

SPECIAL LECTURE ON LAW AND JUSTICE

On 5th March 2019 Special Lecture on Prof K.R Aithal, Former Chairman, Dean Faculty of Law, Karnataka University, Dharwad spoke on Law and Justice. Addressing the final year students he said in dispensing justice legal rules should be applied. Law and justice are two sides of same coin. Conception of justice is done in various forms telling truth and upholding truth, obeying the law which imbibes truth is the first principle of justice. The court has to uphold law in the contemporary society. There must be distribution of right as per the living law constitution. In society justice must be maintained and discrimination should be avoided. Principles of natural justice must be followed. Speaking on relationship between law and justice he said law has been given several meaning both by naturalist and positivist. Law consists separate rule and moral principles. Law recognizes rights. These rights may be justiciable and non-justiciable. Those rights which fall under part three of the constitution are justiciable and those under part four are non-justiciable. The main thing that connects law and justice is the origin and foundation of law. Law is related with nature and God; and its basement is that of justice. True justice is found in nature and nature has ordered what human beings should do and not to do. And where human beings search and found this from the nature include it in their law then human law is considered as holding justice and compatible with natural order. In this respect the naturalist and positivists theory followers have their own view. That is the natural law theory followers argue that justice is the source and basement of law. Whereas the positivist theory followers argue that law is the source and basement of justice; and a rendered justice has its source from law. One way or another it can be taken that there is unbreakable tie between law and justice in terms of origin and foundation.

It is also widely accepted that justice is the result and effective implementation of law. Keeping in mind that there are some exceptional situations where there is a variance between law and justice, it is highly believed that justice is the proper implementation of law. Many people also assure the existence of justice where the law is properly implemented and government officials and everyone is standing for the effective and proper implementation the law. This aspect of nexus between law and justice can also be considered as another connection. In term of freedom and equality John Rawls stated that a system of government, i.e. its laws, should guarantee freedom for all and equality and accept material inequality only if it proves useful for the others.

For a law to be considered as a just law and to say that a certain law is a means of serving justice it should primarily guarantee the freedom and equality of human beings.

Lastly, vote of thanks was proposed by Prof Prashanth T.R



