

## **Organized Injustice: An Ontological Approach to the Question of Justice**

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This paper argues that organized, systematic, and cultivated injustice like those faced by women in India or Blacks in America require different tools of analysis and social praxis than the liberal discourse which mainly relies on the juridical and the persuasive. Typically, the liberal stands on the outside of the problem and invites change; s/he is not part of the problem and implicitly assumes her/himself to be the eye of justice looking upon injustice.<sup>1</sup> This assumption is a dubious one to say the least and part of the reason why high level

discourse does not change matters on the ground.

Two of the notable liberal contemporary theorists of justice are John Rawls and Amartya Sen whose works can be taken to be representative of a wide spectrum of liberal discourse on justice.<sup>2</sup> I claim that neither the Rawlsian idea of justice as fairness, nor Amartya Sen's later formulations such as social disabilities etc., have any answers to the problem of systematic and organized injustice. In place of their moral-epistemic I suggest an ontological approach that goes beyond the idea of justice as only a problem of the outer or civil society to a deeper engagement with

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<sup>1</sup> For example, liberal discourse rarely, if ever, demands a sacrifice on the part of each of us in order to truly be fair, whereas Gandhi had shown in the debates around *Swaraj* that the very condition of possibility of reasonable society is mutual sacrifice.

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the being of the human. In order to carry out this task I have taken two societies into consideration—the United States of America and India, and two experiences, those of Blacks and women respectively, whose very identities have come to be shaped by centuries of relentless organized cruelty. In order to make my argument, I have relied extensively on the works of commentators such as the famous Black writer James Baldwin, legal philosopher Avnita Lakhani and others.

Let us begin by making a thumbnail sketch of the positions of Rawls and Sen; it will suffice to bring out the distinction from the approach taken here. The starting point of John Rawls is contract theory. At a time when the latter perspective had gone out of fashion in political thinking, Rawls returned to it to create a universal normative principle for framing and assessing distributive justice. The foundational notion

of Rawls's framework is "fairness". Parties to a hypothetical social contract find it mutually advantageous to adhere to a formula of fairness in social decision making. In *A Theory of Justice*, Rawls offers a procedure for operationalizing the idea of justice as fairness. He lays out his schema in the following form: a) "First: each person is to have an equal right to the most extensive basic liberty compatible with a similar liberty for others"<sup>3</sup>; b) Social and economic inequalities are to be arranged so that: (i) they are to be of the greatest benefit to the least-advantaged members of society, and (ii) offices and positions must be open to everyone under conditions of fair equality of opportunity.<sup>4</sup> In this manner Rawls attempts

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<sup>3</sup>The basic liberties of citizens are the political liberty to vote and run for office, freedom of speech and assembly, liberty of conscience, freedom of personal property and freedom from arbitrary arrest.

<sup>4</sup>John Rawls, *A Theory of Justice* (Harvard: Harvard University Press, 1971), p. 302.

a reconciliation between liberty and equality, the two generally opposed social propensities, to create a fair choice situation within which parties hypothetically choose mutually acceptable codes. Rawls, in a typical Kantian vein, places great emphasis on social institutions. The argument seems to be that if you get the institutions right then a good social order will follow. The human behaviour factor is not taken into account in fashioning the theory, although in the latter part of the book Rawls does acknowledge that habits of justice arise out of goodness.

While broadly agreeing with the idea of justice as fairness on a philosophical plane, Sen's major objection to Rawls is the latter's propensity for an ideal theory or a "transcendental" approach to justice. In *The Idea of Justice*, which is really a direct response to Rawls, his former teacher, Sen argues that there need not be a universal

account of justice that is valid everywhere and at all times. According to Sen, the pursuit of distributive justice is about comparing different policy scenarios that will lead to a better world and not about evoking ideal worlds or formal rules of justice. His focus is rather to identify and curtail injustice than precisely delineate justice. Sen's arguments including exhorting us to look at social reality as impartial observers (*a la* Adam Smith), by abandoning our pet positions and interests, are basically a broader recollection of his well-known welfarist position. His version of social choice theory involves a reasonable concern for the interests of others and creating conditions for the actualization of what he calls "human capabilities".

Admittedly, Sen had an important hand in fashioning out of liberal utilitarianism a complex canvas that turned away from pure growth-led economic models of societies to

a much more inclusive format that looked more holistically at social realizations. This was a significant development and a challenge to the existing discourse from within the tradition. Nevertheless, I am going to argue that Sen's model like Rawls' before him fails in one crucial aspect. Both have mainly an externalist viewpoint that does not get to the heart of the evil of systemic and systematic injustice. And as Plato accused the philosophers of his time, both of them treat justice as something outward, "an accomplishment, an importation, or a convention; they have, none of them carried it into the soul or considered it in the place of its habitation."<sup>5</sup> As long as justice remains an external concept, whether contractualist or discussionist, the core of the problem will remain elusive. No amount of cozy theorizing will bring justice any closer and

the source of injustice will remain out of grasp. It is the task of this paper next to establish this point as well as to show that it is more important to ontologically grapple with the nature and roots of injustice than to attempt to bring about justice.

What we have in the case of both Sen and Rawls is not the eye of the subaltern but privileged "normality" looking upon pockets of the suboptimal or the less-than-desirable, trying to work out some form of liberal acceptability, Rawls through formula and Sen through inclusive negotiation. Consequently, the accountability does not come home; it is still out there without a transformative praxis. Notwithstanding Rawls's "initial position" approach and Sen's widening the net of social disabilities, the perspective unfortunately remains one of privilege looking upon disprivilege.

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<sup>5</sup> Plato, *The Republic* (Penguin Classics: London, 2007).

But now I want to build a counter-narrative, turning the lens around to look at so-called normality from the point of view of organized deprivation and see where that gets us in terms of justice. I shall turn to Black writer James Baldwin<sup>6</sup>, who, in his own words, was a street child, beyond the pale as it were, trying to make sense of the menace of his violently dispossessed world. Baldwin's entire life and work were to be dedicated to the explication of the roots of injustice.<sup>7</sup> In a talk with teachers, Baldwin describes the predicament of a society that was built on twisted myths and systematic deceptions which together laid the justification for cruelty and organized deprivation.

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<sup>6</sup>Famous both as a novelist and an essayist, Baldwin once told *The New York Times*: "I am the grandson of a slave, and I am a writer. I must deal with both".

<sup>7</sup> See, for instance, works such as *Nobody Knows My Name* and *The Fire Next Time*.

In order to justify the fact that men were treated as though they were animals, the white republic had to brainwash itself into believing that they were, indeed, animals and *deserved* to be treated like animals. Therefore it is almost impossible for any Negro child to discover anything about his actual history. The reason is that this "animal," once he suspects his own worth, once he starts believing that he is a man, has begun to attack the entire power structure. This is why America has spent such a long time keeping the Negro in his place. What I am trying to suggest to you is that it was not an accident, it was not an act of God, it was not done by well-meaning people muddling into something which they didn't understand. It was

a deliberate policy hammered into place...<sup>8</sup>

Referring to organized and structural injustice towards Black people even today, Baldwin says elsewhere, “The machinations of this country works day in and day out, hour by hour, until this hour, to keep the nigger in his place”.<sup>9</sup> Even the Civil Rights movement did not change anything at the fundamental level and that is the point here. It tried to protest and persuade Whites to realize their unlawful attitude in general towards Black people, depriving them of their rights guaranteed under the US Constitution. But the problem lay deeper than any logic or persuasion could reach. It demanded that Whites change the way they

understood themselves in the first place, which makes it an ontological problem. It bears noting here, that systematic and conscious denial of justice and instances of injustice howsoever widespread are not the same things; the two belong to different ontological levels or planes. The latter maybe due to neglect whereas the former is characteristically woven into the very *mythos* and structure of society until the denial of justice becomes the substance of normality; the very social order is built on methodical injustice which is normalized over a long time till it becomes the filter of everyday consciousness. Neither formula nor discussion can dislodge such a willed-construction-become-normal effect because it would threaten the very fabric of that society. A major step in this willed construction lies in the careful falsification of its social and cultural history, especially with respect to its identity. And while this is

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<sup>8</sup> James Baldwin, Talk to Teachers 1963 in *The Price of the Ticket, Collected Non-Fiction 1948-1985* (Saint Martins 1985).

<sup>9</sup> James Baldwin, Speech delivered at University of California, Berkeley 1974.

the story of a particular society, it is at the same time the story of practically all societies. Baldwin notes,

What passes for identity in America is a series of myths about one's heroic ancestors. It's astounding to me, for example, that so many people really appear to believe that the country was founded by a band of heroes who wanted to be free. That happens not to be true. What happened was that some people left Europe because they couldn't stay there any longer and had to go someplace else to make it. That's all. They were hungry, they were poor, they were convicts. Those who were making it in England, for example, did not get on the *Mayflower*. That's how the country was settled. Not by Gary Cooper. Yet we have a whole race of people, a whole republic,

who believe the myths to the point where even today they select political representatives, as far as I can tell, by how closely they resemble Gary Cooper. Now this is dangerously infantile, and it shows in every level of national life. When I was living in Europe, for example, one of the worst revelations to me was the way Americans walked around Europe buying this and buying that and insulting everybody – not even out of malice, just because they didn't know any better. Well, that is the way they have always treated me. They weren't cruel; they just didn't know you were alive. They didn't know you had any feelings.<sup>10</sup>

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<sup>10</sup>Baldwin, *Talk to Teachers*.

To take the above example of cultural heroes further, an early founding myth one often meets in America is the one about Columbus, who was made out into a legendary figure, and sold to the rest of the world as this great adventurer and fearless seafarer. But the truth about Columbus has also been around a long time.<sup>11</sup> Columbus's own diaries and those of his brother show him to be a ruthless gold and slave hunter, given to extraordinary cruel ways even by the standards of his own time. Revisionist history has suppressed the fate of trusting Native American tribes who were ill-fated enough to come in the way of Columbus and his desperate gang. Even history written in good faith is often unjust to someone or other, but when history is written with the secret purpose of constructing national identity then we are in deep trouble indeed

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<sup>11</sup> See for example, James Loewen, *Lies My Teacher Told me* (New York: The New Press, 1995).

where social and distributive justice is concerned. Within that schema, Blacks had no history at all. In fact, the myth-as-history begins to justify the social (mis)appropriations and (non)realizations. Organized injustice becomes built into each social equation, like in the case of women in India, as we shall see later, and the perception of what is just and what is not follows the ontological organization of the sensibilities themselves. Neither rhetoric, nor discourse nor exhortation are able to budge the enormous weight of dehumanization for gain that begins with the falsification of history.

Now let's go back a minute. I talked earlier about those silent people - the porter and the maid - who, as I said, don't look up at the sky if you ask them if it is raining, but look into your face. My ancestors and I were very well trained. We understood



very early that this was not a Christian nation. It didn't matter what you said or how often you went to church. My father and my mother and my grandfather and my grandmother knew that Christians didn't act this way. It was as simple as that. And if that was so there was no point in dealing with white people in terms of their own moral professions, for they were not going to honor them. What one did was to turn away, smiling all the time, and tell white people what they wanted to hear.<sup>12</sup>

There is a concerted attempt to change reality itself, to arrange sense perceptions in a way to suit majority interests. In Marxism this is famous as "false consciousness". Injustice takes a completely new turn here and reaches ontological levels. The bodies

are trained on both sides, one to brutalize, and the other to receive brutalization, both in the name of normal social relations. The social rhetoric in terms of projecting a certain moral order cannot be taken seriously since the actions belie the rhetoric, hence any professing of justice cannot be taken seriously either. Further, when a society arranges what it wants to hear through the mouths of the subaltern, a "strange loop" is produced and we reach neurosis and eventually schizophrenia. The division in the collective psyche between the part that projects and the part that receives is complete, believing these to be independent. It is difficult to envisage or contain the shape of injustice in a pathological society, and hence even more difficult to imagine what shape justice must take. It makes nonsense of the usual talk of fairness etc. Baldwin continues:

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<sup>12</sup>Baldwin, Op. cit.

In order for me to live, I decided very early that some mistake had been made somewhere. I was not a “nigger” even though you called me one. But if I was a “nigger” in your eyes, there was something about *you* – there was something *you* needed. I had to realize when I was very young that I was none of those things I was told I was. I was not, for example, happy. I never touched a watermelon for all kinds of reasons that had been invented by white people, and I knew enough about life by this time to understand that whatever you invent, whatever you project, is you! So where we are now is that a whole country of people believe I’m a “nigger,” and I *don’t*, and the battle’s on! Because if I am not what I’ve been told I am, then it means that

*you’re* not what *you* thought you were *either!* And that is the crisis.<sup>13</sup>

Injustice is *needed*, that is the lesson here, and hence the deployments of the craven imagery. The oppressor has the right to name things, to arrange reality according to those names. The subaltern must fit the image made for him. For example, a “nigger” was half-human, a thick-lipped-watermelon-eating-darkie-who-was-happy-hoeing-cotton-for-White-folks. Centuries of fertile imagination had gone to work on black bodies till we reach Baldwin in about the mid-sixties of the 20<sup>th</sup> century. By now and for some time, the imagination has begun to clash with reality; people for whom the images were made are no longer willing to be contained within those images. Reality is spilling out of the image of reality and society does not know what to do with the excess. If people are not what we thought

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<sup>13</sup>Op. cit.

they were, then whole of social chemistry has to be reworked. This is the ontological enigma, and this is also why the old ways of doing theory are obsolete here. Things are slipping out of grasp each instant, and if a livable moment has to be extracted, it must come out of a moment of complete negation.

That negation must begin pedagogically:

Now if I were a teacher in this school, or any Negro school, and I was dealing with Negro children, who were in my care only a few hours of every day and would then return to their homes and to the streets, children who have an apprehension of their future which with every hour grows grimmer and darker, I would try to teach them - I would try to make them know - that those streets, those houses, those dangers, those agonies by which they are surrounded, are criminal. I would

try to make each child know that these things are the result of a criminal conspiracy to destroy him. I would teach him that if he intends to get to be a man, he must at once decide that he is stronger than this conspiracy and he must never make his peace with it. And that one of his weapons for refusing to make his peace with it and for destroying it depends on what he decides he is worth. I would teach him that there are currently very few standards in this country which are worth a man's respect.<sup>14</sup>

Now, to find out the true worth of a human being, and to reach justice by means of that re-evaluation in which the hitherto ordering society and its standards can play no part becomes an exercise of a completely

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<sup>14</sup>Op. cit.

different order. It is certainly an ontological exercise that cannot be reached through formula or discussion, because the very standards by which discussions are held, the reasoning itself is suspect. Under such circumstances, the only thing left to a human being is to critically understand her/himself in a new light. That alone can possibly bring justice to damaged lives. The ontological reevaluation might release new angles to our lives, new possibilities that were suppressed under the erstwhile order and this question will be taken up later. Sometimes, paradise is nothing but a small change in the angle of vision.<sup>15</sup>

Returning to the Black child who is menaced on the streets, in the neighbourhood, at school, and by the surrounding social imaginary in general, Baldwin continues,

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<sup>15</sup>A Talmudic saying.

I would suggest to him that the popular culture – as represented, for example, on television and in comic books and in movies – is based on fantasies created by very ill people, and he must be aware that these are fantasies that have nothing to do with reality. I would teach him that the press he reads is not as free as it says it is – and that he can do something about that, too. I would try to make him know that just as American history is longer, larger, more various, more beautiful and more terrible than anything anyone has ever said about it, so is the world larger, more daring, more beautiful and more terrible, but principally larger – and that it belongs to him. I would teach him that he doesn't have to be bound by the expediencies of any given administration, any given

policy, any given morality; that he has the right and the necessity to examine everything.

Now the ontological exercise will begin to reveal new elements, and as the reality will be compared with the old texts, the popular fantasies will begin to unravel, and history will now start to sing a hesitant undertone. Unthinkable suffering, mindless cruelty, inhuman callousness pushes a human being over the edge, and Baldwin shows that one can sometimes decide which edge to go over. Having escaped the barbaric-epistemic, the 'well-crafted' social imaginary, the world now appears much larger, much freer, much more unpredictable and lovable. It is a fallacy to think one can be brought to this place by liberal promises of fairness or negotiations. Those who think this are simply out of touch with the phenomenological world of the dispossessed and the powerless. Nothing much has

changed in terms of essentials since Baldwin spoke, and young unarmed Blacks continue to be shot by police officers on the streets, who, in turn, are routinely let off by investigators, and all the while, White liberals continue to ask innocently, "What do Black people want?"

Let me next turn to a different part of the world and a different people to examine what meaning, if any, do discourses of fairness and dialogue hold out there in the context of justice. The society I will examine is India focusing on the status of women therein. There is a clear parallel between the condition of Blacks in America and the condition of women in India, and perhaps nothing tells us more about a society than how its women, children and other minorities are treated. It is not difficult to understand why. Historically, many societies have waged a low-intensity war on their minorities, using them as bonded

labour, sex-slaves, and so on, carrying out unbelievable atrocities on their person and property working out their inner violence on the weak. India is no exception. The violence against women in India has attracted international attention and the United Nations has officially called what has been going on with regard to women in India as a form of genocide.<sup>16</sup>The specific practice that has attracted this ignominy is called bride-burning that some estimates say has been occurring for around 2500 years. Bride burning is also referred to in the official media and legal discourse as “dowry

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<sup>16</sup> Bride-burnings qualify as genocide under international law. Under Article Hof the 1948 Convention on the Prevention and Punishment of Genocide, genocide is defined as "...any of the following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such: (a) Killing members of the group; (b) Causing serious bodily or mental harm to members of the group; (c) Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part.

death”. India’s National Crime Records Bureau statistics tells us that approximately one woman is burnt each hour in India by her husband and in-laws on account of dowry demands. These pre-meditated, cold-blooded murders have therefore become known as “dowry deaths”.<sup>17</sup>

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<sup>17</sup> Donna Fernandes, the founder of Vimochana, a women's rights organisation based in Bangalore, India, says: “The husband's family believes they have not received enough money for their son at the time of the wedding... Often, the husband's family begin pressuring the wife's family right after the wedding. They start asking for cash, or gold, or consumer goods like washing machines or televisions. Whatever it is they believe is owed to them or was promised to them, luxury goods that they can get the bride's family to pay for. In many cases the husband's family decide after the marriage has taken place that the original dowry was not sufficient. They know the bride's family is vulnerable, because of subjugated role of women in our society, and what begins is a process of extortion. Demands for money turn into threats of violence, and when the family can't pay any more, the bride is killed.” Satya K, a social worker at Vimochana since 1998, says that most dowry deaths are not reported: “Thousands and thousands of cases each year are recorded as accidental deaths, or

Just as during slavery, Blacks were looked upon by Whites as private property, in India men typically look upon women as personal property. And just as Whites received with outraged incredulity any suggestion that the law can intervene between themselves and their “property”, men in India tend to feel and think of routine and murderous violence towards their women as domestic matter not the subject of legal intervention. Juridical reason and civil society notwithstanding, in the larger perception it reduces to a question of property relations: brides are property and they are supposed to bring in more property when demanded. The ontological equation is quite clear. In an important article titled

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suicide. We estimate that the real number of death each year is up to three or four times the official statistics, because most people involved, including the wife's family, the husband's family and the police have an interest in covering up the truth." (<http://www.smh.com.au/world/india-burning-brides-and-ancient-practice-is-on-the-rise>).

“Bride-Burning: “The Elephant in the Room” is Out of Control”, Avnita Lakhani documents:

When Sunita Vir married in 1991, her father, Kalam Singh, spent over \$5,000 on her dowry, which consisted of cash, steel trunks, cupboards, a sewing machine, kitchen utensils, and most importantly, a black-and-white television set, a most coveted possession among India's lower-middle class families. Still, the elaborate dowry was not enough for Sunita's new in-laws. Less than two weeks after the marriage, Sunita's husband and in-laws began demanding more dowry from Sunita's family, specifically in the form of a new refrigerator. Sunita's parents could not provide the additional goods, having already y

acquired a large amount of debt to supply the original dowry. With two other daughters to marry, they could do no more. Sunita's in-laws began beating her for her failure to secure the requested goods. In 1993, less than two years after her marriage, Sunita's father-in-law and brother-in-law held her down on a cot, while her husband doused her with kerosene and set her alight. Sunita died in the hospital, having suffered from burns over 96% of her body.<sup>18</sup>

The question of justice becomes literally a burning question. Lakhani cites Amanda Hitchcock, who, in a 2001 article titled *Rising Number of Dowry Deaths in India*, reported that while exact statistics are

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<sup>18</sup>Avnita Lakhani, "Bride-Burning: The "Elephant in the Room" is Out of Control" in *Pepperdine Dispute Resolution Law Journal*, Vol. 5, Issue 2, 2005, 249-297.

difficult to obtain, the National Crimes Bureau of the Government of India had reported a 170% increase in dowry deaths in the decade 1987-97.<sup>19</sup> Those who believe in the 18<sup>th</sup>/19<sup>th</sup> century myths of progress will find no cheer here; the forms of gendercide may have slightly changed, but the genocide and genocidal urge against the Indian woman continues unabated, and bride-burning is just one aspect of it that we are able to discuss here.

But it is an incontestable fact that no phenomenon of such nature, intensity and horror is possible without widespread social sanction, and this is the aspect I want to dwell on for a little bit. The social psychopathology that forms the basis of deliberately setting women on fire has got to be part of the collective consciousness, a propensity not unlike the systematic

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<sup>19</sup> Cited in Avnita Lakhani, op.cit.



lynching of Blacks during slavery. The collective psyche cannot be talked or negotiated out of insanity; there is no instrument which can do that and which is why all attempts have failed till date. Just as Whites needed the physical and psychological dominance over black bodies in order to fashion their identity, the Indian male psyche is culturally rooted in general in the oppression of womenfolk. Hence there is express need to acknowledge that we are faced with a different level of organized violence altogether where satanic forces obtain and hence a completely different understanding and a radical approach becomes necessary. Liberal ideas of fairness and justice etc. are simply out of their depth here.

But before we can go any further, it is important to take a historical perspective on the problem of dowry. There are, at least,

three prevailing views on the origins and persistence of the practice of dowry that leads to bride-burning, and I shall quote Lakhani extensively on this point.

The most prevailing view relates to the perception and socialization of women in a highly patriarchal society such as India. Even before she is born, Indian mythology has already defined a woman's role in society. The myths consistently portray women as economically and emotionally dependent on men as mothers, wives, sisters, and daughters. From the moment she is born, a woman in India is considered a burden, an extra mouth to feed. Because of the caste system and the very narrowly defined roles of men and women, women are considered

an economic liability. [Second] scholars argue that the practice of dowry remains as a remnant of British rule and India's experiences as a British colony. Before India was a British colony, there were different forms of marriage. While the high castes (e.g., Brahmins) engaged in the practice of dowry, other castes recognized marriages with varied rituals, including one in which the groom gave gifts to the bride and her family (bride price). Under British rule, the government reinforced the dowry form of marriage by discouraging other forms of marriage and considered non-dowry marriages to be invalid. By the mid-twentieth century, the various forms of Hindu marriage that existed were discredited, leaving only the Brahmin form of marriage consisting

of a dowry. A third predominant reason cited by scholars is the new-found consumerism that has caused countries such as India to become greedy. This greed results in using dowry as a means to climb the social ladder, achieve economic security, accumulate material wealth, and "keep up with the Joneses". Because of consumer greed, the practice of dowry has spread to those communities and classes who traditionally do not practice dowry. Today, dowry has spread to all religious communities, including the Christian and Muslim communities in India, as a means to attain material wealth. Furthermore, the insidious nature of consumer greed perpetuates the need to demand more dowry since the financial value of the dowry

represents the social and economic status of both families.<sup>20</sup>

When the mythical, the historical, and the cultural conspire to a totalization as above then the survivor has to open up all the planes of her existence in a bid to find a livability that is just. No amount of legal provisions or actions in the juridical sphere will be sufficient.<sup>21</sup> This is because of the fact that all attempts of civil society to eliminate the horror is on the discursive

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<sup>20</sup> Lakhani, op. cit. 253-4

<sup>21</sup> "Currently there are several domestic initiatives in place to criminalize the practice of dowry and to punish those involved in bride-burning. In addition, there are grass roots initiatives to prevent bride-burning as well as international laws against violations of human rights. Finally, there are proposed initiatives to stop bride-burning through a combination of amendments to existing domestic law and broadening the scope of coverage under existing international law. Unfortunately, each of these initiatives has failed to effectively curb the increase in escalated violence toward Indian brides and female children". Lakhani, op. cit. 260.

level leaving untouched the ontological plane on which the problem actually exists. So the next question is how do we go about understanding the plane on which the problem is located and what do we do about it? This will be the issue in this last section of the paper.

First, what is so disturbing is that even this kind of writing eventually or quickly becomes part of the public discourse itself and is thus appropriated as yet another academic treatise affecting things very little or none. In this manner the writer becomes transcendently guilty, participating obliquely in the horrors of the world in the very writing about it, in the very thing s/he rises in the first place to protest. Further, "it assumes by its very language, by the very gesture of knowledge and understanding of analytical power and detachment, that the agent of this kind of criticism is beyond the

sphere of errors and blindness, that his specific insights are able him to pose himself outside” of the murderous system.<sup>22</sup> But if one were not to be so deluded, and one were to acknowledge the fact that the problems discussed so far are not simply the problems of a particular group versus another, then one would be making an important admission. At the level at which satanic forces of evil exist and operate in human beings, human consciousness is not to be parceled and seen as discrete. In other words, in a strange way, each of us is responsible for all that happens. We do not find this admission in liberal discourse since the ontological factor is absent.

Second, moving toward justice therefore is neither simply an individual act nor a group act, rather it is partly an act of what I will

call “second reflection” meaning reflection on reflection.<sup>23</sup> A reflection on reflection is trans-individual action because it necessarily puts the “reflector” into question. Avoiding mystification, it can be said that the locus of many critical phenomena that occur in consciousness cannot be conventionally determined because they occur in networks of relationships. Evil is one such occurrence. While personification of evil is necessary from the retributive angle, for the larger purpose of seeking justice, one must get past the usual habit of locating evil in this or that person, or in this or that group, or in this or that circumstance. Evil itself is the condition of its own possibility. ‘Second reflection’ is necessary condition for comprehending such non-local phenomena, spread uncertainly across the *socius*. Thus, fighting for justice here means

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<sup>22</sup> Martin Hielscher, "Adorno and Aesthetic Theory" in *European Graduate School Lecture*. 2009.

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<sup>23</sup> A term originally used by Critical theorists. I appropriate the phrase here to mean second order reflection, and that when thought thinks about itself it has necessarily to let go of the thinker.

confronting evil as a force in daily consciousness, watching its movement as a vehicle of social life. Without such action it is not effective merely to point out injustice or demand justice.

Third, alignment with justice implies discovering an inherent limiting principle. This limiting principle has two aspects: a) a limit to action, and b) a limit to appropriation. The first entails the imperative to discover within oneself an integral limit in accordance with one's nature beyond which one must not interfere with the world. One often hears that the "sky is the limit" with respect to human action. This is a lie and a fabrication of dangerous proportions. Action upon the world must be strictly limited to one's own specific virtues without unnecessary extension. Put simply, it means leading an unexaggerated life. The second limiting principle means curtailing

one's demands on and appropriations from the collective social product. We have to struggle consciously to reach "undistorted desire".<sup>24</sup> To be substantive with regard to distributive justice, one's voice must join one's actual dealings with reality. Without that direct commitment, shouting about justice is an empty exercise. In the case of White action and exploitation of Black bodies, as well as the equation of woman with dowry, both of the above limiting principles are violated. But the question immediately arises: how is one to persuade another to conform to limits? In a deep ontological sense, there is no need to persuade anyone. The one who sees the truth of this principle begins to act. From the ontological perspective, justice is one indivisible whole, it does not matter who gets there so long as some of us do. The

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<sup>24</sup> A Marxian notion.

operation of justice is impersonal, in the manner of a universal principle.

Lastly, in order to live in justice, and that is the only way to legitimately demand justice in an unjust world, a certain preparation of the mind and body are necessary. Each culture has within its own vernacular tradition clues as to what those might be and there is no room to take up that question here. But the necessity of such preparation is there whose intimations we can find in the Socratic dialogues of Plato as well. The compulsion springs from the fact that a certain ingathering is necessary to effectively oppose evil, the ontological basis of injustice. For this, the microcosm (the body-mind-spirit system) and the macrocosm (the world) need to be brought into closer alignment. It is this alignment that progressively eliminates the conditions of evil from the network of relationships.

This part of the ontological praxis is indispensable. Thus we see that justice is a daily struggle for emancipation for each one of us; it is not separate from the act of living. And justice can permeate through the social plane due to the action of an anonymous few.

This is not to suggest that in the search for justice one must rely only on ontology and direct experience, dispensing with civil society or the juridical sphere. Nor is the suggestion here that collective struggle for justice on the political plane is unimportant. Instead, what is being suggested here is that the engagements discussed above bring about fundamental changes in habits of thought and relationship to reality laying the basis for a comprehensive struggle. Such radical action becomes a necessity on account of the fact that injustice is etched in the underside of society. In a sense the

empirical individual or a group must carry out an ontological exercise alongside the outer struggle if they are to truly make a difference. It is from that changed outlook that truly revolutionary action for justice springs.

But my ending must be where my beginning was. I began with America and India, the celebrated West and the proverbial East, and their respective systematic, well-organized, social iniquities. For those in these societies, and in other societies, who are truly concerned about the menace of methodical injustice, they must make a covenant with themselves to live and practice justice on a daily basis, meeting injustice in the furthest recesses of their own consciousness and seeing its reflection in wider society. To paraphrase Baldwin, justice, like love, is a growing up. And societies as a whole need badly to grow up.