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# ONE MUST IMAGINE JUSTICE SERVED

-Bhavya Shamalia<sup>1</sup>

## ABSTRACT

The concept of justice remains one of the most enduring and enigmatic ideas at the heart of law, philosophy, and society. Law students, especially those at the formative stage of their careers, grapple with understanding justice not merely as an abstract ideal, but as something concrete and achievable. This essay, titled “One Must Imagine Justice Served”, draws inspiration from Albert Camus's existential assertion, “One must imagine Sisyphus happy” suggesting that just as Sisyphus finds meaning in his endless labor, those who seek justice must continually strive for its realization, even if its complete attainment appears elusive. Integrating perspectives from jurisprudence, constitutional, contract, tort, and environmental law, alongside interdisciplinary reflections from philosophy, history, and human rights, the essay explores justice in theory and practice. Through references to Indian legal developments, classroom learning, and moot court experiences, it addresses the practical limits of law, the evolving notion of justice, and why the imaginative pursuit of justice remains both a personal and collective imperative.

Keywords: Justice System, Albert Campus, Sisyphus, Indian Judiciary.

## INTRODUCTION

Justice is a central, yet persistently contested, concept in legal theory and practice. Across centuries, it has been imagined as an ideal standard, a moral imperative, and a practical necessity. In the courtroom, it is often described as the ultimate aim of the legal process. In philosophy, it appears as a complex discourse on moral order, fairness, and the terms of social cooperation. Yet, in the lived experience of law, whether in advocacy, adjudication, or legislation, justice is rarely encountered in perfect form. This tension invites a reconsideration of what it means to say that “justice is served”, and whether such service is a final state or an ongoing process.

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The title of this paper, “One Must Imagine Justice Served”, engages directly with Albert Camus’s reinterpretation of the myth of Sisyphus. Camus’s call to imagine Sisyphus happy, despite the futility of his endless task, provides a provocative lens through which to consider justice. If the complete realization of justice is perpetually deferred, perhaps the practice of law and the act of striving toward justice can themselves be the sources of meaning.

## **CONCEPTUAL FOUNDATIONS OF JUSTICE**

Jurisprudential thought offers diverse visions of justice. Classical accounts such as Plato’s definition, assigning each person their due, and Aristotle’s division between distributive and corrective justice remain influential. Modern approaches, including Benthamite utilitarianism, Rawls’s theory of justice as fairness, and Amartya Sen’s capabilities approach, extend and challenge these ancient notions, highlighting tensions between outcome-focused and process-focused conceptions.

In the Indian constitutional framework, justice is embedded in the Preamble and operationalized through commitments to equality, liberty, and fraternity. Articles 14, 19, and 21 guarantee core civil liberties, while the Directive Principles of State Policy articulate distributive aims. However, the realization of these ideals depends upon political will, judicial interpretation, administrative efficiency, and broader socio-economic structures.

Justice is therefore never monolithic; it acquires distinct meanings across branches of law. Tort law frames it as the provision of remedy for wrongful harm, balancing deterrence and compensation. Contract law safeguards the integrity of voluntary agreements but intervenes when unconscionable terms threaten substantive fairness. Corporate and environmental law expand the scope, linking justice to governance, sustainability, and intergenerational equity.

## **THE PURSUIT OF JUSTICE AS AN ONGOING ENDEAVOUR**

Albert Camus's interpretation of Sisyphus captures the paradox of legal systems: the pursuit of justice is perpetual, its completion elusive. In Camus's existential framework, the value of Sisyphus’s labour lies not in reaching the summit, but in the conscious act of engagement with an unending task.

In the legal domain, each statute enacted, each precedent set, each order enforced represents an upward push of the stone. In certain moments, the pronouncement of a judgment protecting fundamental rights, the imposition of environmental liability, or the abolition of a discriminatory practice, one catches a glimpse of justice momentarily realised. Yet such achievements are never final. Appeals are filed, laws amended, and social realities shift, creating new inequities and challenges. This cyclical nature mirrors Sisyphus's descent back to the base of the hill, ready to begin anew.

## **INDIAN LEGAL STRUCTURES AND THEIR TENSIONS**

The Indian legal system reflects both aspiration and limitation. Recent legislative reforms like the Bharatiya Nyaya Sanhita (2023) and the Bharatiya Nagarik Suraksha Sanhita aim to modernise criminal procedure and promote victim-oriented justice. Yet, practical obstacles, resource scarcity, procedural delays, unequal access to counsel, often hinder fulfilment of these aims.

Personal laws reveal another dimension of the justice paradox. In domains such as marriage, inheritance, and guardianship, emphasis on preserving cultural identity sometimes conflicts with constitutional principles of equality and non-discrimination. Judicial interventions, as in *Shayara Bano v. Union of India*, illustrate the law's potential to re-orient tradition toward constitutional morality, though resistance and gradualism remain defining features of change.

Environmental jurisprudence, developed through cases like *MC Mehta v. Union of India*, demonstrates an expansive reading of Article 21 to include environmental rights. Here, justice is not confined to current generations but encompasses intergenerational stewardship, a vision that recognises ecological stability as fundamental to human dignity.

## **INTERSECTIONS WITH SOCIAL, POLITICAL, AND ECONOMIC REALITIES**

Justice operates within broader societal frameworks. Political structures determine how law is enforced, contested, or subverted. Democratic institutions ideally enable open debate and judicial independence, but political pressures can distort both legislation and adjudication. Historical experience shows that landmark social reforms, including the abolition of untouchability or

expansion of environmental protections, are often products of prolonged activism, negotiation, and legal ingenuity.

Economics constrains and shapes legal justice. Access to litigation, the capacity to mount a defence, and the ability to pursue appeals are conditioned by socio-economic status. Corporate regulation raises questions about the distribution of resources and benefits within society, implicating justice in structures of production and consumption.

International human rights and humanitarian law extend the field further. Issues of refugee protection, accountability for war crimes, and regulation of cross-border corporate activity reveal the difficulty of translating universal rights into enforceable norms. Yet engagement in these areas reflects an aspiration to conceive justice as a global, not merely national, project.

## **PSYCHOLOGICAL AND SYMBOLIC ASPECTS OF JUSTICE**

To further enrich the understanding of justice, it is necessary to attend to its psychological dimensions. The experience of injustice, a feeling of violation, loss, or exclusion, can exert profound effects on individuals and communities, shaping identity and mobilizing action. Conversely, the public perception that justice has been achieved, even if only partially, can restore confidence in institutions and promote civic harmony. This symbolic function of justice is evident in ritualized court proceedings, the ceremonial language of judgments, and the formal pronouncements of constitutional courts.

Scholarly research in social psychology points to the importance of “procedural justice,” that is, the fairness of the processes by which decisions are made, apart from their outcomes. As Tom Tyler and others have shown, even when people lose their claims, their trust in the legal system is strengthened if they perceive that hearings were impartial, that their voices were heard, and that the process was transparent. Indian courts’ evolving commitment to open and reasoned judgments, exemplified by the publication of dissenting opinions, public interest litigation, and the growing use of live court broadcasts, reflects an awareness of justice’s psychological and democratic dimensions.

In sum, the conceptual richness of justice is mirrored in its temporal ambiguity, cultural sensitivity, and psychological resonance. Its pursuit remains central to the identity of law, binding together history and hope, doctrine and experience. This multidimensional analysis affirms that justice is not reducible to a mere result, but must be continually imagined, discussed, and re-enacted within a plural and evolving social world.

## **JUSTICE AS A CONTINUOUS PROJECT**

Seen through the lens of Sisyphus, the work of justice is inherently ongoing. This is not a counsel of despair, but a recognition that justice unfolds as a series of partial, context-specific achievements rather than a fixed endpoint. Successive judgments, reforms, and advocacy campaigns contribute to its incremental construction.

The imaginative act of believing in “justice served” sustains the process, animating both the legal profession and civil society. Each case argued, law reformed, or precedent established can be understood as a step in the ascent. That the summit recedes does not diminish the value of the climb; it underscores that the maintenance of justice requires constant renewal.

## **SYNTHESIS**

The evolving legal landscape in India demonstrates a conscious reimagining of how justice is served, through statutory innovation, technological incorporation, and judicial activism. The process is far from complete, as new forms of crime, resource scarcity, and entrenched social exclusions persist. Yet, the pursuit of justice, mirrored in the labor of the judiciary and the optimism of legislative intent, remains a testament to the vitality of law in a plural, dynamic society.

In keeping with the philosophical thread of this paper, the reform and resilience of India’s legal system illustrate that “justice served” is never a static accomplishment, but a continuous, collective enterprise. Each legislative reform, judicial pronouncement, and administrative innovation constitutes another ascent up the Sisyphean hill, not merely in hope of reaching the summit, but in sustaining the meaning of law itself through persistent action.

## CONCLUSION

To imagine justice served is to embrace its impermanence and its resilience. Philosophical traditions and legal practice alike suggest that justice is less a static condition than a continual negotiation between ideals and social realities. In this negotiation, the struggle itself acquires normative worth. Like Camus's Sisyphus, committed to his endless labour, the pursuit of justice is an affirmation, of principle, of persistence, and of the belief that the very act of striving transforms both the law and those who engage in its service.