iJRASET
International Journal For Research in Applied Science and Engineering Technology



INTERNATIONAL JOURNAL FOR RESEARCH

IN APPLIED SCIENCE & ENGINEERING TECHNOLOGY

Volume: 10 **Issue:** VII **Month of publication:** July 2022

DOI: https://doi.org/10.22214/ijraset.2022.45982

www.ijraset.com

Call: 08813907089 | E-mail ID: ijraset@gmail.com

International Journal for Research in Applied Science & Engineering Technology (IJRASET)
ISSN: 2321-9653; IC Value: 45.98; SJ Impact Factor: 7.538
Volume 10 Issue VII July 2022- Available at www.ijraset.com

Social Justice in The Digital Era with Special Reference to Covid19 Pandemic

T. Dev Joshi[1], Prof. (Dr.) Reena Bishnoi[2]
[1, 2]*Institute of Law, SV Subharti University, Meerut*

Abstract: ***This article attempts to examine Social Justice as a concept, and how various developments in the 'Digital Era', a period of time driven by the rubrics of digitalization, triggered by COVID -19, influenced the way of life and affected the social justice. The era, which is under a massive influence of the Internet, gadgets serving as the means of communication and the digital technologies such as cloud computing, the world of Internet, mobile devices, and the virtual reality etc.is now come to be known as the digital era. The entire period of COVID -19, while exhibiting several measures taken for social justice, by way of informing, educating, controlling and supporting masses for their varied needs in terms of RT-PCR testing, frequent health advisory, arrangements for the Isolation camps, treatment of those hospitalized, free provisions, allowing work from home (WFH), Children's on line schooling, pumping funds in the economic system for SME/MSME entrepreneurs etc. to keep in the economy afloat and organizing vaccine and pushing vaccination program aggressively, had nonetheless left adequate scope to be slipped on the part of government into its failure to meet the social justice. The consequences of the COVID-19, reinforced its continuation for the growth of the digital economy. This would for sure exacerbate the growing digital divide within, between and across developed and developing countries, for the availability, affordability and the use of Information and Computer Technologies (ICTs). The process of digitalization may have advanced the development process, but it has seemingly not facilitated bringing the international community at a common platform to develop solutions for achieving sustainable development for all, eradication of poverty, social protection of all, promotion of employment with decent work for all, and the gender equality and access to social well-being and justice for all.***

Keywords: Social Justice, Digital Era, Challenges in Social Justice, Digital Justice, Social Justice in Digital Era

I. INTRODUCTION

We are living in a social system, which is formed of interdependent set of cultural and structural elements, emerging from and also influenced by individuals and/or group of individuals. It embodies "one of the most important sociological principles that the whole is more than the sum of its parts." In broader terms, by virtue of many factors, it creates a system of social living and relationships of varied forms and dimensions in an economic, political and natural environment, closely weaved and keep taking shape from time to time by the changes in those environments.

Ensuring application of Justice in a fair manner in such a complex social system becomes very important and challenging for the good of society. An attempt has been made here to examine Social Justice as a concept, and how various developments in the 'Digital Era', a period of time driven by the rubrics of digitalization, triggered by COVID -19, influenced the way of life and affected the social justice.

II. UNDERSTANDING SOCIAL JUSTICE

Our Constitution, a basic source of law laying down certain goals, has witnessed 72 years of its existence. The constitution has adopted certain fundamental policies, in the form of Parts III and IV. In fact, Indian Constitution is a social document, having the Ideals of the nation, Principles, Institutions and the Processes to accomplish those.

In fact, the Preamble to the Constitution, emphasizes that 'We the people' of India, through this Constitution, aim at establishing a Sovereign, Socialist, Secular, Democratic, Republic and to secure to all its citizens, Justice- Social, economic and Political, in a very assertive manner.

Social justice has not been defined anywhere in the constitution, but in the form of relative concept, it is changeable with time, circumstances, culture and the aspiration of the people. Social justice means equal treatment to all citizens without any social differentiation, it lays emphasis on the absence of privilege being extended to any particular section of the society, and for the improvement in the conditions of backward classes whether Scheduled castes (SCs) or tribes (STs) or other backward classes (OBCs) and the women.

©IJRASET: All Rights are Reserved | SJ Impact Factor 7.538 | ISRA Journal Impact Factor 7.894 |

III. WHAT IS DIGITAL ERA

Beginning from the end of the 20th century, a new economic domination of information technology has taken over from the industrial revolution in 21st century. This period has been characterized by a shift in the economy based on traditional industry to information and communications technology (ICT) industry. During this period digital technologies have started playing a prominent role in shaping up and regulating the thought process, behaviors, performances, standards etc., of the people, communities, organizations, and societies in big way. The era, which is under a massive influence of the Internet, gadgets serving as the means of communication and the digital technologies such as cloud computing, the world of Internet, mobile devices, and the virtual reality etc.is now come to be known as the digital era. Social media, a subset of this, has gradually emerged to play a dominant role in our lives.

IV. IMPLICATION OF DIGITAL ERA

We have started experiencing change with every passing day realizing that the internet is a very powerful catalyst for change. It has turned out to be a job creator, a wealth creator, and a driver of innovation, an enterprise, and the national productivity crossing over all existing patterns. We find that more than eight out of ten adults are going online, almost every day and for good time creating their strong inclination and dependency on the usage of digitalized applications making them in real terms 'digital citizens'. Since beginning of 21st century, the digital divide amongst world population is also increasing, depending on the level of literacy and the education standards, social and economic development and the age group (old and new the generation). Just as a ready reference, an estimated 5.8 million of the adult population in UK have never used the internet and a further 12.6 million people are lacking in basic digital skills. Similarly, in India, an estimated 57.4 % of women never used the Internet, contrary to 37.84 % of men. Such individuals seem to be known as the 'digitally excluded', as not being able to enjoy every day's life and utilize various benefits which is offered by the digital world. This thus, becomes an issue germane to the social justice. With ever-growing centrality of digital applications, related desired skills and the knowledge in every day's life only means and infers that a digitally excluded person will often be socially, economically, politically and culturally excluded, giving them a feeling of disconnect, a complex and inability to harness their potential.

V. SOCIAL JUSTICE AND COVID 19 PANDEMIC

A. Much awaited Need for the digitalization in the Justice System in India

In keeping with developments in the area of information digitalization, as back as 2005, immense need for re-engineering the processes of Indian Judiciary was felt with a view to make optimum utilization of all the resources and to change the system of data management by utilizing Information and Communication Technology (ICT) for speedy dispensing of justice. There are no two opinions that the justice needs to be accessible, affordable, cost-effective, accountable and transparent. Therefore, ICT was considered the best bet to enhance the productivity of the Indian Judicial system. Accordingly, an e-committee, was constituted by then Honorable Chief Justice of India, Yogesh Kumar Sabharwal for formulating a policy on digitalization of the Indian Judiciary and also to advise him on matters related to technology, communication and data management. This e-committee prepared a report on 'Strategic Plan for Implementation of Information and Communication Technology in Indian Judiciary', which was to be implemented in three phases in a period of five years. Some initiatives, which were implemented are1) Serving court notices through e-mail in addition to the normal modes of services 2) Recording of the statement through Skype 3) Taking evidence through the video conferencing in criminal trials 4) Relaxation of mandatory certificate requirement promoting the use of videography in the investigation 5) Setting up a Central Oversight Body (COB) under instructions from the Supreme Court by the Ministry of Home Affairs to prepare a centrally driven action plan to implement the use of videography in the investigation 6) CCTV cameras were ordered to be installed in all police stations and prisons to check if there was any human rights abuse.

Interestingly, it is a sad part of the reality that it took us a global pandemic to realize the importance of a digitalized justice delivery system (DJDS). "From June 2020, after the lock down on account of COVID - 19 outbreak, the courts had no other option but to hear urgent cases through video conferencing. Nonetheless, in a recent webinar, Hon'ble Justice D. Y. Chandrachud, who is also the head of the e-committee of the Supreme Court clarified that 'Virtual courts can't be able to fully replace open court hearings'."

Few initiatives, being worked upon post COVID-19 are Inter-Operable Criminal Justice System (ICJS), "a single platform where all the metadata would be available. The main objective of the ICJS is to bring an online Integrated Management Information System by connecting the data from police, prisons, forensic laboratories, and courts etc. for ensuring speedy justice. Besides, the National Service and Tracking of Electronic Process (NSTEP) would address e-payment of court fees and the court deposits etc., and the issues of delay due to non-service of the summons, etc." The encouraging part is the pace at which people are adapting to such a change is really appreciable.

©IJRASET: All Rights are Reserved | SJ Impact Factor 7.538 | ISRA Journal Impact Factor 7.894 |

B. Impact of COVID-19

The process of digitalization was capturing people and their mind in the name of advancement or development slowly and silently. Amidst usual flow of life, suddenly in December 2019, the signs of the pandemic caught the attention with news that the most parts of the world was already under its grip and there is urgent need for us to be careful now. But it was not until after the middle of February 2020 did the gravity of situation could actually be realized. All the Governments, UN agencies like the World Health Organization (WHO), went into a frenzy, not only to stop the deaths on account of COVID-19 pandemic but also to find effective preventives measures and cures to address what was regarded as the deadliest virus to hit humankind in recent times, as a concerted effort.

C. The Initial Lockdown Phase

In a matter of no time, many nations went under locked down, so was India (a unique phenomenon not heard or experienced before); international and domestic travel was stopped; factories and offices, schools and educational institutions were all closed. Even shops, markets, malls and cinema halls were also put to closure. Only essential supplies for daily needs were allowed to continue with certain restrictions. Migrant and daily wage earners were in a big soup what to do for living? Prime Minister of India in his address to nation, while reassuring countrymen, requested for their cooperation and support to follow all the instructions so as to withstand such a difficult time. He also requested employers to pay some advance to the workers/ laborers for at least three months so that they are not put to any panic for daily living. Request was also made to the landlords not to demand rental from the tenants at least for three months envisaging the prevailing unforeseen situation beyond anybody's control. Very unimaginable situation with a feeling of scare! True to saying that when difficult times come, politics plays its role. So was the role of all the political parties in the country at that point of time. Employers did not pay to the workers or the laborers any amount. Even landlords kept asking for rentals. This resulted into a situation for the migrant workers to move to their villages rather than dying hungry or seeing children in distress in the cities. Non availability of transport made their lives all the more difficult due to complete lockdown. Finding no way out, most opted to travel by foot to their villages with their families including very young children. Journey to their villages on foot was tough involving number of days using roads some known and some unknown with no proper place to eat, sit or rest heightened by no food, water and money with many. Further, travelling together in groups with no proper masking increased the peril of viral spread. What an ironical fate!

Thus, all the happenings of a normal routine life, which most of us took for granted, was either painfully disrupted or came to a grinding halt for uncertain period of time. Social life strictly got confined to homes or mobiles and the economies, particularly of the poorer nations, were almost shattered with uncertainty. People experienced a different life not heard or imagined even remotely. Wearing mask, keeping and maintaining distance from all, generally trying to remain in-house, washing hands as frequently as possible, not touching anything, washing vegetables and fruits vigorously, using sanitizers and sprays and taking medicines or tonics or Ayurvedic kadas for building immunity was a routine ordeal, besides working from home. For almost more than a year the life got into a module known to be as a 'new normal'.

'Work from home' (WFH) meant to have a digital device: be it a computer or a smart phone, a good, stable internet connectivity and also a cozy and comfortable place to work. The work also included discussion, official meetings with many including webinars. There was a problem if Husband and wife both were working and it had added dimension if more people are there at home and also working. The problem got further compounded when on line classes of children also started. Getting a corner for everyone at home, getting continuous connectivity, handling the bugs in the process and intermittent household disruptions had their share of problems for millions.

D. The Phase thereafter…. and the Second Lockdown

Simultaneously, almost in every second family one or two persons got infected and suffered the ordeal, out of them many had got to be admitted to hospitals. Getting various medical tests done, organizing doctors' consultations and procuring the medicines were no less problem some. It had created a great deal of pressure on the healthcare system to accommodate COVID patients for necessary treatment as well as on the government to keep updating the public on the precautionary measures, viral infectivity and make available adequate RT-PCR testing as also to ensure that the Low income group and underprivileged people get free provisions, medicine and the treatment even in remote places. This all involved huge impact on the exchequer. Envisaging the rate of infectivity and spread, government tried to organize vaccine in collaboration with best of the world's pharmaceuticals while also boosting domestic R&D to come out something indigenous.

By the beginning of 2021, government could arrange Vaccine and started vaccinating people from March 2021 in order of priority from Health workers to Police and Army personnel, to elderly and other adults. It was through a very well organized and driven Program. Somehow, the Second wave of COVID from April 2021 to Mid-June 2021was more disastrous with high infectivity, severity and deaths. This entire period while exhibiting several measures taken for social justice, highlighted its failure and also the impact of digital environment on it.

VI. COVID AND POST COVID EFFECT ON SOCIAL JUSTICE

To understand the need of social justice particularly in the COVID and post COVID scenario, in the digitally influenced environment, a recapitulation of key events and things would be essential.

A. Business and Employment

The closure of offices, shops & establishments and the factories for a long period led to considerable drop in consumers' demand of non-essential products. While people started prioritizing their needs to spend, employers also started examining how to reduce cost to minimize their anticipated losses or overruns. Most employers preferred to rationalize their work processes by removing non value or less value added steps and manpower thereof. Such executives, who were considered higher in cost, were also asked to go and their work was distributed amongst their subordinates. Even lot of work was outsourced being technology driven or considered routine. Most of the office staff not having field duties or involved in direct public services or directly connected with the production was asked to operate from home by government as well as by private entities. Most of the organizations in the private sector, even reduced the salaries of employees working from home ranging from 10- 40%. Besides, no or scanty annual increments were given. Even there was delay in the payment of salaries. This slowly and gradually was built up into unique frustration. Long hours of works, no office - home boundaries, scope of work increased, feeling of 24/7 working, feeling of confinement, virtually no personal life - all getting badly mixed up, personal borrowing increased, feeling of unknown insecurity and unexplained stress.

B. Children and Schooling

Children's case was no different. Not used to learn in virtual setting - unaware of usage of gadgets and computer and software applications - no time table of anything except classes - lot of distraction and disruption at home - most teachers not trained or equipped to use computers or mobile and internet for teaching purposes - Most lower middle class and poor children suffered on account of affordability of smart phones - Government teachers were the worst for online teaching - Education and learning suffered in general - Examination system highly compromised – Physical activities and social interaction necessary for the development was a big miss. All these shoved many into psychological issues like anxiety and depression, more adults than children.

C. Government's Role in Securing Social Justice

On examining the trail of things for evaluating the social justice, government seems to have played a crucial role first informing and educating the masses in respect of COVID -19 and took all possible proactive measures at macro level. When locked down was imposed, all the citizens were urged to stay inside their homes and venture out only when it was utter necessity and that too, with set of instructions. Workers including migrant ones were advised to stay wherever they were staying till things are somewhat under control and Employers were requested to pay some advance to these workers so that they were not hands to mouth during lockdown and even landlords were requested not to demand the rental during this period. Leave aside role of political rivals, even some states did organize transport facilities when workers decided to move to their villages, though with some delay. Healthcare systems, all Healthcare agencies and the Hospitals including Private were altered to be in the state of readiness while making mass arrangement for stipulated isolation period for those tested positive with infection. Efforts were also made for distribution of free provisions for the poor and those workers who moved to villages under distress. In comparison with other parts of the world, organizing vaccine and vaccinating free of charge people of huge dimension all over India was a mammoth task, though most could get vaccinated with single dose. Even during Second wave, all efforts at war footing were made to organize on continuous basis supply of oxygen, though with delay costing lives of thousands.

D. Government Falling Short of Expectations

Where social justice apparently failed on the part of government was that instead request it should have mandated employers to pay advance and also the landlords not to ask for rental during lockdown and thought of a via media as to how they would have been compensated. It should have also mandated employers against any ouster under any circumstances.

©IJRASET: All Rights are Reserved | SJ Impact Factor 7.538 | ISRA Journal Impact Factor 7.894 |

All the political parties should have been taken into confidence by the ruling party to ensure that there is consensus on the scheme of things to deal with COVID-19 and its aftermath. While for online education, the private schools have done reasonably well despite initial constraints, government schools have miserably failed and the sufferers are the students from the poor and underprivileged sections. Government should have mandated government principals and the teachers to get trained on war footing on ICT and should have made arrangement with Doordarshan to telecast sessions for each class for all, keeping in mind the less privileged class. Despite there are lots of learnings. Having progressed quite well in respect of digital platforms and environment, we have delayed its adequate application and usage in the field of Education, Health and Justice and in peoples training thereof, to advance the cause of social justice.

VII. NEGATIVE SIDE OF THE DIGITALIZED ERA

Pandemic did create a forced opportunity of remote working through digital platforms, but it has clearly led to a beginning of a digital divide of different sort as there are many factors which would differently affect the business, employment and the education, and adversely influence the employment opportunities in time to come.

The supporters of hi-tech mental orientation would always do the advocacy of many positives of the digital economy highlighting some of the benefits accrued to the world. But a dispassionate objective analytics, will clearly reflect the negative impact which the digital economy has created on millions of people like casual laborers, the migrant workers, local small vendors, many regular employees, teachers and the small entrepreneurs etc., who have suffered badly in last two years. They all have in fact, fallen victims to newer forms of injustice which though not very visible, is as brutal and oppressive in many ways. Millions of workers have lost their jobs overnight and on their return, in some states like Gujarat, Punjab and Uttar Pradesh they had to agree to new directives with lesser wages and longer hours of work, and with no access to a trade union. It is a cruel fact that the 'poor mass' has no resources of their own to fall back upon, and are at the mercy of the State. John Paul II said, "Justice will never be fully attained unless people see in the poor person, who is asking for help in order to survive, not an annoyance or a burden, but an opportunity for showing kindness and a chance for greater enrichment".

A. Digital Fascism

The digital economy has another dimension rightly called 'Digital fascism'. These days many people are experiencing a kind of behavior pattern in the world, which is though bit smart but is similar to the analogy of fascism. It shows off, creates threat, spouts some kind of hate, downgrades others, is divisive in nature and tries to dominate and intends keeping other countries or societies in a state of impoverishment in one way or other. "The Internet, the greatest propaganda machine, probably the world has ever seen or known is being used very articulately by Digital fascism under different media or information platforms. While the classical type of fascism used printed material, newspapers, and the radio; the digital fascism sends out its messages through the Internet. It germinates, luxuriate and overgrow on half-truths, political motivation, deliberate disinformation, accidental misinformation, rumors, delusions, innuendo, hate campaigns, falsehoods, and the infamous conspiracy fantasies". Social media under different platforms like Facebook, TikTok, WeChat, WhatsApp, Instagram, QZone, Weibo , Twitter, Tumblr , Baidu Tieba , and LinkedIn etc. does a lot of the sort stated through various groups networks.

In this manner, a plethora of justice related issues have now come up under the digital economy as was in the wake of the industrial revolution.

B. Hope for Social Justice

"The UN hopes that this year's commemoration of World Day of Social Justice (20th February) with theme of "Achieving social justice through formal employment", would support "efforts by the international community to search for solutions to achieve sustainable development, poverty eradication, the promotion of full employment and decent work, universal social protection, gender equality and access to social well-being and justice for all."

VIII. CONCLUSION AND SUGGESTIONS

Elections are now being contested more based on the castes or local representations and related issues or certain specific issues concerning only some people rather than the larger issues for larger interest or based on certain ideologies. It is a dangerous trend and if masses are not educated and made aware of, to come out of such myopic vision or differentiation, the day is not far when there would be very fragmented Manifesto with a number of parties in the affray. It would result into making the society suffer for needed political maturity, direction and the cohesiveness.

©IJRASET: All Rights are Reserved | SJ Impact Factor 7.538 | ISRA Journal Impact Factor 7.894 |

Lack of education, religious mindset, day by day increasing population, inadequate use of technology, inadequate reforms in the existing Policies and systems including the law, apart from political exploitation of the people for vested interests, are very important areas to be worked upon in the planned manner for pursuing the goal of social justice.

For a good social set up and its development, fundamentalist or conventional thinking need to change and work for the women empowerment all caste and communities has got to be done seriously. Therefore, not only for the interest of humanity but also for the overall development of the social system, women need to be integrated properly into social, educational and political system with full empowerment through a well thought and planned scheme of things.

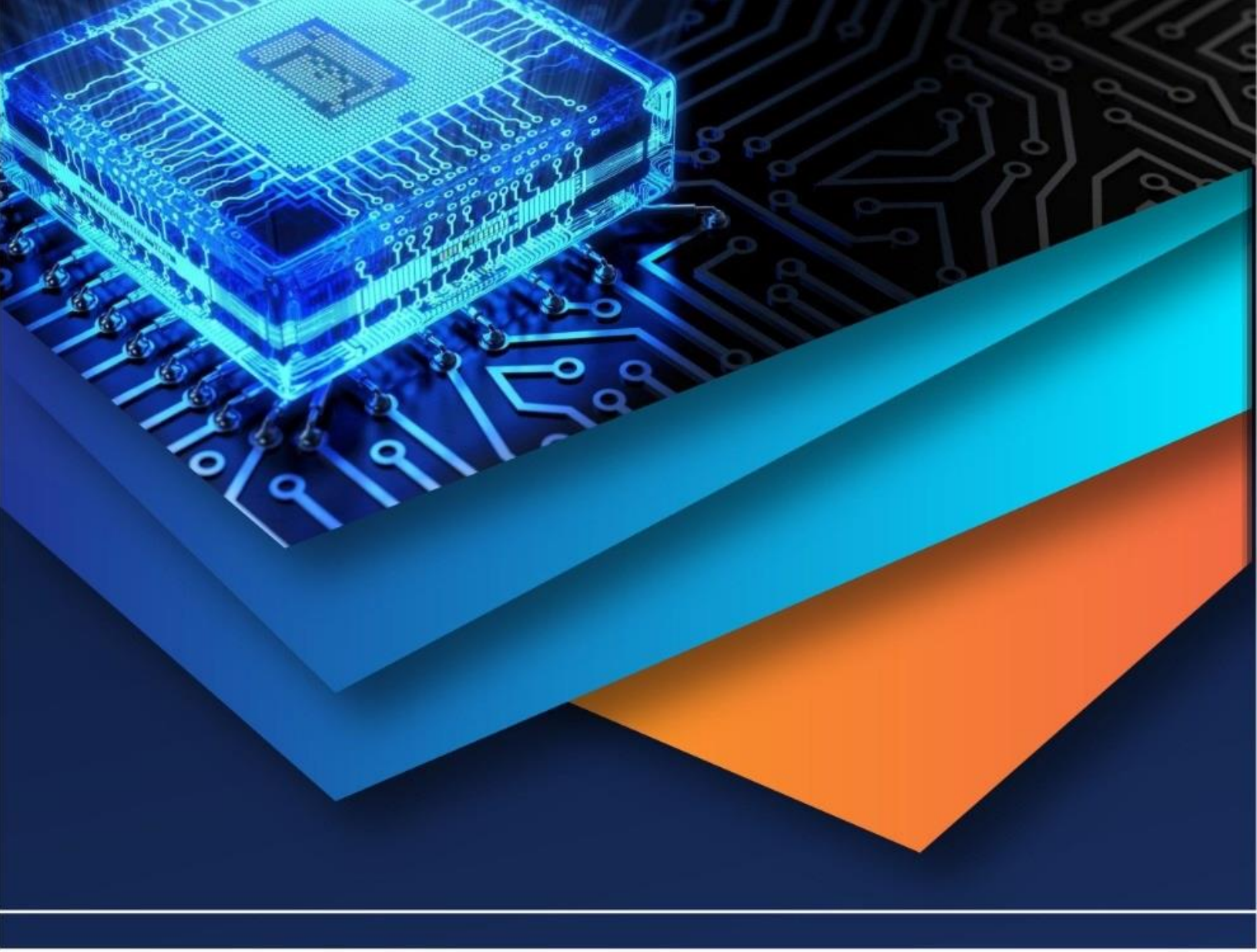
The prime aim of 'Social justice' is to consider all the people as equal and ensure that all get equal opportunities in the society, without any discrimination, be whatever situation, for their social as well as economic development. It conceives to secure for them adequate means of shelter, clothing and the food on sustainable basis along with access to education, health and development opportunities and facilities with ample resources. It envisages adequate security as well.

Despite having a very well thought, debated and agreed documented source of Law, Directives and the Processes, the 'Constitution', to govern the dynamic process of democratic system for attaining the objectives enshrined in its Preamble, it transpires that we have yet to travel a long distance to accomplish the goal of 'Social Justice'. The process of digitalization may have advanced the development process, but it has seemingly not facilitated bringing the international community at a common platform to develop solutions for achieving sustainable development for all, eradication of poverty, social protection of all, promotion of employment with decent work for all, and the gender equality and access to social well-being and justice for all.

REFERENCES

[1] https://en.wikipedia.org/wiki/social_justice
[2] The Constitution of India
[3] Brandon Vogt. "Saint and Social Justice: A guide to changing the world". Paperback
[4] Dr. Madan Chandra Bora, (2017). "Digital India: concept and Implications". IJCRT.Vol.5, Issue 4, Nov.2017
[5] Bharad H. Bhayesh, (2016). "Digitilisation in India: Prospects and Challenges", Towards Excellence: An Indexed Refereed Journal of Higher Education, Gujarat University, December, Vol.8, Issue No.3
[6] Sonal Surbhi. "Digital Justice System in India: Overall & Recent Trends", June 2020, Law, Cyber Blog.

Author
T. Dev Joshi
Research Scholar, Ph. D. (Law)
Sardar Patel Subharti Institute of Law,
Swami Vivekananda Subharti University, Meerut
tsdjoshi@gmail.com
Co-Author
Prof. (Dr.) Reena Bishnoi
Sardar Patel Subharti Institute of Law,
Swami Vivekananda Subharti University, Meerut
bishnoireena@gmail.com



10.22214/IJRASET

45.98

IMPACT FACTOR: 7.129

IMPACT FACTOR: 7.429

INTERNATIONAL JOURNAL FOR RESEARCH

IN APPLIED SCIENCE & ENGINEERING TECHNOLOGY

Call : 08813907089 (24*7 Support on Whatsapp)