our Indian Constitution the idea of social justice is sought to be served by two fold methods:

1. By curbing the existing inequalities in socio-economic and political lives of the citizens.
2. By bringing legislation aiming to secure the socio-economic goals which a welfare state presupposes.

Commenting on Social Justice **Mr. M.C. Chagla**, the former Chief Justice of the Bombay High Court observed as follows:

*"We are no longer living in the laissez faire.....it is true that social justice is imponderable and we are asked not to introduce the principles of social justice in construing legislation that comes for interpretation before us. But in our opinion, no economic, social or labour legislation can be considered by the court without applying the principles of social justice in interpreting these related provisions of law."*<sup>14</sup>

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<sup>12</sup> 1951 AIR 869 (SCR)

<sup>13</sup> 1982 133 ITR 239 (SC).

<sup>14</sup> Prakash Cotton Mills v. State of Bombay, 1957 II LLJ 490 (Bom.)

The Supreme Court in *State of Mysore v. Workers of Gold Mines*<sup>15</sup> observed that Social Justice has a revolutionary effect on the lives of the citizens therefore it could be regarded as an organic concept. It is like a soul to a body which aspires the welfare states to achieve social justice through enacting ideal legislation stressing upon curbing the social injustice. This objective could only be secured by adjudicating each matter based on their own circumstances and merits.

It is pertinent to understand that in establishing a social democracy three ideologies i.e., dignity of an individual, social justice and equality are the pillars. Our Constitution explicitly inculcates these concepts and envisages that through these diverse philosophies the personality of each individual could evolve and flourish. Thus, in while achieving social justice we are simultaneously securing the Justice as it is the genus. It is dynamic instrument to curb the sufferings of the marginalized sections and simultaneously to elevate them to a decent standard of living essential for their dignity. Therefore, it is a very complex idea required to harness the distress and difficulties of the poor citizens of the society. The legitimate aim and Constitutional Goal also is in consonance with the aim of Social justice which is to bring in justified degree of political, economic and social equality among the citizens and ultimately relieve their inhumane conditions. Securing social Securing, humane conditions of work, equal opportunities in employments, bringing in scheme to provide basic resources for elevating the deprived sections are part and parcel of Right to life and personal liberty guaranteed by the Constitution and are ultimately the methods to secure the equality which is contemporaneous to social Justice. Ultimately rule of law is the potential tool to bring the equality and ultimately the social change which the country thrives for.<sup>16</sup>

## **DISADVANTAGES OF GLOBALIZATION ON SOCIAL JUSTICE AND METHODS TO TACKLE**

We have already understood the concept of Globalization and Social Justice separately. In this division we are going to understand the affirmative as well as detrimental effects of Globalization upon Social Justice. In the present time, the world is usually seen through the eyes of media whereby we witness several devastating activities like violence, corruption, etc.

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<sup>15</sup> 1958 II LLJ 479 (SC)

<sup>16</sup> Air India v. United Labour Union, (1997) 9 SCC 377.

which are disheartening and make us impassive and unresponsive. Subsequently we think of ourselves and have thoughts that How can one person bring a change to this menace? Therefore, we do not react as we are not impacted by the surroundings and go on engaging ourselves in our daily activities of life. Yet certain persons from various parts of the society are confronting the injustice with the thought of bringing a slight change in the current situations.

It is pertinent to understand that any process of revolutionary transition brings in manifold challenges and opportunities for its stakeholders. Globalization is a kind of transformation in the form of Liberalization, privatization and cross-border information transaction which has grown a lot of challenges especially for the marginalized section of our Society. Initially Globalization hit India with the view to grow the economic policies and financial market services of our Nation with Other developed nations however it has deviated from its objective as today the transformation is on the verge of depriving the marginalized the basic resources, education, employment opportunities. For example: If we take Dalit community in India, they formulate a population of around 16.5 percent according to the 2011 census however there accessibility to the basic resources is marginally lower than 5 percent. Globalization permeated the India in 1991 itself however even after decades the question of adequate accessibility still remains intact. Though the formulation of governmental policies find inclination toward the economic and social growth of the deprived class of the society nevertheless the policies mostly remain unimplemented or are not effectively enforced in the needed parts of the Country. Today, in the present era, we witness around ourselves the enormous development of information technology which has allowed to grow the market of digital driven business players like Uber, Zomato, Ola, etc. Most of these digital businesses have not even invested minimal capital to gain the unprecedented profits they are earning. This has severely damaged the local transport services and has brought their business down. Another example of Globalization hitting the Indian Market adversely is the arrival of the e-commerce. The growth of Amazon, Flipkart and several other uncountable e-commerce businesses have witnessed great rise on the cost of crushing the market of the local manufacturers and business. The concentration of substantial wealth in the hands of minimal section of the society also resembles how the Nation is failing to uphold the constitutional vow of upgrading the standard of living of the backward communities of our society. In terms of growth of educational services among the Dalit communities has substantially fallen, some of the major reasons being, lack of Educational Resources, in rural areas. The privatization of educational services has allowed the private

players to administrate the and regulate the services on their whims and caprices which works on the disadvantage of the Dalit communities primarily.

In India also, there is little objection to globalization as such. However, it remains important to harness the force of globalization to benefit human welfare and try to limit some of its adverse effects.

Globalization has undoubtedly created unprecedented opportunities to grow oneself however it lacks to address the more equitable and just distribution of resources. This defect would have a long-term implication which will lead to rising inequality and inequities among the society. Such society might then be segregated to form another underprivileged section thereby drawing a sub-categorized margin which already exists at the larger pedestal. Today, at global platform, increasing interactions, interconnectedness, commerce, media has led to violation of rights of marginalized however inadvertently it may be. The apparent problem is that to defend these rights there exist no global body to which these issues could be addressed or which can be called for the protection of these rights. Thus, in the light of lack of such global body, global citizens can only ensure that inequality and social discrimination can be reduced substantially. But how do we identify a Global Citizen? What features should a Global citizen possess? Daisaku Ikeda, a Buddhist Leader, on 13<sup>th</sup> June 1996 spoke on the features of Global Citizens which has brought clarity for the Universe to perceive and promote these features. These features are as following:

1. Wisdom, which means the capacity to perceive the interconnection of all life;
2. The Courage, which means the not to fear or deny differences, but to respect and understand people of different cultures and grow when encountered with them.
3. the compassion to maintain an imaginative empathy that reaches beyond one's immediate surroundings and extends to those suffering in distant places<sup>17</sup>

Commonly, we take the concept of citizenship associated with that of Identity or membership of a certain Nation. But this notion is quite bad as citizenship to a First World Country would confer upon certain claims, privileges and access to resources while membership to a Third World Nation may impose duties, responsibilities and liabilities thereby creating a boundary

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<sup>17</sup> *My Dear Friends in America*, third edition, p. 444.

between the two. To tackle these situations created by Globalization, our Constitution plays an essential role. Our dynamic Indian Constitution provides about the requisite directives essential to achieve Social Justice even in the era of Globalization and to curb the difficulties faced by the deprived classes of our society particularly Art. 39(a) and Art. 39(b) which provides about the equal right of livelihood and non-concentration of material resources to certain section of society. Also, Art.42 and Art. 43 provides about the Just and humane condition and living wages, respectively which secures the social security of workers. Ultimately Art. 46 obligates the state to bring policies which are inclined towards securing and serving the economic interest of the Scheduled Castes, Scheduled Tribes and other weaker section.

All these provision helps even in the everlasting process of globalization to affirmatively affect the notion of Social Justice. The mutual cooperation among the subordinate authorities to implement the constitutional ethos also plays a significant role. Thus, Globalization has impacted the social justice in many aspects some being positive and other negative. To deal with the negative effects our constitution lays down noble ideas to bring the thought of social justice among all the citizens of the nation without depriving the benefits of each other.

## **CASTE-CLASS OVERLAP**

The Traditional Indian society has always based its reliance on caste to identify themselves. Certain castes are to be considered as upper caste while others to lower caste which created a vague and a peculiar notion among the people to determine the work based on their caste identity. Thus, In India the exclusion of the people started to be looked at from caste-based considerations however when we account for globalization the caste-based exclusion and vulnerabilities should be disregarded and the disadvantageous groups should be categorised as a broad class of population. The Advent of globalization has allowed multi billionaire MNCs to enter the market creating opportunities for all which has allowed the rural citizens to work in urban areas helping them to grow out of pedantic mindsets and ultimately creating a thought brotherhood which goes beyond the castes and class. Thus, Globalization has created inclusivity and empathy among the society and has taught for significant progression the collective benefit of the society and not of the class is necessary. Today, during the present era, caste-based philosophy is merely found in urban areas in a professional environment save in the involvement of personal ties. Globalization has thus taught to bind together and grow enormously and subsequently killing the caste based paradoxical notions.

## CONCLUSION

It is pertinent to understand that towards the path of Nation's growth several matters have been addressed however the social exclusion still persists because neither any orderly steps have been taken nor an inclusive approach has been adopted to inhibit the exclusion and even where such methods have been brought, implementation mechanism still remains redundant. The government at different time through their political vows have considered the impairment of many deprived and backward classes of citizens, however the core problems relating to social exclusion in the form of poverty, basic necessities, discrimination and deprivation of resources still subsist which needs to be comprehensively appreciated in appropriate forums at Global platforms.

The impassive response towards the social exclusion also can be very much regarded as the factor which is enabling its growth. Actions can be taken from individual to social groups at different levels after understanding the parameters and stages of social exclusion process based on needs and intensity. The long history of segregation injected through the caste system gives clarity and awareness to the people who find themselves as socially excluded but refrain to act and have a feeling of acceptance as they are. Awareness programmes towards such exclusion needs to be adopted at Global platform, group action can be the other method because the hindrance arising due to such exclusion in India has different facets which are visible explicitly. Globalization has eared away from this issue.

One may ask why we need to combat social exclusion. A simple answer to that question would be to appreciate the social integration of the citizens. This social integration has been ushered through our Indian Constitution itself which establishes a vibrant democracy with an egalitarian ideology to counter the social exclusion which can only be done by engaging to resolve the surrounding social problems. For which, the Global players, particularly Indian administration, should incline its policies towards separation of race, colour, caste-based politics and religion-based practices from governance. This positive act would bring and grow the feeling of participation to the marginalized in the progressive expansion of the Nation subsequently giving force to "social Justice" through Globalization.