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Prasanna S,

Chairman of Institute of Legal Education (Established by I.L.E. Educational Trust)

No. 08, Arul Nagar, Seera Thoppu,

Maudhanda Kurichi, Srirangam,

Tiruchirappalli – 620102

Phone : +91 94896 71437 – info@iledu.in / Chairman@iledu.in



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ROLE-PLAY OF LAW IN JUSTICE

Author - Anjali Jain, Student at Government Law College, Ajmer

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.Abstract

The Idea of law and Justice has always been misinterpreted and confused by the people. From Plato's time, legal and political philosophers have debated whether justice is a component of the law or merely a moral assessment of the law. When we use the term "unjust law," this is an illustration of the latter. Almost all authors on the topic have come to the conclusion that justice is only a judgment of the situation. Hence, the law and justice is one thing for the common people. But is this notion correct, *are both these terms similar and identical? Can one be used in place of another? Do they have any relation?* To answer these questions we need to first interpret these terms. The law is a set of rules and regulations that govern behavior and relationships between individuals and organizations. It plays a crucial role in maintaining social order and ensuring that individuals are held accountable for their actions. Justice, on the other hand, refers to the fairness and impartiality. It means that everyone gets what he or she deserves. If we do the logical deduction of the above definitions, we can presume that fair and impartial law will ensure Justice. I wish we lived in utopian world, and this statement to be true. But the reality is different, in the words of present Chief Justice of India DY Charachud, "What is legal (law), may not be just and what is just, may not be legal (law)". Hence, law does not always ensure justice. This contradicts are above hypothesis. Then, what is the relation between law and justice are they either similar or polar apart. To understand this we will take the forward the positive hypothesis that we deduce above and

try to understand the role of law in ensuring Justice.

Keywords: Law, Justice, Injustice, Just, common law

Fair and Impartial Law ensures Justice.

If the above assumption is held, then fair and impartial law ensures justice in the society in the following manner. One of the key aspects of the role of law in justice is the concept of due process. Due process ensures that individuals are treated fairly and impartially throughout the legal process. This means that they have the right to be informed of the charges against them, the right to legal representation, the right to a fair and impartial trial, and the right to appeal the decision. Due process ensures that the law is applied in a way that is fair to all parties involved, regardless of their social status or background.

Another important aspect of the role of law in justice is the concept of equality before the law. This means that all individuals are treated equally under the law, regardless of their race, gender, religion, or social status. This ensures that the law is applied fairly and impartially to all individuals, without any discrimination or bias. The role of law in justice also involves the enforcement of the law. Law enforcement agencies play a crucial role in ensuring that the law is upheld and that individuals who break the law are held accountable for their actions. This involves the investigation of crimes, the arrest of suspects, and the prosecution of cases in court. Law enforcement agencies work closely with the legal system to ensure that justice is served. Finally, the role of law in justice involves the correctional system. The correctional system is

responsible for the rehabilitation of offenders and their reintegration into society. This involves the incarceration of offenders, as well as the provision of education and job training programs to help offenders become productive members of society. The correctional system also plays a crucial role in ensuring that offenders are held accountable for their actions and that justice is served.

The law plays a crucial role in maintaining social order and ensuring that individuals are held accountable for their actions. Justice, on the other hand, ensures that the law is applied fairly and impartially, without any discrimination or bias. However, it is important to note that the law is not infallible and may sometimes fall short of achieving perfect justice.

Imperfect laws ensures injustice

The contrary of the above hypothesis can be true in reality. Considering laws can be imperfect, inconsistent, or biased, and their enforcement can be influenced by various factors, including social, economic, and political considerations. There may be instances where the law fails to adequately protect the rights of marginalized or vulnerable groups, or where it perpetuates injustices or inequalities. In such cases, it becomes necessary to continually strive for legal reforms and improvements to ensure that the law remains just for everyone.

Further, the definition of justice proposed in the earlier part states that justice can be ensured when everyone gets what he or she deserves. For instance, the reservation system in India was meant to give justice to the marginalized system but in the long term it instigated the feeling of injustice among working class. Thus, the perfect laws enacted to ensure justice become unjust for some. As the meaning, of justice varies from person to person. The concept of justice is very abstract and restricting it under boundaries of law is demeaning its value. Justice is a human virtue based on/found in human rationality, intuition, the community or divine inspiration. Laws, one

would then argue, are only valid and to be followed if they are just.

Concept of Justice

Our definitions of "justice" and "injustice" are based on the inferences we have made from many stories and experiences. Naturally, we find it hard to specify what justice is because we are writing on a blank slate, so to speak, in the absence of a collection of stories. Yet when we hear a single story, we can readily tell whether the outcome is just or unjust (or, in many instances, we know what additional information to request to reach a just verdict). Hence, definition or idea of Justice is different for every person. But, as we all go through similar experience the broader idea of justice in almost same in every mind.

Thus, Justice is a fundamental value in any civilized society. It encompasses the principles of fairness, equity, and impartiality in the treatment of individuals and the resolution of disputes. The rule of law, enforced through a well-functioning legal system, plays a pivotal role in achieving justice. In the coming parts of this essay, we will explore how the law contributes to the attainment of justice in society.

Relationship between Law and Justice

The connection between justice and the law is quite intricate. They are two sides of the same coin. The best approach to comprehend how justice and law are related is to remember that each person is entitled to justice under the law. Justice is a crucial component of the law. Justice is a critical element of the legal system, which works to uphold people's rights. Justice and the law are therefore inseparable. Each has an impact on the other. Justice serves as a catalyst for the adoption, upholding, amending, and/or repeal of laws. Law serves as a tool to achieve justice, which is a moral concept. Simply put, justice is a goal that is achieved by means of law. But does one guarantee the other? Should law remain independent? How should we go about applying the law, and in

what way are we responsible for the effects of our judgments?

How common law should be interpreted for Justice?

We must comprehend how legal interpretation affects, how people behave in order to respond to the aforementioned query. Because the mere idea of using law to change people's conduct includes "justice" issues. If I have shown that justice is an essential component of what statutes signify, then when there are no statutes and a court is merely using common law, justice considerations are just as strong, if not stronger. If a court must interpret statutes in the context of justice, then it must undoubtedly do the same with respect to earlier rulings. The presence of human (rather than automated) judges on a court is the most crucial element in the overall legal equation.

These judges are asked to render judgment in disputes and cases, applying "the law" to disputes between people. The purpose of this essay has been to demonstrate that justice issues are part of "the law." The legal system, in more exact terms, is a method for applying justice to disputes between people. Therefore a court cannot simply apply "justice" in the absence of the law since the law—the entire body of regulations, laws, and case law—is a component of the facts pertaining to the parties' circumstances. If the decision-maker is unaware of pertinent facts, no decision can be made on the basis of justice. Law must be made known to the decision-maker (as it is through the services of counsel) and must be taken into consideration because it is part of the facts of any case.

Role-play of law in ensuring justice.

We have seen that the law serves as a mechanism for resolving disputes and conflicts in a fair and orderly manner. It provides a formal process for addressing grievances and seeking redress for harm suffered. Through the courts and other dispute resolution mechanisms, the law provides a forum for

individuals to present their cases, present evidence, and have their disputes resolved based on established legal principles. This helps to ensure that conflicts are resolved in an impartial and transparent manner, with due process and protection of individual rights.

Furthermore, the law acts as a deterrent to potential wrongdoers by imposing consequences for illegal or unjust behavior. Laws prescribe various sanctions, such as fines, imprisonment, or other forms of punishment, to discourage individuals from engaging in harmful conduct. By establishing consequences for wrongful actions, the law promotes accountability and responsibility, and helps to deter individuals from engaging in behaviors that are detrimental to society and its members.

Moreover, the law plays a crucial role in protecting the rights and freedoms of individuals. It enshrines fundamental human rights, such as the right to life, liberty, and property, as well as rights related to speech, religion, and equality. The law provides a legal framework for protecting these rights and ensuring that they are not violated by individuals, organizations, or the state. The law also provides a mechanism for seeking redress and remedies in case of rights violations, thus promoting justice for those whose rights have been infringed upon.

Another important aspect of the role of law in achieving justice is its role in promoting social change and addressing societal injustices. Laws can be used as tools for addressing systemic discrimination, inequality, and social injustices. Through legislation and legal reforms, the law can be used to promote social change and advance the cause of justice by addressing issues such as gender discrimination, racial discrimination, poverty, and inequality. Legal mechanisms such as affirmative action, anti-discrimination laws, and human rights legislation are examples of how the law can be used to promote justice and social change.



In addition, the law provides a framework for the peaceful resolution of conflicts and disputes between different parties or groups. Through alternative dispute resolution mechanisms, such as mediation and arbitration, the law provides a way for parties to come together and find mutually acceptable solutions to their differences, without resorting to violence or other forms of conflict. By providing a peaceful and orderly means for resolving disputes, the law helps to prevent further harm, promote understanding, and restore justice between parties.

Conclusion

In conclusion, the role of law in justice is a crucial aspect of modern societies. It ensures that the law is applied fairly and impartially, that individuals are held accountable for their actions, and that offenders are rehabilitated and reintegrated into society. Together, the law and justice form the foundation of modern societies, ensuring that they are fair, just, and democratic. One of the primary ways in which the law promotes justice is through the establishment of clear rules and regulations that govern human behavior. These rules provide a framework for individuals to understand what is expected of them and what

behaviors are considered acceptable or unacceptable. Laws are typically enacted by legislative bodies and are designed to reflect the values, beliefs, and needs of a society. They are meant to be applied impartially and consistently to all individuals, regardless of their background, status, or power. The interpretation of law by the lawyers and jury further strengthens the idea of justice if they support what's just for the advancement of legal justice. Hence, justice is embed in us, the law just sanctions or plays the role in ensuring that everyone deserves it.

References

- <https://core.ac.uk/download/pdf/37373539.pdf>
- <https://www.juscorpus.com/how-is-law-different-from-justice/>
- https://digitalcommons.law.umaryland.edu/fac_pubs/1470/
- [*On the Connection Between Law and Justice.pdf](#)