***MULTIPERSPECTIVITY OF LAW***

INTRODUCTION

The term “law” refers to rules and regulations. It can be considered as an instrument that regulates how humans interact and share limited resources in a civilised society and prescribes sanctions to whoever surpasses it. The word “law” has been derived from old English word “lagu” meaning rules, ordinance, regulation. In old Norse, it is the plural of the word “lag”, meaning layer, measure, stroke.

Uncountable attempts have been made to define what law is. Its meaning is ironically one of the most difficult to define within the legal world. Several hailed jurists like Salmond, Austin, Holland, Hans Kelsan etc have tried to define it but some or the other loophole was discovered within their ideology. Considering the most workable definition of law, Salmond defined law as “Law may be defined as the body of principles recognized and applied by the state in the administration of justice.”[[1]](#footnote-1) The criticism directed at Salmond’s understanding of law was related to how he did not specify what justice is and this definition varies when applied to different times.

Sans law, our society would be plagued by inorganization, chaos, and anarchy by the privileged will prevail. Law creates a framework within which the society is to interact and share resources within. Upon default, it also prescribes sanctions and compensations to the aggrieved party. We live in a world with limited resources and rules are hence indispensable to avoid inequality and crime by sharing resources proportionally in a civilised manner.

The main reason why law doesn’t have a static definition is because it is a multifaceted discipline. Law means different things in different places, societies, people at different times.

MULTIPERSPECTIVITY OF LAW

Multiperspectivity in the context of law refers to the quality of being able to be perceived from many viewpoints. Law holds different interpretations for different classifications. This phenomenon will exist as long as there are inequalities, as well as, diversities in the world.

Basis on which interpretations of law depend on: -

1. Religion
2. Gender
3. Ages
4. Regions
5. Financial status

CORRESPONDING CASE-STUDIES: -

* + - 1. RELIGION:
* MARITAL LAWS- To take the example of marital laws, polygamy was banned in India in 1956 for all citizens except for Muslims who are permitted to have four wives. Polygamy for Hindus is banned [[2]](#footnote-2) under the Hindu Marriage Act (1955) and a polygamous marriage between Hindus is considered null and void. It also prohibits bigamy.

Hence, marital laws vary for different religions.

* FOOD HABITS- different religions have different food items which are prohibited according to their religious scriptures. Hindus respect cows and treat them as a motherly giving animal. Most of the Hindus are against consuming meat sourced from cows. Moreover, article 48 of the Indian Constitution mandates the state to prevent cow slaughter.

In the Quran (16:5–8 and 23:21–23) however, it is mentioned that God created cattle and recommends Muslims to consume the same.

In addition, Christians also consume cow meat on a regular basis.

Hence, law related to food habits also varies for different religions.

* + - 1. GENDER

Due to various inequalities, stereotypes, and stigmas; needs and wants differ on the basis of gender. Males and females have different requirements when it comes to education, safety, jobs etc. The female race is stifled with security concerns. For them, law means easier access to outdoors and going out without fear. Law to them is stricter policies against anyone who poses a threat to their safety.

Moreover, in the corporate sector females are paid less for equal work. In the 20th century, crimes like female foeticide, child marriage, rape, dowry deaths etc still exist, directed specifically at females.

Gender roles exist for both, males and females. Males are stereotypically expected to earn for the family solely and women and forced to be restricted to taking care of domestic chores. Law for both the genders thus means spreading of more awareness and shedding of these age-old gender roles for an equitable society.

* + - 1. AGES

Ageism is directed both at the young and the old.

As displayed in the landmark case of the 2012 Delhi Gang rape and murder, just because one of the criminals was a juvenile (17 years), no charges were ruled against him and he was set free. Law for different ages means collective criminal responsibility for all ages.

Even heath care has an age-bias. Old people are provided with free medical care and financial support, whereas, most children are not provided with the same even though they are more economically insecure. Law for ages also means equal access to financial aid.

* + - 1. REGIONS

People living in different states, countries, cities have different perceptions of law depending upon various factors like majority occupation, demographics, prosperity, rituals, crime rates etc. For example, law for people living in Punjab would be related to better access to farming equipment, irrigation, better financial aid to marginal farmers etc and law for people living in Delhi would probably relate to better corporate laws, trade laws, laws against women violence etc.

* + - 1. FINANCIAL STATUS

The amount of prosperity or poverty a person possesses alters their needs hugely. For instance, a person who is impoverished might wish for laws relating to proper livelihood, food, education etc, whereas, law for a person who is well-off might wish for better trade laws, less taxes, business ease etc.

CONCLUSION

We live in a world where each human differs from the other because of several diversities. In a country like India where ironically what every citizen has in common is uncommonness, the authorities should keep in mind the differences and make laws accordingly. The government in India should celebrate the diversity and understand the diverse requirements and needs of each and every subject in the country.

The main reason why great scholars havent been able to come up with a static definition of law is because each one of them perceives law from a different view point depending upon their gender, region, religion, financial status etc.

1. John W. Salmond, Theory of Jurisprudence (1966) [↑](#footnote-ref-1)
2. The Hindu Marriage Act (1955), Section 17 [↑](#footnote-ref-2)