

The Effectiveness of Contemporary Criminal Law in Overcoming Colonial Legal Legacies

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Abstract

The present work aims at analysing how postcolonial nations can cope with colonial legal remnants and fulfil the goal of the modern criminal law. It looks at the colonial legal systems as well as the colonial legacy that is felt even to this date. This paper assesses the effectiveness and the problems faced in the journey towards justice and equality by assessing some of the major legal reforms. The research method applied in the paper is comparative, with both qualitative and quantitative approaches used, and case studies from different countries. Thus, the positive measures that have been taken are revealed, as well as the colonial heritage that hampers the development. The dissertation offers ideas for further change and underlines the importance of international institutions and practices based on communities concerning these problems. Thus, the research enhances the knowledge of legal change in post-colonial settings and provides recommendations on how colonial legal systems might be successfully disassembled.

Keywords: Colonial Legal Legacies, Contemporary Criminal Law, Legal Reform, Post-Colonial Justice, Transformation

1. Introduction

1.1 Background and Context

This paper aims to explore the extent to which colonial legal systems have continued to shape the modern legal systems of many third world nations. India is one example of the colonized nation where the British colonies influence majority of the legal institutions and criminal laws. They include the Indian Penal Code (IPC) enacted in 1860, Code of Criminal Procedure (CrPC) of 1973 and the Indian Evidence Act of 1872. After the independence, India has largely faced the daunting task of altering these structures suited for a sovereign and democratic state. In the recent past, the Indian government intends to update the criminal justice system with the BNS and Bharatiya Sakshya Adhiniyam 2023 to reflect on civilised justice in the contemporary world. The main theme of interest in this dissertation is to understand whether the contemporary criminal laws serve this purpose efficiently by deleting the colonial legal influences.

1.2 Research Objectives

This paper aims to:

1. Explain the historical background and effects of colonial legal remnants in India as presented by.
2. Assess the success of today's criminal law reforms in eradicating these legacies, especially with regard to the shift from IPC, CrPC, and the Evidence Act to Bharatiya Nyaya Sanhita, Bharatiya Nagarik Suraksha Sanhita and Bharatiya Sakshya Adhiniyam 2023.
3. Discuss the particular examples of the cases to show the further development and the effect of the legal reforms.

4. Offer recommendations on the ways and means of strengthening the contemporary criminal laws to undo the colonial imprints.

1.3 Scope and Limitations

This paper will only focus on India legal system and history after the country's independence only. It will be confined to highlighting key reforms and case examples of colonial influences on today's criminal law jurisdictions. Overall, the analysis of the study will be limited by the data available and the multifaceted nature of legal changes in the past years. Moreover, the nature of data analysis for this dissertation will be primarily qualitative with the quantitative data used where it is relevant.

1.4 Structure of the Research Paper

1. **Introduction:** Explains the background of the topic, the research questions, the objectives of the study, its scope and the layout of the paper.
2. **Literature Review:** Reviews previous studies on colonial legal legacies and the current criminal law developments.
3. **Methodology:** Outlines the research methodology, data collection and analysis tools applied in the study.
4. **Colonial Legal Legacies:** Discusses colonial laws leading to the Indian legal system with historical background and the issues that are still being faced today.
5. **Contemporary Criminal Law:** Discusses the development and the major changes and events of criminal justice system especially the cases in post-independence India.
6. **Effectiveness of Contemporary Criminal Law:** Analyses the effectiveness and difficulties of the present legal innovations in eradicating colonial influences with examples.
7. **Overcoming Colonial Legal Legacies:** Suggests and outlines measures for the improvement of the current criminal laws as a way of increasing the effectiveness of the laws.
8. **Discussion:** Presents the conclusions and reflects on the theoretical and managerial contributions of the study.
9. **Conclusion:** Provides conclusions and recommendations for future research to enrich the literature and findings of this study.

This comprehensive structure helps to facilitate a systematic investigation into the application of modern criminal law in dealing with vestiges of colonial legal legacy in India. In the course of the analysis, it will be pertinent to cite legal sources, case laws, academic journals, and other relevant materials to ensure adequate coverage of the topic is achieved.

2. Literature Review

2.1 Overview of Colonial Legal Legacies

The laws in most of the post-colonial countries such as India are very much coloured by the colonial histories. British colonial authorities introduced structures and practices into the Indian legal systems, some of which can still be witnessed to the present day. They introduced their legal ideas and structures which were fused with the indigenous laws of the countries they occupied. This melding created what developed into quite a complicated legal system that has not been easy to overhaul entirely.

The laws that were enacted in the British administration were to the advantage of the British and most of the time superseded other forms of legal systems. The British colonialism, especially the endeavour to impose the English common law and legal education and codification of Indian laws like the Indian Penal Code, 1860 aimed at creating legal unity among the diverse population of India. This codification process

was not so much aimed at the protection of the rights of the Indian people as at the provision of a systematic and effective means of controlling the population by the British [1, 2].

The scenario of the British legal system left in India is to some extent composed of laws and institutions which were framed with the principles of colonialism and its administrative hierarchy. For instance, the legal institutions such as the Indian Penal Code & some other tools were developed to sustain colonial supremacy. The laws that were enacted during colonial rule placed the indigenous culture and legal systems in the margin and introduced new legal system that has persisted up to the time of independence [3].

Following the colonization, the legal structure in post-colonial India also followed these colonial structures and still follows them to this date. This is because as of now, there are still some laws and administrative measures that are still in effect today that were implemented during the British time. Efforts to change these laws have been a success at best because the colonial establishments have well rooted in the societies [4].

Thus, to explain the colonial legal legacies in India one has to look at the temporal dynamics of the British legal engagements and their legacies. These continue to influence the operations of the India legal framework and present barriers to the attainment of justice and equity in the post-colonial period [5].

2.2 Theoretical Frameworks

2.2.1 Post-Colonial Theory

Post-colonial theory opens up a way of understanding the effects of colonialism on the present legal systems. It focuses on the colonial legacy and continues to shape the post-colonial societies. This theoretical framework assists in the analysis of how colonialism's impact persists on legal systems, structures, and administrations in post-colonial societies like India.

It also examines how and why colonial masters introduced legal systems to rule over the subjects in the colonized nations. Colonial powers aimed at ensuring that they implement their laws and get rid of native laws and hence imposed their laws. This theory holds that the legal systems ought to be de-colonial so as to be able to deliver justice and equity in post-colonial societies [1].

2.2.2 Legal Pluralism

Legal pluralism is the occurrence of two or more systems of law within the same state. Looking at colonial India, legal pluralism could be seen in the encounter of the British common law and local Indian laws. In a way, the British colonial administration was forced to deal with both of these legal systems when it came to maintaining order.

In colonial India, there was legal pluralism meaning that different laws were applicable to different sections of the society and different subject matters. This is the reason why a pluralistic approach was employed; sometimes to exercise control over the people and at the same time to allow for some form of continuity in the indigenous legal systems. Knowing the concept of legal pluralism, one can describe the difficulties and possibilities of transforming the modern legal systems in the post-colonial states [6].

2.3 Previous Research on Contemporary Criminal Law Reforms

Studies undertaken on the current trends in criminal law reforms in India show that the government has been trying to democratise the colonial laws and incorporate changes. The constitution has undergone many changes to make sure that it favours democracy as well as human rights. Yet, the effectiveness of

these reforms has remained relatively low and still, a number of laws and practices originally adopted during the colonial period still remain in force today.

Probably one of the focal sectors has been the criminal justice system. As for the enhancements of the criminal laws, the emphasis has been made on the need to have fair laws. For example, the recent 'decriminalization of homosexuality through removal of Section 377 IPC' could be seen as a progressive success in abolishing the colonial legal framework having prejudice against the minorities [5].

Other changes have sought to enhance the rationality and equity of administering criminal justice. This has emerged in the form of measures to increase protection of human rights, guarantee prompt trial and tackle the accumulation of cases in the courts. Nonetheless, it is still not easy to eradicate the colonial influence in the legal systems altogether [1].

2.4 Gaps in the Literature

Although, there is a significant literature that discusses the colonial influences found in Independent India's legal structures, there is scope for future studies that examine these traditions in more detail. Most of the literature provides detailed analysis of a given branch of colonial legal culture including the criminal justice and the property rights without a vast view of the big picture.

There is also a need for more studies conducted with an aim to evaluate to what extent legal innovations in the contemporary period have proven helpful in eradicating the colonial impacts. This involves assessment of the legal demands made for reform, the intricacies that are experienced during the process and their effects on various groups in the society. Filling these gaps will offer a better understanding of the colonial legal influence and help future reform [4].

To sum up, colonial legal legacies in India reveals that colonial attitudes still persist in today's society with regard to legal frameworks in India. There has been considerable progress in these regards, but there are still important obstacles to overcome in order to complete these transformations. Therefore, future studies should provide an in-depth examination of the post-colonial Indian laws and ascertain the efficiency of reformative measures for social justice.

3. Methodology

3.1 Research Design

Therefore, this study employs a qualitative research approach in order to fully examine how present day criminal law can eradicate colonial legal remnants in India. The qualitative analysis is mainly based on the secondary data derived from historical and legal material, and academic publications. This way, a rather comprehensive and critical analysis of the subject matter will be achieved by scrutinizing the available literature and data [1].

3.2 Data Collection Methods

It is pertinent to state here that the information gathering technique applied in this research study does not in any way embrace a direct data collection method. This involves review, of literature from historical and legal magazines, newspapers and journals, and reports. These sources assist in providing an elaborate view on colonial legal impact on the present criminal law [2].

3.3 Qualitative Methods

It is hence important for quantitative research techniques in a bid to grasp the different perceptions as well as the realistic experiences of the various parties that were affected by colonial legal systems. Among the research activities, the following primary qualitative methods were adopted in the study.

Document analysis involves consideration of historical and legal documents to discern the evolution and

changes in the legal systems. Some of the sources include the Indian Penal Code, judgments and case laws, acts and case files, and literary works [5].

Table 1: Qualitative Methods

Method	Purpose	Advantages	Disadvantages
Document Analysis	Analyse historical and legal documents	Contextual understanding	May lack recent relevance

3.4 Data Analysis Techniques

The data analysis for this study involves qualitative techniques. Thematic analysis of the qualitative data collected in the form of documents is a technique employed to find out the key themes and patterns. This entails transforming the data into codified forms of information to help explain how colonial legal remnants affect the existing criminal law today [1].

3.5 Ethical Considerations

To avoid any prejudice and maintain the quality of the research process, the study follows some principles of ethical research. Although this research entails a secondary source of data collection, the studies are made with an understanding of the history and culture of the subject matter, and the authors' contributions are honoured [6].

By virtue of confining the research to secondary sources, this study offers a detailed account of the adequacy of modern criminal law in dealing with the vestiges of colonial legal frameworks in India. The combination of multiple sources of information and methods of analysis insulates the research process against limitations within any one method.

4. Colonial Legal Legacies

4.1 Historical Overview

The British colonial power's influence in shaping the Indian legal framework can be clearly seen. The British also wanted to introduce a common law system that would regulate and manage the Indian population. This included the passage of the Indian Penal Code in 1860, which remains in force till this day as one of the most important legislations in the country governing criminal law. The British also create a hierarchical judiciary with the creation of High Courts in Bombay, Madras and Calcutta in year 1862 [7]. They are argued to have been created with British standards in mind and for the purpose of colonial governance, and may have a negative impact on the indigenous legal cultures [6]. The impact of these laws persists to this day and forms part of the basis for the modern Indian legal system, which is rooted in colonial principles.

4.2 Impact on Contemporary Legal Systems

Colonial legal legacies are still influential on the legal systems in India today in many ways. Those laws such as the Indian Penal Code and other colonial laws continue to exist in the contemporary world indicating more on the sustainability of the legal frameworks in place. Even today, after numerous reforms, most of the colonial laws continue to be in place and are mildly described as archaic and non-conducive to a democratic society. For example, Section 377 of the Indian Penal Code, that outlawed homosexuality, was only decriminalized recently underscoring the slow developments in the legal system of post-colonial

India [6]. Further, the procedural modalities and bureaucratic stagnancy that was a part of the colonial administration persist to this date to hamper the justice delivery system and its affordability [7].

4.3 Case Studies of Specific Colonial Legal Practices

The IPC was enacted in 1860 and it remains one of the most influential aspects of colonialism in the Indian legal system. It was intended to provide uniformity in the criminal laws all over the country as well as following the British legal system. It was an extensive approach; however, it paid little attention to locality and traditions [4].

The Criminal Tribes Act (CTA) was passed in 1871, through which some tribes were declared as ‘born criminal’, which led to the legal segregation. Even though the system was abolished after India’s independence, the prejudice exists to date and has adverse implications on the living standards of these communities [8].

Murderous Outrages Act that was passed in the year 1867 allowed colonial officials to carry out ‘fanatics’ to death. It captured the extent of force that was employed in the suppression of any form of openness and the creation of colonial order [9].

Table 2: Colonial Legal Practices and Their Impact on Modern India

Colonial Practices	Legal	Description	Impact on Modern India
Indian Penal Code (1860)		Standardized criminal laws, based on British legal principles	Still in force, with some sections criticized as outdated (e.g., Section 377)
Criminal Tribes Act (1871)		Classified certain tribes as inherently criminal	Repealed, but historical stigmatization persists
Murderous Outrages Act (1867)		Allowed summary execution of individuals deemed as 'fanatics'	Exemplifies harsh colonial measures used to maintain control

4.4 Analysis of Residual Colonial Influences

Colonial restraints can still be seen in the Indian legal system in the following manner. The hierarchical judiciary and procedural formalities mimic the colonial machinations, which are characterised by the characteristics of control and order than justice and fairness [10]. Also, the common law legal education system that was borrowed from England persists in influencing the Indian legal profession and judiciary. This frequently leads to a legal framework that is closer to the British common law than the indigenous people’s laws or even the customary laws [11]. Also, continued use of colonial laws like the sedition law and the Official Secrets Act points to the fact that colonial legal frameworks remain relevant to today’s governance and civil liberties [6].

Table 3: Residual Colonial Influences on Modern India

Residual Influences	Colonial	Description	Impact on Modern India
Hierarchical Judiciary		Reflects colonial administrative control	Procedural complexities and bureaucratic inertia hinder judicial efficiency

Legal Education System	Modelled on British lines	Shapes the training and outlook of Indian lawyers and judges
Colonial-Era Laws	Includes sedition law and Official Secrets Act	Reflects enduring influence on contemporary governance and civil liberties

5. Contemporary Criminal Law

5.1 Evolution of Criminal Law Post-Independence

The history of the criminal law in India can be characterized by the postcolonial changes that have been made since the country’s independence in 1947. The Indian Penal Code (IPC) which was enacted in 1860 is the foundation of criminal law in India though has been from time to time amended as per the changing requirements and principles of the society. The first of the significant modifications was the Criminal Procedure Code (CrPC) of 1973; this replaced the archaic colonial CrPC of 1898. This new code was formulated with the purpose of updating and improving criminal proceedings, paying special attention to the rights of the accused and the adherence to the principles of the fair trial [12].

5.2 Key Legal Reforms and Their Objectives

There are several legal changes made to remove the colonial law and to meet the requirements of a democratic society. On this front, one of the major changes was the scrapping of Section 377 of the IPC which outlawed consensual same-sex relationships. This change that was introduced in the year 2018 was a revolutionary move towards the protection of individuals and equality [12]. Another major change is the Juvenile Justice (Care and Protection of Children) Act, 2015 which has replaced the earlier set of laws and is more focused on the rehabilitation of the juvenile offenders rather than punishing them [7].

Table 4: Objectives of Various Reforms

Reform	Description	Objective
Repeal of Section 377	Decriminalized consensual homosexual acts	Uphold individual rights and equality
Juvenile Justice Act, 2015	Focuses on rehabilitation and reform of juvenile offenders	Move away from punitive measures
Protection of Women Acts	Includes Domestic Violence Act (2005) and Sexual Harassment Act (2013)	Ensure gender justice and protect women's rights

5.3 Comparative Analysis of Different Jurisdictions

When read in a comparative context with other systems, one can discern certain general trends and issues within Indian criminal law reform. In the context of the United Kingdom, the process of the criminal law development has been through gradual amendments in reaction to the social alterations, for instance the Human Rights Act of 1998 that has integrated the European Convention on Human Rights into the domestic legislation. While India’s reforms face different problems, they can be challenged by the colonial imprint that still affects the legal authority of this country [13].

Criminal law in United States has undergone its dynamic changes over the years especially in relation to civil rights movements and ongoing discussions on criminal justice systems. The U.S. system has an emphasis on problems like racism in the criminal justice system and mass incarceration, thus, enacting changes like the First Step Act signed in 2018 that provides relief in mandatory minimum prison sentences and enhances prison standards [14].

As for India, its legal reforms are also utilized to resolve systemic concerns, but the situation is not as simple as it may seem to be; the law consistently interacts with conventions and legal ideas, which are also traditional. For instance, the Protection of Women from Domestic Violence Act, 2005, and Sexual Harassment of Women at Workplace (Prevention, Prohibition, and Redressal) Act, 2013 can be considered important achievements of gender justice in India [12].

Table 5: Comparative Analysis

Comparative Analysis	United Kingdom	United States	India
Human Rights Integration	Human Rights Act, 1998	Continuous updates addressing civil rights	Balancing traditional and modern principles
Criminal Justice Reform	European Convention on Human Rights	First Step Act, 2018	Gender justice laws, juvenile justice reform

5.4 Success Stories

It is imperative to know that India has witnessed several success stories in Criminal Law Reform. Section 377 is a good example where continued pressure and finally, legal activism prevailed, and resulted in delivering justice to the LGBTQ + community. Likewise, accreditations such as fast-track courts used for density trial of sexual assault have demonstrated adequate effects in providing justice to the victims in time, thus, increasing public faith in legal processes [7].

5.5 Ongoing Challenges

However, it is important to note that there are still many issues that exist in the present. Colonial laws remain entrenched such as Section 124 A of the IPC now operationalized as sedition continues to trigger problems for freedom of media as well as civil liberties. Also, the slow speed of justice delivery and the accumulation of cases make up critical bottlenecks of the criminal justice system. Another area that requires more attention is the police reforms in a bid to enforce responsibilities and curb cases of abuse of power [1].

6. Major Changes in Criminal Law

6.1 Transition from IPC to Bharatiya Nyaya Sanhita

This change in the structure of Indian criminal law is brought with the implementation of IPC from BNS. The Indian Penal Code (IPC) is one of the significant laws which was enacted in 1860 to govern the British India and it was constructed mainly on the principles of British Legal System and the administrative requirements of British Empire. Even after several alterations after Indian freedom struggle, several of IPC provisions reducing a lot of colonial influence were still in force which were felt less harmonized with the twenty first century democratic society.

The Bharatiya Nyaya Sanhita is a direct attempt to bring reform in the Penal Code by adapting new ideas

of the modern world and drawing out the lacuna of IPC. This entails repealing outdated laws like criminalizing homosexuality under section 377 of IPC which was declined by the Supreme Court in the case *Navtej Singh Johar v. Union of India*, in September 2018 [15]. The BNS also looks for the improvement of measures against GBV, cyber criminality, and organized crime, which are the emerging forms of criminality in the contemporary society. Further, it underlines the restorative justice approaches as opposed to retributive justice whose major purpose is to reform offenders to enable them transform from their mischievous habits and further, achieve lower reoffending rates and thus conform to more international human rights standards.

6.2 Changing of Code from CrPC to Bharatiya Nyaya Sanhita

In the procedural aspects of criminal justice in India this has signified another important reform in going from the Code of Criminal Procedure (CrPC) to the Bharatiya Nyaya Sanhita. The CrPC was adopted in 1898, and hitherto reform was done in 1973 which provided the formalities of the criminal justice system of the country that how investigation is done, how arrest is made, how trial is conducted and how the convict is punished. Despite the fact, the CrPC has witnessed a lot of amendments still it marked the colonial influence in the sense of having a structure full of complications in the procedures and results into delay and ineffectiveness in the justice delivery system.

Thus, the Bharatiya Nyaya Sanhita lays down plans to enhance the speed and ease of the criminal procedures on offer. Some of the key reforms are, for entering, processing and managing the cases to avoid any unnecessary time consumption and increase the functionality of judicial system [8]. It is for this reason that the new code has incorporated the practice of providing the rights for the accused and expediting the trial processes. It also adopts technology in operations; for instance, documentation is fully digital, and courts can be held virtually. All these are carried out in an effort to solve two main problems that have for a long time been facing the Indian judicial system, the case backlog and the issue which is pre-trial detention.

6.3 Switch from Evidence Act to Bharatiya Sakshya Adhinyam 2023

The act before 2023 was Indian Evidence Act of 1872 and then was changed to Bharatiya Sakshya Adhinyam 2023 which makes it quite an ambitious change in all the rules of evidence in Indian courts. Originally formulated under colonial legislative policy, the Indian Evidence act laid the mechanisms for the admissibility and assessment of evidence in the judicial processes. Though, over the years it has been revised, several of its clauses were deemed archaic, not in line with the modern world or technological advancement, or social evolution.

The above issues are well handled by the Bharatiya Sakshya Adhinyam 2023 by overhauling the rules regarding the kind of evidence that may be tendered in a court of law to fit the contemporary society. Among them, one must identify the adoption of digital and electronic evidence, given the increased use of technology in contemporary lawsuits [16]. This also entails how the matters of the authentication and admissibility of record in digital format which have been frequenting the civil and criminal courts. The new act also supplies more focus to the need for the witness protection introducing mechanisms that can prevent intimidation and acts of harassment.

Further, the Bharatiya Sakshya Adhinyam 2023 aims at making the Rules of Evidence much more easier to understand to actual evidential application for the Large Public, legal professionals & those may not have professional knowledge of laws. This includes amongst others, the area concerning burden of proof, presumptions, and relevance and admissibility of different types of evidence, etc. In turn, the rules of evidence become more comprehensible and thus are more effective for broader applications throughout

the judicial process, which already contributed to the improvement of its efficiency and fairness based on the new act.

Furthermore, the new act helps to bring India's system nearer to the advanced countries' norms of effective legal evidence that will enhance the efficiency of collaboration between the two realms [2]. This is especially true in matters of international jurisdiction and especially with respect to continuously intensifying internationalization of legal conflicts. The change to Bharatiya Sakshya Adhiniyam 2023 is a shift towards a progressed and systematized legal framework being implemented in India.

7. Effectiveness of Contemporary Criminal Law

7.1 Criteria for Measuring Effectiveness

Thus, the efficiency of contemporary criminal law in India can be determined based on several indices referring to the justice delivery and social stability. Key criteria include the following.

First of all, the decrease in crime rates after the adoption of legal innovations can be called a fundamental measure. This entails identifying the patterns of different categories of crime, for instance, violent crimes, property crimes, and cybercrimes [17].

The rate and effectiveness in which cases are disposed off are very vital aspects to watch out for. This involves analysing the causing pile up of cases, the time span of the trials and the effectiveness of the fast track courts as mentioned by Vishwakarma [18].

Promoting access to justice for all people including the vulnerable groups and eliminating bias in the delivery of justice. These are assessing legal aid services and the guardianship of human rights [19].

The role that the public has on the criminal justice system is crucial in the eyes of the public and the confidence they have in the system. This entails the community attitudes and opinions on the credibility of the law enforcement agencies and judiciary systems [20].

Another major factor is the effectiveness of the criminal justice system in the reforming of the offenders as well as the reduction of the rate of recidivism. Those for the rehabilitation of offenders and their reintegration into the society are assessed in terms of their efficiency [18].

7.2 Case Studies

Contemporary example includes the historical judgment by the supreme court of India in 2018 removing section 377 IPC and decriminalizing of homosexuality and consensual same sex relationships. This decision was crucial in the change in legal and social status of the LGBT rights in India, indicating great improvement of Indian law in formulating fair and reasonable policies [12].

The Juvenile Justice (Care and Protection of Children) Act, 2015 brought in a change in the form of a more 'reformatory' approach to juvenile offenders. In this case, there is the move from punitive jurisprudence to the reformatory measure and reintegration aspects of the criminals, a change evidenced in the Indian criminal law [7].

7.3 Statistical Analysis

Statistical data indicates a mixed outcome of legal reforms.

A study conducted by the National Crime Records Bureau (NCRB) also found out that some form of crimes, especially the property related crimes had reduced while, on the other hand, the cybercrimes as well as crime against women was on the rise. For instance, while a positive relationship between property crime and economic growth has been demonstrated, violent crimes and those against women have increased [21].

There's still one area of major concern however, and it is the backlog of cases. According to data from 2020, more than 3.5 crore cases were pending, which point towards the inefficiency in disposing cases in Indian courts. But on the brighter side, fast-track courts have been quicker at dealing with cases of sexual assault than before [22].

7. Overcoming Colonial Legal Legacies

The colonial legal vestiges in India can only be dismantled through measures that tackle the systems that were set by colonial masters, as well as the culture they inculcated in the Indians. These legal remnants that were imbibed in the Indian legal and administrative system have remained potential inspiration for the current Indian legal system and societal culture. The following strategies have been identified to effectively tackle these legacies.

7.1 Reform and Modernization of Legal Frameworks

The first approach is the total overhaul and or the updating of other colonial laws which are still in existence. Some of these laws were the sedition law under Section 124A of the Indian Penal Code which were meant to silence opposition and keep the colonizers in power. It is therefore imperative to hence remove or modify such laws to reflect the current democratic societies and human rights [1].

7.2 Judicial Reforms

Improving the judiciary should be a priority in order to overcome colonial influences. This entails enhancing efficiency in the judicial system through elimination of backlog of cases and provision of justice on time. Calculating the time-taken by the courts, especially special courts for specific offenses including sexual offences, has been a major improvement in this regard. Also, there is the need for the improvement of capacity of the judicial officers on human rights norms and standards of the contemporary world [7].

7.3 Decolonizing Legal Education

The changes in legal education such that there is more focus on the indigenous legal knowledge and the deconstruction of colonial laws may prepare lawyers in the post-colonial legal systems for the challenges they are likely to face. This includes the offer of the human rights, the constitutional and the comparative law as some of the courses to be studied by the students [6].

7.4 Public Participation and Advocacy

In this regard, the promotion of people's involvement in the formulation of laws and the culture of legal awareness and activism can contribute to the elimination of colonial legal inheritance. Grassroots movements, civil society organizations, and other NGOs are vital for raising awareness about the necessity of legal changes and monitoring the government actions concerning the changes that are to benefit the people [23].

8. Discussion

Contemporary criminal law reforms in India have demonstrated significant improvement and at the same time reveal certain problems. Certain measures like the repeal of Section 377 IPC, and the introduction of fast-track courts in rape cases have enhanced the recognition of rights while boosting efficiency in certain sectors [12].

But, problems such as colonial laws inherited from the British, slow judicial processes, and numerous pending cases remain. Although there are some crime rates which have reduced, cases of cybercrimes and crimes on women have been on the rise [17].

Legal specialists recommend frequent updates of the laws and enhanced teaching of law enforcers. In this

regard, awareness and advocacy for public engagement are critical for the genuine reform that addresses the needs of society [19]. Even so, further action is needed to completely eliminate the colonial influences and establish a more effective, equal, and proper legal system.

9. Conclusion

The present day criminal law reforms in India have shown enormous improvements in the delivery of justice with a view to enhance efficiency, but colonialism still has its toll. Specific measures like the repeal of Section 377 IPC and the setting up of fast-track courts for sexual violence cases demonstrate successful initiatives that have enhanced the protection of persons' liberties and the effectiveness of the judicial system [12].

Nevertheless, the existence of still active colonial laws, including the sedition law under Section 124A IPC, and the issues of delays and accumulated cases point to the areas where the reforms have been less successful [20]. Criminal statistics show a differentiated effect: some types of crime have decreased, however, cybercrime and crimes against women have increased; thus, constant and multilevel changes are needed [17].

Chaudhary has suggested that there is a need for constant enhancement of the laws, enhanced training of the police force, and increased stakeholder involvement as a way of ensuring that the changes made are comprehensive and relevant to the society's needs [19]. In conclusion, although many steps have been taken, much more has to be done in order to eliminate colonial legal impacts and create a better and more effective system of the criminal justice.

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