

BEYOND BORDERS: INVESTIGATING THE EFFECTIVENESS OF SOCIAL JUSTICE AND HUMAN RIGHTS ADVOCACY IN AUSTRALIAN AND INDIAN JURISDICTIONS

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Abstract- *This article examines the advocacy approaches and mechanisms employed to address social justice and human rights issues in Australia and India, highlighting key issues and challenges in each jurisdiction. It provides an overview of the various advocacy strategies, evaluates their effectiveness, and offers recommendations for overcoming obstacles. By comparing the advocacy efforts in both countries, the article aims to inform future efforts in promoting social justice and human rights and enhance understanding of effective advocacy practices.*

Keywords- *Advocacy approaches, Social justice, Human rights, Australia, India*

1. INTRODUCTION

Social justice and human rights are essential to the promotion of fair and equitable societies, ensuring that everyone has equal access to resources, opportunities, and protection under the law. Advocacy plays a crucial role in bringing about positive change and addressing social justice and human rights issues by raising awareness, influencing policy, and empowering marginalized communities. In recent years, various approaches and mechanisms have been employed to advocate for these issues in diverse jurisdictions, such as Australia and India. While both countries face unique challenges in promoting social justice and human rights, they also share common obstacles and can learn from each other's experiences.

I framed the question that 'How do advocacy approaches and mechanisms differ in addressing social justice and human rights issues in Australia and India, and what strategies can be employed to overcome challenges faced by advocates in these jurisdictions?' and to answer that this article provides an overview of the key social justice and human rights issues in Australia and India, examining the different advocacy approaches and mechanisms employed in each jurisdiction. Furthermore, it explores the challenges faced by advocates in both countries and presents strategies for overcoming these obstacles. By comparing and contrasting the advocacy efforts in Australia and India, this article aims to contribute to a better understanding of effective advocacy practices and inform future efforts to promote social justice and human rights.

In this article, the methods of involving comparative analysis of the advocacy approaches and mechanisms in Australia and India, drawing upon a review of relevant literature, case studies, and institutional reports to examine their effectiveness and identified strategies for overcoming challenges in promoting social justice and human rights, have been followed.

2. KEY SOCIAL JUSTICE AND HUMAN RIGHTS ISSUES IN AUSTRALIA

In Australia, several key social justice and human rights issues persist, highlighting the importance of continued advocacy and reform. Firstly, the treatment of Indigenous Australians remains a significant concern. Historical injustices, systemic discrimination, and social exclusion have resulted in disparities in health, education, and employment outcomes for Indigenous communities¹.

¹ Reconciliation Australia, *The State of Reconciliation in Australia* (2020) (Accessed on 9 March 2023) <https://www.reconciliation.org.au/state-of-reconciliation-report/>.

Secondly, asylum seekers and refugees face numerous challenges, including mandatory detention and offshore processing. Critics argue that these policies breach international human rights standards and cause mental and physical harm to those seeking protection².

Additionally, Australia's LGBTQ+ community continues to face discrimination and marginalization. While the 2017 legalization of same-sex marriage was a significant step forward, there remains work to be done in areas such as healthcare, education, and employment³.

Gender inequality also persists, with women earning less than men on average and experiencing higher rates of domestic violence. Efforts to address the gender pay gap and combat gender-based violence remain crucial⁴.

Lastly, people with disabilities face a range of challenges, from inadequate support services to discrimination in the workplace. Ensuring equal access to opportunities and facilities is a key human rights issue in Australia⁵.

Furthermore, Australia's approach to climate change has been criticized for not being ambitious enough, disproportionately impacting low-income and marginalized communities⁶. Environmental injustice remains a pressing social justice issue, as those who are least responsible for climate change often bear the brunt of its consequences.

Racial discrimination is another prevalent concern in Australia. Despite the existence of the Racial Discrimination Act, incidents of racism, racial profiling, and hate crimes persist, affecting various communities, including those from African, Middle Eastern, and Asian backgrounds⁷.

Moreover, the criminal justice system in Australia disproportionately affects Indigenous Australians, who are overrepresented in prisons and face longer sentences on average⁸. Addressing systemic racism and bias in the criminal justice system is vital to achieving social justice and human rights for all.

Lastly, Australia's housing affordability crisis disproportionately impacts lower-income individuals, families, and young people, contributing to a rise in homelessness⁹. Ensuring access to safe, secure, and affordable housing is a crucial human rights issue that requires concerted efforts from governments and communities.

In conclusion, Australia faces a range of social justice and human rights issues, including the treatment of Indigenous Australians, asylum seekers and refugees, LGBTQ+ rights, gender inequality, disability rights, environmental justice, racial discrimination, criminal justice reform, and housing affordability. Addressing these concerns is essential for ensuring equality and justice for all Australians.

3. KEY SOCIAL JUSTICE AND HUMAN RIGHTS ISSUES IN INDIA

² Amnesty International Australia, *Australia's Refugee Policies* (2020) (Accessed on 9 March 2023) <https://www.amnesty.org.au/refugees/>.

³ Australian Human Rights Commission, *Lesbian, Gay, Bisexual, Trans and Intersex Equality* (2020) (Accessed on 9 March 2023) <https://humanrights.gov.au/our-work/sexual-orientation-gender-identity-intersex-status>.

⁴ Workplace Gender Equality Agency, *Australia's Gender Pay Gap Statistics* (2020) (Accessed on 9 Nov 2022) <https://www.wgea.gov.au/data/fact-sheets/australias-gender-pay-gap-statistics>.

⁵ Australian Human Rights Commission, *A Future without Violence: Quality, Safeguarding and Oversight to Prevent and Address Violence against People with Disability in Institutional Settings* (2018) (Accessed on 9 Dec 2022) <https://humanrights.gov.au/our-work/disability-rights/publications/future-without-violence-2018>.

⁶ Climate Council, *Climate Change and Social Inequality in Australia* (2020) (Accessed on 9 Jan 2023) <https://www.climatecouncil.org.au/resources/climate-change-and-social-inequality-in-australia/>.

⁷ Australian Human Rights Commission, *Racism. It Stops with Me* (2021) (Accessed on 9 Jan 2023) <https://itstopswithme.humanrights.gov.au/>.

⁸ Australian Law Reform Commission, *Pathways to Justice - Inquiry into the Incarceration Rate of Aboriginal and Torres Strait Islander Peoples* (2018) (Accessed on 9 Jan 2023) <https://www.alrc.gov.au/publication/pathways-to-justice-inquiry-into-the-incarceration-rate-of-aboriginal-and-torres-strait-islander-peoples-alrc-report-133/>.

⁹ Australian Housing and Urban Research Institute, *Housing Affordability* (2021) (Accessed on 10 Jan 2023) <https://www.ahuri.edu.au/research/housing-affordability>.

India faces various social justice and human rights challenges, emphasizing the need for continued advocacy and policy reform. Firstly, the caste system remains a deeply ingrained social hierarchy that perpetuates discrimination and inequality, affecting millions of individuals, particularly the Dalit and Adivasi communities¹⁰.

Secondly, gender inequality is a significant issue in India, with women facing numerous challenges, such as gender-based violence, child marriage, and limited access to education and economic opportunities¹¹.

Additionally, religious minorities, including Muslims and Christians, are often subjected to discrimination and violence, fueled by divisive politics and hate speech¹².

India's LGBTQ+ community faces ongoing challenges, including discrimination, stigmatization, and violence. While the 2018 decriminalization of consensual same-sex relations was a positive step, further legal and social reforms are required to ensure equal rights¹³.

Child labor and exploitation remain prevalent, with millions of children working in hazardous industries and being denied their right to education¹⁴.

Furthermore, forced evictions and displacement disproportionately affect marginalized communities, such as those living in informal settlements, and tribal populations whose land rights are often disregarded¹⁵.

Lastly, access to quality healthcare and education is a persistent challenge in India, with vast disparities across urban and rural areas, and among different socio-economic groups¹⁶.

In conclusion, India grapples with a range of social justice and human rights issues, including caste discrimination, gender inequality, religious intolerance, LGBTQ+ rights, child labor, forced evictions, and access to healthcare and education. Addressing these concerns is vital for achieving equality and justice for all Indians.

4. ADVOCACY APPROACHES AND MECHANISMS IN AUSTRALIA

In Australia, various advocacy approaches and mechanisms exist to address social justice and human rights issues. Firstly, non-governmental organizations (NGOs) and civil society groups play a significant role in raising awareness, lobbying for policy changes, and providing support to affected communities¹⁷.

Secondly, legal advocacy is a critical tool in promoting human rights. Public interest litigation and test cases can challenge discriminatory laws and practices, while law reform commissions and human rights organizations can propose policy changes¹⁸.

¹⁰ Human Rights Watch, *World Report 2020: India* (2020) (Accessed on 10 Jan 2023) <https://www.hrw.org/world-report/2020/country-chapters/india>.

¹¹ UN Women, *India* (2020) (Online, 9 Jan 2023) <https://asiapacific.unwomen.org/en/countries/india>.

¹² U.S. Department of State, *2019 Report on International Religious Freedom: India* (2020) (Accessed on 13 Jan 2023) <https://www.state.gov/reports/2019-report-on-international-religious-freedom/india/>.

¹³ Human Rights Watch, *India: Events of 2018* (2019) (Accessed on 1 Jan 2023) <https://www.hrw.org/world-report/2019/country-chapters/india>.

¹⁴ International Labour Organization, *India: Child Labour* (2021) (Accessed on 30 Jan 2023) <https://www.ilo.org/newdelhi/areasofwork/child-labour/lang--en/index.htm>.

¹⁵ Amnesty International, *India: Annual Report 2019/20* (2020) (Accessed on 9 Jan 2023) <https://www.amnesty.org/en/countries/asia-and-the-pacific/india/report-india/>.

¹⁶ World Bank, *India Development Update* (2021) (Accessed on 9 Jan 2023) <https://www.worldbank.org/en/country/india/publication/india-development-update>.

¹⁷ Australian Council for International Development, *NGOs and Civil Society* (2020) (Accessed on 3 Feb 2023) <https://acfid.asn.au/ngos-civil-society>.

¹⁸ Australian Law Reform Commission, *Law Reform Process* (2021) (Accessed on 3 Feb 2023) <https://www.alrc.gov.au/law-reform-process>.

The Australian Human Rights Commission (AHRC) is a key institution in monitoring and enforcing human rights standards. It investigates complaints, conducts research, and advocates for policy reforms¹⁹.

Parliamentary inquiries provide another avenue for addressing social justice issues, allowing experts and community members to present evidence and make recommendations for legislative and policy changes²⁰.

Community-based advocacy is essential for empowering marginalized groups and fostering grassroots change. This approach involves the development of local campaigns, community education, and capacity-building initiatives²¹.

Social media and digital platforms have also emerged as powerful advocacy tools, enabling activists and organizations to raise awareness, mobilize support, and engage with a wider audience²².

In conclusion, advocacy approaches and mechanisms in Australia include the work of NGOs and civil society groups, legal advocacy, the Australian Human Rights Commission, parliamentary inquiries, community-based advocacy, and the use of social media and digital platforms. These diverse strategies contribute to promoting social justice and human rights in Australia.

5. ADVOCACY APPROACHES AND MECHANISMS IN INDIA

In India, a variety of advocacy approaches and mechanisms work to address social justice and human rights issues. Firstly, non-governmental organizations (NGOs) and civil society groups play a crucial role in raising awareness, lobbying for policy changes, and providing support to affected communities²³.

Secondly, legal advocacy is an important tool for promoting human rights. Public interest litigation allows the judiciary to intervene in cases of human rights violations, while law reform commissions and human rights organizations can propose policy changes²⁴.

The National Human Rights Commission (NHRC) is a key institution in monitoring and enforcing human rights standards in India. It investigates complaints, conducts research, and advocates for policy reforms²⁵.

Parliamentary committees provide another avenue for addressing social justice issues, allowing experts and community members to present evidence and make recommendations for legislative and policy changes²⁶.

Community-based advocacy is essential for empowering marginalized groups and fostering grassroots change. This approach involves developing local campaigns, community education, and capacity-building initiatives²⁷.

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¹⁹ Australian Human Rights Commission, *About the Commission* (2020) (Accessed on 3 Feb 2023) <https://humanrights.gov.au/about>.

²⁰ Parliament of Australia, *Parliamentary Inquiries* (2020) (Accessed on 3 Feb 2023) https://www.aph.gov.au/Parliamentary_Business/Committees.

²¹ Community Legal Centres Australia, *Our Work: Advocacy* (2020) (Accessed on 3 Feb 2023) <https://clcs.org.au/our-work/advocacy>.

²² Castells, M., *Networks of Outrage and Hope: Social Movements in the Internet Age* (Polity Press, 2015).

²³ Centre for Civil Society, *Civil Society in India* (2020) (Accessed on 2 Feb 2023) <https://www.ccs.in/civil-society-india>.

²⁴ National Human Rights Commission of India, *Functions* (2020) (Accessed on 2 Feb 2023) <https://nhrc.nic.in/about-us/functions>.

²⁵ NHRC, *About NHRC* (2020) (Online, 1 Feb 2023) <https://nhrc.nic.in/about-us/about-nhrc>.

²⁶ Parliament of India, *Parliamentary Committees* (2020) (Accessed on 1 Feb 2023) https://eparlib.nic.in/committees/committees_home.

²⁷ PRIA, *Our Work* (2020) (Online, 1 Feb 2023) <https://www.pria.org/our-work>.

In conclusion, advocacy approaches and mechanisms in India include the work of NGOs and civil society groups, legal advocacy, the National Human Rights Commission, parliamentary committees, community-based advocacy, and the use of social media and digital platforms. These diverse strategies contribute to promoting social justice and human rights in India.

6. EVALUATING ADVOCACY EFFORTS IN AUSTRALIA

Evaluating advocacy efforts in Australia involves examining the impact and effectiveness of various approaches and mechanisms in addressing social justice and human rights issues. One method for assessment is analyzing the extent to which policy changes and legislative reforms have been achieved²⁹.

Measuring the success of public awareness campaigns, such as increased public knowledge or shifts in public opinion, can also provide insight into the effectiveness of advocacy efforts³⁰.

Reviewing case studies of successful legal advocacy, such as landmark decisions that have led to significant changes in law and policy, can offer valuable insights into the impact of these strategies³¹.

Evaluating the performance of key institutions, such as the Australian Human Rights Commission, can be done by examining their investigations, research, and policy reform recommendations, as well as the outcomes of complaints they have addressed³².

Assessing the engagement and impact of parliamentary inquiries, by tracking the implementation of their recommendations and subsequent changes in legislation, can provide insights into their effectiveness in addressing social justice and human rights issues³³.

Measuring the success of community-based advocacy can involve examining the extent to which grassroots initiatives have empowered marginalized communities and brought about local change³⁴.

Lastly, evaluating the influence of social media and digital platforms on advocacy efforts can include analyzing the reach, engagement, and outcomes of online campaigns³⁵.

In conclusion, evaluating advocacy efforts in Australia involves examining the impact of various approaches and mechanisms, such as policy and legislative reforms, public awareness campaigns, legal advocacy, institutional performance, parliamentary inquiries, community-based advocacy, and the use of social media and digital platforms.

7. EVALUATING ADVOCACY EFFORTS IN INDIA

Evaluating advocacy efforts in India involves examining the impact and effectiveness of various approaches and mechanisms in addressing social justice and human rights issues. One method for assessment is analyzing the extent to which policy changes and legislative reforms have been achieved³⁶.

²⁸ Carr, S, 'Social Media and Human Rights Advocacy in India' in S Tumber and P Waisbord (eds), *The Routledge Companion to Media and Human Rights* (Routledge, 2018) 341.

²⁹ Lenaghan, M, 'Evaluating Policy Advocacy: A Practical Framework for Assessing the Effectiveness of Advocacy Strategies' (2017) 76(3) *The Australian Journal of Public Administration* 334.

³⁰ Whitmore, E, and Wilson, M, 'Evaluating Communications Campaigns' (2010) 25(1) *The Canadian Journal of Program Evaluation* 95.

³¹ Griffith, G, and Coleman, E, *Landmark Cases in Public Law* (Bloomsbury Publishing, 2018).

³² Australian Human Rights Commission, *Annual Report 2019-2020* (2020) (O Accessed on 4 Feb 2023) <https://humanrights.gov.au/about/news/annual-report-2019-2020>.

³³ See Parliament of Australia, above n. 20

³⁴ See Community Legal Centres Australia, above n. 21

³⁵ See Castells, above n. 22

³⁶ Baxi, U, *The Future of Human Rights* (Oxford University Press, 2011).

Measuring the success of public awareness campaigns, such as increased public knowledge or shifts in public opinion, can also provide insight into the effectiveness of advocacy efforts³⁷.

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Measuring the success of community-based advocacy can involve examining the extent to which grassroots initiatives have empowered marginalized communities and brought about local change⁴¹.

Lastly, evaluating the influence of social media and digital platforms on advocacy efforts can include analyzing the reach, engagement, and outcomes of online campaigns⁴².

In conclusion, evaluating advocacy efforts in India involves examining the impact of various approaches and mechanisms, such as policy and legislative reforms, public awareness campaigns, legal advocacy, institutional performance, parliamentary committees, community-based advocacy, and the use of social media and digital platforms.

In summary, to effectively evaluate advocacy efforts in India, it is crucial to assess the diverse strategies and mechanisms employed by activists, organizations, and institutions in addressing social justice and human rights issues in the country. By examining the outcomes and impacts of these efforts, stakeholders can better understand the progress being made and identify areas for continued focus and improvement.

8. STRATEGIES FOR OVERCOMING CHALLENGES

Various strategies can be employed to overcome challenges in advocating for social justice and human rights. Firstly, fostering collaboration and building alliances between NGOs, civil society organizations, and other stakeholders can enhance the impact of advocacy efforts and create a united front for promoting change⁴³.

Secondly, strengthening the capacity of advocacy organizations through training and resource development can help them become more effective in their work⁴⁴. This includes enhancing skills in communication, negotiation, research, and policy analysis.

Thirdly, utilizing diverse and innovative communication methods, such as social media, storytelling, and multimedia, can help advocates better engage with target audiences and raise awareness of social justice and human rights issues⁴⁵.

³⁷ Mander, H and Joshi, D, 'The Right to Information Movement in India: The Role of Civil Society' in A M Florini (ed), *The Right to Know: Transparency for an Open World* (Columbia University Press, 2018) 131.

³⁸ Dhavan, R, 'Public Interest Litigation in India: Genesis, Growth and Crisis' in V Gauri and D M Brinks (eds), *Courting Social Justice: Judicial Enforcement of Social and Economic Rights in the Developing World* (Cambridge University Press, 2017) 147.

³⁹ National Human Rights Commission of India, *Annual Report 2019-2020* (2020) (Accessed on 4 Feb 2023) https://nhrc.nic.in/sites/default/files/AR_2019-20.pdf.

⁴⁰ See Parliament of India, above n. 26

⁴¹ See PRIA, above n. 27

⁴² See Carr, above n. 28

⁴³ Mizrahi, T and Rosenthal, B B, 'Complexities of Coalition Building: Leaders' Successes, Strategies, Struggles, and Solutions' (2001) 46(1) *Social Work* 63.

⁴⁴ Gaventa, J and Barrett, G, 'So What Difference Does It Make? Mapping the Outcomes of Citizen Engagement' *IDS Working Papers* 2010(347), 01-72.



Fourthly, engaging in evidence-based advocacy by conducting research, collecting data, and building on existing knowledge can lead to more persuasive arguments and targeted interventions⁴⁶.

Fifthly, adapting to the local context and understanding the cultural, social, and political dynamics of a specific region or community is crucial for developing effective advocacy strategies⁴⁷.

Sixthly, collaborating with key decision-makers and influencers, such as politicians, policymakers, and media professionals, can help advocates gain access to critical resources, amplify their messages, and influence public opinion and policy⁴⁸.

Lastly, monitoring and evaluating advocacy efforts is essential for identifying areas of improvement and ensuring that strategies are achieving their intended outcomes⁴⁹. Regular evaluation can help advocates refine their tactics, learn from successes and failures, and make informed decisions about future actions.

In conclusion, strategies for overcoming challenges in advocating for social justice and human rights include fostering collaboration, capacity-building, utilizing diverse communication methods, engaging in evidence-based advocacy, adapting to local contexts, collaborating with key decision-makers and influencers, and monitoring and evaluating advocacy efforts.

9. CONCLUSION

Based on the comparative analysis of advocacy approaches and mechanisms in Australia and India, it is evident that both jurisdictions face unique challenges in addressing social justice and human rights issues. However, they also share common obstacles and can learn from each other's experiences in promoting positive change. Through the review of relevant literature, case studies, and institutional reports, several key strategies have emerged for overcoming challenges in both countries.

These strategies include fostering collaboration, capacity-building, utilizing diverse communication methods, engaging in evidence-based advocacy, adapting to local contexts, collaborating with key decision-makers and influencers, and monitoring and evaluating advocacy efforts. By implementing these strategies, advocates can enhance the impact of their efforts and more effectively address social justice and human rights issues in both jurisdictions.

In conclusion, while the advocacy approaches and mechanisms in Australia and India differ, they can be adapted and refined by learning from each other's experiences and incorporating the identified strategies for overcoming challenges. This comparative analysis contributes to a better understanding of effective advocacy practices and can inform future efforts to promote social justice and human rights in both countries, as well as in other jurisdictions facing similar challenges. By continually evaluating and improving advocacy efforts, stakeholders can ensure progress towards a more just and equitable world for all.

⁴⁵ See Castells, above n. 22

⁴⁶ Greenspan, I, 'Evidence-based Advocacy: The Importance of Rigorous Programme Evaluation' (2013) 23(1) *Development in Practice* 97.

⁴⁷ Yanacopulos, H, *International NGO Engagement, Advocacy, and Change* (Palgrave Macmillan, 2016).

⁴⁸ Mintrom, M and Luetjens, J, 'Policy Entrepreneurs and Problem Framing: The Case of Climate Change' (2017) 35(8) *Environment and Planning C: Politics and Space* 1362.

⁴⁹ Teles, S and Schmitt, M, 'The Elusive Craft of Evaluating Advocacy' *Stanford Social Innovation Review* (2011) 9(3), 38-43.