



THE EVOLUTION OF JUSTICE: FROM ANCIENT GREEK AND INDIAN PHILOSOPHERS TO CONTEMPORARY LAW SYSTEMS

Santhosh Kumar P¹, Dr. Pelasur Chandrakumar Swamy², Dr. N. Krishna Kumar³

¹Research Scholar, Department of Law, Himalayan University, Arunachal Pradesh.

²Research Supervisor, Department of Law, Himalayan University, Arunachal Pradesh.

³Research Co-Supervisor, Department of Law, Himalayan University, Arunachal Pradesh.

Abstract

The concept of justice has evolved significantly from the ancient philosophies of Greece and India to the sophisticated frameworks of contemporary law systems. This paper traces the philosophical roots of justice as seen through the works of thinkers like Plato, Aristotle, Kautilya, and Manu. It further explores how these ancient notions of justice have influenced modern legal systems, drawing parallels between the ethical and legal foundations laid in antiquity and the principles that govern contemporary justice systems today. By examining both the historical and contemporary perspectives, the paper seeks to provide a comprehensive understanding of justice's enduring relevance.

Keywords: Aristotle, Justice, Kautilya, Law, Plato, Philosophy.

I. Introduction

The concept of justice has been central to the evolution of human civilization, deeply embedded in philosophical, legal, and ethical frameworks across cultures. From the philosophies of ancient Greece and India to the complex systems of contemporary law, justice has undergone a profound transformation, yet its core remains focused on fairness, equality, and the moral rightness of actions and societal structures. Philosophers such as Plato and Aristotle in Greece, and Kautilya and Manu in India, provided foundational ideas about justice that have continued to influence legal systems around the world. In ancient Greece, justice was a central theme in the works of Plato and Aristotle. Plato's theory, presented in *The Republic*, conceptualized justice as a harmonious structure, both within the individual and society, where each part performs its designated function. Aristotle, in his *Nicomachean Ethics*, provided a more practical perspective, defining justice in terms of fairness, balance, and proportionality. His ideas about distributive and corrective justice laid the groundwork for much of modern legal theory in the Western world.

Simultaneously, ancient Indian philosophers like Kautilya and Manu were constructing their own concepts of justice, grounded in the principles of dharma (duty and righteousness). Kautilya's *Arthashastra* was a treatise on governance and statecraft, where justice was seen as essential for maintaining social order and stability. Manu, through his *Manusmriti*, proposed a hierarchical and duty-based conception of justice, emphasizing the fulfillment of societal roles as the path to maintaining order and cosmic balance. The evolution of these philosophies from ancient Greece and India has profoundly influenced modern legal systems. Today, the concept of justice is more closely tied to human rights, equality before the law, and democratic principles, yet the foundations laid by these early thinkers continue to inform contemporary jurisprudence.



By tracing the development of justice from ancient philosophical traditions to modern legal systems, this paper seeks to explore the enduring relevance of these foundational ideas and their impact on the legal frameworks that shape societies today. In the sections that follow, this paper will examine the philosophical underpinnings of justice in ancient Greece and India, followed by a discussion of how these early ideas have permeated modern legal systems. Through a comparative analysis, this study will illuminate the continued significance of ancient theories of justice in addressing contemporary legal and ethical challenges.

II. Philosophies of Justice in Ancient Greece

The ancient Greek understanding of justice was profoundly shaped by the works of philosophers such as Socrates, Plato, and Aristotle. These thinkers laid the intellectual groundwork for Western legal and ethical thought by conceptualizing justice not merely as a legal construct but as a moral and societal virtue essential to human well-being. Their philosophical inquiries into justice continue to influence contemporary debates on law, ethics, and governance.¹

A. Plato's Vision of Justice

In his seminal work *The Republic*, Plato presents a theory of justice that goes beyond mere legalism, envisioning it as a fundamental principle of harmony both within the individual and society. For Plato, justice occurs when every individual and every class within society performs their designated role without interference from others. He uses the allegory of the soul to explain this concept: just as the rational part of the soul must rule over the spirited and appetitive parts for an individual to be just, so too must the ruling class (philosopher-kings), the auxiliaries (soldiers), and the producing class (workers) perform their distinct roles for society to function justly². Plato's ideal society is one in which justice ensures that all parts of the community work in concert, much like the parts of the soul. For him, justice is "doing one's own work" (to dikaionprattein) and ensuring that all elements of society are in their rightful place, governed by wisdom and reason. This vision of justice emphasizes social harmony and the collective good, offering a utopian ideal where justice is synonymous with the proper functioning of a well-ordered society.

B. Aristotle's Concept of Distributive and Corrective Justice

Aristotle, Plato's student, offers a more practical and grounded approach to justice in his *Nicomachean Ethics*. Rather than focusing on an ideal state, Aristotle explores justice in everyday transactions and governance. He divides justice into two key types: distributive justice and corrective justice.³

- **Distributive Justice:** Aristotle's concept of distributive justice is concerned with the fair distribution of goods, honors, and wealth within society. According to Aristotle, fairness is not based on equality in the absolute sense but on proportionality. People should receive resources and opportunities based on their merit or contribution to society. Thus, distributive justice

¹Aristotle, *Nicomachean Ethics*, trans. W.D. Ross (Oxford: Clarendon Press, 1908)

²Plato, *The Republic*, trans. B. Jowett (Oxford: Clarendon Press, 1894)

³Supra Note 02



involves ensuring that individuals receive what is due to them based on a proportionate measure, rather than an equal division of goods⁴. This notion of proportional fairness has deeply influenced modern economic theories of justice, as well as the distribution of legal rights and obligations.

- **Corrective Justice:** In contrast to distributive justice, corrective justice deals with the rectification of wrongs and the restoration of balance when an injustice has occurred. This form of justice is often applied in legal systems, particularly in torts and contract law, where the aim is to correct an imbalance created by wrongdoing, fraud, or unfair transactions. Aristotle's corrective justice focuses on returning the parties to a state of equality by rectifying any disproportionate gain or loss that resulted from the injustice⁵.

Aristotle's work stands out for its methodical and systematic approach to justice. His emphasis on equity, fairness, and proportionality has had a lasting influence on Western legal thought, particularly in the realms of civil and criminal law.

C. The Socratic Method and Justice

Though Socrates left no written works of his own, his dialogues as recorded by Plato contributed significantly to the development of justice as a philosophical inquiry. Socrates engaged his interlocutors in a dialectical method known as the Socratic method, a process of asking probing questions to reveal contradictions in thought and clarify ethical concepts, including justice. Socrates famously challenged traditional notions of justice in Athenian society by questioning whether justice is simply the advantage of the stronger, as was proposed by the Sophists. Through his method of inquiry, Socrates sought to show that justice is not merely a matter of power or self-interest but is intrinsically linked to virtue and the moral order. His approach laid the foundation for critical thinking about justice as something that must be rationally examined rather than accepted based on tradition or authority⁶.

The Greek philosophers provided two complementary visions of justice. Plato's idealistic view of justice emphasized a well-ordered society where each individual and class fulfills its appropriate role, leading to harmony and balance. Aristotle, meanwhile, focused on the practical aspects of justice, centering his theory on fairness in distribution and rectification. Together, their ideas laid the intellectual foundation for much of Western thought on justice, influencing legal theories of rights, equality, and fairness in modern jurisprudence. The examination of these classical notions of justice reveals a deep concern with the balance between individual rights and societal harmony. Both Plato and Aristotle viewed justice as essential not just for the functioning of legal systems but for the moral and ethical development of individuals and society as a whole. Their ideas continue to resonate in contemporary legal systems, offering valuable insights into the nature of law and justice.

⁴Supra Note 01

⁵J. Miller, *Aristotle's Theory of Justice* (Oxford: Clarendon Press, 1995)

⁶T. Irwin, *Socrates and Athenian Justice*, *Philosophical Review*, 1986, pp. 354-377



III. Philosophies of Justice in Ancient India

The concept of justice in ancient India was deeply rooted in the philosophical and spiritual traditions of dharma (moral duty) and rta (cosmic order). Justice was not viewed merely as a legal or societal construct but as a fundamental aspect of the moral order of the universe, reflecting a harmony between individual behavior, societal roles, and the divine. Two of the most prominent figures in the development of justice in ancient Indian philosophy were Kautilya and Manu, whose works on law, governance, and ethics continue to influence modern Indian legal thought.⁷

A. Kautilya's Pragmatic Approach to Justice

Kautilya, also known as Chanakya, was an ancient Indian philosopher, economist, and political strategist who is best known for his treatise, the Arthashastra. This text is one of the earliest comprehensive works on statecraft, politics, and law, and it offers a highly pragmatic approach to justice, emphasizing the role of the ruler in maintaining order and protecting the state. Kautilya's philosophy of justice is grounded in practical governance. He believed that the stability of the state depended on a strong legal framework enforced by a powerful ruler. The king, in Kautilya's view, was the ultimate authority on justice, tasked with upholding dharma (moral law) and ensuring the well-being of his subjects. Justice, according to Kautilya, was a means of maintaining social order and preventing chaos, with the ruler responsible for protecting the weak from the strong, ensuring fairness in economic transactions, and punishing wrongdoers to deter crime.⁸

Kautilya's justice system was both retributive and preventive. He believed that harsh punishments, including corporal and capital punishment, were necessary to deter criminals and maintain law and order. However, his vision of justice also included aspects of fairness and equity, as he advocated for the protection of marginalized groups, such as women, children, and the poor. Kautilya's emphasis on the ruler's role in dispensing justice reflects a highly centralized form of governance, where law and justice were seen as tools of statecraft designed to strengthen the power of the king and ensure societal stability.⁹

B. Manu's Dharma-Based Justice

The Manusmriti (Laws of Manu), attributed to the sage Manu, is one of the oldest and most influential texts on law and justice in ancient India. The text presents a comprehensive code of conduct that governs all aspects of life, from individual morality to the organization of society. Justice in the Manusmriti is inseparably linked to dharma, the concept of duty and righteousness, which dictates the proper conduct of individuals according to their caste (varna) and stage of life (ashrama).¹⁰

⁷Supra Note 06

⁸B. Prasad, "Kautilya's Conception of Justice and Law," *Indian Journal of Political Science*, 45(2), 1984, pp. 345-367

⁹Manu, *Manusmriti*, trans. G. Bühler (Oxford: Clarendon Press, 1886)

¹⁰Supra Note 09

Manu's philosophy of justice was deeply hierarchical, reflecting the structured social order of ancient India. The varna system, which divided society into four main classes (Brahmins, Kshatriyas, Vaishyas, and Shudras), was central to Manu's conception of justice. Each class had specific duties and responsibilities, and justice was achieved when individuals fulfilled their prescribed roles. The laws outlined in the Manusmriti were designed to maintain the cosmic and social order by ensuring that everyone adhered to their dharma¹¹. Justice in the Manusmriti was also linked to the concept of karma, the idea that one's actions in this life would determine their fate in future incarnations. Manu's justice system was therefore not only concerned with punishment and retribution in this life but also with the moral consequences of actions in the cycle of rebirth. While the text has been criticized for its rigid social hierarchy and its often unequal treatment of women and lower castes, its influence on traditional Indian legal and social systems has been profound and long-lasting¹².

C. Justice and the Vedic Tradition

The philosophical underpinnings of justice in ancient India are also rooted in the Vedic tradition, which predates the Arthashastra and the Manusmriti. In the Vedic texts, justice is closely related to the concept of rta, or the cosmic order, which governs both the natural and social worlds. Rta is the principle that ensures harmony and balance in the universe, and it is maintained through the proper observance of dharma. The gods, particularly Varuna, are seen as the upholders of rta, and human justice is conceived as a reflection of this divine order. The idea of rta influenced the development of both individual and societal justice. Individuals were expected to live in accordance with dharma, performing their duties without causing harm or disruption to the cosmic order. Similarly, rulers were expected to govern justly, ensuring that laws and punishments were in line with the divine will and contributed to the preservation of order. This connection between divine order and human justice is a recurring theme in ancient Indian philosophy and highlights the spiritual dimension of justice in Vedic thought¹³.

D. Comparison with Greek Philosophical Justice

While the Greek philosophers, particularly Aristotle, emphasized distributive and corrective justice, the ancient Indian conception of justice was more focused on the fulfillment of duties according to one's position in society. In India, justice was not only a matter of fairness but also a means of maintaining social harmony and cosmic balance. The Greek philosophers viewed justice more as a social and legal construct that applied universally, whereas in India, justice was deeply personal and relational, dependent on the individual's role in society and their adherence to dharma.

Furthermore, where Aristotle's justice involved rectifying inequalities and restoring balance through fairness, Indian justice—especially in the Manusmriti—was more about maintaining the

¹¹P. Olivelle, *Manu's Code of Law: A Critical Edition and Translation of the Manava-Dharmasastra* (Oxford: Oxford University Press, 2005)

¹²R. R. Sharma, *Cosmic Order and Justice in Ancient India*, (New Delhi: Munshiram Manoharlal, 2003)

¹³A. Sen, *The Idea of Justice* (Cambridge, MA: Harvard University Press, 2009)



established social order. The hierarchical nature of justice in the Indian tradition was contrasted by the more egalitarian ideals of justice in Greek thought, where citizenship and merit determined one's standing in society rather than birth or caste¹⁴.

The philosophies of justice in ancient India offer a unique perspective on the relationship between law, morality, and social order. Kautilya's pragmatic approach emphasized the role of the state in maintaining justice through governance and punishment, while Manu's Manusmriti connected justice to dharma, presenting a more hierarchical and duty-based system. These philosophies laid the foundation for traditional Indian legal systems, and their influence continues to be felt in modern Indian law and social practices. The deep interconnection between justice, cosmic order, and individual duty remains one of the defining features of ancient Indian philosophical thought.¹⁵

IV. Justice in Contemporary Legal Systems

Justice in contemporary legal systems has evolved significantly from the ancient philosophical foundations laid by thinkers in both the Greek and Indian traditions. Today, the notion of justice is inextricably linked with the rule of law, human rights, and the principles of fairness and equality. While ancient conceptions of justice focused on duty, virtue, and social harmony, contemporary legal systems prioritize individual rights, democratic governance, and procedural fairness. Nevertheless, many of the core ideas from ancient traditions, such as proportionality, fairness, and the need for social order, continue to influence modern legal frameworks.¹⁶

A. The Influence of Western Legal Tradition

The Western legal tradition, particularly in Europe and North America, has been profoundly shaped by the ideas of justice formulated by Greek philosophers such as Plato and Aristotle. These ideas have permeated legal theory, informing the development of constitutional law, civil rights, and criminal justice.

- **Constitutional Law and Human Rights:** Modern constitutions, particularly in liberal democracies, enshrine justice as a central principle, often expressed through guarantees of equality before the law, protection of individual liberties, and the right to due process. The Universal Declaration of Human Rights (UDHR), adopted by the United Nations in 1948, embodies the idea of justice as fairness, echoing Aristotle's principles of distributive and corrective justice. The declaration emphasizes the need to protect human dignity and ensure that individuals are treated equally regardless of their background¹⁷.

The influence of Greek philosophical traditions is evident in the framing of constitutions that aim to balance state authority with individual rights. Aristotle's emphasis on proportionality and fairness has influenced constitutional scholars, ensuring that laws promote the public good while protecting individual freedoms. Contemporary debates about social justice, particularly those

¹⁴Kautilya, Arthashastra, trans. R. Shamasastri (Bangalore: Government Press, 1915)

¹⁵Id at., 244

¹⁶Id at., 289

¹⁷United Nations, Universal Declaration of Human Rights, 1948



concerning racial, economic, and gender equality, can be traced back to the ancient Greek commitment to fairness and balance in the distribution of resources and opportunities.

- **Criminal Justice Systems:**The principle of proportionality, as articulated by Aristotle, continues to play a pivotal role in modern criminal justice systems. The idea that the punishment should fit the crime—ensuring that offenders receive sanctions proportional to the severity of their offenses—remains a cornerstone of criminal sentencing practices¹⁸. This principle has been institutionalized through the development of sentencing guidelines and judicial precedents that seek to ensure fairness in punishment.

Additionally, the concept of corrective justice, which deals with rectifying wrongs and restoring balance, is foundational in civil and criminal law. Modern legal systems have adopted mechanisms like compensation for damages, restorative justice programs, and rehabilitation-focused sentencing, all of which aim to repair the harm caused by wrongdoing rather than simply punish the offender. This reflects a shift from retributive justice models toward more equitable systems of redress and reconciliation.¹⁹

B. The Influence of Indian Legal Tradition

Contemporary legal systems in India have evolved from a complex interplay between ancient indigenous traditions and colonial legal frameworks. The Indian Constitution, adopted in 1950, reflects both the legacy of British common law and the influence of ancient Indian philosophies, particularly those related to dharma and justice.

- **Dharma and Social Justice:**The Indian concept of dharma has influenced modern legal thought, particularly in the realm of social justice and governance. The Indian Constitution incorporates principles of justice that are not only legal but also ethical and moral, echoing the dharma-based justice found in texts like the Manusmriti and the Arthashastra. Articles in the Constitution, such as those pertaining to affirmative action (reservation policies for disadvantaged groups), aim to rectify historical inequalities and ensure fairness in opportunities, much like the ancient concern with maintaining social balance through justice²⁰.

Indian jurisprudence has also been deeply influenced by the idea of restorative justice, which seeks to repair the harm caused by crime or injustice. This principle is reflected in several progressive judgments by the Indian judiciary, which have emphasized reconciliation, social rehabilitation, and the protection of marginalized communities. These judgments, while modern in their application, echo ancient Indian values of justice as a means of maintaining societal harmony and balance.

- **Rights-Based Legal Frameworks:**The Indian legal system has integrated ancient ideals with modern principles of justice, particularly in its protection of fundamental rights. For instance, the Right to Equality (Article 14 of the Indian Constitution) guarantees that all individuals are treated equally before the law, while Article 21 guarantees the Right to Life and Personal Liberty, which has been expansively interpreted to include a broad array of human

¹⁸A. Duff, "Punishment, Proportionality, and the Severity of the Sentence," *Current Legal Problems*, 56(1), 2003, pp. 493-516

¹⁹*Id.* at., 499

²⁰B. R. Ambedkar, *The Annihilation of Caste* (New Delhi: Critical Quest, 1936)



rights protections, from environmental justice to the right to privacy²¹. These constitutional protections reflect a fusion of ancient Indian concerns with justice and fairness, as well as contemporary liberal legal values.

- **Caste and Justice:** One of the most significant justice-related challenges in contemporary Indian law is addressing the legacy of the caste system, which has deep roots in the varna-based justice outlined in the Manusmriti. Modern Indian law, through various constitutional provisions and statutes, has sought to dismantle caste-based discrimination and promote social justice for historically marginalized groups, including Scheduled Castes and Scheduled Tribes. Affirmative action policies and legal protections for disadvantaged communities reflect an effort to rectify historical wrongs, a concept that resonates with both modern and ancient ideas of distributive justice²².

C. Global Legal Systems and Justice

Globally, justice in contemporary legal systems is increasingly framed in terms of human rights and international law. Institutions such as the International Court of Justice (ICJ) and the International Criminal Court (ICC) have adopted principles of justice that transcend national boundaries, applying universal legal norms to address issues like war crimes, genocide, and crimes against humanity. These institutions embody a vision of justice that reflects both the Greek philosophical ideals of fairness and proportionality, as well as Indian notions of dharma, where justice serves to uphold universal ethical standards.

International legal systems are built on the premise that justice must serve the global good, ensuring that individuals and states are held accountable for violations of international law. This global vision of justice, rooted in the post-World War II era, draws heavily from the philosophical traditions of both the East and West, uniting concepts of legal order, fairness, and moral responsibility.²³

D. Challenges in Contemporary Justice Systems

While the evolution of justice has seen significant advancements, contemporary legal systems face several challenges in upholding justice in an increasingly complex world. Issues such as economic inequality, discrimination, and access to justice remain persistent barriers to achieving true fairness. In many parts of the world, marginalized groups continue to face systemic injustice, whether through discriminatory laws, corrupt practices, or unequal access to legal resources.

In response, modern justice systems are increasingly incorporating restorative justice approaches, which focus on healing and reconciliation rather than punitive measures. Additionally, legal systems are embracing alternative dispute resolution mechanisms, such as arbitration and mediation, to promote fair outcomes without the delays and costs associated with formal

²¹Granville Austin, *The Indian Constitution: Cornerstone of a Nation* (Oxford: Oxford University Press, 1966)

²²P. Olivelle, *Manu's Code of Law: A Critical Edition and Translation of the Manava-Dharmasastra* (Oxford: Oxford University Press, 2005)

²³*Id.* at., 119



litigation. These approaches reflect a shift towards a more holistic understanding of justice, one that values community, dialogue, and mutual respect.²⁴

Justice in contemporary legal systems reflects a complex tapestry of ancient philosophies and modern legal developments. The influence of Greek philosophers like Plato and Aristotle is evident in the emphasis on fairness, equality, and proportionality in modern constitutional and criminal justice systems. Similarly, Indian traditions of dharma and social order continue to shape legal frameworks that emphasize restorative justice, social equity, and the protection of marginalized groups.²⁵ While contemporary legal systems have made great strides in institutionalizing justice, ongoing challenges such as inequality, discrimination, and access to justice remind us of the continuing relevance of both ancient and modern approaches to legal and ethical questions. By drawing on the wisdom of the past and the innovations of the present, modern legal systems can continue to evolve towards a more just and equitable future.

V. Conclusion

The evolution of justice, from the philosophies of ancient Greek and Indian thinkers to contemporary legal systems, reveals a profound and enduring commitment to fairness, order, and the well-being of society. While justice in ancient times was deeply intertwined with moral duty, social hierarchy, and cosmic balance, modern legal systems have shifted towards a more rights-based, egalitarian approach. Yet, the fundamental principles laid down by philosophers like Plato, Aristotle, Kautilya, and Manu continue to shape how justice is conceived and applied today. In ancient Greece, Plato's vision of justice as harmony and Aristotle's emphasis on distributive and corrective justice laid the foundation for Western legal thought, influencing modern concepts of human rights, fairness, and proportionality. Their philosophies contributed to the development of legal principles that continue to guide contemporary jurisprudence, particularly in constitutional law and criminal justice.

Similarly, ancient Indian conceptions of justice, particularly through the works of Kautilya and Manu, have influenced the development of modern legal frameworks in India. Concepts of dharma, social responsibility, and governance have left an indelible mark on India's legal and social systems. The legacy of caste and the hierarchical nature of justice in ancient India continues to challenge modern Indian legal thought, as the country seeks to reconcile its traditional values with contemporary ideals of equality and social justice. In the broader context of global legal systems, the ancient principles of justice have been adapted to address modern issues such as human rights, international law, and global governance. Institutions like the United Nations, the International Criminal Court, and various national constitutions reflect the enduring influence of these ancient traditions, which continue to inform how justice is understood and implemented.

²⁴A. Ryan, *On Politics: A History of Political Thought from Herodotus to the Present* (London: Allen Lane, 2012)

²⁵G. Austin, *The Indian Constitution: Cornerstone of a Nation* (Oxford: Oxford University Press, 1966)



However, contemporary justice systems face persistent challenges. Inequality, discrimination, and limited access to justice remain obstacles to achieving true fairness. As legal systems continue to evolve, there is an increasing emphasis on alternative approaches, such as restorative justice, mediation, and community-driven legal reforms, which draw on both ancient wisdom and modern innovations. Justice, as a philosophical and legal concept, has transformed over millennia but remains a fundamental principle in society. From the ancient philosophers of Greece and India to the modern architects of constitutional democracies and international law, the quest for justice is ongoing. As legal systems continue to evolve, they must balance the ancient ideals of duty, fairness, and order with the contemporary demands for equality, rights, and social progress, ensuring that justice remains a vital and living principle in the governance of society.

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