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## Book Review - “Justice for Judges: An Autobiography”

By Adv. Raja Choudhary<sup>1</sup>

Ranjan Gogoi served as India's Chief Justice, and his recently published book was supposed to defend his turbulent tenure. The title of the book, *Justice for Judges: An Autobiography*<sup>2</sup> implies that he has been pursued by injustice and is seeking justice. His turbulent moment, whether right or wrong, as he defended, will be decided by the people's court as he sought justice from the reader and common people of India, but academia received an autobiography of the judge to study the behaviour of Supreme Court Judges. The gossiping of 'Supreme Whispers' is always taking on at the dining table in Delhi's Lutyens' Zone. The only way to hear those 'Supreme Whispers' is to read their autobiography.

Biographical data of supreme judges of India are very difficult to locate in India. There is no tradition of judges leaving behind autobiographical or memories. Only a half-dozen did before 1990. Nor is there any tradition of judicial biographers. There are about the greatest number of them if defining a biography.<sup>2</sup> After a long wait, justice Ranjan Gogoi's autobiography 'Justice for Judge' was published. It is perplexing that, for a supreme court of India that is often described as one of the most powerful in the world<sup>3</sup>, so little attention has been paid to who has served as its judge. Where did they come from? Why were they chosen? How were they chosen, and who were they chosen by? What kind of person were they? What were the conditions of their birth—their social and economic backgrounds, their father's work, religion, and caste? What did they do during their adolescent years? Were they the first in their family to practice law and become a judge, or was it a family tradition for the most recent member of their family to practice law? What kind of higher education did they receive? What professional and non-professional life experiences socialized them? The subject has not been judged vital enough to pique public interest.<sup>4</sup> Aside from the numerous political and judicial repercussions, Ranjan Gogoi revealed an important conversation that would not have been possible without his autobiography.

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<sup>1</sup> LL.M Candidate at SOAS University of London (Batch of 2022).

<sup>2</sup> George H. Gadbois, *Judges of the Supreme Court of India: 1950-1989* (Oxford University Press 2011).

<sup>3</sup> Rajeev Dhavan, *Justice on trial: The Supreme Court Today* (A.H Wheeler & co 1980).

<sup>4</sup> George H. Gadbois, *Judges of the Supreme Court of India: 1950-1989* (Oxford University Press 2011).

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In 14 chapters of his autobiography, he attempted to address his challenges in the legal field and 'sense of justice', as well as how he was right and how he attacked without the use of any major substances, as well as how he tackled all the nuisance. He also inexplicably told various stories of judges, public intellectuals, and politicians which are important to address out of the court in the public sphere. Some of the anecdotal stories in this book also reveal how the Supreme Court of India judges deal with dissent, criticism, and disagreement from outside the court. The dissenting judgments of the court's colleagues are an important aspect of the Indian Judicial System. It even pushes for the enrichment and favour of the Indian judiciary, but a former colleague's outside-the-court dissent has turned non-conformist.

*"The danger of personal attacks on non-conformist judges is the greatest threat to the institution and in turn to democracy and the independence of the judiciary. In the name of saving democracy, there are veiled attacks that can kill democracy. A single narrative by this group of people is what is available today in the public domain. There is no other narrative to enable citizens to have the benefit of an alternative view of the matter. Enlightened citizens choose to stay away from confrontation, rendering the singular voice louder and more widespread. I believe the response of the judiciary in this regard" (Page 72).*

The appointment of judges is one of the most contentious and significant problems in the Indian Judiciary. When it comes to judicial appointments to the Supreme Court, the word "collegium" often raises eyebrows. It simply refers to a meeting of the Supreme Court of India's first three to five judges, including the Chief Justice, who makes a binding recommendation for appointment to the high judiciary. In practice, a system of judges appointing judges is used, with the executive playing a minor role.<sup>5</sup> Justice Ranjan Gogoi provides extensive space to India's Collegium method for appointing judges and his experience as a member of it. The work will also provide a new perspective on the supreme court's appointment method, which is India's most contentious issue. The said system has frequently been chastised for its secrecy, as its processes are held behind closed doors and the reasons for recommending a judge for elevation are not published. In the book, Justice Gogoi believes that not publishing the specific reasons for the Collegium's decisions has validity. *"Collegium meetings are always treated as sacrosanct and decisions are required to remain confidential. Detailed reasons for the decisions taken are not recorded. This is for a wide variety of good reasons, though it has allowed many to call the procedure opaque" (Page 71).* However, Gogoi defended the collegium system in the absence of an alternatives system. *"My views on the matter are somewhat different. Inadequacies and inconsistencies in the system, which do exist, have to be resolved by those who*

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<sup>5</sup> Supreme Court Advocates-On-Record Association and another vs Union Of India (1993) 4 Supreme Court Case 441(nine Judges) <<https://indiankanoon.org/doc/753224/>> [accessed on 05 January 2022].

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*work the system until a 'better system' evolves (Page 102).'* Hopefully, the effort of Ranjan Gogoi's book will bridge the intellectual gap between the National Judicial Appointments Commission (NJAC) and the 'The Collegium' system in the coming days. Any better alternative could be found to reduce the conflicting viewpoints between 'NJAC' and 'The Collegium'.

Of course, most of the parts of this book is devoted to his attempt to defend his handling of the Ayodhya judgment, the Rafale verdict, the NRC verdict, and the judge's sexual harassment allegations, among other things, because he expressly encourages the reader to be just following reading the book, the reader will be able to go deeper into that section. It's fascinating to imagine how the Indian people would react to the former guardian of justice.

I'm also skipping over the point where he accepted the government's nominated Rajya Sabha seat just weeks after leaving office. Participation in politics before being appointed to the high court or the SCI was more prevalent than most people realize. Moreover, a quarter of judges have gotten involved in politics. After their retirement, five of them ran for office.<sup>6</sup> He accepts or rejects any legislative position based on the judged school of thought. There is no legal requirement for the judge to do so. Indian Legislators and academicians must assess if judges' post-retirement status is beneficial to the Indian judiciary or not.

When judges take their places on the bench, they do not transform into robots. Their lifelong human experiences and personality become attributing components of justice delivery, in addition to the judicial legal theory that they have learned to administer sufficient justice. It is self-evident that when Supreme Court judges in India take their seats of justice, they do not become robots. After delivering the 'Ayodhya' verdict, he completed his duties. Justice wrote in his book that the five judges went out to dinner. *"After the judgment, the Secretary-General organized a photo session in the judges' gallery outside Court No. 1, below the Ashoka Chakra. In the evening, I took the judges for dinner to the Taj Mansingh Hotel. We ate Chinese food and shared a bottle of wine, the best available there. I picked up the tab, being the eldest"* (page 246). Here, it is also necessary to investigate how the supreme replies during the country's most critical period.

*Justice for judges: An autobiography by Ranjan Gogoi* apart from his tenure, also contributes to the study of judicial behaviour and biopolitical behaviour, the concept of justice and judiciary must

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<sup>6</sup> George H. Gadbois, *Judges of the Supreme Court of India: 1950-1989* (Oxford University Press 2011)363.

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be critically examined in the framework of behavioural jurisprudence. Ranjan Gogoi's autobiography will contribute to judicial and biopolitical behaviour in addition to his defendant's tenure. In the perspective of biopolitical behavioural jurisprudence, the concepts of justice and judiciary must be critically examined. Justice is a highly individualized phenomenon that is influenced by temperament, personality, education, environment, and personal characteristics.<sup>7</sup> It's mystifying that the supreme court of India, which is sometimes referred to as one of the world's most powerful, has given so little attention to who has served as its judge. This book aids in the comprehension of judicial judgments about their biopolitical and judicial behaviour. Other judges will be encouraged to write autobiographies as well.



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<sup>7</sup> George Everson, 'The Human Element in Justice' 10 (1) *Journal of the American Institute of Criminal Law and Criminology* 90 .