



The Concept of Social Justice and the problems Concerning Rights of Children

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Abstract : *The Ideal of social justice envisages the promotion of the welfare of people especially the poor, the needy and the weaker sections of the society. This ideal can be attained only when there is no discrimination in the distribution of rights and privileges on the basis of caste, creed, age, race, etc. Development without justice is meaningless unless all sections of society are benefitted. The issues of social justice regarding children has assumed tremendous significance today in the wake of constant violation of children's rights of*

survival and total development of their personality. Children are the future citizens of our country. There are several forms of injustice and criminality against children such as—employing them as child labour, child sexual abuse, child marriage, female foeticide to name a few. These abuses are a result of unequal wealth and resources, poverty, discrimination, unfair treatment of individuals with differing traits, culture, religion etc. One should remember that children's rights are human rights particularly the right of protection and care to them. The objective of the project is to enlist the different areas in which their rights are abused, the causes of the abuses and the measures undertaken to check the abuses. It has been seen that unless the life of the child in the family and community improves, all development efforts would be meaningless. There is, therefore a need to raise awareness and create an ethos of respect for the rights of the child in society to meet his/her basic development needs.

Keywords : *Justice, Deprived, Discrimination, Child Abuse.*

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Introduction:

It is a great irony that in spite of the inclusion of justice in the form of fundamental rights and directive principles of state policy, several sections of society are still facing oppression and exploitation in the society and are subject to severe forms of injustice and violation of their rights. One such section is children, the future leaders of our country. It has been learnt that nearly one billion children across the world are deprived of their basic rights of survival and growth. With a genuine concern, an effort has been made to define justice, especially social justice concerning children.

Social justice is the virtue which guides us in creating those organised human interactions we call institutions. Social justice imposes on each of us a personal responsibility to work with others to design and continually perfect our institutions as tools for personal and social development. Social justice means moving towards a society where all hungry are fed, all are cared for, the environment is treasured and we treat each other with love and compassion. Social justice provides the foundation for a healthy community. It grows out of our sense that each person, each created being has value. Only as we recognise the value and dignity of each person can we build a healthy community, so it is a slow process of learning and growing. Justice demands that each individual should be treated as an end-in-itself "and not as a means to an end." (Gaub 141).

The Indian constitution provides a frame work within which provisions are available for protection, development and welfare of children. The creation of social justice means the creation of an environment specially for the children in which every child gets unreserved and unhindered opportunity for physical and intellectual development.

Significance of study:

The issues of social justice regarding children has assumed importance because of constant

violation of children's rights of survival and of total development of personality. In fact, the position of children since long has been pitiable in all aspects of life and subjugation of female children by males has been throughout the matter of society." (Lata et al. 2)

Children are the future leaders of our country. The child shows the man as morning shows the day. Hence the proper development of their personality is necessary. It is also important to bring to light and to know the various ways in which their rights are abused and children are deprived of their privileges. It is the need of the hour that every child in our country be given proper food, education and a dignified life or else the concept of social justice will become meaningless.

Objective:

- To discuss the various issues concerning social justice.
- To find out the different areas where children are facing injustice and are abused.
- To enlist the different rights that children should enjoy.
- To suggest measures to promote social justice.

Methodology:

This work will be theoretical and descriptive and analytical based on the study material collected from various Libraries in Patna. Study from different journals and magazines, audio and visual documents and internet will be done. Study of various books concerning the issues of social justice will also be undertaken.

Different forms of Child rights abuse:

Child abuse is the physical, sexual or emotional maltreatment or neglect of child or children. There are 6 major types of Child abuse :

- (a) **Physical Abuse:** Physical child abuse is an injury resulting in physical aggression, even if the injury is not intended.
- (b) **Sexual Abuse:** Child sexual abuse is a form of child abuse in which an adult or older adolescent abuses a child for sexual stimulation.
- (c) **Emotional or Psychological abuse:** Emotional abuse is defined as the production of psychological and social deficits in the growth of child as a result of behaviour such as loud yelling, coarse and rude attitude, etc.
- (d) **Neglect :** Child neglect is when a child's basic needs are not met properly and the child suffers from lack of affection, food, and protection.
- (e) **Discrimination/Deprivation:-** Discrimination means the unjust or prejudicial treatment of different categories of people or thing, especially on the grounds of race, age or sex.
- (f) **Other forms of abuse :** Besides the above forms of child abuse we find that there are some other abuses against children like cultural abuse, child labour, child trafficking, child marriage.

Causes of Child Abuse:

Child abuse is a complex phenomenon with multiple causes which is crucial to addressing the problem of child abuse. There are following causes of child abuse such as :

- Poverty
- Lack of Education
- Serious marital problems
- Frequent changes of address
- Prevalence of Violence in the family
- Lack of support from the extended family
- Loneliness and social isolation

- Unemployment
- Inadequate housing
- Alcohol or drug Abuse

Measures to check Abuse:

Everyday five children die due to abuse and neglect. As children are the future citizens of our country our goal is to see that this number drops to "ZERO". These are some ACTS and ways by which we can help the children.

- (a) **THE CHILD LABOUR (PROHIBITION AND REGULATION) ACT , 1986 :** The basic objective of the child labour (prohibition and regulation) ACT 1986 is to ban employment of children below the age of 14 years in factories, mines etc.
- (b) **PROHIBITION OF CHILD MARRIAGE ACT 2006 :** According to this act marriage should take place after the age of 18 for girls and 21 for boys.
- (c) **COMMISSIONS FOR PROTECTION OF CHILD RIGHTS (AMENDMENTS) 2006 :** It amended the commissions for protection of Child Rights Act 2005 which provides speedy trial of offence against children.
- (d) **THE CHILDREN ACT 1960 :** This act provides for the care, protection, maintenance, welfare, training , education, and rehabilitation of neglected or delinquent children and for the trial of delinquent children in the union territories.
- (e) **THE JUVENILE JUSTICE (CARE AND PROTECTION OF CHILDREN AMENDMENT ACT 2006 :-** Provides special approach towards the prevention and treatment of juvenile delinquency and provides framework for the protection, treatment and rehabilitation of children under the purview of juvenile justice system.

Other Schemes :

- Balika samriddhi Yojna (BSY)
- Kishori Shakti Yojana (KSY)
- Nutrition programme for adolescent girls (NPAG)
- Scheme for welfare of working children in need for care & protection is an integrated programme for street children.
- Mid-day Meal Scheme
- National creche fund.

Conclusion and suggestions:

The aim of social justice to children will not be fulfilled so long as even a single child is deprived of elementary education. The efforts in the field of child development are a testimony to the government of India's commitment to the cause of children. Concerted measures are being taken to achieve target within the stipulated time frame. But unless the life of the child in the family and community improves, all development efforts would be meaningless. Social justice cannot be attained if the younger generation is not empowered to assert their basic rights. Hence it is necessary to raise awareness and create an ethos of respect for the rights of the child in society. Forceful implementation of the laws concerning the education of the children and the society should build pressure on the parents to send their children to school. The benefits of rights to education should be made available to all children irrespective of caste and class etc, and children should not be allowed to work in houses or factories. Every child should be treated as a dignified human being and should be provided with all the facilities of life. The role of teachers in shaping the character and personality of children is also very important. For poor parents who send their children to work for earning money, government should give them some lucrative incentive like employment or some other support system. Every parent has moral obligation to bring

up their children in a healthy atmosphere and to provide them proper education and healthcare. For this parents should not have more than one or two children. Hence the aim of social Justice will be attained only if every child is given freedom and opportunities to develop physically, emotionally and intellectually.

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