

JURIST DAY

LAW, JUSTICE AND MORALITY: AN EQUATION OF RULE OF LAW

19th JANUARY, 2019

The Centre for Legal Studies, Gitarattan International Business School organised Jurist Day-1 on the topic 'Law, Justice and Morality: An Equation of Rule of Law' on 19th January, 2019 at Seminar Hall. The resource person was Ms. Neeta Gupta, Additional Public Prosecutor, Rohini Court, Delhi. The session was attended by the BA LLB and BBA LLB students of semester 2.



Ms. Neeta Gupta started the session with meanings of the terms law, justice, morality and rule of law. She stated how law has its roots in our customs and traditions. The Constitution of India, as she stated, intended India to be a country governed by law. She quoted that law finds mention in Article 13 of the Indian constitution and also discussed about the concepts of law, morality, justice and rule of law in context of judgements on adultery (Section 497), eve-teasing, female foeticide, Sabrimala, Navtej (Section 377), etc. While stressing on the beauty of the Indian constitution that includes, I, You and We, Ms Gupta not only discussed the above judgements at length but ensured reading aloud portions of section 497 pointing out how the patriarchal underpinnings of the law on adultery become evident when the provision is considered as a whole. During her discussion on eve-teasing, she urged that every woman has a right to live with dignity under article 21 which cannot be violated by indulging in obnoxious act of eve-teasing.

Further, through discussion on Article 377, she stressed on how it provided for rule by law instead of rule of law. By imposing sanctions of law on consenting adults involved in sexual relationship, it lent authority on the state to perpetuate social stereotypes and encourage discrimination. Thus, it is imperative to widen the scope of "right to privacy" to incorporate right to "sexual privacy". Therefore, she stressed that section 377 is unconstitutional in so far it criminalises sexual conduct between same sexes. The resource person also discussed about both the favouring and the dissenting judgements of Sabrimala temple verdict with reference to the concept of constitutional morality. The session concluded with a question and answer round with students. Overall, the session was impactful in terms of the content and delivery.

Prepared by: Dr. Priyanka Jain, Assistant Professor