

Fourth Dashrathmal Singhvi Memorial Lecture
delivered by
Hon'ble Shri R.C. Lahoti, Former Chief Justice of India on
“Justice as Religion: Constitution's Quest”
Organized by the Dashrathmal Singhvi Memorial Foundation
and the Law Day Foundation
at Main Auditorium, India International Centre,
Lodhi Road, New Delhi
on 1st December, 2005.

Prologue

I feel privileged and greatly honoured having been called upon to deliver the Fourth Shri Dashrathmal Singhvi Memorial Lecture in memory of the revered father of Dr. L.M. Singhvi. Shri Dashrathmal Singhvi was a leading advocate in the High Court of Jodhpur, the old Privy Council in the princely state of Jodhpur, and then the High Court of Rajasthan. He was in the forefront of India's struggle for freedom. He was a scion of a prominent family which produced Prime Minister, Defence Minister and Commander-in-Chief and other illustrious sons of our country. The family is known for their political, diplomatic and strategic leadership, personal valour and bravery, administrative acumen and patronage of the arts and literature. Late Dashrathmalji had love for poetry. He not only read a lot but also wrote. He was a cultural visionary. Apart from being deeply impressed by the profile of the Late Shri D.M. Singhvi and the Memorial Trust established in his memory which has attracted stalwarts like Dr. A.P.J. Abdul Kalam (now the President of India), Chief Justices J.S. Verma and Dr. A.S. Anand for delivering the memorial lectures, I also have high regards for Dr. L.M. Singhvi.

In the year 1997, I (as one-man inquiry commission) visited London in connection with the decoding of the black boxes retrieved from the site of mid-air collision between two aircrafts near Charkhi Dadri, Haryana. I was deeply impressed by the wonderful work which Dr. L.M. Singhvi has done as the High Commissioner for propagating Indian culture and Gandhian

message there. He and Mrs. Singhvi took extraordinary care of my wife and me during our stay in London and provided us with Indian cuisine which perfectly suited our restricted vegetarian dietary requirements. When he asked me to deliver this lecture I readily agreed. So deeply impressed and overwhelmed by the personality and qualities of Singhvi couple I was, that the option of saying 'no' was just not open for me. In the background of the cultural patronage of the Singhvi family and keeping in mind what had taken place in London during our first intimate meeting, I thought I would serve Indian cultural cuisine as food for thought on an issue of constitutional significance. Hence the topic "Justice as Religion: Constitution's Quest."

Introduction

At the very outset, let me share with you a very personal and interesting real life anecdote. Fifteen years have passed since yet the memory of that day remains freshly etched in my mind. It relates to a close friend of mine who is also a judge. One day, while returning from a morning walk, I happened to visit his residence. My friend was seated before the family deity and was performing *pooja*. At the end of *pooja*, he took out a packet wrapped in velvet from below the seat of the deity. I could see that there were four books in it. My friend read a passage from each one of the books and then replaced the packet wrapped in velvet below the seat of the deity. When my friend came out, I asked him what those four books were? He answered that they were respectively *Ramayana*, Bible, *Quran Sharif* and the Constitution of India. My friend had equal reverence for the four books. He began his day by reading one passage from each of the books. Ever since then, the question has been haunting me: whether the Constitution of India is a book of religion? Can it ever be so? Has any religion been set out as our constitutional goal?

Having served as a lawyer for about 26 years and as a judge for a little less than 18 years, I feel convinced that the Constitution's Quest is Justice

as Religion. In my opinion, this topic of the lecture for the day is a befitting tribute to the memory of late Shri D.M. Singhvi.

Each one of us present here has in his or her mind a few obvious questions in this regard. What is religion? What is constitution? What is justice? Can justice be religion? Is it the constitution's quest? It will be my endeavour to provide these answers in the course of this lecture.

What is Religion?

Religion is a complex phenomenon which it is difficult to define. The scholars candidly admit their inability to define religion. Religion can be said to be a belief or experience usually expressed in terms of the holy, the divine or the sacred. Scholars prefer to go by identifying the characteristics or the distinctive features of religion. Some of these characteristics are divinity, belief, ritual and liturgy and prescription of an ethical code.

For both believers and non-believers, religion is mostly accepted as a virtue; a system of faith; faith which cannot be contradicted, which is the intuitive conviction of truth and which is unshakable even by contrary evidence.

All across the world, the word 'religion' is ordinarily understood to mean some system of faith and practice raised on the idea of the existence of one God, the creator and ruler, to whom his creatures and subjects owe obedience and love. Religion is also understood as morality, with a sanction drawn from a future state of rewards and punishments. In its primary sense, religion as applied to moral questions is only recognition of a conscious duty to obey restraining principles of conduct.¹ In such sense, there is no one who will admit that he is without religion.

¹ Advanced Law Lexicon, P. Ramanatha Aiyar, 3rd Edition 2005, Book-4 at p.4043

The purpose of religion is two-fold: to show man how to avoid suffering and how to contact the bliss of the Supreme One and gain lasting happiness. The primary goal is to avoid suffering, spiritual, mental and physical. However, we can live in a painless state and yet be unhappy. The second phase of religion fulfills the purpose of religion i.e. the achievement of oneness or union with the Supreme – the ultimate necessity of every soul.

In its broadest sense, religion can be said to be the sum total of answers given to explain a human being's relationship with his surroundings. All religions embrace the idea of human dignity, peace and social order and preach the message of brotherhood. The ultimate aim of religion is welfare of the society. Two defining features of religion become apparent; welfare of society and more importantly, faith.

The term 'religion' has also been sought to be defined judicially. In ***Aruna Roy v. Union of India*** (2002) 7 SCC 368, para 36, Justice D.M. Dharmadhikari has held that the most important shade of religion is *Dharma* i.e. duty; duty towards the society and the soul. In ***Barralet v. Attorney General*** (1980) 3 All.E.R. 918, 924, Lord Dillon has held that religion is concerned with man's relations with God. Even those who do not believe in religion in its traditional understanding, they do believe in the excellence of qualities such as truth, beauty and love, or believe in the Platonic concept of the ideal; their belief may be to them the equivalent of a religion, though viewed objectively they are not religion. In ***Pannalal Bansilal Patil v. State of A.P.*** (AIR 1996 SC 1023), Dr. Justice K. Ramaswamy has observed that religion is certainly a matter of faith with individuals or communities and it is necessarily theistic. Religion, undoubtedly, has its basis in a system of beliefs or doctrines which are regarded by those who profess that religion conducive to their spiritual well being. Religion lays down a code of ethical rules for its followers to accept. It might prescribe rituals and observances, ceremonies and modes of worship etc.

What is Constitution?

'Constitution' concerns principles regulating the relations of state authorities with each other and with the governed. It is the mechanism under which the laws are to be made. It is a set of rules and details of aims, laid down by a society. It may also be called a system or body of fundamental principles according to which a nation, State or body politics is constituted and governed. Particularly speaking, the constitutional law belongs to the domain of public law, fundamental or basic in character and governs the relationship of different organs of state and its subjects, with each other and also as amongst themselves with each other within that class. It lays down basic and inalienable rules governing the constituent's conduct and do's and don'ts for its subjects. It also distributes the sovereign power amongst the several organs of governance.²

The Indian Constitution is not merely a political document, which provides the framework and institutions for democratic governance - Legislature, Executive and Judiciary. It is also a social document. It provides a framework and roadmap leading to the economic and social emancipation of society, takes care of all sections of society and particularly, the poor, the underprivileged and the downtrodden.

The Constitution has a dual responsibility; firstly it confers new rights essential for a civilized life, and also seeks to create a new cultured man who is capable of enjoying these rights. Our Constitution is distinct from other constitutions of the world in respect of at least two features; it is not the product of mere idealism of intellectuals and it has also not taken shape under the compelling impact of a political ideology. 'We the people' gave unto ourselves the Constitution in 1950 after a long period of subjugation, a history of intense freedom struggle and in the wake of the horrifying scars of the partition. Such unseemingly developments left India in a perverse, ugly and distorted form. Having emerged therefrom, our Constitution is a

² Ibid, Book-1 at p.987

dynamic instrument which can forge and fashion a future so as to secure justice to all. It is a means through which we break our link with an unwanted past and strive to build a glorious future.³

The Constitution incorporates the enduring values the nation cherishes in open ended provisions so as to afford the Judiciary wider scope for creativity through the process of interpretation. Chief Justice Marshall said; "We must never forget that it is the Constitution we are expounding... intended to endure for ages to come". On the same lines Justice Cardozo said; "A Constitution states rules not for the passing hour but principles for an expanding future". In **Golaknath's Case** (AIR 1967 SC 1643, 1666), the Supreme Court observed that Constitution is permanent and an organic statute and it grows by its own inherent force. I feel that Constitution's permanence is akin to that of religion in the sense that both are everlasting, eternal.

What is Justice?

The web of justice is tangled and obscure, shot through with a multitude of shades and colours, the skeins irregular and broken. Many hues that seem to be simple, are found, when analysed, to be a complex and uncertain blend. 'Justice' itself, which we are wont to appeal to as a test as well as an ideal may mean different things to different minds and at different times. Attempts to objectify its standards or even to describe them, have never wholly succeeded."⁴ In its comprehensive meaning, three great objects are included in justice and they are: (i) the security of life, (ii) liberty and (iii) the pursuit of happiness. In its judicial sense, 'justice' means conforming to binding rules of law; and all human actions are either just or unjust as they are in conformity to or in opposition to law. The rules are the same for all; there cannot be one rule for the rich and another

³ Justice C. Dharmadhikari, *Reflections on the Indian Constitution* (Pune: Sadhana Prakashan, 1978) at pp. 21-23.

⁴ By Justice CARDOZO in *Selected Writings of Cardozo*, pp. 223-24, Falcon Publications, 1947 as cited in *Delhi Administration v. Gurdip Singh Uban*, (2000) 7 SCC 396, para 23.

for the poor. Equality and indiscrimination is the rule of law in any society. It is very appropriately said that justice is the dictate of right, according to the consent of mankind generally.⁵ In its common perception, justice is rendering every man his due. The constant and perpetual desire to render justice is fairness. Justice is doing what is just. Justice is the dictate of truth.

Dharma as Nyaya⁶

Dharma is the way of life. As the religious and moral doctrine of the rights and duties of each individual, *Dharma* generally refers to religious duty, as also justice, social order, right conduct or simply virtue. It aligns the human body, mind and soul in harmony with nature. It is the projection of the divine order. ढ {Éßl'ÉEÒàÉÂ vÉàÉÇxÉEÉ PÉßiÉàÉÂ ढ The world is upheld by Dharma.

It is not only difficult but impossible to provide a single concise definition of *Dharma*. From 'justice' to 'religion', it has various meanings. *Dharma* in its narrower sense is understood as duty. In its wider sense *Dharma* is *Nyaya*. These two terms have been used interchangeably through ages and in Indian ancient literature.

According to *Smritis* 'Administration of Justice' was one of the most important and pious functions of a king. One of the primary obligations of any ruler was effective, impartial and proper administration of justice. Indian *Vedic* literature propounds the principle that it is only through dispensation of justice as *Dharma* that the king and his subjects enjoy peace and prosperity. Faltering in dispensation of justice was considered to be a sin inviting wrath of the God and calamity to the king and his kingdom. Consequently ancient scriptures deal with justice as one of the principal

⁵ Advanced Law Lexicon, P. Ramanatha Aiyar, 3rd Edition 2005, Book 3 p.2543.

⁶ The contents of this sub-title are based substantially on Part Seven – "Administration of Justice" from "*Legal and Constitutional History of India*" by Justice M. Rama Jois.

components of *Dharma* and lay down the principles relating thereto with great emphasis.

All the *Dharmasastras* and *Smritis* in one voice proclaim that dispensation of justice was the highest *Dharma* of judges appointed by the king.

In a case where *Dharma* (justice) has been injured or made to suffer at the hands of *Adharma* (injustice) and still the judges fail to remove the injustice, such judges are sure to suffer for their act (or omission) which is *Adharma*. Where *Dharma* (justice) is sought to be destroyed by *Adharma* (injustice), and truth is sought to be destroyed by untruth, and the judges fail to prevent the same but remain mere spectators, they are sure to be destroyed.

Katyayana Smriti on *Vyavahara* (law and procedure) emphasized and mandated the judges being impartial, independent and fearless. The verses (74 to 78) therein specified that the members of the court should not connive with the king when he begins to act unjustly. If they do so, they shall be condemned to hell.

In *Mahabharata (Shantiparva 24-18)* the qualifications for appointment of any person as judge are laid down : " A person who is (i) well versed in *Vyavahara* (laws regulating judicial proceedings) and *Dharma* (law on all topics), (ii) a *Bahushruta* (profound scholar), (iii) a *Pramanajna* (well versed in the law of evidence), (iv) *Nyayasastravalambinah* (law abiding), and (v) has fully studied the Vedas and *Tarka* (logic) should be appointed to carry on the administration of justice."

Katyayana, in addition, added some more qualities required in a person to be appointed a judge. He said "For deciding disputes, the king should appoint as a judge one who is not cruel, who is sweet tempered,

kind, clever and energetic but not greedy. Katyayana cautioned that one who has studied only single branch of learning would not know how to decide all cases. Therefore the king should appoint as a judge one who knows many *Sastras*.

Rishi Narad in *Dharmakosa* prescribes qualifications of Chief Justice. He states, "A person who is well versed in the eighteen titles of law and their eight thousand sub-divisions, and who is proficient in logic (*Tarka*), interpretation (*Mimamsa*) and other relevant subjects, who is master of the Vedas and *Smritis*, who has the capacity to extract the truth from the judicial proceedings by application of the law, should be appointed as the Chief Justice."

These few extracts and quotes from our ancient religious scriptures fully demonstrate that there is hardly a distinction between a judge and a believer. Only a person who has all the traits of a pious person in accordance with the tenets of religion can be appointed as a judge. Having been so appointed if he discharges his duties religiously he earns *punya* and if he fails in doing so he commits sin and is condemned to suffer for his fall from virtue.

The concept of judgeship as enshrined in the Constitution of India is no different. The founding fathers have not specifically described the qualities needed in a judge but have left them to be inferred from the oath or affirmation to be made by a judge at the time of assuming the holy office. The oath enjoins a judge while entering upon the office to swear in the name of God or solemnly affirm the following: -

- (i) that he will bear truth faith and allegiance to the Constitution of India;
- (ii) that he will uphold the sovereignty and integrity of India;
- (iii) that he will duly and faithfully and to the best of his ability, knowledge and judgment perform the duties of his office;

- (iv) that such performance shall be without fear or favour, affection or ill-will; and
- (v) that he will uphold the Constitution of India and the laws.

The above five aspects of the oath in a way prescribe five steps on the path of justice. The first is the beginning, the basis and the last is the ultimate, the goal. The three in between are modalities which ensure a smooth journey towards the goal. Consequently, I propose to elaborate only on the two important benchmarks, the beginning and the end.

Bear true faith and allegiance to the Constitution – these are the guiding words which give direction to the rest. Justice is the cardinal creed of our Constitution and a solemn assurance of every Judge to the people of our country. The oath demands of a judge not only belief, but irrefutable belief in constitutional principles. It demands a loyalty and devotion akin to complete surrender. Belief, coupled with such other virtues as aforesaid, stands elevated to faith.

Uphold the Constitution and the laws– Constitution precedes law and justice gains precedence over law. It implies that there must be justice according to law, not injustice according to law.

Being true to his oath, a judge following his constitutional religion and worshipping justice carries out his duty as a divine ordainment and so he proceeds on his journey seeking acquittance or salvation.

As I have already indicated, the Constitution of India is, in my opinion, the religion of all the religions. Even the one, who claims to be not a religious person, is still a believer for he believes in certain principles. He does not swear in the name of God; nevertheless he makes a solemn affirmation. The affirmation would be a mere ritual and of no substance, and of no consequence, if one who affirms does not have faith and belief in

the affirmation. A judge who discharges the five functions explicit in the oath/affirmation which he makes, is, again, in my humble opinion, none else than a perfectly religious person – a believer. If as a religious person, in the sense in which it is ordinarily understood, a judge discharges his duties true to his oath; he can reach salvation and earn *moksha* or *nirvana*. If he does not do so, to say the least, he is a sinner. One who does not swear but makes the solemn affirmation while entering upon the office of a judge if he discharges his duties as stated in his affirmation, he is true to himself. One who fails, stands condemned in his own eyes and before 'we the people'. In short, dispensation of justice is observance of justice as religion.

Judge as Justice

The term 'Justice' is also used as a ceremonial title to address judges. It may be said that such a reverential term is used for judges because the service they render is akin to the divine and hallowed status of religion in mankind. Religion turns man towards idealism in order to help him attain salvation. In the words of Addison; "To be perfectly just is an attribute of the divine nature; to be so to the utmost of our attributes is the glory of man." A judge is the embodiment of justice. If *dharma devata* is the divine deity of justice, then *nyaya murti* is *earthly* deity of justice.

The nomenclature of 'justice' used for a judge gained prominence during the time of emergence of equity courts. These courts emerged in opposition to the chancery courts which rather than ruling on laws was being ruled by them. The chancery courts were the courts of law whereas the equity courts were the courts of justice and the judges were reverentially addressed as justices. Justice sometimes lies outside the black letter of the law. Literal enforcement of law may prove the law draconian. The judge as justice is mandated to pursue that spirit.

Justice when sought to be understood by reference to the authority that vests in justices (judges) to render justice means: "the exercise of

authority or power in maintenance of right; vindication of right by assignment of reward or punishment; the administration of law or the form of processes attending it; the principles of just dealing; just conduct; the quality of being just or righteous".⁷

It can be said that the judge works in three capacities; visionary (interpreter of law), lawmaker and social reformer. Lord Patrick Devlin in his famous book 'The Judge' says "I am not one of those who believe that the only function of law is to preserve the status quo. Rather I should say that law is the gatekeeper of the status quo. There is always a host of new ideas galloping around the outskirts of a society's thought. All of them seek admission but each must first win its spurs; the law at first resists, but will submit to a conqueror and become his servant. In a changing society the law acts as a valve. New policies must gather strength before they can force an entry; when they are admitted and absorbed into the consensus, the legal system should expand to hold them, as also it should contract to squeeze out old policies which have lost the consensus they once obtained."⁸

The judiciary plays a vital role in both eliminating exploitation and injustice and also in preventing and remedying abuse and misuse of power. The Indian judiciary, keenly alive to its social responsibility and public accountability, has liberated itself from the shackles of its traditional role, made innovative use of the power of judicial review, forged new tools, devised new methods and fashioned new strategies for the purpose of bringing justice to socially and economically advantaged groups.⁹

The Common Thread: Justice as Religion

The scholars and thinkers around the world have seen no distinction between justice and religion. According to Francis Bacon, the place of

⁷ Advanced Law Lexicon, P. Ramanatha Aiyar, 3rd Edition 2005, Book 3 p. 2544.

⁸ Patrick Devlin, *The Judge*, at p.1.

⁹ Neelam Tiruchelvam and Radhika Coomaraswamy, *The Role of Judiciary in Plural Societies* (London: International Centre For ethnic Studies, 1987) at 20.

justice is a hallowed place. Joseph story proclaimed that perfect justice belongs to one judgment-seat only that which is linked to the throne of God. Arthur Schlesinger (Jr) has, in "The Future of Democracy", quoted Reinhold Neibuhr's summing up in one mighty sentence – "Man's capacity for justice makes democracy possible; but man's inclination to injustice makes democracy necessary". According to Justinian, three rules make a book: (i) Justice is a steady and enduring will to render unto everyone his right; (ii) the basic principles of right are: to live honorably, not to harm any other person, to render to each his own; (iii) Practical wisdom in matters of right is an awareness of God's and men's affairs, knowledge of justice and injustice.¹⁰ Saint Augustine said "Take away justice and what remains as state is a large band of robbers". The relationship between religion, justice and democracy governed by constitution cannot be better stated than what has been done by these eminent persons.

Justice and religion share common ground in as much as they both aspire for the elusive truth. In the words of Gandhiji "there is no higher religion than truth". Justice is truth in action, said P. Benjamin Disraeli. According to religious scriptures, religion too is truth in action.

Religion provides an answer to the after life through *moksha* and *nirvana* which makes humans accountable for their deeds. It propounds the theory of *Karma*; as a man sows, so he reaps. He is rewarded for his just deeds and punished for his ill deeds. The mandate of justice is the same; to do good unto the good and to punish the evil; the only distinction being that religion is transcendental justice, as religion does justice beyond the present life.

We understand religion as the dictate of the Supreme, the Almighty proclaiming and prescribing the divine laws and rules. So is the Constitution - the supreme law giver of the land. Both work towards the attainment of an

¹⁰ Quote IT II – Eugene C. Gerhart.

ideal society by prescribing a code of conduct governing individual to ensure their well-being and ultimately peace and order in society.

The Hindu religion centres around a trinity i.e. *Brahma, Vishnu* and *Mahesh*. The three are the epitomes of creation, preservation and sacrifice. Similarly there exists a trinity in our Constitution; the preamble, the fundamental rights with directive principles of state policy and the fundamental duties. The preamble *creates* an all pervasive concept of justice; the fundamental rights and directive principles *preserve and permeate* this concept in every step of life; and finally fundamental duties prescribe *sacrifices* to be made by individuals so as to preserve the fundamental rights. Enjoyment of my right should not be detrimental to be enjoyment of your right by you. This is a tenet of religion and a trait of constitutional justice. Justice born in the preamble may not be preserved but for the fundamental rights and directive principles, nor will it survive without the sacrifice embodied in the fundamental duties. The trinity in the Constitution is a manifestation of the trinity in religion.

Just as religion empowers its believers, justice empowers society. Our Constitution has sought to empower the people of India by envisaging an egalitarian social order guaranteeing fundamental freedoms and justice: social, economic and political, to every citizen through the rule of law. The fundamental duty of the Judiciary is the establishment of a social democracy and to secure social and economic empowerment of all. Of the three organs of the State, it is the Judiciary which is centrally placed to protect the democratic rights of citizens. In discharge of its fiduciary duty towards the society, the Judiciary keenly alive to its social responsibility and public accountability, has liberated itself from the shackles of its traditional role, made innovative use of the power of judicial review, forged new tools, devised new methods and fashioned new strategies for the purpose of bringing justice to all and empowering India.

Neither religion nor justice can be divorced from mercy. Mayor La Guardia was once presiding at a New York City night court. The weather was cold and wintry. All of a sudden, a trembling man was brought in and charged with stealing a loaf of bread. When questioned, the man explained that he had to steal in order to feed his starving family. La Guardia declared, "I have to punish you. There can be no exception to the law. I fine you \$10." As he gave his verdict, he pulled \$10 from his pocket and paid the fine. "Furthermore", he declared, "I am going to fine everyone in this courtroom 50 cents for living in a city where a man has to steal bread in order to eat. Mr. Bailiff collects the fines and gives them to the defendant." In a judicial system, people must be held accountable for their actions and be made to bear their consequences. But at the same time the judicial system must also show compassion in situations that genuinely demand it.¹¹

The prayer for the welfare of Universe of mankind contained in the Upanishad:

vlrkse ln~xe;A

relkse T;kfrxZe;A

e`R;kseZ ve=re~ xe;A

[Lead us from unreality to reality or from false to the truth;

Lead us from darkness to light; lead us from morality to immorality]

That is religion and that is justice.

Our Founding Fathers while crafting the Preamble gave justice precedence over liberty, equality and fraternity by placing these philosophical terms in that particular order. Unless there is justice, liberty is meaningless. Justice and liberty together secure equality. There can be no fraternity unless there is justice, liberty and equality. In the chain of philosophical thoughts underlining the Constitution, the most significant is the concept of Justice. Duly honouring justice as a concept forging the chain of philosophical thoughts underlining the Constitution, lays the foundation

¹¹ Shiv Khera, *Living With Honour* (New Delhi: Macmillan, 2003) at p. 180.

for the well being and progress of society which any religion under the sun and every concept of justice seek to achieve. Justice so understood holds civilized-beings and civilized nation together. Religion too binds and does not divide or separate.

Before I part, I am inclined to recite a beautiful **uT-e** (poem) written by the great poet Iqbal. The title to the poem given by Iqbal is :

^^cPps dh nqvK

yc is vkrh gS nqv+k cuds reUuk esjh
fta+nxh “kev+ dh lwjr gks [k+qnk;k esjh
nwj nqfu;k dk fejss ne ls va/ksjk gks tk,
gj txg esjs pedus ls mtkyk gks tk,
gks fejs ne ls ;qagha esjs oru dh t+hur
ftl rjg Qwy ls gksrh gS peu dh t+hur
ft+Unxh gks efjh ijokus dh lwjr ;k jc
bYe dh “kev+ ls gks eq>dks eksgCcr ;k jc
gks efjk dke x+jhcksa dh gfek;r djuk
nnZ&eUnksa ls] t+bZQksa ls] eksgCcr djuk
efjs vYykg! cqjkbZ ls cpkuk eq>dks
usd tks jkg gks ml jg is pykuk eq>dks ^^

However, I read the poem as a young man and I found that it is a sprayer by a man to the God; by Atma to Parmatma.

When I read the poem as a Judge, I found it is the most befitting prayer to be recited by a Judge everyday. It carries a message of Upanishad. It also carries message of justice and social justice. It speaks of faith and religions. It speaks of triumph of justice over injustice. At the end, it aims at seeking enlightenment and salvation.

The Constitution's complete surrender and devotion to the pursuit of securing justice to the teeming millions of the nation is indicative of such a faith in justice. The underlying basis of our Consitution is the ceaseless, relentless and inexhaustible quest for justice in order to bring about welfare of the society. "The social service which the judge renders to the community is the removal of a sense of injustice. To perform this service the essential quality which he needs is impartiality and the appearance of impartiality" says Patrick Devlin.¹² Service to the sufferer of injustice is also the virtue of religion. That is his reliion. The judge who gives the right judgement and is also perceived to have done so, is loved on earth and is thrice blessed in heaven. The constitution's quest for justice is its religion.

¹² Ibid, at p.3.