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RESEARCHING THE IMPACT OF HUMAN RIGHTS VIOLATIONS IN JUDICIAL PROCESSES

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ABSTRACT:

Violations of human rights during legal proceedings have the potential to erode justice itself. This study examines how these infractions affect legal systems, with a particular emphasis on the rule of law, due process, and fair trials. It looks at case studies from different jurisdictions, emphasizing situations where injustices have been caused by systematic prejudices, political meddling, or judicial wrongdoing. International human rights norms, such as those established by the UN and regional human rights organizations, are also taken into account in the study. This essay seeks to offer remedies for guaranteeing more equal legal procedures by examining the effects of these infractions.

Introduction:

A vital pillar of democracy, the judiciary is charged with maintaining equality, justice, and fairness. Human rights abuses within the legal system, however, jeopardize both the public's confidence and the integrity of the law. Vulnerable groups are disproportionately impacted by systemic failures that include the denial of a fair trial, illegal detention, coercion of confessions, and political manipulation of court rulings.

This essay explores the ways in which judicial systems violate human rights and the fallout that results. It also assesses the steps taken by national and international governments to lessen these difficulties.

Human Rights and Judicial Processes:

1. Defining Human Rights Violations in Judicial Processes:

Any conduct that violates fundamental rights safeguarded by national and international legal frameworks is considered a human rights

violation in the context of legal proceedings. These could consist of:
Denial of a Fair Trial: Ignorance of the evidence, biased judges, and a lack of legal counsel. Coerced confessions and torture refer to the use of psychological or physical coercion to elicit confessions.
Prolonged and Arbitrary Detention: Unjustly holding someone without a trial or postponing processes.

Political interference occurs when private or governmental organizations have an impact on court rulings.
Bias against people on the basis of their gender, color, religion, or political affiliation is known as discrimination in legal proceedings.

2. Legal Framework Protecting Human Rights in Judicial Processes:

Guidelines have been set by international legal instruments to safeguard people in judicial systems:

A fair and public hearing by an impartial tribunal is guaranteed by Article 10 of the 1948

Universal Declaration of Human Rights (UDHR). Articles 9 and 14 of the 1966 International Covenant on Civil and Political Rights (ICCPR) provide protection from arbitrary imprisonment and arrest as well as the right to a fair trial. The 1984 Convention Against Torture (CAT) forbids torturing and mistreating prisoners. Judicial justice is upheld by regional treaties such as the African Charter on Human and Peoples' Rights (ACHPR), the American Convention on Human Rights (ACHR), and the European Convention on Human Rights (ECHR). Despite these safeguards, abuses continue to occur all throughout the world, frequently as a result of weakened enforcement, political unpredictability, and corruption.

Case Studies of Human Rights Violations in Judicial Systems:

1. United States: Racial Disparities and Wrongful Convictions:

The American legal system has come under fire for racial biases that result in erroneous convictions. According to studies, Black defendants receive disproportionately more death sentences than white ones. The shortcomings of due process are exemplified by the case of George Stinney Jr., a 14-year-old African American who was hanged in 1944 but was eventually found not guilty decades later. Common causes of these injustices include the use of forced confessions and insufficient legal counsel.

2. India: Delays and Denial of Justice:

Prolonged pre-trial detentions are a result of the infamous case backlog in India's legal system. The 2013 Muzaffarnagar riots and the case of Md. Bin Kasim show how political influence can postpone justice. Furthermore, those in pre-trial custody, or undertrials, sometimes serve longer prison terms than the maximum penalty they would get if found guilty. The severe human rights abuses taking place within the system are highlighted by the Bhagalpur Blinding case (1979–1980), in which police used acid to blind undertrial inmates.

3. China: Political Suppression and Arbitrary Detention:

China has come under fire for its lack of an independent judiciary, forced confessions, and use of secret trials. The story of human rights attorney Wang Quanzhang, who was imprisoned for more than three years without being given a chance to defend himself, serves as an example of how the legal system stifles political criticism. Systemic violations are further highlighted by the Uyghur detentions in Xinjiang, where people are detained without legal representation.

4. Middle East: Death Penalties and Unfair Trials:

Courts in nations like Saudi Arabia and Iran have come under fire for allegedly conducting trials that don't adhere to international law. The murder of Saudi writer Jamal Khashoggi and the court's lack of accountability reveal how political power may triumph over the rule of law. Trials of political detainees in Iran frequently lack legal protections and transparency.

5. Africa: Corruption and Judicial Misconduct:

Political opponents and activists have been wrongfully imprisoned in certain African countries as a result of judicial corruption. Opposition leaders in Zimbabwe have been charged with crimes based on shaky evidence, which frequently results in their extended incarceration without indictment or trial. One example of the judiciary's involvement in human rights abuses is the case of Hopewell Chin'ono, a journalist who was imprisoned for exposing corruption.

Constitutional and Legal Framework for Protecting Human Rights in India

- **Article 21:** Protection of life and personal liberty – Ensures the right to a fair trial.
- **Article 22:** Protection against arbitrary detention – Requires legal representation and judicial oversight.
- **Article 32 & 226:** Right to constitutional remedies – Allows individuals to approach the Supreme Court and High Courts for justice.
- **Article 39A:** Right to free legal aid for the poor and marginalized.

Major Human Rights Violations in Indian Judicial Processes:

a. Prolonged Pre-Trial Detentions and Delayed Justice

Undertrials make up more than 70% of India's prison population (2021 NCRB report). Hussainara Khatoon v. State of Bihar (1979) is one example. Undertrials in Bihar who were imprisoned for years without being given a chance to defend themselves. Despite the Supreme Court's ruling that "justice delayed is justice denied," the system is burdened by the backlog of more than 50 million pending cases.

b. Custodial Torture and Deaths

According to NCRB data, there were more than 900 recorded deaths in custody between 2018 and 2022. For instance, the father and son in the Jayaraj and Bennix Case (Tamil Nadu, 2020) were tortured to death while in the custody of the police.

The Supreme Court established rules for arrest practices in D.K. Basu v. State of West Bengal (1997) in order to stop torture in detention.

c. Judicial Corruption and Political Interference

Allegations of political pressure, partiality, and corruption have been made against judges and courts.

For instance, the 2020 allegations against Prashant Bhushan A contempt of court lawsuit resulted from a senior advocate's accusations of corruption against the judiciary. During Justice Ranjan Gogoi's 2018–2019 term as Chief Justice, there were worries about administration meddling in court nominations.

d. Wrongful Convictions and Acquittals After Long Periods

For instance, Md. Aamir Khan (Delhi, 2012) was exonerated of terror accusations owing to a lack of evidence after serving 14 years in prison. For instance, Sanjay Dutt was jailed under the Arms Act after being found guilty under the TADA but then cleared of terror-related charges in the 1993 Bombay Blast case.

d. Violation of Fair Trial Rights in Special Cases

Long-term detentions without trial under the National Security Act (NSA) and the Unlawful Activities (Prevention) Act (UAPA). For instance: Case of Bhima Koregaon (2018–present): A number of activists, such as Varavara Rao and Sudha Bharadwaj, were imprisoned under the UAPA for years without being given a chance to defend themselves. Due to human rights concerns, TADA (1985–1995) and POTA (2002–2004) were ultimately repealed after causing widespread arrests without due process.

Recommendations to Address Human Rights Violations in Indian Judicial Processes:

a. Judicial reforms and expedited trials
Expanding fast-track courts is necessary to lower undertrial detentions. Virtual sessions in court can speed up proceedings.

There are more than 400 open High Court judge posts in India, and judicial openings need to be filled immediately.

b. Reforms to the Police and Prisons
strict adherence to D.K. Basu's arrest protocol requirements.

CCTV cameras are used at police stations to keep an eye on inmate behavior. establishing impartial judicial inquiry commissions to look into deaths that occur while a person is in custody.

c. Enhancing Legal Aid Provisions
enlarging the Legal Services Authority (LSA) to improve underrepresented groups' representation.

Undertrials who cannot afford attorneys should be required to get free legal assistance.

d. Minimizing the Impact of Politics on Judicial Appointments

There should be greater transparency in the Collegium System of Appointing Judges. Maintaining the judiciary's independence from the legislative and executive branches

e. Ratifying the UN Convention Against Torture (UNCAT) in accordance with international best practices (India has signed

but not ratified it).
implementing AI-powered surveillance tools to keep tabs on cases of corruption and court delays.

Consequences of Human Rights Violations in Judicial Processes:

The impact of human rights violations in judicial systems is far-reaching:

1. Loss of Public Trust in the Judiciary:

People lose faith in the legal system when judges don't enforce justice, which fuels social discontent and a rise in vigilantism.

2. Increased Incarceration of Innocents:

Justice is undermined when innocent individuals are imprisoned due to erroneous convictions, while actual offenders are left free.

3. Political Instability:

Politically motivated judges stifle criticism and democracy, which is a component of authoritarian rule.

4. Violation Of International Law:

Nations that violate human rights in legal proceedings risk international censure, sanctions, and a decline in diplomatic credibility.

5. Psychological And Societal Damage:

Lifelong trauma is experienced by victims of judicial miscarriages, and marginalization and increased criminality are common in populations impacted by biased legal systems.

Measures to Prevent Human Rights Violations in Judicial Systems:

Strengthening Judicial Independence

Ensuring judges are free from political or financial influence.

Establishing transparent judicial appointments based on merit.

Legal Reforms and Accountability Mechanisms

Implementing laws that guarantee fair trial rights.

Creating independent oversight bodies to investigate judicial misconduct.

Enhancing Legal Representation

Providing free legal aid to marginalized groups.

Strengthening public defender systems to prevent wrongful convictions.

Judicial Training and Human Rights Education

Training judges and prosecutors on human rights principles.

Encouraging international collaboration to improve judicial standards.

Use of Technology in Legal Proceedings

Digitizing case records to prevent manipulation.

Using AI-based legal tools to detect judicial bias.

Conclusion

The rule of law is undermined and public confidence in legal institutions is weakened when human rights are violated during legal proceedings. Despite the existence of national and international legal frameworks to safeguard individuals, structural issues including discrimination, corruption, and political meddling nevertheless exist. To guarantee justice and accountability, justice systems can be reinforced through judicial independence, human rights education, and legal reforms. Societies can get closer to having a legal system that respects human dignity and the values of justice by tackling these issues.

Even though India's legal system protects against human rights abuses, the court system nevertheless has to deal with issues including political meddling, erroneous convictions, delayed justice, and violence in detention. Urgent reforms are required to improve legal aid services, judicial transparency, and the right to a fair trial in order to preserve justice and democratic ideals. Upholding the rule of law and defending human rights depend on a strong, independent, and effective judiciary.

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