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"My Idea of Justice"

On a daily basis we tend to experience the term "justice" in different orientations or in different platforms. We hear Justice for George that black lives matter, justice for Sushant Singh Rajput , justice for babysana, Justice for the Dalits, justice for Nirvaya ,Justice for the Poor or as simple as a child could have complained about the injustice done to him by the parent in allotting the reward between him and siblings.

The **reason why people talk about justice** all the time is that it is one of the most fundamental social, ethical and moral principles we deal with everyday. Yet, Justice is not a thing that just descends from above and makes everything right. Justice is a thing people of good will make 'it' happen.

The term 'Justice' is closely aligned to fairness although it is somewhat elusive in the way it is applied. Justice is quality of being righteous equitable or collaboratively practicing moral rightness, lawfulness justness of ground or reasons. A just society is one where everyone fulfills their role and concerns for one another so that it runs smoothly. Justice is what is left when injustice is gotten rid off.

"Injustice anywhere is a threat to justice everywhere"- Martin Luther king jr.

why do you think he is making that point in the letter from a Birmingham jail?

We think we run a just society. Yet we tolerate many a loopholes in the system. A minor 8-month-old was raped and killed recently at a Indore basement. A neurosurgeon Dr. Simon, who provided succour, died of COVID. And irate Chennai mob

defiles his last journey taking law into their own hands and resorted to violence. Cases exit where innocent man are wrongly convicted, spending more than 20 years in jail. Things like this has become a common headline on the news channels.

The justice system **inevitably creates pockets of unfairness**. But we tolerate cases of unfairness because the system itself is worth it . We are okay with it as long as we don't pay the price. If we were the one who gets dead result, then we feel the sting more sharply because no one else is prepared to understand why we're complaining.

Justice shouldn't be seen from a single perspective. It has several dimensions- social, economic, political and legal. Broadly they can also be classified as - formal and informal. Formal basically represent the procedural kind and informal, the substantive justice .The preamble to the constitution of India stresses equal importance to this multifold dimensions of justice.

Socio-economic development or justice ensures equality in society, reconstruction of social order and equal distribution of social facilities including public wealth and resources. It gives the weaker sections of the populace a will to their struggle to a set of minimum level. But in practice, while economic growth is undoubtedly there, the necessary accompaniment social justice is seldom assured. For millions, the quality of life is below the accepted norms . And we've been skirting the problem so far.

The broader impact of socio-cultural and political forces affect the health of individuals and communities and our capacity to practice quality medicine even thought everyone has right to a medical care. Even in the legal aspect of studying medicine, we are taught about social determinants of health, about health equity and advocacy designed to place medicine in its larger social context. We are lead into bioethics curricula that guide us in making ethical decisions while incorporating principles of social justice. The right to health leads to us acting to promote social justice and is intrinsically political and ethical. Choosing not to see injustices does not mean they are not occurring. Structural violence exists. Racism exists. Homophobia exists. Human rights abuses exist. Obviously, the equitable distribution of the gains of development, so essential for social justice, has not been effective so far.

Apart from the problem of providing the basic amenities of life to our people, we cannot achieve socio-economic justice in the country if the Government ignores the legitimate demands and grievances of certain sections of the people. Such demands

must be immediately considered. Mass poverty and economic inequalities at almost every step make a hindrance to developing society like ours. Research into the relationship between human rights and health is an essential part of documenting the impact of human rights violations and experiences such as sexual abuse, torture and trauma.

Political justice deals in political realm. It consists in giving equal voting rights to the people and respects the public opinion. So basically, it search for an ideal in which all member will communicate and interact with politic to assume its highest form. But all this sounds hollow when a large portion of the population is living below the poverty line; unemployment is constantly on the increase and economic disparities between the rich and the poor keeps on widening.

Legal justice is associated with the legal system and legal procedures. Actually, the term Justice is also a legal concept. It ensures formulation of 'Just' laws with fair amount of consideration. It ensures equal legal enactment. The laws made are ensured to be bonded upon people without having any barrier on class, race ,status . It also ensures legal security and everyone enjoys impartial justice under the judiciary system. From fundamental right perspective, if single individual rights is violated by another, he or she could move to court . It gave them a sense of feeling that the Law is the supreme of all.

In order to ensure the system effective, active and intelligent participation of the people in public affairs is necessary . without education there can be no intelligent discussion and participation in the distribution of justice. Education produces rational human beings, and the power of thinking develops the ability to discriminate between good and bad. A citizen of the regime is not merely to obey; he has also to see if his obedience is rational and warranted. We are expected to develop the power of vigilance and ability to distinguish between chalk and cheese. Our collective ability to judge right and wrong and ability to criticise leads to a healthy outcome in the fair lawful justness.

There is also a huge responsibility of the judiciary to enforce the laws passed by the legislature and also to discharge the responsibilities enjoined on it by the constitution. It is not to be influenced by fear or favour in the discharge of duties. It should not only retain impartial but also maintain impression among the people to safeguard its reputation. Also, if our experiment in democratic justicial living is to succeed, we will have to make our judiciary independent, bold and alive to the sense of equity. The independence of judiciary and legal services in our country has never been

called into question till now. But deep inside, all of us knew that only an independent judiciary can help us in fair delivery of justice.

We're taught from the early age that Lady justice blindfold is symbolic and she will be blind to differences. That justice will be served without bias or prejudice and justice should be objective, without exception. It should not be influenced by wealth, power, identity, race, religion or gender.

Sadly, reality has been proven opposite too many times. **Now it seems that Lady Justice is blinded by ignorance** and is no longer impartial or objective and felt like It is one of a million ways the elite clown the masses into believing justice is fair and they have a fighting chance against the system that is raping this country, and have one set of laws for the strong and another for weaker sections. BUT, When two people fight against each other . The first thing they do is go to court. ***Because we still have faith in judiciary and justice delivery system even if the government, administrator and police don't hear us out.***

Over the last couple of years faith has been shaken by many events . But there is no controversy that the biggest problem facing the judiciary is the number of pending cases and the number of judges available. our country has more than 2.85 crore cases pending in lower courts. And according to law ministry data, the judiciary faces a combined shortage of 6000 judges, including 5000 in the lower court itself. The judge population ratio is 19.49 per million (10 lakhs) people . ***This humungous caseload is the cause of delays, adjournments and frustration among the litigants who suffer the slings and arrows of outrageous misfortunes. Some other important factor includes*** The habit of taking adjournment by the lawyers, Endless amendment of laws, Absence of work culture in the courts.

We need to work on the problems that lead to delay on a daily basis, by increasing certainty of outcome in each hearing and avoiding burdening a judge. On an average, a district judge has about 50-60 cases listed before him each day. It is impossible to meaningfully hear such a high number of matters, and therefore at least 40 of these cases will be adjourned by the judge without any significant movement. This happens every day in each court across the country throughout the year. Naturally, there will be delay and backlogs at the end of the year. It is these daily problems that

magnify over time and transform into structural problems crippling the functioning of the institution.

A critical reform required is the need to appoint a full-time judicial administration cadre. Internationally, judicial administration is seen as being ancillary to the work of judges and is carried out by dedicated and specialised personnel to help judges efficiently perform their judicial duties. The establishment of a dedicated and trained cadre to provide support to the judiciary through case management, assistance with budgeting, handling administrative tasks, and ensuring maintenance of court infrastructure will go a long way in enabling the judiciary to focus on the administration of justice. **Currently, judicial administration is essentially managed by judges themselves. This is not only unsustainable, but also unfair to judges whose primary skill and responsibility is to decide cases.**

Figures on the chronic backlog of court cases are a further indictment of the country's beleaguered continues to erode trust in India's legal system. The multi-pronged reforms are a long-term project and judges will first have to be brought on board with any significant changes to their profession. Fast-track courts, dedicated to cases of sexual crimes, were opened across the country to address this sentencing and trust deficit. But speedy justice presents its own challenges. Certainly "justice delayed is justice denied" but the opposite, that "swift justice is injustice," is also true. Though fast track courts have whittled away India's backlog, judges and observers have raised concerns about the quality of justice being administered.

After all, justice is achieved not by process of lawlessness but legally tuned affirmative action. Constitutional promises to fulfill all including that of social justice and to assign function is an irrevocable obligation of the judiciary. The system need not be assessed in fallibility of individual judges. Ultimately, the judicial activism seems the last hope for downtrodden . Thus, it gets it highest bonus when it wipes out tears from some eyes. We should not forget that Justice doesn't fall from the sky. **Ultimately it is 'WE' who make justice happen.**

"there is a higher quote than courts of justice, and that is court of conscience. It supersedes all other courts'

-MAHATMA GANDHI

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REFERENCE-

- 1) FORENSIC MEDICINE on legal aspect of social justice.
- 2) THE HINDU and TIMES OF INDIA papers about the various figures on judge and case pending in india .

