

INTERNATIONAL JOURNAL OF LEGAL STUDIES AND SOCIAL SCIENCES [IJLSSS]

ISSN: 2584-1513 (Online)

Volume 2 | Issue 4 [2024] | Page 113 - 116

© 2024 International Journal of Legal Studies and Social Sciences

Follow this and additional works at: <https://www.ijlsss.com/>

In case of any queries or suggestions, kindly contact editor@ijlsss.com

LADY JUSTICE: A NEW ERA OF JUSTICE IN INDIA

- Anindita Ghatak¹

“Law is not blind, it sees everyone equally.” - D.Y.Chandrachud

INTRODUCTION

Lady Justice is an allegorical figure which represents the moral authority within the judicial system. There was a traditional deception that the Blindfold symbolised the ‘Equality before Law’, which implying that justice should be delivered impartially and The Sword symbolised the authority of law and its power to punish wrongdoing. The recent unveiling of a New Lady Justice Statute by the Supreme Court on the direction of the Chief Justice of India is an important paradigm shift in the judicial philosophy of the country. This newly unveiled Lady Justice Statue is symbolizes a shift from Colonial culture to modern values and constitutional justice. This detail analysis is based on the Historical background of the Classical icon of Lady Justice, interpretation of the meaning of new statue and the comparative perspective on how the worldwide legal systems are changing their deceptions of justice in modern society , also on broader social and legal impacts of this transformation and the constitutional emphasis of Indian Judiciary.

THE DIVINE AND PHILOSOPHICAL ROOTS OF LADY JUSTICE

The oldest forerunners to Lady Justice is the Egyptian Goddess Ma’at, who is the Goddess of truth, balance and cosmic order. Ma’at was often portray with an ostrich feather in her headdress, weighed against the souls of the dead in the afterlife to determine their worthiness. In Greece, the Goddess Themis , the name means- divine law or order, is frequently represented holding scales, a sword, and sometimes a cornucopia to signify abundance. Themis was not blindfolded, which signifies that justice in its purest form deeply aware of the divine truth but not blind. Whereas in Rome, Romans embraced Goddess Themis as Justitia, the personification of justice. Like Themis,

¹ Assistant Professor of Law, Kingston Law College, Barasat, W.B.

she exercised scales and a sword, which signifying the impartiality and enforcement of legal judgments.

COMPARATIVE PERSPECTIVE OF LADY JUSTICE

A comparison with other countries of Lady Justice would indicate various similarities and dissimilarities:

In U.S.A, the classic concept of Lady Justice remains prevalent with the blindfold, scales and sword. Here the blindfold indicates the neutrality and impartiality which fundamentally part of American jurisprudence. It is highly controversial that whether this symbol accurately captures what some of these reality issues of modern justice is on issues of systematic inequalities or racial issues.

French Court depict Lady Justice without a blindfold which signifies that justice should be properly aware of the social and political contexts. In some cases Lady Justice is depicted with her eyes open which indicates that the legal establishments should be conscious of its work in building a society.

In German Courts Lady Justice is depicted with the blindfold absent, which is almost similar to India's newly designed statue. Similar like India, the removal of the blindfold in some German Courts also serves to convey that the law must open its eyes to notice social issues that have to be addressed rather than upholding the formalism which is straight jacketed.

THE OLD ICONOGRAPHY OF LADY JUSTICE

Traditionally, the Lady Justice represented as a woman holding a pair of scales and a sword, sometimes blindfolded. Every elements are carrying distinct symbolic meaning, such as:

The blindfold symbolises that judicial process is impartial and neutral. It initially a symbol of ignorance, i.e. justice should be blind to power, wealth or status. It signifies that justice should be administered no leaning to the any of the side, that is with no partiality or bias.

The another essential element sword represents the enforcement of justice. It symbolises the enforcement justice i.e. judgments are not just theoretical but must be backed by authority of the law. It represents that the might of law to protect and punish and ensure a social order.

Lady Justice's scales symbolise the equity and balance of the law which is a fundamental principle of fairness in the legal matters. The scales also have the connections to ancient religious notions of moral judgment. They represent the balance of evidences and arguments brought before the court by both of the parties before giving the judgment.

The robe worn by Lady Justice reflected the legacy of colonial-era of judicial symbolism, while the new attire underscores a deeper connection to Indian Tradition.

THE NEW LADY JUSTICE OF INDIA

Many view that the blindfold Lady Justice symbolized the Colonial tradition and mentality toward our own traditional judicial principles. It's like, they left our country but we were still following their culture and principles in our judicial system. The new Lady Justice in India is nothing but our own pure perspective towards the concept of justice. It showed that an effort by our country to remove the colonial effects in the perspective of justice.

The Open Eye of Lady Justice by removing the traditional blindfold carries an immense significance. The interpretation of Open Eye is that the law is aware and sees everyone equally. The change indicates the fact that Indian Judiciary does understand active engagement in rectifying social issues like- discrimination, inequality and corruption.

The Constitution instead of sword the Constitution of India, which reflecting the commitment of judiciary towards constitutional values and justice. The Sword symbolizes the power to enforce law and punishment whereas the new statue holding the Constitution concentrates on justice with a constitutional foundation suitable for the changing legal structure of India

The transformation from the trends of Western Robe dress to wearing an Indian traditional dress saree signifies a larger transition towards assuming the Indian identity in the judicial institution. It reflects Indian culture and resonates with contemporary Indian society. The entire transformation marks a shift away from colonial legacies towards a more inclusive judicial system.

CONSTITUTIONAL SIGNIFICANCE OF INDIAN JUDICIARY

The new transformation of Lady Justice emphasised transparency, accountability and Commitment to upholding constitutional values. This new depiction highlights the importance of

constitutional principles in case of pursuit of justice. A democratic country like India Constitution in her hand indicates that the justice is deep rooted in constitutional values rather than giving the punishment. The new transformation also showed a commitment to uphold rights and fairness in the eye of constitution against the colonial symbol of authority and violence. the Constitution emphasises the democratic principles and human rights , which is focusing towards the protection and empowerment. Overall it is representing an enlightened approach towards justice which is vigilant, inclusive and deeply rooted in the constitutional value and principles rather than colonial old fashioned idea about blind-impartiality.

CONCLUSION

The unveiling of the new statue conveys a message regarding the role of judiciary in modern India. It thinks about the fact that the Supreme Court can become an open, interactive and socially aware institution. So the new statue of Lady Justice advocates the need for the judiciary to take an affirmative approach while dealing with these issues. It is also going well with the activist approach of the apex court of this era of protecting the constitutional rights in the areas of gender equality, public interest litigation and environmental protection. This new image reminds India that tough our country is going through the complexities in its socio-political landscape, that justice must not only be fair but also constitutionally grounded.

REFERENCES

- Explained: story of Lady Justice, from Greek Origin to today, available at- <https://indianexpress.com/article/explained/explained-law/explained-story-of-lady-justice-from-greek-origins-to-today-9627566>
- Lady Justice: The symbolism, history and colonial legacy of blindfolded statue, available at- <https://www.hindustantimes.com/trending/lady-justice-the-symbolism-history-and-colonial-legacy-of-blindfolded-statue>
- The meaning behind the Lady Justice, available at- <https://heatherandlittle.com/blog/the-meaning-behind-the-lady-of-justice-statue/>