

# Law & the Common Man

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More than forty years ago, the late columnist Mr. G.K. Reddy wrote in "The Hindu" published from Chennai that 'success or failure of India's political system lies in the infinite capacity of its people to put up with any amount of nonsense'. This perception of late G.K. Reddy made more than 40 years ago about India's political system and its functioning is still relevant as borne out by facts and events in India if one delves into the state of affairs of India today.

The terms "Law and the common man" appear to be at loggerheads with each other, but in actual life law is expected to protect and safeguard the common man and his interests in the society. But the situation as has been existing on the ground for over sixty years since our independence, has neither been very encouraging nor energising.

Although our overall achievement since independence has not been small there is no cause for satisfaction, not to speak of complacency. The benefits of progress have not reached the common man in full measure because of the enormous loop holes in our economic and social systems, not to speak of our legal system. But none can say that necessary laws for the benefit and the progress

of the common man have not been enacted. Our Parliament at the centre and the state legislatures in different states have enacted many laws for the benefit of the common man but the effects of the laws are getting scuttled at the implementation stages by vested interests. Secondly the politicians and the bureaucrats with selfish and sometimes ulterior motives and myopic outlook do their utmost to prevent the benefits of the progress from reaching the common man. And the common man being a victim of conspiracy has time only to complain about the ill effects of our legal system. No human institution is perfect nor is our national government.

The Political dispensation in India over the years has not had any qualms of remorse over the pernicious state of things which had been existing and even now in existence in a country like India, which the generations by-gone used to hail as the epitome of virtue. The present day politicians and bureaucrats whether in Delhi or in different States, already having thrown to winds the character and content of their ideological bearings, have become mute witnesses to the diabolical and debasing things happening around them. The leaders of the day ( if the word "leader" is not still a misnomer now) do not command

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any respect or regard from the masses, for, they do not live by example or for any good and worthwhile principle, in the realization of which benefits of growth and progress are to percolate down to the people in large numbers.

No leader seems to have thought of the welfare, social justice and economic equality to the downtrodden and the economically weaker sections. Uppermost in present day leader's mind is his own growth and his family's advancement to the utter relegation of people's interests to the background. Even the politicians and bureaucrats perching on to political and bureaucratic power structures think alike for their own good and betterment. This streak of thinking is very evident in the other planes of activities also, be it economics or society or culture or philosophy or public welfare or state progress etc. with strong vehemence and naked force. The concern for the "common man" was buried long ago after the death of Gandhiji. The common man is virtually left in the lurch to fend for himself.

Richard Livingstone once said years ago that "the lot of the common man should be properly taken care of, if at all we want to achieve progress for humanity." But contrarily by the quirk of fate, the common man is nowhere to be seen, living a life of dignity and satisfaction commensurate with his basic needs guaranteed by the Constitution of India. Neither the political class nor the State of India, as a matter of fact, has any time for the common man. The common man still remains the common

man going from pillar to post in his search of decent identity and living. He suffers ignominy and insolence and ultimately withdraws to his shell and gets shut out from this world.

Our Constitution makers speak of the ideals which we have set before ourselves. There must be social and economic justice. There must be pardon for every individual, face down to express one's views and freedom of association. We wish to give to every religion, freedom to propagate and profess its doctrines so long as these do not conflict with the moral conscience of the community or the cohesion and solidarity of the people.

When we talk about social justice, we mean that every individual, man or woman, high caste or low caste, of whatever religious persuasion, is treated before the law as equal with the same political rights, with liberty to rise to the highest offices open to any individual in his or her life. This social equality is the primary basis of national cohesion.

Economically, our trouble is the colossal poverty. We have large numbers of people who do not have even a single square meal a day. Many times discussions and debates have been going on in our Parliament about how to combat poverty. Some parliamentarians have lately been making fun of the poverty of the down trodden and the weaker sections.

Our economic evils may become the cause of social upheavals, if we are not able to thwart them, to overcome them

and to see to it that every individual has the wherewithal to feed himself to clothe himself, to shelter himself and to educate himself. The Government which is expected to do its best and utmost to offer at least a sense of solace to the helpless common man, has not been doing enough to console and comfort him. Here it is worth recalling what Gandhiji had said about India's legal systems in the context of the untold sufferings of the common man despite a well-knit legal system for the protection and safeguard of the interest of the common people, the weaker sections and the downtrodden. Gandhiji had reason to believe during his time that a fundamental feature of the Indian life was the veneration of law and acceptance of the rule of law by all people irrespective of their position, status and power. It was deep-rooted in the Indian society then. The law which rules us even when we sleep is God, opined Mahabharata. But, these days we hardly find anyone among those who are expected to work for the enactment and implementation of the laws for the protection and welfare of the common man. Law makers have made it a business, so to say, these days, to make laws which do not help or benefit, protect or safeguard the minimum interests of the common man. But on the other hand law makers make laws to taunt and totter the helpless common man to the maximum so that the common man is forced to infringe them unknowingly in his efforts to keep his body and soul together. Certain rules and laws are made in India which the common man may not be able to understand or follow within his limits of perception

and economic means. The powers that be often make tall and lofty claims that they are doing enough for the happy living of the common man. In case of any dispute or issue of consequence affecting the interests or welfare of the common man coming to the court, the powers that be and moneyed class will try their utmost and also work overtime to see that the limbs of the laws are either bent or broken to deflect the issue or dispute from entering the portals of the court or if by any chance the issue or dispute enters the court of justice they will try to scuttle the issue or drag it for years to ward off any possible embarrassment or unpalatable legal fall-outs to the domineering class. The common man being at the receiving end would find it extremely difficult to stand up against oppression and subjugation and finally becomes the victim of his inability due to lack of economic strength and social support and ultimately accepts his predetermined fate. He has no other option except to stomach such ignominy and surmount such ill-fate. The Powers that be and the moneyed monsters twist and turn the limbs of the laws to their advantage and benefits thereby depriving the common man of the advantage and benefits entitled to him.

Even on the economic plane, the common man's woes are endless to recount. As is evident and glaring even today, from the poor and pathetic standard of living of the common man and the hardships and difficulties he encounters to get three square meals a day and a small place to live in, despite more than half a century of planning and development in our country the lot of the common man is

yet to improve considerably to enable him to comprehend the visible and the real signs of progress and prosperity. So to say, the steady and gradual enhancement of the standard of living of the common man is the barometer of our country's progress in right path. But who cares to bother about the common man, except the common man himself.

Black marketeers and hoarders create artificial shortage of essential goods of mass consumption leading to astronomical hike in prices and ultimately resulting in huge and whopping profits to themselves, thus negating the effects of progress and growth in the economy. The common man ultimately finds himself poor in the midst of plenty. Although expressions such as Consumer Redressal Forum, Consumer Protection Act are often bandied about, no tangible results come out of them to redress the common man's weal and woe cometh, to say the least.

So is the situation in the social sphere also as the common man is taken for a ride to go through the ordeals of life decided by his fate or luck. He is rather destined to surmount the ignominies, insults and innuendos heaped on him by the upper crust of the society and suffer in solitude without any avenue to turn to for solace and salvation. The mafia groups that have grown, the dons, black marketeers and greedy business men getting overt and covert support from the Government, crush the common man under their feet. But at the time of elections the common man appears to be the most sought after, for votes by the upper crust of the society to help get votes to perpetuate themselves in power.

In conclusion one can say that the common man will be better served and uplifted if the political class including bureaucrats, the business community consisting of big business conglomerates, industrialists and academicians concerned with social needs and upliftment of society along with economists, join together and work out systems, methods and plans aimed at giving hope and life to the aspirations of the common man; then the lot of the common man can be definitely improved and his sagging morale can also be arrested. They should provide the common man with the basic necessities of normal life, making things convenient for him and offer him ample avenues for his progress in life. If this is not done, then our talk of economic empowerment, political advancement, social safeguards and cultural march would sound definitely mere hype and hollow.

Common man being the main and the voluminous constituent of our country's human resource reservoir, it is not proper and just for our country to lose the efficacy of this reservoir because of negligence and recklessness, as this would tantamount to inflicting incalculable harm on our society leading to wastage of precious human resources. Better late than never, the conscience keepers of our country in the Government (if there are any even today) realize this and do the needful to make use of this reservoir as by making use of this reservoir we are giving succour to the common man.

