

Volume-2, Issue-1

YEAR: 2023

ISSN: 2583-888

DLC IMAGE: PRATIBIMBA

**AN INTERDISCIPLINARY PEER-REVIEWED HALF YEARLY JOURNAL
OF
DISPUR LAW COLLEGE**

Editor-in- Chief: Dr. Jintu Borah



**DISPUR LAW COLLEGE
AFFILIATED TO GAUHATI UNIVERSITY & RECOGNIZED BY BCI
DHARMANANDA DAS AVENUE,
DISPUR, LAST GATE, 781006, ASSAM, INDIA.**

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Website: www.dispurlawcollege.org

DLC IMAGE: A peer-reviewed half-yearly journal of interdisciplinary studies of Dispur Law College, published by Dispur Law College, Dispur, Last Gate.

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ACKNOWLEDGEMENT

At the time of publishing the journal, **DLC Image-Pratibimba**, we have to thank the Principal of the college Dr Gargi Dutta Paul madam and Vice-Principal Dr Swapna Manindranath Dea madam for their great help and encouragement to us. We have also to thank our co-editors, Dr. Indrani Medhi, Dr. Pallabi Baruah and Mr. Kamal Medhi and all the members for their help. I have also to mention Mrs. Pallavi Neog, Librarian of the College library and technical editor of the journal for her great help. We have also to thank our student members for their support. At last, we have to thank our contributors, without their writings it will be not possible to publish the journal.

Thank you all.

Dr. Jintu Borah

ABOUT THE JOURNAL

‘DLCIMAGE: প্রতিবিশ্ব’–is an interdisciplinary bilingual (English & Assamese) journal where the researchers can submit their articles of any discipline. This is the second issue of the journal. The research articles will be peer reviewed. We have received the ISSN and soon we will apply for UGC Care list. The researcher can choose the topic of their own related fields like English, Political Science, Sociology, History, Law, Economics, Public Policy and any other Social Science.

EDITORIAL MESSAGE

Editorial DLC Image-Pratibimbo, 2024 (January to June Issue)

We are happy to greet you for the third edition of DLC Image-Pratibimbo. Actually, we publish it little bit later for unavoidable circumstances. The research journal has been publishing at the blessing of God and because of the continuous support of the respected Principal and advisor, Dr Gargi Dutta Paul madam, respected Vice-Principal and advisor Dr Swapna Manindranath Deka madam, respected editors and faculties Dr Pallabi Baruah, Dr Indrani Medhi, Mr Kamal Medhi and Technical-editor Mrs Pallavi Neog, faculties and members of the journal, respectively, Dr Jyotshna Saloi, Dr Suranjana Kalita, Dr Niju Moni Das, Dr Chandamita Sarma and Dr Plabita Saikia and Mr Tanay Paul for their help and suggestions regarding the publication of the journal.

Respected Principal, Dr Gargi Dutta Paul ma'am and Governing Body's President Dr Romesh Chandra Borpatra Gohain sir help and encourage us to release the fund for journal's website and they also encourage us to publish the hardcopy in future.

I have to thank our respected contributors, Dr Indrani Medhi, Dr Plabita Saikia, Mr Sumanta Rajbonshi, Ms Himashree Konwar and Ms Nami Saikia who research on different topics and make the third issue of the research journal an informative and interesting one. Like the previous issue, this issue is also free from plagiarism. Every article is checked by Turnitin. We accept only below 10 percent plagiarism which is approved by UGC. I also thank our web-designer for his prompt and good work.

Our research journal, DLC Image-Pratibimbo is in a nascent stage. So, we want every one's co-operation. It is like a tender sapling now. Your contribution in the form of suggestions, providing research papers will take care of the journal to grow.

We have already got the E-ISSN for the journal. We are grateful to NISCAIR for this. We will apply for the UGC Care when we will complete two years.

We will constantly strive for the improvement of the research-journal. Your support will make our endeavor successful.

Thank You.



Dr Jintu Borah

**Assistant Professor in English, Dispur Law College
and
Chief-Editor, DLC Image-Pratibimbo.**

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DLC Image: Pratibimbo

ISSN: 2583-8881

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The Organization of Justice During the Ahom Rule: Its Legacy and Continuity

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Introduction:

Assam with its sprawling tea garden and unending paddy fields scattered with areca nuts and coconut orchards and plantain trees is one of the largest and the accessible states in the entire north east. It is a remarkably lush green vale, fringed by peak ranges in all directions and a colossal river fed by plentiful river. This land attracted traveler's settlers from every direction. The different settlers came to this mighty land in different phases of time and the Mongoloids were one such group of migrants who entered this land. The Mongoloids originating from West Asia came in periodic waves became one of the foremost group of this land.

As a part of this great migration process way back in 1228 CE, an event of great importance occurred which changed the very course of history of this land of 'Red river and blue hills'. A group of Shan or Tai warriors led by Siu-Kha- Pha left Mon Mao Lung, which include present Myanmar and the Yunnan province of China. Siu-Kha-Pha party included nobles, their families, other chiefs, subordinates, well trained fighting men. These men were highly trained and had great experience in the different form of warfare. He also brought with him the tutelary deity Chum- Seng, two elephants one tusked, one female and 300 trained Yunnanese horses, dogs, cocks, ducks, seeds and instruments of various kinds.¹

As recorded in *Buranjis*, Siu-Kha- Pha's route of his travel shows that he followed an ancient but unknown route. After a hazardous journey which involved a blood and rapine policy at times, he reached the Brahmaputra valley in 1228CE and then finally to Charaideo in 1253 CE. Finding Charaideo most suitable site he made it his first capital.² He called his small kingdom Mong Dun Sun Kham or **"the land for the Golden Seeds."** **Their 600 hundred years of long rule is marked by anecdote of warfare, valor, cruelty, affection, allegiance, betrayal and infidelity.**

The coming of the Ahoms to the Brahmaputra valley and founding of an independent kingdom is a very significant event in history. The Ahom dynasty was one of the great political dynasty in Medieval Asia equal to their parallels in China and Japan.³ Firstly it

¹ Borpatra Gohain, Romesh Chandra, Administration of Justice During Ahom Rule: (1228-1826 A.D.) Its Legacy in India Today, DVS Publishers, Guwahati, 2022 p xii

² *ibid*

³ Dutta, Arup Kumar, The Ahoms A Reimagined History, HarperCollins Publishers, Gurugaoan, 2022, p xvi

turned out to be the dividing line marking the end of the ancient period and the beginning of a completely new but dynamic era. The process of integration continued till 16th century when the Ahom kingdom brought other ethnic tribes inhabiting the Brahmaputra valley into its fold which made the kingdom diverse and universal in its perspective. The empire came under periodic attacks from the Turks and Afghans but it successfully defended and pushed its frontiers upto Karatoya river in the west.

The Ahoms came into direct clash of arms with the Mughals in the year 1615. The Mughals in their winning spree was successful in ousting the Ahoms from their capital at Garghoan in 1662. However, in the battle of Saraighat in March 1671 under the leadership of Lachit Barphukan, gave a death blow to the Mughal expansionist ambitions. Unfortunately after Lachit's death and when the reigning king Udayaditya Singha was assassinated too there followed ignominious years when Guwahati slipped from the hands of the reigning Ahoms to some ambitious nobles. But with reign of Gadadhar Singha the Mughal existence in the region permanently ended in 1682 at the battle of Itakhuli, near Sukreswar temple in Guwahati and the enemy were driven beyond the Manas river which became the we

The Tungkhungia line of kings came to power towards the end of the 17th century. Their reign was marked by both highs and lows. On one hand the period witnessed advancements in arts and construction but at the same time it was also marked by bitter quarrels, intrigues and conspiracies which shook the very foundations of the kingdom. The second half of the 18th century was marked by the Moamoria uprising whose rebels were put down by British soldiers. But that was not the end of the conflict. The kingdom further fell to pieces. It was marked by inner discord, depopulation due to mass departure and invasion by Burmese. Lastly with the signing treaty of Yandaboo in 1826 after the first Anglo-Burmese war, the Ahom kingdom came under the direct of the East India Company.

Methodology

The paper is based on doctrinal Research Methodology. For thorough study of the paper all the possible means and reasons have been used. While researching on the topic various books, journals and internet sources were consulted.

Objectives

The paper aims to study the principles relating to the administration of justice during the Ahom rule. It also aims to study the relevance between the erstwhile Ahom justice delivery system and present Indian judicial administration.

Ahom system of Justice

The Ahoms laid a strong a strong foundation of a legal system and administration of justice through a systematic hierarchical institution. The king was at the top of administration. Next to the king were three great councilors of state called *Gohains*. There were originally two officers I.e. the Bargohain and the Burhagohain, the third *Gohain* that is the Barpatra Gohain was added during the reign Suhungmung, the Dihingia Raja. The three Gohains were the hereditary counselors of the state and occupied a high position in the Ahom polity.⁴ They alone

⁴ Baruah, S.L ; Edition. Comprehensive History of Assam, 1st. Ed.,Publisher. Munshiram Manoharlal Publishers, Delhi, p 389

were entitled to the designation *Dangariya*. They had provinces allocated to them in which they exercised most of the independent rights. But, as far as the general administration of the State, their functions were merely advisory in nature. The king was bound to seek advice from them on all significant matters. The government was the combination of “limited monarchy and oligarchy”⁵ There were originally two of these officers.

The offices of the *Barbarua* and the *Barphukan* were created later during the reign of Pratap Singha due to practical necessity. Most of the *Barphukans* belonged to the Chutiya ethnic group, the *Barbaruas* on the hand belonged to the Moran, Kachari, Chiring and Khamti groups⁶. The *Bar Barua* was the chief executive officer but also received the revenues and head of the Judiciary from *Sadiya* to *Koliabar*. The *Barbarua* was usually the commander of forces over a control of 14,000 *paiks* but they were also bound to serve the king and in times of emergency.

The *Bar Phukan* initially was appointed as viceroy only a small area between the Brahmaputra and Kalang river in the present Nogoan district but as Ahoms brought the regions towards the west, his duties amplified until it included the whole country from Kaliabar to Goalpara, with Guwahati as centre of operations. He even conducted the political relation with Bengal and Bhutan and even with chieftains of the Assam passes. His office was considered more important than that of the *Bar Barua*.

Members of the noble families ruled specific areas, and they were called *Raja*. For example

- a. *Mharing Raja*, the heir apparent to the king, ruled the area around Joypur on the right bank of the Burhidihing river.
- b. *Tipam Raja* was the next in line.
- c. *Namrup Raja* followed the *Tipam Raja*
- d. Lower positions were also allotted to members of royal family and the regions were called *mels*, they were designated as *meldangia* or *melkhowa raja*. *Meldangia gohains* were princes of minor status called : *Majumelia gohain* and *Sarumelia gohain*.

Women of the royal family were given individual *mels*, and, there were twelve of them by the time of Rajeshwar Singha. The most essential of these was the *Raidangia mel* given to the chief queen.⁷

- e. Frontward governors, were armed leaders, who controlled frontward territories. The officers were by and large chosen from the relatives that were competent for the three great *Gohains*.
- f. *Sadiya Khowa Gohain* that was based in Sadiya, managed the regions that were obtained following the occupation of the kingdom of the Chutias during the reign of Suhungmung in 1523.

⁵ *Ibid*, p 389

⁶ <http://ahom-dynasty.weebly.com/administration.html>, Accessed on 8.12pm , 23-01-2024

⁷ <http://ahom-dynasty.weebly.com/administration.html>, Accessed on 4.12pm , 03-12-2023

- g. *Marangi khowa Gohain* administered the areas adjoining to the Naga groups west of the Dhansiri river.
- h. *Solal Gohain* governed a large part of Nogoan and a part of Chariduar after the headquarters of the Barphukan was moved to Guwahati.
- i. *Kajalimukhiya Gohain* the frontier officer a much later creation, and who served below the Barphukan and administered Kajalimukh and kept relations with Jaintia and province of Dimarua.
- j. *Jagialiya Gohain* worked under Barbarua, administered Jagi at Nagoan and preserved business relations with seven tribal chiefs called *Sat Raja* including the Jayantias, *Rajkhawas*, were minor governors and some of them were

The dependent or vassals or kings were called *Raja*. Apart from for the tributary chief of Rani, and all minor kings or vassals were required pay yearly homage. The Rajas additionally had to supply manpower whenever the king needed for example during the time of war. These chiefs were almost autonomous in their vicinity except that they had to pay an annual tribute to the king and. Their office was generally hereditary but they were predisposed to dismissal for transgression of limits.

Origin and Sources of Law Ahom law

Laws and statutes of the Ahoms were adopted for different purposes. These laws were obligatory on all and none could renounce these rules. The king was also amenable to law as like others of any ranks and status. Though the king had the power to punish anybody according to his wish, but the frequent violation of the practice was looked with much disfavor.

Clear distinction did not exist between civil and criminal matters. The same court had the power to decide both civil and criminal cases. There existed no provisions of engaging *Vakils* or interrogation and examination of the criminals of the criminals. The parties and their relations in person had to appear before the court. The witnesses were examined and written records were received as records.

The Ahoms had a variety of scriptures as their sources of Law. Among the mythological source was the *Lengdon*(Indra) code which contained the advices in consultation with the goddess of learning *Jashingpha* (Identified as Goddess Saraswati) and God *Laokhri* and others. *Lengdon* code contained the basic and fundamental principles of administration of justice. It also provided the rules for the performance of rituals for the betterment of all in accordance with the directives provided in them. The theories of punishment are also prescribed in the code and emphasis was laid on purification of a person where taken as a resort to a sin.

Then there was the traditional source of law which originated from the day Khun Lung and Khun La landed on earth in 588 CE. In the country of Mung Ri Mung Ram. Thereafter the process of migration from one country to another and finally arrived in Burma present Myanmar in the 9th century CE. During this journey the Tais acquired knowledge and experience of the customs and traditions prevailing in those countries they travelled across.

The ancient Siamese laws is found to be good source of Law to be inducted in the Ahom Kingdom.

Then there was the native legal system developed by the Ahoms by bringing in the indigenous customary traditional laws of different countries within the territories of the then Kamrupa.

Institutional hierarchy for Administration of Justice

There was no such separate department for the administration of Justice during the Ahom rule. The same person retained in him the executive, judicial and the legislative power. At the top was the king who was the head of all the three organs viz, The Executive, the legislature and the Judiciary. The king's court was considered as the highest court for resolving various kinds of legal disputes. It was also the highest appellate authority. The Ahoms had no written laws as such. The Lengdon code containing the high principles of ethics, justice and fair trial which they used to hold on as the guiding factor to maintain law and order. The punishment proportionate to the offence committed was imposed after the conduct of a fair trial.

The Judicial Hierarchy

The notable judicial grading during the Ahom rule was unique and unparalleled starting from the king's court at the top, the three Gohains, the Bar Barua's court, the Borphukan's court, the Barua's court, The Rajkhowa's court to the village court for dispensing justice. There were also village courts to settle disputes of trifling nature either in the village *Naamghor* or in an open place or in the house of an influential person with assembly of villagers. There was no fix venue to settle dispute of minor nature. Based on humanitarianism and with an aim of general welfare of the village their decision was binding upon the offender.⁸

In Kamrup, *Choudhury* in charge of the respective *pargana* were assigned judicial power. They could impose punishment of whipping to the wrong doers. The *Talukdar* in charge of the Taluks had administrative as well as judicial powers. Then there were the tributary chiefs like the Raja of Darrang, Rani, Dimarua, Beltola etc who settled disputes of civil and of criminal nature in their respective areas.

The procedure for trial and imposition of penalty was prescribed by law and customs. The administration of justice of the Ahom rule was of *laissez-faire* nature. Trials of important nature were performed in an open court. The advice of the appraiser was sought, the verification was recorded and capital punishment was imposed under a written warrant from the emperor. The king only could effect a death decree along with by bloodshed while the rest were to do it by drowning, striking with hammer etc. ⁹ Records of criminal cases were not kept, but in case of civil cases the minutes was kept and a replica of it was handed to the winning party.¹⁰ In spite of being despotic in nature, the administration always tried to keep the group identities of the people and any attempt to destroy these identities were sure to meet resistance. Therefore

⁸ Baruah, S.L ; Edition. Comprehensive History of Assam, 1st. Ed.,Publisher. Munshiram Manoharlal Publishers, Delhi, p 401

⁹. Baruah, S.L ; Edition. Comprehensive History of Assam, 1st. Ed.,Publisher. Munshiram Manoharlal Publishers, Delhi, p 400

¹⁰ *Ibid*,p 400

before officer at the junior level like the Bora, Saikia, and Hazarika the government did pay due regard to their being acceptable to the subjects.

Under the chief judges like the Phukan, the Barua, the Rajkhowa, the Hazarika, the Saikia and the Boras had the power to try cases within their jurisdiction. Similarly in the adjoining territories like the Darrang, Beltola, Dimarua, Rani and Luki their respective tributary chiefs used to conduct trial cases of the people falling under their jurisdiction.

Appeals from these subsidiary courts lay before the Court of the Barbarua in Upper Assam and in the court of Borphukan in case of Lower Assam. However the highest court was the court of the king-the *Swargadeo*. At times instead of the king the *Nyaysodha Phukan* a post created during the reign of Rudra Singha heard appeals from the subordinate courts.

Revenue administration and Justice system

The Ahoms in the early years of their reign did not collect any revenue on land. Lands allotted to Paiks called as gamati and to the officers as *manmati* were revenue free. Besides these, lands allotted to the members of the royal family, relatives of the kings and lands allotted to the officers were revenue free. A widow was also not required to pay tax on the lands in her possession. The lands allotted by the Ahom kings to the temples, religious institutions and to pious and meritorious persons were called *Nisf Khiraj* or partially revenue paying assets. They were different from *Khiraj* or full revenue paying estates. But with time these lands were made revenue free and the proprietor called themselves *Lakhirajdars* which meant total exemption from payment of revenue Later Lakhiraj lands were divided into several heads - *Debottar* lands were given for the maintenance of temples, *Brahmottar* lands to the Brahmanas and the *Dharmottar* lands were granted for spiritual and charitable purposes i.e. for reading the Bhagavata, performing Nam-kirtana and feeding pilgrims. ¹¹The most remarkable feature of

the revenue administration of the Ahom rulers were that the Ahom kings right from Siu-kha-Pha ordered land surveys and census of the population with a view of having up to date information of the different categories of land and assessment of land revenue and the classification of people based on their works they pursued. For smooth collection revenue responsible officers were deputed on lands allotted to different religious institutions like *Devottor*, *Dharmottar* and *Brahmottar*. Revenue administrative officers were also appointed for *Satras* lands.

Similarly the Ahom kings also granted lands to Mohammadans Pirs for preservation and building of mosques termed as *Pirplal* lands. Later on from the time of Rudra Singha lands were donated to the people of Muhammadan community based on their varied quality like

1. *Khargharia*: workers on Sulphurs
2. *Khanikars*: Craftsman
3. *Morias*: Brass workers, along with mint workers, painters etc.

¹¹ Borpatra Gohain, Romesh Chandra, Administration of Justice During Ahom Rule: (1228-1826 A.D.) Its Legacy in India Today, DVS Publishers, Guwahati, 2022, p285

Phuleswari consort of Siva Singha went to the extent of bringing Daullah family for playing *Negera* (musical instrument) at the time of festivities. For their services they received revenue free lands called *Man- Mati*

The Ahom rulers while donating lands also issued instructions to Dargah to utilize the income of the lands for the maintenance of the Dargah.

Conclusion

The Ahom kings also adhered to the principles of conventional law in order to regulate the conduct of the law and public servants. These rules and regulations also regulated the activities of the public servants and the subjects as well. True secular spirit prevailed during the Ahom rule. The Ahom government gave due recognition to Islamic beliefs as well as Hindu beliefs. The Ahom kings also adhered to the principles of conventional law in order to regulate the conduct of the law and public servants. These rules and regulations also regulated the activities of the public servants and the subjects as well. True secular spirit prevailed during the Ahom rule. The Ahom government gave due recognition to Islamic beliefs as well as Hindu beliefs.

The speciality of the Ahom system of administration lies in the fact that it was decentralized process with hierarchical order whether it was the civil administration or revenue administration or be it the administration of justice. The significant feature of the Ahom system of administration was that it was the combination of hereditary and democratic process. The king was selected from the amongst the royal ancestry of the king while democratically the king was elected by the Council of three from among the eligible royal ancestry. There existed no clear cut division of power. All power was concentrated in the hands of the king who exercised his power as and when required in consultation with the Council of ministers. While on the other hand the king was elected by the ministers (Three great Gohains; The Burha gohain, the Bargohain and the Barpatragohain)

The administration of justice during the Ahom rule was fairly noninterventionist. Trials and justice was based on customary laws and the modern day trial is also based on codified laws which includes customs, conventions and usages Article 13(3) of the Indian Constitution. were based Trials were conducted in open courts. Evaluator was consulted and their opinion was given due regard and evidence adduced by the witnesses was documented. For inflicting capital punishment a written warrant from the king was required which is similiar as articles 72 and 161 plus confirmation of death sentence by the High Court (Section 366 Code of Criminal procedure)¹²

Another notable feature of the judicial administration of the Ahoms was the concept of gender justice. As for example for the maintenance of the royal consort and other ladies of the court land grants was made through *Mels* where the royal ladies themselves managed their estate. Because of efficiency it could survive six hundred long years.

¹² Borpatra Gohain, Romesh Chandra, Administration of Justice During Ahom Rule: (1228-1826 A.D.) Its Legacy in India Today, DVS Publishers, Guwahati, 2022, p285

DLC Image: Pratibimbo

ISSN: 2583-8881

<https://image.dispurlawcollege.org>

Why has Portia Disguised Herself as a Male Lawyer?

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Abstract:

William Shakespeare's 'The Merchant of Venice' (1600) is a remarkable tragi-comedy and here Bassanio's wife Portia is a remarkable character. Bassanio, the citizen of Venice, loves Portia but his financial condition is not good. So, he approaches his friend Antonio. Antonio takes loans from the cruel money lender Jew Shylock on a bond sign that he has to return the money on a certain date and failure to repay the debt Shylock will cut a pound of flesh from Antonio's heart. Antonio agrees it. But due to the delay of his ships from business he is unable to pay the debt. And Antonio demands the flesh according to the bond Shylock is able to take the flesh from near Antonio's heart. At that time Bassanio's lover Portia has rescued him in the disguise of a male advocate named Balthazar. She has an assistant Nerissa (who is the lover of Bassanio's friend Gratiano) who is also disguised herself as a male assistant.

Till now the topic is discussed focusing on the ingenuity of Portia. But here it is trying to focus on a different perspective. Why does Portia disguise herself as a male lawyer instead of a female lawyer?

The research article is all about the above question and the probable various answers.

Key Words: *Male Dominance, Women's Right, Dramatic Device, Disguise, Mercy.*

Abbreviation: *TOMV- The Merchant of Venice*

Main Article:

It is seen that Shakespeare has written many plays where women's role is minimum, for example 'Hamlet' (1602) where his lover Ophelia has not much role in comparison to Hamlet and 'A Midsummer Night's Dream' (1619) also the women have no significant role. But there are many plays where the role of women cannot be ignored for example, 'Macbeth' where Lady Macbeth's character is a strong character. From that point we can tell that Shakespeare has not discriminated characters as male or female. We can tell that the Elizabethan audience accepted both male and female characters.

Before directly come to Portia's action, in Act IV, Scene I, let's see whether Shakespeare, in 'Merchant of Venice', has discriminated his characters on the basis of sex or not or whether

there is any other instance of male dominance in the play. Then the context of the topic can easily be discussed. There are three female characters-Portia, Nerissa and Shylock's daughter Jessica. All the females have their important roles in the play along with their male counterpart.

Portia, however, follows her father's wish in choosing her husband. As her father wished her suitor, Bassanio among other suitors has to test his luck of choosing the right caskets among the three where there was Portia's portrait inside. He has chosen the right casket. And Portia is happy in getting Bassanio as her husband. Nerissa is also happy to get married with Bassanio's friend Gratiano. The cruel usurer, Shylock is a Jew and he dislikes Christian but his daughter Jessica elopes with a Christian boy, named Lorenzo. So, Shylock disinherits her his property. In all these we do not see much male dominance except Portia's father's wish and Shylock's rude behaviour towards his daughter after her elopement. But these two incidents can also be justified as a father should have the right to think good for his daughter. Because only in the leaden casket there is the portrait of Portia, not in the gold or silver. He had deep insight to choose the right suitor for his daughter who is not lured by gold and silver. Shylock's action although not right but can be seen from a different perspective instead of telling it is a male dominance.

There may be one reason that Portia and Nerissa do not want to reveal their identity in front of their husbands as their husbands, although are intelligent and handsome to look do not have enough money to take them from Belmont to Venice after their marriage. For which Bassanio has to borrow 3000 ducats from his friend Antonio. So, they do not want them to feel ashamed.

There may be this reason also that in order to teach a lesson to Shylock they may use a fake identity for which they have to reveal their identity and disguise like a male advocate and a male clerk.

Or, this may also be happened that the male dominating society of that time would listen to man so that- Portia and Nerissa, disguise themselves as male advocate and clerk respectively. But so far as the society is concerned at that time it was Queen Elizabeth who ruled the British society, so we cannot say completely that it was a male dominated society.

It is not known to us whether Portia really has a law degree or at that time such degree's requirement was there or not. But we come to know that the main advocate, Bellario is unwell so he has sent a letter from Padua in the hands of the clerk and Balthazar, who are Nerissa and Portia in disguise, that both will take the case on behalf of him (Bellario). Portia's act is praised by all for her ingenuity and her great speech on kindness. She tries to persuade Shylock to leave Antonio freely without cutting his flesh. The following is a part from the great speech-

“The quality of mercy is not strained

.....

It is twice blest:

It blesseth him that gives and him that takes” (TMOV, Act IV, Scene I)

Thus, Portia tries to appeal Shylock to pardon Antonio by showing the quality of mercy that those he gives and those who receives both are blessed. But the hard hearted, usurer Jew

Shylock does not listen to her and is about to cut his flesh. At that time Portia saves Antonio's life because she reads the bond in the bond, it was written about flesh not about blood,

"...if thou dost shed

One drop of Christian blood, thy lands and goods

Are by the laws of Venice confiscate

Unto the State of Venice." (TMOV, Act IV, Scene I)

In this way the clever girl Portia not only saves the kind hearted man Antonio's life but also gives justice to Shylock's eloped daughter because he has to pay half of his property to her as fine or compensation.

Instead of male-female issue much, two other issues come to the front- they are religion and dramatic techniques.

In the play we clearly see that Shylock hates Christian and Antonio the Jew. Shylock always seeks chances to do harm to Christian people. He even disinherits his daughter when she elopes with a Christian. Antonio tells if Shylock converts himself to Christian then he will not take the compensation money from him instead he will give it to Venice.

The next possible reason for Portia's disguise as a male advocate and her friend Nerissa as a male clerk is the appropriateness for dramatic purpose. When a girl becomes a man then obviously it becomes easy to decorate in order to hide the identity. As Shakespeare was a consummate dramatist, who had a share in the Globe Theatre and acted there, had employed such idea to adopt such technique.

If we see literary history then we see that there are a smaller number of female writers almost none in the Anglo-Saxon period and in the medieval period. And the dearth of women characters also can be seen. For example, in Chaucer's 'Canterbury Tells' we find that the Wife of Bath has five husbands. It may also be happened that the number of females was less than males. If there were more female writers, then we might get more females in the text and more texts written by female writers. We find women writers like Mary Wollstonecraft (1759-1797), Fanny Burney (1752-1840), Jane Austen (1775-1817), Bronte Sisters -Anne Bronte (1820-1849), Charlotte Bronte (1816-1855) and Emily Bronte (1818-1848) in much later age. We get more women writers only after the Second World war. This is because women did not get proper education, child marriage was in vogue. Even in India we find that child marriage was in vogue for example Mahatma Gandhi got married at the age of thirteen and his wife Kasturba Gandhi was eleven years old at that time. So, women had to look after their family instead of pursuing education at that time. With the passing of time only women education has been spreading.

In Portia's case also we see that many suitors from different countries come to test their luck by revealing the caskets where her portrait lies. This may be also a fact that there were a smaller number of females than males. So, suitors from different countries came. Or, this may be a fact there were less no of educated women so they were in high demand in marriage. This fact cannot be overlooked that Portia's father was a king so he has a huge amount of wealth for which many suitors come to test their luck.

However, there is an interesting fact which we cannot ignore is that Portia is an educated lady. She can argue in the court although in disguise. Suppose she gets her education at home by tutors, then also we can say that her father was a progressive person.

This may be a fact that women were not allowed to practice in the court. But there is not sufficient evidence regarding this. This point may have some logic that even after many centuries women had to fight for universal suffrage. In France and in all Europe women did not get universal adult suffrage till the last eighteenth century. They had to fight for equal justice. Even Virginia Woolf (1882-1941) had written a short article, 'A Room of One's Own' (1929), where she tells that to write novels woman should have a room of her own. Which she received severe criticism. Even Mary Ann or Marian Evans, the famous novelist had to change her name as George Eliot (1819-1880) to get readership.

Conclusion: From all the above discussion it can be said that Shakespeare uses the dramatic device of disguise personality to create dramatic effect, however, the male favouritism or dominance of male personality cannot be totally ignored if we analyse the total literary historical scenario regarding the focus of women in the public domain.

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ISSN: 2583-8881

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Threatened Life of Weaker Section of People on Border Areas of Assam: Report of A Case Study

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Abstract:

Poverty is a facet of developing nations like India and it is quite common in fringe areas in border districts of states like Assam. At the same time these areas are disturbed with illegal infiltration and other unlawful activities. An attempt to discuss poverty and economic status of weaker section of people especially women along the International border areas in Assam in the light of contemporary migration is made through field studies. The study emphasized on quality and support of life of weaker section of people in study area. Emphasis was also given to push and pull factors of historic and contemporary migration along with factors associated with border trade and extra national interest. Three case studies are reported with recommendations to policy makers.

Key words: *Poverty, border areas, Assam, recommendations*

Introduction

Poverty is considered as a reality of journey of human life though it of the developed world, developing nations and even true when it concerns even in case of Assam. At the initial period of the present century, number of people living below the World Bank's Poverty line (of \$1 per day) is about 1,200 million, while at present; around 2,700 million people lived below \$2 per day poverty line. Current position of world poverty is notably shaped by the era of invasion in economic activities, migration and colonization, including coercion, dependence to the more developed nation and to some extent genocide. During 2015-16 to 2020-21, in respect to multidimensional poverty index, India declines its position significantly from 24.85% to 14.96% with a decrease in 9.89 percentage points; and in this decline, rural areas witnessed fastest decline in poverty during the years, from 32.59% to 19.28%(UNDP, 2023). Assam is situated in the middle of Northeastern region of India between 24⁰³'N to 28^{0N} lat. & 89⁰⁵¹'E to 96⁰¹'E long, bordering seven States of India and with International border of two countries namely Bangladesh and Bhutan. Though recent census data is not available for Assam, population density during 2001 to 2011 has gone up to 397 as against 382 which is density of Indian population in 2011 where as it was 340 in 2001 (Saikia, 2023). As per Economic Survey, the state of Assam lags behind the rest of India as Assam stood at 28th position in GDP per

capita rank within India (PRS LR, 2023). This report also showed that International border districts are poorer in comparative to other districts of Assam (Saikia, 2015). As per report of International Monetary Fund, spatial distribution of poverty in Bangladesh shows that most of the border areas are poorer than the rest of Bangladesh and the case is also similar with Bhutan (IMF, 2022). Historically, the trend of rural poverty in Assam shows an increasing incidence continuously (PIB, 2013). Border areas have peculiar problems which are not similar to other regions of the state (Saikia, 2015). These areas are generally not commonly accessible where basic facilities of life are costly and not easy to achieve. Border areas are more prone to illegal and undocumented infiltration adding pressure on their environmental and economic resources (Saikia, 2019). Moreover, passage through border becomes easy for insurgents and criminals including drug pedlars, animal, cattle and human traffickers are facilitated by porous nature of the borders (Saikia, 2015). Therefore, the government administration of the border states like Assam with considerable and important international border are required to stand with liability and heavier burden of providing infrastructure and basic facilities to the population living in fringe areas and at the same time, liable for the border security as a broader national agenda.

A sincere attempt is made to discuss poverty and economic status of weaker section of people specially women along the International border areas in Assam in the light of contemporary migration. The study was aimed to take a firm look at quality and support of life of weaker section of people specially women in border areas. Emphasis was given to push and pull factors of historic and contemporary migration along with factors associated with border trade and extra national interest.

Methodology

Case studies are conducted in International border villages of three border districts viz, Dhubri, Cachar and Karimganj districts of Assam during 2019-2020. Personal interviews were taken with local inhabitants who are migrated to this present land in their ancestral time for their livelihood, socio-economic status etc. General overview on issues related to International border was also collected to draw and analyse many metaphor and ground reality. Review of literature was also conducted in the relevant theme and information gathered are analysed. Key factors of migration were highlighted and remarks drawn from the study. Finally, some recommendations are forwarded to mitigate the situation.

RESULTS

Results of the present study are enumerated below:

<u>Case study areas</u>	<u>Facts found</u>	<u>Remarks on ground of migration</u>
CS1: Dhubri dist. 3 families interviewed	Majority of people are inter-exchangeable in their views and common factor working their livelihood found is economic situation. No formal economic aspect is available, have to visit nearby town areas for work.	*Deprivation of economic opportunity *Lack of quality livelihood measures

CS2: Cachar dist. 4 families interviewed	Several people are conservative in their views and common factor working their livelihood found is labour market associated with social stability. Few industrial works can be accessed through middleman in nearby towns	*Demand for worker/industrial worker *Social similarity for cultural exchange
CS3: Karimganj dist. 3 families interviewed	Almost all the people of the study area are agricultural labour and their wage for livelihood is always a concern of importance as well as other political and social opportunities. They are keen to the people beyond borders due to family old relations	*Agricultural wage is higher than native *Higher socio-economic opportunity

N.B.: Interview schedule was a semi-structured questionnaire used for the study

Discussion

Migration through international border is a process now a day, considered being rich in potentials and economic opportunities, but the process is also in political contradictions and problems like security and threat to the nation. This is factual for any governments, associated societies, and the migratory population in both target countries and native countries. Unavailability and lack of efficient cooperation at international level in migration flow management results in malfunction of the administrative machinery for counter illegal process of in and out migration; finally, affecting economic development in the region as a whole. Growth of extra national interest also affects the socio-economic development in the areas.

a) Shocking information

- In respect to male and female numbers, if considered total outflows from Bangladesh to India, 35% of the emigrant women migrated against 11% of the men to India (Blanchet 2005)
- In an estimate during 1998, The Centre for Women and Children Studies estimated that 27,000 Bangladeshis have been forced through various means into prostitution in India (Sikder 2008) and they may be routed through the border.
- In the last decade of 21st century, 2 lakh Bangladeshi women and children have been taken out of the country by the traffickers.

b) Key factors of migration

- **Push factors:** lack of economic opportunities for development and lack of access to resources for quality livelihood
- **Pull factors:** available employability and demand for workers, higher wage than own country, access to resources for livelihood
- **Factors of importance:** family or social networks and economic as well as social, religious and cultural exchange between similar individuals

c) Remarks drawn from the study

- Overall situational analysis of the areas and review on the reported articles finally points only to poverty of the people living in the border areas without proper economic opportunity for a quality livelihood.

d) Important recommendations forwarded

- The Govt. of India should employ a special National Immigration Commission to strengthen ‘National Migration Policy’ and a ‘National Refugee Policy’ who will in turn examine ways of strengthening all legal frameworks including the Foreigners Act, 1946, and its feasibility of issuing separate Identity Cards for citizens and non-citizens residing in such areas and issuance of ‘Work Permits’ for migrant workers.
- Preventive and deterrent measures should be taken immediately to restrain further illegal migration. The present posts of Border Security Force and especially the ‘water wing’ of BSF to be strengthened and border fencing, lighting and patrolling should be improved with modern and cyber technologies.
- Important urgent decisions should be made by both the Bordering Governments upon the deportation issue in the light of Human rights issues and possible trans-border mechanism should be developed for the deportees.
- Policy makers should find opportunity to skill the manpower of the border areas focusing to young generation so that within a short time they become much skilled in various sectors for production of quality material for the whole country which will in turn change the economic picture of the border people.
- Strengthening all citizen issues including NRC will empower both Govt. and people for overall development of the area and government machinery will get more opportunity to implement schemes for the benefit of stakeholders.

Conclusion

The study is specific to some sample of study only but put light on few important issues related to poverty beyond borders. These socio-legal opinions may be helpful to improve the threatened life of weaker section of people to generate productive human resources in today’s world of Global sustainable development.

Acknowledgement

The author is grateful to local inhabitants of the villages surveyed and Assam Police department in providing necessary support during the visits to the border areas.

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ISSN: 2583-8881

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The Emperor Jones and the Study of Identity and Racial Memory

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Introduction:

With *The Emperor Jones* (1920), Eugene O'Neill unmistakably established himself as a major American playwright. The other two important plays published during this period were *Anna Christie* and *The Hairy Ape*, and such productions paved the way for new experiments in American drama giving the audience a new experience of theatrical inventiveness. But, although O'Neill was greatly inspired by the zeal for new experiments, his genuine interest was somewhere else. He was greatly motivated by his desire to bring to the limelight of drama the conflict within human soul and his theatrical techniques were used only as devices for doing that. Lionel Trilling rightly points to the fact, "O'Neill's techniques, like those of any sincere artist, are not fortuitous - they attempt to say things which the accepted techniques cannot express. Of contemporary dramatists, O'Neill is unique in his preoccupation with the kind of thought we call philosophical" (Trilling, 1947:9). Here our attempt is directed towards exploration of the major thematic concerns of O'Neill in his play *The Emperor Jones* to understand his basic premises based on the contemporary psychological and philosophical ideas.

Psychological and philosophical approach in the tragic vision of O'Neill

Various attempts have been made to analyse the theme in *The Emperor Jones*. The theme, as popularly assumed by different critics, is that, here the playwright endeavors to explore the panic experienced by the Negroes, who have not yet fully seen the light of civilization. But it is a great mistake on the part of the critics to look for very narrow and parochial implication like this in O'Neill's plays. Though psychological elements are not denied, critics like Edwin A. Engel put much emphasis on the socio-economic implications of the play. Edwin A. Engel thinks that O'Neill presents Brutus Jones to criticize the materialistic civilization of the whites represented by him (Engel, 1953: 50). But quest of such socio-economic implications rarely helps us to understand the true O'Neill. Because he is least interested in social issues, as he regards them as ephemeral and parochial. But, if we carefully look into the play we can grasp the universal significance of the play in the treatment of the problem of human identity. O'Neill tries to show what might be lying behind a mask. The identity that one often tries to impose upon one's own-self might prove false as identity might have also an unavoidable history. The

identity that we notice outwardly is often, merely an illusion. In *The Emperor Jones* O'Neill defines this problem in terms of the conflict between the conscious and the unconscious mind, which he holds as the modern manifestation of the same conflict depicted in great literature - the conflict between the individual and the Force behind him. It cannot be concluded that the Negroes, who have undergone prolonged experience of persecution and distress. Rather he is a representative of man, who is burdened with the curse of pride and gross ignorance. What happens in the play is only projection of the internal drama going on in the mind of Brutus Jones? So the play has a sound psychological base and it is best revealed in the psychological regression of Jones. It emphasizes the probe into the recesses of the unconscious. O'Neill himself acknowledged in a letter to Barret Clark that he owed to some of the modern psychologists, particularly to Carl F Jung (Clark, 1948: 136).

In the *The Emperor Jones* O'Neill portrays how ideas and symbols from the hazy world of collective unconscious unfurl one by one with progress of action in the play with crisis faced by Brutus Jones's. O'Neill through the response of Brutus to every phase of crisis brings into light the inescapable influence of collective unconscious that he shares with the rest of his community. ***The Emperor Jones and the question of identity***

Four plays of O'Neill, *Gold* (1920), *Different* (1920), *The First Man* (1921) and *The Emperor Jones* have similarities in their thematic pattern. The protagonists of these plays think they know exactly who they are and what they are and what they want. Fulfillment requires them to betray and destroy other human beings. All they create a grand self-image or a false ego-image. In his ignorance or fear of the nothingness behind that image, he is desperately propelled towards integration with that grandiose, chimerical self-image. His monomania ignores the opposites of life and of self and causes his madness or death. For instance, the protagonist of *Gold*, a whaling skipper obsessed by desire for wealth creates for himself a false-image. He instigates two of his shipmates to commit murder for grabbing wealth and pretends to be innocent. But reality begins to show the hollowness of his self-image. Finally, the pronouncement of his son Nat, that the gold is false tears away the last remnant of his self-image and gradually he loses his sense and dies. The ironic symbolism of the title of *Gold* portrays demolition of the self-projected notions opposed to reality and created by pride or ego. As Bartlet is driven by his lust for gold, so the Emperor Jones is driven by the lust for power. Like Bartlet, Jones cannot rest until he has been united with and destroyed by an impossible, self-projected image of himself as an absolute and invulnerable dictator. Jones assumes to have a false-identity of his own self, and the core of the action of the play consists of the gradual stripping off of this false-identity and revelation of the truth. The terms of this revelation of the true identity are those not only of O'Neill, but also of Jung. Jung's concept of collective unconsciousness or the racial memory has been used as a device to lay bare the identity behind an identity.

Brutus Jones is one of O'Neill's heroes who fall due to pride. Like Oedipus or Faust, Jones is inordinately proud of his mind, he attempts to identify his self with the false image of an invincible emperor. Moments of realization of the true identity comes, but only through destruction. The Emperor Jones, Brutus is an ex-Pullman porter, who, through deception and corruption, has become self-styled emperor and possessor of great riches of a West Indian island. The significance of the play lies not in the journey undertaken by Emperor Jones, that

O'Neill visualizes by expressionistic technique, but in the exposure of the true facet of Jones - that the false-image peels from him like the layers of an onion. The process leads to destruction of conscious ego and expression of the personal and collective unconscious. Along with the drum beat he moves across the forest and comes back eventually where he began. He ends with realization of the truth with stripping off of his uniform and ultimate nakedness.

The playwright tells us, at the very outset of the play how Brutus was driven by his lust for riches and power. This ex-convict with a long history of crimes boastfully describes to his partner Smithers how he had grabbed power through trickery, murder and power. He spread among the natives, when once a native failed to kill him with his gun, that without silver bullet nobody can harm as he is in possession of magical power. Brutus did it because as he assumed silver was not available in that island. Similarly, he swindled the inhabitants of the island following different deceptive means and introducing taxes and became a rich emperor. Finally, the exploitation compels the natives to stand against him. Earlier, Jones did not let his past history come between his present identity and his real self. He said that it is useless to bother about the past, what once he was is not his concern, he is interested only in what he is today. But as the rebellion is imminent the moment of dissolution of the self-image comes. His self-knowledge comes through death and now he realizes that his pride is the cause of his death.

When Jones takes his flight through the jungle the individual and racial memory haunt him like a ghost bringing into surface the sense of fear and guilt which so long lay hidden in the depth of his mind. Brutus tries to drive away each of the ghosts that appear one after another embodying a secret action or motive from his life in the past for which he keeps spending the bullets of his revolver one after another. The "formless fears" first creep out from the darkness of the Great Forest. These mysterious creatures rise quietly with deliberately towards Jones. Suddenly he is reminded of his loaded revolver and fires at them to scare them away. Through presentation of two apparitions, one of Jeff and the other of the guard the guilt of Jones is hinted at in the play. Jeff was killed in a fight and the guard was killed in the United States, when Jones escaped from prison. O'Neill shows here what emerges from his personal and collective unconscious, or what is called "racial memory".

Jones's glory and pride as an "Emperor" have been leaving him and he is instantaneously reminded of his Negro inheritance. His royal panama hat is lost and he looks completely exhausted. He removes the spurs, takes off his coat and is thus seen stripped to the waist. Then to him appears the mysterious vision of the slave trade that he was also supposed to be sold. He is shocked to see the planters standing all-round him in excitement and he is made to stand on an auction block. Jones is found in the attire of a slave transported from a far remote forest in Africa. He is seen there cowering, paralyzed with horror. Failing to control himself, Jones shoots at the Auctioneer and the planters whose visions disappear on hearing the sound. In Scene VI Jones's voice is heard between chattering moans. When he takes rest he feels like surrounded by the ancestors from the past with mournful crooning which he tries first to elude and then joins them by raising his voice above others. Finally, Jones is found, who is by now without even the last shred of his outward self, reaching the dusky, savage and mysterious domain of unconscious, near an altar of stone. He realizes that his journey comes to a full circle now, he comes back to the spot where he started his soul searching journey. Thus Jones comes back to his real self, real identity. Like the tragic pattern of the Greek tragedy this integration

is possible only through sacrifice, which is demonstrated here by calling of a crocodile by the doctor practicing black magic. This means a salvation - salvation from the evil, salvation from the false self-image and getting integrated with the true self. He fires at the crocodile, but it costs him his silver bullet, which is the symbol of his pride.

Conclusion

Thus O'Neill shows that one's present identity is formulated, besides other factors, by his biological or racial past. One cannot escape his past, one's attempt to overlook it is only a foolish act against the law of Nature, which may result in catastrophe of the individual. Instigated by pride, Brutus Jones creates a grandiose and chimerical self-image and tries utmost to be identified with that image. To do that he acts with foolishness to obliterate his biological or racial identity, but he cannot. Through the conflict between the consciousness and unconsciousness he comes to realize the real self or identity, but it takes his life. The haunting personal and collective memory or unconsciousness lays bare his real identity to him. So his flight in the darkness is the flight from the false identity or self-image to the real one. And through the theme we see a kind of reconciliation between the assertions of his conscious ego with that of the unconscious. His flaw is the ignorance of the fact that he is ever haunted by the force of collective unconscious. His real identity lies in the foggy, mysterious realm of the unconscious.

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ISSN: 2583-8881

<https://image.dispurlawcollege.org>

Artificial Intelligence and the Judiciary: Exploring the Technological Landscape of Law

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Abstract:

A computer system capable of doing activities that would normally need the intellect of a human being is referred to as Artificial Intelligence. Machine learning, which entails gathering the rules and knowledge for utilizing the data, is the engine that drives Artificial Intelligence systems. Considering that Artificial Intelligence is founded on the data service sectors, it has become very popular and essential in recent years. Artificial Intelligence is a transformative technology that is having a positive impact on our lives. Additionally, it actively contributes to our daily activities by serving as an indication for meetings and offering recommendations for articles and news that align with our interests. It not only alters the way people interact with the digital environment but also how they interact with one another, both in their professional endeavours and within socio-economic organizations. The use of Artificial Intelligence in the legal sector has transformed this traditional activity by offering revolutionary developments in the realm of legal research and teaching. To guarantee a beneficial influence of Artificial Intelligence, it is essential for all stakeholders to actively engage in discussions about Artificial Intelligence. This article aims to investigate the potential benefits of incorporating Artificial Intelligence technology into the legal sector. The study further examines the disadvantages of integrating Artificial Intelligence into the legal system as well as investigates its implications, the legislation that governs its use, and the potential challenges that may arise.

Keywords: *Artificial Intelligence, Machine Learning, Law, Judiciary, Justice.*

Introduction

Artificial Intelligence is a globally developing concept in information technology. In its simple terms, it means the development of machines capable of solving problems more intelligently. It is a branch of computer science that works on the evolution of machines that can do anything like a human being. The ability of a computer or machine to engage in activities that would normally need the intellect of a human being is referred to as Artificial Intelligence.

These machines are far ahead of regular machines. Artificial Intelligence is more efficient in problem-solving and decision-making. It can do things like interpreting speech, playing games, identifying patterns, developing self-driving cars, etc. where human being uses their cognitive mind. John McCarthy introduced the term Artificial Intelligence in 1956 during the inaugural Academic Conference dedicated to the subject. (Nilsson, 2009) He defined Artificial Intelligence as, “It is the science and engineering of making intelligent machines, especially intelligent computer programs. It is related to the similar task of using computers to understand human intelligence. But Artificial Intelligence does not have to confine itself to biologically observable methods.” (McCarthy, 2003) He also discussed the origins of the term. Although Artificial Intelligence shares the objective of utilizing computers to understand human intelligence, it is not constrained to methods that are perceptible from a biological standpoint. In his perspective, there was no such thing as a “solid definition of intelligence that does not depend on relating it to human intelligence.”

Like any other sector of human life, Artificial Intelligence is useful for the judiciary or the justice delivery system. Technological evolution in the legal sector will ensure speedy and accessible justice for everyone. The influence of Artificial Intelligence is becoming more relevant in the Indian court, as it has emerged as a disruptive force in a variety of different industries. It is possible that the incorporation of Artificial Intelligence technology into the Indian court system would result in the simplification of procedures, the enhancement of efficiency, and the improvement of ingress to justice.

Diverse forms of Artificial Intelligence

Artificial Intelligence may be primarily classified into two groups depending on its capabilities and functions. These are:

Based on Capabilities:

There are three types of Artificial Intelligence based on its capabilities,

1. **Narrow AI:** Narrow Artificial Intelligence can perform limited tasks. It is mostly used and currently available. This Artificial Intelligence cannot perform beyond its limited field. It is also known as weak Artificial Intelligence. Apple’s Siri, Alexa, playing chess, image recognition, e-commerce site etc. are some of the examples of narrow Artificial Intelligence.
2. **General AI:** General Artificial Intelligence is also known as strong Artificial Intelligence. General Artificial Intelligence can think like a human being. It is a representation of the cognitive abilities of the human brain. It is focused to things in which human being is capable. Self-driving cars are one of the examples of strong AI. Research has still been continued on general or strong Artificial Intelligence and undoubtedly, it will bring a drastic change in human life too.
3. **Super AI:** It is considered the strongest development in the field of Artificial Intelligence. It is more intelligent than general Artificial Intelligence. Super Artificial Intelligence is a form of Artificial Intelligence that is capable enough of super-passing human intelligence. It shall have its thinking and cognitive skills.

Based on Functions:

1. **Reactive Machines:** Reactive machines cannot store past experiences. It only focuses on current actions. It is a basic type of Artificial Intelligence.
2. **Limited Memory:** Limited memory Artificial Intelligence can store some data for a limited period. It can use those data on experiences in future actions.
3. **Theory of Mind:** This kind of Artificial Intelligence can understand human beings emotions, sentiments, and thoughts. It is not yet completely developed in the field of Artificial Intelligence.
4. **Self-awareness:** The form of self-awareness Artificial Intelligence still exists only hypothetically. It will be smartest enough to understand the beyond ability and will also have its own needs, emotions, and benefits.

Stages of Evolution of Artificial Intelligence

Artificial Intelligence is considered as a gift of the era of information technology. However, the notion is not wholly novel. The foundation of this system is built upon a wealth of knowledge spanning more than two millennia, including philosophy, logic, mathematics, theories of reasoning, cognitive psychology, and languages. (Russell & Norvig, 2010) But practically, it came as a direct impact of the Second World War. In the year 1956, it became a specific area of study in the Dartmouth Summer Project. It was considered as the first project of research on Artificial Intelligence. A brief detail of the stages of the evolution of Artificial Intelligence is as follows-

Early Enthusiasm (1956-75)

The Dartmouth Summer Project in 1956 did not provide any significant advancement. However, it did contribute to the emergence of the term 'Artificial Intelligence' and facilitated the connection between prominent intellectuals, so shaping the trajectory of the subject for many years to follow. (McCarthy et al., 2006)

The first Artificial Intelligence Winter (1974-80)

After the first wave of enthusiasm, work on Artificial Intelligence development had gone through a dormant period which is also known as the winter period of Artificial Intelligence. In this period, progress slowed down and the funding for Artificial Intelligence initiatives was curtailed.

The Second Artificial Intelligence Spring (1980-87)

Fortunately, this period witnessed an active progress in Artificial Intelligence development. In this period expert systems were developed. It is a system of programs that use predefined rules to provide answers or solutions within a limited area of specialized knowledge. (De Spiegeleire et al., 2017) This software imitated the decision-making processes of a human expert, which were programmed into a formal logical language. (Taeihagh, 2021).

The Second Artificial Intelligence Winter (1987-93)

Once again, a winter came in the evolution of Artificial Intelligence. It was caused all because of an outsized expectation that could not be met. The government agencies, private companies, and the scientific communities had their contradictory opinion on Artificial Intelligence development due to which the progress was interrupted.

Sustained Artificial Intelligence Spring (1993-2011)

After the winter season of Artificial Intelligence development, it focused on solving specific problems or applications. In this period gradual progress was seen in the evolution of Artificial Intelligence. It not only started to accomplish its centuries-old objectives but also managed to infiltrate both the technological sector and several parts of everyday life gradually and inconspicuously. (Russell & Norvig, 2010)

Revolution of Artificial Intelligence (2011- present)

The revolution of Artificial Intelligence development has been seen in these recent years. This success of Artificial Intelligence depends on various factors which include advancement in neuroscience as well as computer science. Additional noteworthy factors include the rise in accessible computing power and faster networks, the utilization of cloud infrastructures, the expansion of the Internet of Things and Big Data, and particularly the availability of extensive open-source datasets (occasionally derived from social-media networks) for training and testing large-scale machine learning networks. (Nazre & Garg, 2017) All the recent development made in the field of Artificial Intelligence comes under this period of evolution of Artificial Intelligence.

Unveiling the Impact of Artificial Intelligence on the Indian Judiciary

The impact of Artificial Intelligence on the Indian Judiciary has been significant and has presented both opportunities and difficulties. Artificial Intelligence can optimize legal procedures, augment decision-making, and increase the availability of justice by using technologies such as predictive analytics and algorithms for legal research. Nevertheless, apprehensions around unfairness in Artificial Intelligence algorithms, safeguarding data privacy, and the eventual obsolescence of certain legal occupations have also appeared. As the Indian Judiciary adapts to this technological transition, it must conscientiously evaluate the ethical, social, and legal consequences of incorporating Artificial Intelligence into its functions to guarantee fair and transparent administration of justice.

The pros of integrating Artificial Intelligence in the Indian Judiciary:

Artificial Intelligence can be used in the process of due diligence. Due diligence is a method of investigation of facts that needs several hours of tiresome work. Before establishing a fact in the court, the lawyers must do research on the facts. The whole process of legal research requires a lot of time and effort. With the help of Artificial Intelligence, the judges and lawyers will be able to conduct legal research more speedily. Artificial Intelligence based systems are efficient enough to provide any relevant data in only a single click. By using

Artificial Intelligence based tools the judges and the lawyers will be able to save a lot of time for legal analysis, negotiation, and strategy making.

Technology prediction is also considered an important benefit of Artificial Intelligence in the legal field. Artificial Intelligence is the smartest machine that humans have ever produced. Therefore, the Artificial Intelligence based system in the legal sector will make a significant development. Artificial Intelligence will help the lawyers and the judges in predicting the cases pending in the court. Artificial Intelligence based machine learning software systems can group a lot of data and it predicts the possible outcome of cases based on those gathered data. This kind of software will aid the judges and the lawyers in doing their work more systematically.

Increasing efficiency and accuracy is another significant advantage of using Artificial Intelligence in the legal sector. By using Artificial Intelligence based algorithms legal research or document review can be done more speedily. It can efficiently analyse a huge number of legal documents and data. This new revolution in the judiciary will boost the overall court procedure and reduce pending cases. It will make the judiciary capable enough for timelier resolution. The addition of the Artificial Intelligence system in the legal sector will increase the quality, efficiency, and consistency of judicial decisions.

The cons of integrating Artificial Intelligence in the Indian Judiciary:

The use of Artificial Intelligence in the legal sector also brings some challenges to the whole legal fraternity. The hesitation of the senior advocates and the judge in adopting these technologies is a big challenge in the revolution in the legal sector. The lawyers have a fear of losing their profession.

Another challenge in the incorporation of Artificial Intelligence in the legal sector is its high cost. It is an expensive system that needs a huge amount of investment, because of that small lawyer and law firms are not being able to afford technologies like Artificial Intelligence.

Lawyers and judges are also facing challenges in the protection of personal data on Artificial Intelligence tools. As we know legal documents contain very sensitive information and even a single negligence will create a huge difficulty in delivering justice. So, legal data security is also a primary responsibility of the service providers. No innocent civilian should suffer for lack of protection in an Artificial Intelligence-based service system.

Lastly, legal accountability of Artificial Intelligence based algorithms is also a challenge to the legal fraternity. The laws shall be made to determine the liability of Artificial Intelligence. No technology should be uncontrolled. There have to be some laws that specifically deal with Artificial Intelligence.

Adoption of Artificial Intelligence in Indian Judiciary

In this technologically advanced world in the 21st century, the impact of Artificial Intelligence can be seen in every sector of life. Its uses have been consistently increasing and the legal sector is not an exception now. It has also influenced the Indian justice delivery system. The judiciary and legal professionals have expressed their approval of the use of Artificial Intelligence in the field of law. It will increase the efficiency of the lawyers and the judges and will help to focus on the cases more strategically.

In recent years, Artificial Intelligence has had a significant influence on the Indian judiciary and justice delivery system. In India, the judiciary is overloaded with pending cases and because of that justice delivery system is somehow lacking. Incorporation of new technologies like Artificial Intelligence will help the judiciary in so many ways. The possible positive impact of the adoption of Artificial Intelligence in the justice delivery system will be considered a remarkable step in the entire history of the Indian judiciary.

Artificial Intelligence can reform the justice delivery system and ensure faster justice for everyone. It will help the courts in reducing the number of pending cases. By using Artificial Intelligence, the quality and consistency of judgment will be improved and access to justice shall be ensured.

The Supreme Court of India has already taken the initiative to adopt Artificial Intelligence in the justice delivery system. In the year 2019, then Chief Justice S.A. Bobde took a remarkable step to include Artificial Intelligence in the judiciary. He took the initiative to launch the Supreme Court mobile application. Chief Justice Bobde, while talking about the application, asserted that an Artificial Intelligence fuelled law translation system will facilitate the quality translation and will further help in improving the efficiency of the Indian Judicial System. (Promila Dhar, 2023) Launching this mobile application was the first step in the adoption of Artificial Intelligence in the Indian judiciary.

The need for the adoption of Artificial Intelligence in legal processes was also felt by the judiciary during the Covid-19 pandemic. The benefits of Artificial Intelligence in legal process were notably recognized at that time. Virtual hearings and online dispute resolution methods were introduced to tackle the issues faced by the judiciary during the pandemic. It was not a temporary solution but a major development in the legal sector. The initiative of taking online hearings and live streaming of court proceedings has been appreciated as a remarkable step towards accessible, transparent, and efficient legal services.

Supreme Court also has launched an Artificial Intelligence enabled assistive tool that is Court Portal for Assistance in Court Efficiency (SUPACE). It is an Artificial Intelligence based digital portal that gathers necessary data, facts, and legal provisions for judges and lawyers. This portal is to strengthen the process of legal research before giving any decision by the judges. It will also help the lawyers in doing legal research more speedily and efficiently. This portal is not for making decisions but for assisting judges and lawyers in the process of decision-making.

Another important Artificial Intelligence based tool that has been used by the Supreme Court is Supreme Court Vidhik Anuvaad Software (SUVAS). It is a translation tool that is machine-supported and trained by Artificial Intelligence. Supreme Court has made this significant development in judiciary with the technical support from the Ministry of Electronics and Information Technology. It is a noteworthy step taken by the Supreme Court to translate the documents of court proceedings and legal papers from English into several vernacular languages of India and vice-versa.

To examine the application of Artificial Intelligence in the field of law, the Supreme Court of India has established an Artificial Intelligence Committee. This committee has primarily focused on identifying the use of Artificial Intelligence technology in the translation of legal documents, assisting in legal research, and automating legal processes. (Lederer, 2020)

These are some of the remarkable steps taken by the Supreme Court of India and it will have a positive impact on the Indian justice delivery system. The application of Artificial

Intelligence from the lower judiciary to the Apex Court will bring tremendous reform in the court proceeding. Judges are the torch bearer of justice and it shall never be denied only because of the lack of technical knowledge of the judges. It will never replace the calibre of the judges and the lawyers but it will assist them in the protection of justice for the needy one.

Artificial Intelligence: A Game-Changer for the Future Law Firms

The legal profession is also being significantly impacted by the fast transformation brought about by Artificial Intelligence. The incorporation of Artificial Intelligence into law firms is fundamentally transforming how legal practitioners operate, engage with clients, and handle their workload. The automation of repetitive operations is a very impactful method in which Artificial Intelligence is transforming the landscape of future law firms. Artificial Intelligence can streamline the task of examining large quantities of documents, detecting any legal hazards and concerns, and producing comprehensive due diligence reports. Also, Artificial Intelligence software can efficiently assess and examine contracts, do legal investigations, and even forecast case results with a superior degree of speed and precision compared to humans. This process automation not only enhances efficiency but also minimizes the possibility of mistakes, enabling advocates to concentrate on more intricate and strategic facets of their tasks.

Furthermore, Artificial Intelligence is transforming how legal information is obtained and used. Artificial Intelligence algorithms can efficiently analyse extensive legal data to extract pertinent facts, furnishing attorneys with important insights and precedents to bolster their claims. This not only simplifies the research process but also empowers attorneys to make more knowledgeable conclusions via thorough data analysis.

Artificial Intelligence is not just affecting internal operations, but it is also revolutionizing how law firms engage with their customers. Artificial Intelligence-driven chatbots and virtual assistants can manage customer queries, arrange meetings, and provide fundamental legal guidance, thus enhancing customer interaction and contentment. In addition, Artificial Intelligence-powered analytics may enhance law firms' comprehension of their customer's requirements and inclinations, enabling the provision of more tailored and efficient legal services.

Although Artificial Intelligence can manage repetitive activities, human legal professionals remain indispensable for duties that need advanced cognitive abilities such as critical thinking, intricate problem-solving, and ethical decision-making. Consequently, attorneys are adapting their jobs to include a more comprehensive comprehension of Artificial Intelligence technology, data analysis, and the ethical ramifications of Artificial Intelligence in the legal field. Legal research can be aided by tools carried by Artificial Intelligence that analyze immense quantities of legal data, such as case laws, statutes, and legal opinions. This will assist lawyers and judges in expediting their decision-making processes and eliminating the need for labour-intensive manual research. The time-consuming tasks of e-discovery, contract review, and background investigation can be simplified with the assistance of Artificial Intelligence.

Nevertheless, the integration of Artificial Intelligence in legal firms also gives rise to significant ethical and regulatory concerns. With the rising sophistication of Artificial

Intelligence systems, concerns around data privacy, algorithmic bias, and the responsibility for Artificial Intelligence-generated judgments become more relevant. To ensure the responsible and lawful use of Artificial Intelligence, future law firms will have to adeptly traverse intricate ethical and legal concerns. Consequently, the incorporation of Artificial Intelligence into law firms is fundamentally transforming the legal profession. Artificial Intelligence is redefining the future of law firms by automating mundane work, improving client interactions, and transforming the role of attorneys. Legal chatbots and virtual assistants may help prospective litigants make better legal decisions and obtain essential legal services more conveniently and cheaply. A bot might give interactive toolkits to find facts for legal notice, file FIR, and estimate success based on facts and law. Although ethical and regulatory issues associated with Artificial Intelligence usage must be addressed, the evident advantages of Intelligence Artificial Intelligence in the legal field must be acknowledged. In the era of rapid Artificial Intelligence advancement, law firms that genuinely embrace and effectively adapt to these technological developments will be optimally positioned to flourish in the digital age.

Conclusion

Artificial Intelligence has become a powerful and influential factor in every sector of our lives, including the legal system. The use of Artificial Intelligence technology in the court has elicited both interest and apprehension. During technological advancement, it is essential to analyse the potential impact of Artificial Intelligence on the legal system, while upholding the principles of equality, accountability, and justice.

Artificial Intelligence might potentially transform the Indian court system by diminishing the accumulation of pending cases and optimizing routine duties like legal research, data analysis, and document review. Nevertheless, the incorporation of Artificial Intelligence in the legal system must be approached with prudence, considering the ethical ramifications of this decision. It is crucial to carefully analyse and handle this integration, taking into account ethical factors and ensuring responsible and transparent use of Artificial Intelligence technology. Through the use of Artificial Intelligence by ethical guidelines, the Indian court can leverage technology to introduce a new era of effectiveness and availability in the management of justice.

Tools controlled by Artificial Intelligence have begun processing data and making it accessible to judges in India's court. When translating legal documents from English to vernacular languages and vice versa, the Supreme Court of India has also been making use of SUVAS, which stands for Supreme Court Vidhik Anuvaad Software. Although Artificial Intelligence has the potential to make the Indian justice system more accessible and efficient, it is yet unable to manage more intricate duties like deal structuring, negotiating, advocacy, and court representation. Due to its lack of emotional intelligence, it is unable to succeed in court like a human lawyer would. So, Artificial Intelligence might lead to lower hourly rates for legal firms. The use of Artificial Intelligence by India's courts is an encouraging development that might lead to better justice for all Indians in terms of accessibility, efficiency, and quality. Artificial Intelligence should not take the place of human judges but rather supplement their decision-making abilities. In conclusion, there are many factors to think about while deciding

how to incorporate Artificial Intelligence into India's judicial system, including advantages, disadvantages, and ethical concerns.

Artificial Intelligence can only be effectively implemented with a balanced approach. Users of Artificial Intelligence must be protected by data protection rules while data is being managed, recovered, or used. With a careful and measured approach to incorporating Artificial Intelligence into the judiciary, India can create a fairer and more accommodating judicial system for all its citizens as it continues to embrace technological innovations.

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