

The Evolution of the Legal System in India

Tanarika Venisheety Naga

The Shri Ram School Mousari

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Introduction

India's legal system has changed throughout the flow of time, from prehistoric times to the colonial era to today. The Indian legal system is a complex amalgam of customary rules, colonial legacies, and contemporary legal concepts. Its evolution shows centuries of sociopolitical change and cultural blending.

Imagine the Indian legal system as an enormous banyan tree. Its ancient roots go deep into the lush soil of Vedic traditions and Dharmashastras, taking nourishment and sustenance from the wisdom of the past. As it matures, it intertwines with the trunks of Mauryan and Gupta influences, expanding its branches to correspond with the Islamic ideals introduced throughout the mediaeval period. The colonial era adds structure, like a sturdy scaffolding of British law codes, to shape and sustain the building. Today, the current Indian Constitution is as lofty as the tree's enormous canopy, allowing varied legal concepts and practices to evolve and flourish. The banyan tree, with its many roots and branches, represents the dynamic aspect of India's legal tradition.

This paper highlights the evolution of our legal system, and how the binding rules of a nation have changed. Change in a growing country is pivotal for its advancement- may it be in the economy or societal norms. We see how rules regarding AI would not have been of much importance earlier but are of significant value now that the field has expanded tremendously,

The current growing generation (Gen Z) has strong opinions about the legal system of our country and is usually shunned down. As the budding future, this paper also incorporates the analysed data of their views.

To have a thorough understanding let's start from the beginning.

Vedic Period (1500-500 BCE)

During the Vedic period, the law was inextricably linked with religious and ethical ideas derived from the Vedas and Dharmashastras. The Vedas, notably the Rigveda, contained the first references to social and moral norms, emphasizing duties and good behaviour (Dharma) based on one's social function. The Dharmashastras, notably Manusmriti, expounded on these ideas by defining specific responsibilities for each Varna (social class) and prescribing legal regulations that govern personal, societal, and familial relationships. The Varna system separated society into four classes: Brahmins, Kshatriyas, Vaishyas, and Shudras, each with certain rights and responsibilities. Legal disputes were often settled within the community by councils such as the Sabha (a council of elders) and the Samiti (a general assembly), with the king functioning as the protector of Dharma and enforcer of justice. The king, assisted by Brahmin advisors, was required to preserve regulations that maintained social peace and order. Civil laws addressed concerns like property disputes, contracts, and family matters, whilst criminal laws addressed offences like theft and murder, with punishments aimed at restoring balance. Legal procedures emphasized mediation and reconciliation, reflecting the larger goal of preserving society's order and ethical behaviour. This merger of legal and religious standards during the Vedic period created a basic legal framework that affected subsequent legal developments in India.

Maurya (322-185 BCE) and Gupta Empires (320-550 CE)

The development of the Mauryan Empire was a turning point in Indian history since it was the first to achieve both political and administrative dominance. The King served as the court's chief executive. He served on the highest appellate court and personally heard people's appeals. The King could not resolve every issue due to the size of the Mauryan Empire. He thus appointed judges temporarily. However, the legal system underwent numerous modifications throughout Ashoka's rule. For instance, pardoning was first practiced during his lifetime.

The Guptas governed a significantly more advanced judicial system than in previous eras. This was the time when several law books were compiled and the lines between civil and criminal law were established for the first time. Criminal law applied to theft and adultery, whereas civil law addressed property issues involving different kinds of assets. There were complex inheritance laws established.

The King was responsible for upholding the law and resolving legal matters alongside Brahman priests, judges, and ministers. The court made decisions based on legal texts, societal conventions, and the King's discretion.

Delhi Sultanate (1206-1526) and Mughal Empire (1526-1857) The legal system of the Delhi Sultanate and Mughal Empire, as well as Islamic law, had a great impact on the rise of India's mediaeval legal system, which brought about several advancements and modifications over that

of the previous age. The centralised nature of administration was a significant development that resulted in more consistent laws and regulations throughout large areas. Islamic law provided a thorough and systematically applied legal framework during the mediaeval era, in contrast to the ancient laws that were drawn from a variety of religious scriptures.

A highly skilled judiciary with qualified judges (Qazis) knowledgeable in legal doctrine and judicial practice was also established during this era, resulting in more dependable and knowledgeable decision-making. The introduction of a hierarchical legal system comprising lower appellate courts and municipal courts enhanced the effectiveness and consistency of the legal framework. Islamic law placed a strong emphasis on justice and equity, which helped to create a more orderly and just legal system. Furthermore, the welfare of the public and justice were important concerns for mediaeval rulers, especially those of the Mughal dynasty.

Akbar's government was renowned for combining many legal systems and placing the needs of the people first.

The systematic recording of legal transactions, judicial procedures, and judgements improved the consistency and transparency of legal affairs. The ubiquity of formal legal documents and written contracts decreased the uncertainty and disagreements associated with oral agreements. A more inclusive legal framework that served a heterogeneous populace was created by the mediaeval legal system's mix of Islamic, Persian, and regional Hindu legal traditions. Islamic rulers established laws into place to safeguard the rights of non-Muslims, or dhimmis, giving them some legal autonomy under their religious laws but keeping them under the general jurisdiction of state laws.

These improvements marked a significant departure from the more dispersed and varied legal procedures of the ancient era and made the legal system more sophisticated, equitable, and effective in handling the problems of a diverse and developing society.

British Colonial period (1858- 1947)

British imperial policies influenced the evolution of the Indian legal system throughout the British colonial era. The legal system was drastically altered during British administration to conform to English common law, which placed more emphasis on court rulings than on religious or customary standards. The goal of this change was to give the subcontinent's legal system uniformity so that British authorities could more easily control and administer the region. Comprehensive codes that standardised legal processes and defined offences and punishments were introduced with the adoption of the Indian Penal Code (1860), the Code of Civil Procedure (1908), and the Code of Criminal Procedure (1898). These codifications marked a break from the disorganised and frequently unofficial legal processes of the pre-colonial era by bringing

consistency and predictability to judicial rulings.

Institutional developments during British colonial control included the creation of a separate executive branch and a hierarchical judiciary with High Courts in important provinces. In contrast to the close convergence of political and religious authority observed in ancient India, this division attempted to guarantee judicial independence and impartiality in decision-making. Additionally, British administrators promoted the idea of the rule of law, which challenged established hierarchical legal systems by highlighting the idea that all people should be treated equally under the law regardless of their caste, religion, or social standing.

The British made it easier for a contemporary legal profession to develop, one in which English law-trained solicitors represented clients in court. The foundation of India's contemporary economy and social structure was the emergence of ideas like property rights, contract law, and individual rights. There have been clashes between traditional beliefs and colonial legal systems as a result of these reforms, which were also criticised for occasionally damaging local legal traditions and forcing Western ideals on Indian society.

Despite criticism, the British colonial legal legacy continues to shape India's legal system today. India's current legal system was made possible by the codification of laws, the creation of an independent judiciary, and the advent of legal professionalism. Following independence, India modified and developed its legal system, utilising both native legal customs and colonial legacies to meet modern issues while preserving the values of justice, equality, and the rule of law.

India Post Independence

With the enactment of the Indian Independence Act of 1947, India became a Dominion, and the Dominion Legislature made laws from 1947 to 1949 in accordance with Section 100 of the Government of India Act of 1935, as amended by the India (Provisional Constitution) Order 1947. Parliament and the State Legislatures have legislative power under India's Constitution, which went into effect on January 26, 1950.

Following independence, a number of legal changes and legislation took place to address various sectors of civil, criminal, economic, social, and environmental law. Notable among these were the Hindu Code Bills of the 1950s, which modified Hindu personal law, the Special Marriage Act of 1954, which permitted inter-religious and civil weddings, and the Dowry Prohibition Act of 1961, which attempted to abolish the dowry system. Economic and social laws included the Industrial Disputes Act of 1947, which governs labour relations, and the Right to Information Act of 2005, which promotes transparency and accountability in government. Environmental legislation, such as the Water (Prevention and Control of Pollution) Act of 1974 and the Environment (Protection) Act of 1986, went into effect to protect and improve the environment.

Judicial modifications included the expansion of Public Interest Litigation (PIL) in the 1980s, which allowed individuals and groups to file petitions on behalf of the public interest, encouraging judicial activism. The collegium system for appointing judges was intended to promote judicial independence, however, the proposed National Judicial Appointments Commission (NJAC) was eventually overturned by the Supreme Court.

In contrast, the colonial legal system in India was intended to support British colonial interests. In the mid-19th century, the British enacted key legislation such as the Indian Penal Code (IPC) and the Criminal Procedure Code (CrPC), which focused on safeguarding law and order to facilitate colonial administration and control. British legal traditions largely impacted civil laws, and they failed frequently to reflect the social and economic realities of Indian society. Furthermore, the judicial system was marked by a lack of attention on human rights and social justice, with laws like the Rowlatt Act of 1919 exemplifying the harsh means used to quell dissent.

The Constitution established the foundation of the Indian legal system, directing legislative and judicial acts to create an equitable and progressive nation. This transformative approach distinguishes considerably from the colonial past when the legal system was mainly utilised for control rather than justice and value.

The process of adapting to new laws after independence is analogous to a nation shedding its old skin and emerging revitalised, ready to safeguard and nurture the rights and ambitions of its diverse population. Through this dynamic evolution, India gradually established a legal system that better reflected its democratic ideals and people's demands.

Amendments

According to the Merriam-Webster dictionary, an amendment is simply the process of altering or amending a law or document (such as a constitution) by parliamentary or constitutional procedure. The Indian Constitution has been amended multiple times following changing social, economic, and political circumstances, as well as specific legal issues and court interpretations.

Some significant amendments are:

The First Amendment (1951) established constraints on free speech to maintain public order, decency, and morality. Article 19 of the Constitution, which guarantees certain liberties, now includes appropriate constraints.

The Seventh Amendment (1956) redefined boundaries and altered state representation in the Rajya Sabha (Council of States).

The Ninth Amendment (1960) established land reform regulations to abolish the zamindari system and compensate landowners.

The Twenty-First Amendment (1967) authorised the acquisition of estates for specific reasons.

The Forty-Second Amendment (1976) introduced fundamental duties for citizens, modifications to the Preamble, and limited judicial scrutiny of constitutional amendments.

The Forty-Fourth Amendment (1978) limited the President's capacity to issue ordinances during parliamentary recess.

The Seventy-Third Amendment (1992) granted constitutional status to Panchayati Raj institutions, promoting decentralisation and local self-governance.

The Seventy-Fourth Amendment (1992) granted constitutional status to municipalities, promoting decentralisation and local self-government.

The Eighty-Sixth Amendment (2002) included Article 21A, making free and compulsory education a basic right for all children aged 6-14.

The Ninety-First Amendment (2003) freezes constituency delimitation until the first census following 2026.

The Ninety-Sixth Amendment (2011) added Article 124A to establish the National Judicial Appointments Commission.

Land Mark Cases

Landmark cases in India are judicial decisions that have had a substantial impact on the interpretation and implementation of law, hence altering the legal landscape and influencing later decisions. Some of these cases in a gist are:-

AK Gopalan vs. State of Madras (1950), the Supreme Court ruled on the legitimacy of preventive detention provisions under the Indian Constitution. The Court interpreted Article 22, which addresses the rights of imprisoned persons, and determined that preventative detention did not infringe fundamental rights unless it was demonstrated to be arbitrary or unconstitutional.

The **Berubari Union case (1960)** involved a territorial dispute between India and Pakistan regarding the Berubari Union and surrounding territory. The Supreme Court determined that a treaty could not alter India's territorial limits without a constitutional amendment.

Eventually, the dispute was resolved through diplomatic negotiations.

Kesavananda Bharati v. State of Kerala (1973) This seminal judgement established the fundamental structural doctrine of the Constitution. The Supreme Court ruled that, while Parliament can amend the Constitution, it cannot change its fundamental structure, which includes aspects such as federalism, secularism, and democracy. This ruling limited Parliament's modifying ability.

Indira Nehru Gandhi v Raj Narain (1975) This case is famous for the Supreme Court's judgement to declare then-Prime Minister Indira Gandhi's election to the Lok Sabha (lowerhouse of Parliament) invalid owing to electoral malpractice. This decision has far-reaching political ramifications, emphasising the judiciary's responsibility in maintaining electoral integrity.

Maneka Gandhi vs Union of India (1978) In this case, the Supreme Court broadened the reach of Article 21 (Right to Life and Personal Liberty) of the Constitution. The Court concluded that the right to life includes the freedom to travel abroad, emphasising that any law restricting human liberty must be based on natural justice and fairness.

Justice K.S. Puttaswamy (Retd.) vs. the Union of India (2018) This landmark judgement, often known as the Aadhaar case, examined the constitutional legality of the Aadhaar (Targeted Delivery of Financial and Other Subsidies, Benefits, and Services) Act, 2016. The Supreme Court maintained Aadhaar's legitimacy while imposing restrictions to protect the right to privacy, which is a basic right under Article 21 of the Constitution. The decision emphasised the significance of combining national security and welfare goals with individual privacy rights.

These cases are key milestones in Indian jurisprudence, influencing constitutional interpretation, fundamental rights, electoral procedures, and governmental authorities. They illustrate the judiciary's critical role in ensuring the rule of law and democratic norms in India.

Current legal structure (2024)

India's legal framework now is a concoction of what has formed after the layers of historical correction and change. At its very core is India's Constitution, which was adopted on January 26, 1950, and established the country as a sovereign, socialist, secular, and democratic republic.

India's legislative system is federal, with a bicameral parliament at the national level comprised of the Lok Sabha (House of the People) and the Rajya Sabha (Council of States). Each of India's 28 states and 8 Union Territories has its own legislature, which reflects the federal system while allowing for laws customised to local requirements and conditions. Over the decades following independence, India has passed various laws and experienced substantial legislative reforms to address a wide range of challenges.

The Indian Penal Code (IPC) and the Criminal Procedure Code (CrPC) are the cornerstones of criminal law, governing offences and procedures within the criminal justice system.

Amendments to these laws have been proposed to handle new forms of crime, improve procedural fairness, and conform to international standards. Amendments, for example, have tightened legislation against sexual offences, cybercrime, and crimes against marginalised individuals in response to changing societal norms and difficulties.

Civil law legislation such as the Indian Contract Act, Transfer of Property Act, and Specific Relief Act establish the legal foundation for contracts, property transactions, and civil remedies. Amendments to these laws have tried to modernise legal concepts, ensure fairness in commercial dealings, and protect the rights of individuals and corporations.

Socially, India has seen dramatic changes in personal laws, particularly with the passage of the Hindu Code Bills in the 1950s. This legislation attempted to reform and codify Hindu personal law, such as marriage, divorce, succession, and maintenance, to foster gender equality and social justice within Hindu communities. Similar reforms have now been extended to other religious communities, however, personal laws remain a source of controversy and reform initiatives.

The Supreme Court of India is the country's highest court, responsible for interpreting the Constitution, upholding the rule of law, and protecting fundamental rights. State High Courts and subordinate courts around the country handle civil and criminal disputes at the regional and district levels, giving critical access to justice for India's enormous and diverse population. The judiciary has an important role in protecting individuals' rights, settling disputes, and enforcing accountability in governance through procedures such as Public Interest Litigations (PILs).

Economically, India's legal structure is strong, with laws covering labour relations, industrial disputes, taxation, intellectual property rights, and environmental protection.

Recent developments in India's legal system include digital initiatives aiming at improving transparency, efficiency, and access to justice. The implementation of e-courts, electronic case management systems, and online filing methods has simplified judicial procedures and decreased bureaucratic delays. These technological improvements have also allowed for increased public participation in court procedures, improving the overall efficiency of the justice delivery system.

Research Methods

Introduction

The present research work aimed at understanding current perceptions of the Indian legal system, with the help of respondents from various quarters. This chapter explains the methodology

followed in the research, processes, and data collection, analyses, and interpretation of the data gathered. It depicts the research design, method of sampling, method of data collection, and techniques of data analysis used in the present study.

Research Design

The study used a quantitative research design and collected empirical data on public perception regarding the Indian legal system. A survey questionnaire was chosen as the primary tool due to its easy access to a large audience and in collecting standard data that is easily quantified and analyzed.

Sampling Method

Non-probability purposive sampling was conducted to add credibility that the sample contained subjects who are knowledgeable or have an opinion concerning the Indian legal system. Non-probability purposive sampling is choosing participants with particular features or criteria important to the research objectives. In this study, it meant individuals who have had interactions with the legal system, legal professionals, and those who are interested in legal matters.

Rationale for Non-Probability Purposive Sampling:

- 1. Relevance:** The experiences sought were those seen to be of students directly or indirectly with the legal system. Hence, the data collected was relevant and rich in information.
- 2. Diversity:** This method allowed for the inclusion of a diverse range of perspectives, which is essential for a comprehensive analysis of the Indian legal system.

Data Collection Instruments

The design for the study was quantitative in nature, and the main research instrument used was the structured questionnaire. This questionnaire sought to identify interviewee perceptions concerning the Indian legal system about confidence, fairness, accessibility, reflection of societal values, transparency, and protection of rights. Survey questions are both open and closed in nature; they would help in both quantitative data collection and qualitative data collection.

Questionnaire Design:

1. Closed-Ended Questions: These questions used a Likert scale to measure respondents' perceptions on a scale of 1 to 5, where 1 indicated strong disagreement or negative perception, and 5 indicated strong agreement or positive perception. These questions covered:

- Overall confidence in the legal system
- Perception of fairness in legal proceedings
- Accessibility of justice
- Reflection of societal values in laws
- Transparency of legal processes
- Protection of rights for individuals from different socio-economic backgrounds

2. Open-Ended Questions: These questions allowed respondents to provide detailed feedback and suggestions for improving the legal system. This qualitative data provided context and depth to the quantitative findings.

Data Collection Process

The survey was distributed online to numerous respondents. Online means offered the respondents an easy time choosing when to undertake the activity, hence the probability of active participation. The link was shared through social media, email, and professional networks, inviting people with experience and knowledge in the area under investigation.

Steps in Data Collection:

1. **Preparation:** The survey questionnaire was prepared and pre-tested to ensure clarity and relevance. Pre-testing involved sharing the survey with a small group of respondents and making necessary adjustments based on their feedback.
2. **Distribution:** The survey was distributed using online survey tools. Invitations to participate were sent out through email lists and social media groups.
3. **Collection:** Responses were collected over a period of four weeks to allow sufficient time for participation. Regular reminders were sent to increase the response rate.

Data Analysis

The collected data was analyzed using both descriptive and inferential statistical methods. Descriptive statistics provided an overview of the respondents' perceptions, while inferential statistics helped identify patterns and relationships between different variables.

Steps in Data Analysis:

1. Data Cleaning

The raw data underwent a reviewing process to eliminate incomplete or inconsistent responses. This ensured that the analysis was based on reliable and valid data.

2. Descriptive Statistics

Measures of central tendency such as the mean, median, mode, and standard deviation were calculated to describe the perceptions that respondents have in the study.

Additionally, frequency distributions were developed to show the distribution of responses over various categories.

3. Inferential Statistics

A correlation analysis was done on a few variables concerning the legal system to check for relationships, that is, confidence, fairness, and accessibility. This helps in determining significant trends and information.

4. Qualitative Analysis

Thematic analysis was conducted on open-ended responses to discover common themes and recommendations. Qualitative data helped me understand more in depth about the quantitative findings more.

Ethical Considerations

Integrity of the research was followed which meant not to disclose personal information. Respondents were made aware of the purpose of this study and its non-mandatory nature.

Anonymity in responses was maintained and due care was taken that personal information is not obtained.

Key Ethical Considerations:

- 1. Informed Consent:** The purpose of the study was communicated to respondents.
- 2. Confidentiality:** Data collected for this survey had the appropriate level of anonymity, whereby individual responses could not be traced back to the participant.

Limitations

Although the study does give relevant insights into the perception of the Indian legal setup by

members of the public, the following limitations need not be entirely overlooked:

1. **Sampling Bias:** The non-probability purposive sampling technique is open to bias as it does not take into account the larger population.
2. **Self-Reported Data:** Self-reporting data from the survey may be subject to several biases, including social desirability or recall bias.
3. **Limited Scope:** This research only focuses on some features of the legal system; other relevant issues, therefore, might be left out.

Results and Interpretation

Questionnaire:

The questionnaire consisted of 8 distinct questions. 7 as objective questions and 1 as a subjective question. The questions were as follows:

1. Age
2. How would you describe your overall confidence in the Indian legal system?
3. What is your perception of the fairness of legal proceedings in India?
4. How accessible do you find justice in India?
5. To what extent do you believe that Indian laws reflect the values and aspirations of society?
6. What is your opinion on the transparency of legal processes in India?
7. In your view, how well does the Indian legal system protect the rights of individuals from different socio-economic backgrounds?
8. What improvements would you like to see in the Indian legal system? (subjective type question)

Summary of Responses:

1. Confidence in the Indian Legal System:

- **Neutral:** 4 respondents
- **Not Confident:** 1 respondent

2. Perception of Fairness:

- **Often Unfair:** 2 respondents
- **Sometimes Fair:** 1 respondent
- **Neutral:** 2 respondents

3. Accessibility of Justice:

- **Neutral:** 2 respondents
- **Not Accessible:** 1 respondent
- **Moderately Accessible:** 2 respondents

4. Reflection of Society's Values in Laws:

- **Not at All:** 1 respondent
- **Neutral:** 2 respondents
- **To Some Extent:** 2 respondents

5. Transparency of Legal Processes:

- **Neutral:** 4 respondents
- **Not Transparent at All:** 1 respondent

6. Protection of Rights for Different Socio-Economic Backgrounds:

- **Poorly:** 1 respondent
- **Neutral:** 3 respondents
- **Adequately, with Some Gaps:** 1 respondent

Suggested Improvements:

- **Fairness and Proper Representation:** Emphasized by one respondent.
- **Honesty, Loyalty & Sincerity in Politicians:** Suggested by another.
- **Specific Teams for Support:** Mentioned for creating and supporting marginalized groups.

Insights:

- **Overall Confidence:** Generally neutral to lacking confidence.
- **Perceived Fairness:** Mixed views, but leaning towards fairness issues.
- **Accessibility:** Mixed responses, with some indicating significant barriers.
- **Values and Aspirations:** The majority feel that laws reflect societal values to some extent or neutrally.
- **Transparency:** Predominantly neutral or negative views on transparency.
- **Protection of Rights:** Mostly neutral with recognition of some inadequacies.

The responses indicate a general sense of neutrality and dissatisfaction with various aspects of the Indian legal system, particularly in terms of fairness, transparency, and accessibility. There are calls for more fairness, proper representation, and accountability within the system.

DESCRIPTIVE STATISTICS:

	confidence_ numerical	fairness_ numerical	accessibility_ numerical	values_reflection_ numerical	transparency_ numerical	protection_ numerical
count	13	13	13	13	13	13
mean	2.307692	1.384615	2.230769	2.846154	1.615385	2.230769
std	0.480384	0.50637	0.438529	1.344504	0.960769	0.438529
min	2	1	2	1	1	2
25%	2	1	2	1	1	2
50%	2	1	2	3	1	2
75%	3	2	2	4	3	2
max	3	2	3	4	3	3

Descriptive Statistics:

The descriptive statistics provide a summary of the responses, highlighting the mean, standard deviation, minimum, maximum, and quartiles for each numerical category. The key observations are:

1. Confidence in the Legal System:

- Mean: 2.31
- Standard Deviation: 0.48
- Range: 2 to 3
- The majority of responses are low, indicating a general lack of confidence.

2. Perception of Fairness:

- Mean: 1.38
- Standard Deviation: 0.51
- Range: 1 to 2
- Indicates a general perception of unfairness in legal proceedings.

3. Accessibility of Justice:

- Mean: 2.23
- Standard Deviation: 0.44
- Range: 2 to 3
- Indicates moderate accessibility, with room for improvement.

4. Reflection of Society's Values in Laws:

- Mean: 2.85
- Standard Deviation: 1.34
- Range: 1 to 4

- Mixed responses, but generally reflecting society's values to some extent.

5. Transparency of Legal Processes:

- Mean: 1.62
- Standard Deviation: 0.96
- Range: 1 to 3
- Indicates a perception of low transparency.

6. Protection of Rights:

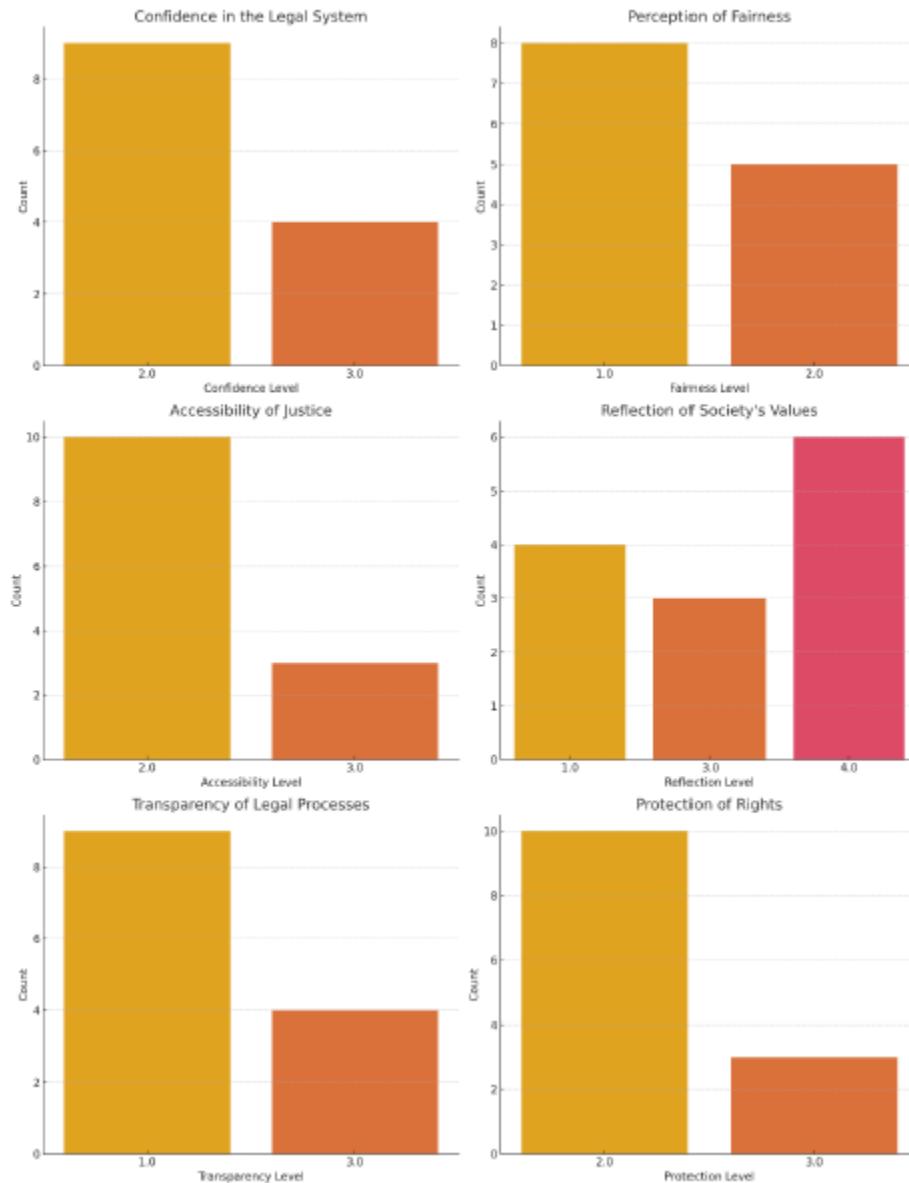
- Mean: 2.23
- Standard Deviation: 0.44
- Range: 2 to 3
- Mixed responses, indicating adequate protection with gaps.

Correlation Analysis:

The correlation matrix reveals the relationships between different aspects of the legal system:

1. **Confidence and Accessibility:** Moderate positive correlation (0.426), indicating that as perceived accessibility increases, confidence also tends to increase.
2. **Confidence and Protection:** Moderate positive correlation (0.426), suggesting that better-perceived protection of rights increases confidence.
3. **Fairness and Values Reflection:** Positive correlation (0.339), implying that perceived fairness is associated with laws reflecting societal values.
4. **Accessibility and Transparency:** Moderate positive correlation (0.426), indicating that better accessibility is associated with higher perceived transparency.
5. **Values Reflection and Transparency:** Moderate positive correlation (0.466), suggesting that when laws reflect societal values, transparency is perceived to be higher.

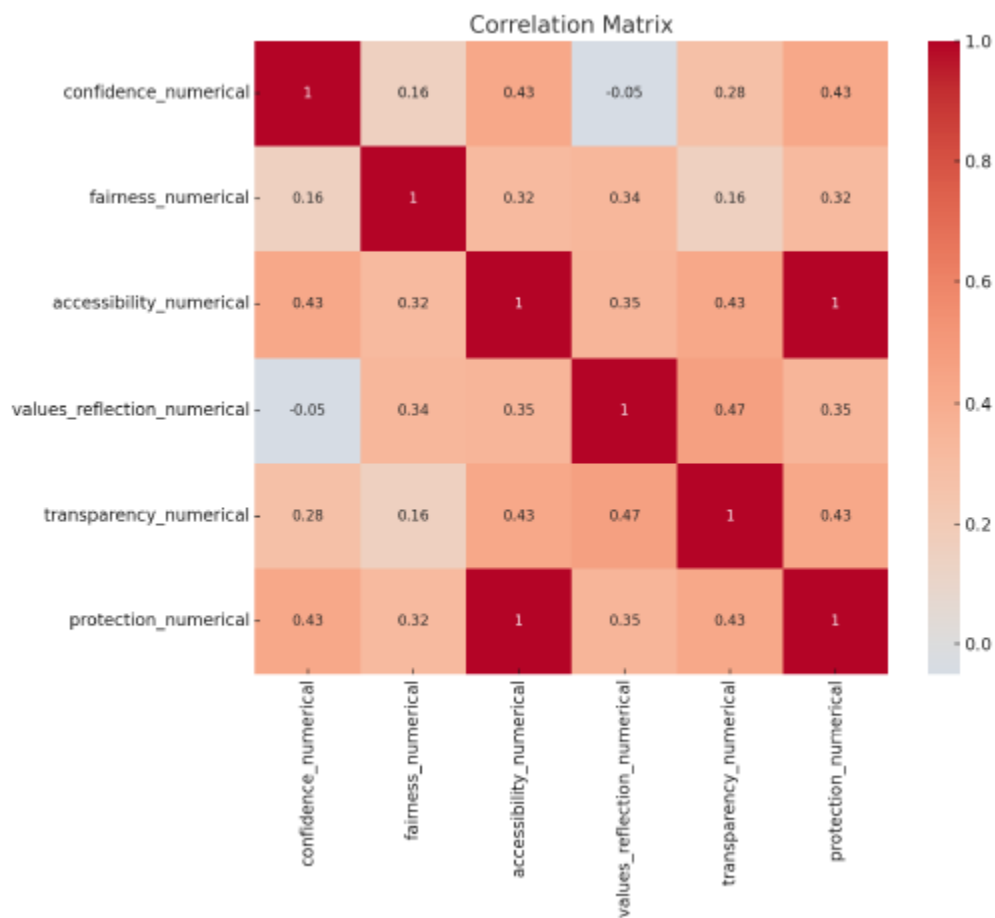
VISUAL ANALYSIS



Bar Charts:

- **Confidence in the Legal System:** Most responses are concentrated at the lower end, indicating a general lack of confidence.
- **Perception of Fairness:** Predominantly perceived as unfair, with the majority of responses at the lowest level.

- **Accessibility of Justice:** Responses show moderate accessibility, with a notable number indicating a lack of accessibility.
- **Reflection of Society's Values:** Mixed responses, with some feeling that the laws reflect societal values to some extent.
- **Transparency of Legal Processes:** The majority of responses indicate low transparency.
- **Protection of Rights:** Responses suggest mixed perceptions, with many indicating gaps in protection.



Correlation Matrix Heatmap:

- The heatmap visualizes the correlation between different aspects of the legal system.
- **Strongest Correlations:**

- **Accessibility and Protection:** High correlation, indicating that better accessibility is strongly associated with better protection of rights.
- **Values Reflection and Transparency:** High correlation, suggesting that when laws reflect societal values, transparency is perceived to be higher.
- **Confidence and Protection/Accessibility:** Moderate correlations, indicate that higher confidence is associated with better-perceived protection and accessibility.

Discussion

Overview of Findings

This chapter bases the findings on the survey carried out to understand the present perception of India's legal system among a variety of respondents. The study was aimed at measuring the confidence, fairness, accessibility, reflection of societal values, transparency, and protection of rights within the Indian legal framework. These contemporary results supplement the historical evolution reported in the earlier chapters.

Confidence in the Indian Legal System

These survey results show that, in general, the confidence level in the Indian legal system is low; the mean score is 2.31 out of 5. This low confidence level might indicate significant reforms to bring back public trust because of the historical influence of colonial legacies and complicated amalgamations of customary, colonial, and contemporary legal concepts. "Though legal reforms of varied categories have taken place after independence, the system still suffers from inefficiencies, corruption, and delays. This probably would be why the samelack of confidence."

This can be better understood if viewed from a historical perspective. The British colonial period prepared a legal base through common law and applied English common law on top of the existing traditional and customary laws of the country. It naturally created confusion and inefficiencies arising out of this hybrid legal system. Post-independence, the frame of law of India remained much of the colonial one while trying to get integrated with indigenous practices. This further erodes public confidence, seeing that the colonial residue in the bureaucratic system and procedural delay continues even after modernization and democratization of the legal system.

Perception of Fairness

The perception of fairness on the part of legal proceedings notably stands at a mean of 1.38. This, therefore, implies that many respondents view the system to be often unfair and partial. With the trend of issues being discussed, history has influenced the Indian Legal System with the

various rulers and their traditions of the rule of law, making it sometimes favor one group over another. This may be drawn from current issues relating to judicial corruption, political influence, and unequal treatment based on one's socioeconomic status. The low perception of fairness could be traced back to the era of the Maurya and Gupta Empires, in which the legal system was deeply entwined with the hierarchical structure of society. This aimed at order and justice; however, the legal system was often the mirror image of existing social stratification. The coming of Islamic law during the period of the Mughals, when it was superimposed on the existing legal situations, certainly did not make life fair for all. In the British colonial era, the imposition of a legal system that served their interest and local customs was ignored and with the prime policy of control, fairness had no place.

Post-independence, India has significantly made headway in the legislation of laws geared toward equality and justice. Their application remains uneven to date. The occurrence of high-profile cases involving judicial corruption and political interference has further diminished the fairness that the public expects. Though the judiciary has been instrumental in upholding electoral integrity and constitutional rights, some of these are overshadowed by bias and favoritism.

Accessibility of Justice

The responses to the survey reveal a relatively moderate perception regarding the accessibility of justice, with a mean average of 2.23. Although some claim justice to be moderately accessible, there are still many barriers against the most marginalized groups. Such an argument could be forwarded against India's legal systems given its historical context originating from highly hierarchical and often inflexible social structures. Steps to make justice accessible, like in the form of e-courts, legal aid services, etc., initiated by the government, are good but need more impetus to ensure widespread availability.

Accessibility is nothing new to the Indian legal setup. In the Vedic period, the legal disputes were set through community settlement, which made justice more within the approach of higher social strata. On the other hand, the marginalized sections had very little scope or approach for redressal. This trend was continued up to the Maurya and Gupta periods, where the social and economic status had influenced the legal decisions. While the British colonial period brought some structure into the legal system, access remained a considerable matter of concern.

The language barrier, procedural rigors, and cost of legal services hindered the availability of justice to an average Indian. After independence, India has tried to cover these inadequacies through legal aid services and reform the procedure of laws to simplify the same.

Socio-economic barriers, as well as lack of awareness regarding legal rights, are still significant obstacles for the majority of the populations to access justice.

Reflection of Societal Values in Laws

A mean score of 2.85 averaged on the law of India reflecting the value in society, which implies that some laws reflected the value in society, though not up to par. The evolution of the Indian legal system has been from the ancient Dharmashastras to contemporary constitutional provisions; therefore, there is a dynamic interaction between tradition and modernity. On the contrary, this calls for constant updating of the legal framework to better resonate with the developing values and aspirations of society.

The Indian legal system has always reflected the culture and social fabric of this great land of diversity. Even the legal principles that the ancients guided Dharmashastras in the Vedic period were heavily soaked with religious and ethical values. These texts have emphasized duties and good behaviour—a reflection of the moral values of the time. During the Maurya and Gupta periods, there emerged administrative laws focused on the maintenance of social order and justice, which mostly mirrored the social stratification then.

Islamic law during the Mughal era introduced new legal principles coexisting with Hindu laws, making the legal mosaic a complex one. During the British colonial period they added further layers by introducing common law principles, which sometimes came into sharp conflict with local customs and values. Post-independence, the Indian Constitution emerged as a document that purportedly sought to encapsulate in spirit the aspirations of a newly independent nation and, in the letter, the trio of 'justice, equality and fraternity.' There is, however, a gap between the legal framework and the societal values that such law tries to represent.

Evidence of this is shown in the ongoing debates on gender equality, LGBTQ+ rights, and religious freedoms, which all point to more inclusive laws and the representation of contemporary values. The responses to the survey suggest that there has been work done and yet the journey is long to see that the laws reflect the diverse values and aspirations of Indian society.

Transparency of Legal Processes

The mean score for transparency in legal processes was 1.62, which means that the respondents' perception was that the process was generally not transparent. This further confirms previous historical criticisms about the legal system being opaque and remote from the ordinary person. However, some efforts have been channelled into opening up the system so that greater transparency might be engendered—chiefly through digitization and the increasing availability of legal information to the public—much remains to be done toward truly democratizing this system.

Historically, the Indian legal system has suffered from a great deal of lack of transparency. Legal

proceedings during ancient and medieval times were often held in private, with the decisions vested in a few elites or religious heads. The British colonial period witnessed a more formalized legal system. Still, even then there was minimal transparency, with legal proceedings and decisions often locked up in red tape and out of reach for the commoner.

Post-independence, there have been various forms of reform carried out to make transparency better. Essential to achieving transparency and accountability in governance was the Right to Information Act of 2005. However, the availability of information and the performance of its processes openly and transparently have still been challenged by the legal system.

These have shown the need for upping the game for better transparency. This would not only be related to making legal information more publicly available but also in terms of ensuring that legal proceedings are held and heard transparently. In this respect, e-courts and online case management systems deserve particular importance as two great tools for increasing transparency. But these need to be fully and inclusively rolled out.

Protection of Rights

The response received an average mean score of 2.23 regarding the question of protecting the rights of all people, irrespective of their socioeconomic status. The mixed responses highlight the challenges of ensuring equal protection under the law. The historical context of the Indian legal system—with its varied influences and periods of hierarchical rule—continues to impact the perceived and actual protection of rights. While some of these issues have been corrected with the support of the judiciary, which has increased in activism in recent years and through public interest litigations, there is still a need for far-reaching reforms whereby equitable justice can be guaranteed across the board to all citizens.

However, a fair share of protection of rights has been the main issue throughout history in the Indian legal system. During the Vedic period, rights and duties were related to a particular social status and caste; it made much differentiation in terms of protection under the law. The subsequent periods of Maurya and Gupta brought more structured legal systems, but the social hierarchies still influenced the protection of the rights.

There was indeed some improvement made during the Mughal period to protect the rights conferred under Islamic law. Non-Muslims, under a dhimmi system, although it emphasized justice and equity, remained under a limited regime. The British colonial rule also introduced a few laws, most of which tried to provide equal protection under the law. Still, their intentions were more in control and maintaining order than conferring new rights.

Post-independence, the Indian Constitution provided a framework for guaranteeing fundamental

rights and equality. The fillip given to this guarantee was by a series of landmark cases such as Kesavananda Bharati vs. State of Kerala and Maneka Gandhi vs. Union of India. However, responses from the survey indicate that the gap in proper protections concerning certain marginalized groups persists.

Efforts to tackle such problems include the device of judicial activism, public interest litigation, and legal reforms directed at social justice. However, these efforts need to be sustained and spread far and wide so that the justice delivery system under the rule of law accords equal protection of the law to each citizen, regardless of their socio-economic background.

Public Suggestions for Improvement

Some improvements suggested by qualitative feedback were an increase in fairness, honesty, and support for oppressed groups. These point out to the general public wanting a very just and inclusive system. To do this, changes are required not only at the level of legislation but also in systemic reforms that would decrease corruption, enhance judicial responsibility, and allow for legal procedures to be made accessible for all.

Public feedback can mould a legal system that serves society according to its needs and aspirations. The proposed improvements harbour this spirit of the legal system being fair, transparent, and inclusive. It goes well with historical efforts to reform the legal system to be more responsive to the needs of the people.

To begin with, an area to work on would be making the judicial system more transparent and less corrupt. In this regard, technological implementations through e-courts, online case management systems, and such provide an approach. However, steps in this direction are not to be the privilege of one segment of society. Transparency and openness of legal processes for scrutiny may increase public trust and perceptions of fairness.

Another important suggestion from this public feedback is the need for more attention and support toward the representation of marginalized groups. In the history of time, these classes have been often obscured by the legal system: lower castes, tribal groups, and minorities on religious grounds. Hence, the formulation of inclusive policies will ensure that all citizens, irrespective of their social group, have equal access to legal resources and representation. The extended legal aid services need awareness campaigns to inform the marginalized communities of their legal rights. The public has also desired further fairness and truthfulness in judicial systems. This can be brought about by stringent anti-corruption measures, constant audits, and accountability mechanisms that judges and legal professionals must keep to have the highest degree of ethics. With this done, malpractice may be contained when independent oversight bodies are established.

Repeal of Section 377 and Current Generation Views

The repeal of Section 377, which decriminalized homosexuality in India, is a landmark case that aligns with the progressive views of the current generation. This decision by the Supreme Court of India in 2018 was a significant step towards recognizing and protecting the rights of the LGBTQ+ community. The survey indicates a positive outlook among respondents regarding this change, reflecting a broader shift towards inclusivity and equality in Indian society.

The repeal of Section 377 can be seen as a testament to the evolving nature of the Indian legal system, which is increasingly responding to contemporary societal values. It highlights the role of the judiciary in protecting minority rights and ensuring that the legal framework keeps pace with changing social norms. This case serves as a model for future legal reforms that aim to promote human rights and social justice.

Conclusion

The evolution of law in India demonstrates the country's dynamic and adaptable legal system, which is shaped by its rich historical legacy, various socioeconomic requirements, and democratic values. India has come a long way since it was declared an independent nation in 1947, building a strong legal system that respects the values of justice, equality, and liberty enshrined in its Constitution. The transition from colonial legal legacies to a contemporary, democratic legal system has been characterised by seminal rulings, incremental modifications, and the creation of organisations that protect the liberties and rights of its people.

This growth has been facilitated by significant constitutional changes and precedent-setting court decisions that have addressed modern issues, expanded fundamental rights, and advanced social justice. The judiciary has consistently interpreted and upheld the Constitution, ensuring that the laws of the land reflect changing ambitions and ideals in Indian society. Furthermore, the adoption of new technology and digital initiatives has improved the legal system's efficiency, accessibility, and transparency—bringing justice closer to the people.

India's legal system continues to be a pillar of its democratic culture, attempting to strike a balance between tradition and modernity, individual rights and collective welfare, even as the country struggles to manage the challenges of the twenty-first century. The continuous process of legal adaptation and reform highlights the strength and progressiveness of India's legal system and reaffirms the country's dedication to creating a society that is inclusive, just, and equitable. India's legal system has developed over time, reflecting not only the country's past but also its future, guaranteeing that justice is done and will be seen to be done for many generations to come.

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