



Andhra Pradesh Courtroom Incident and the Crisis of Judicial Temperament in India: Constitutional Morality, Judicial Ethics, Bar–Bench Relations, and the Future of Judicial Accountability

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Abstract

The judiciary occupies a unique position in a constitutional democracy. It is entrusted with safeguarding fundamental rights, interpreting the Constitution, and maintaining the rule of law. Public confidence in the judiciary depends not only upon the correctness of judicial decisions but also upon the conduct, temperament, and ethical standards exhibited by judges in the discharge of their duties. The Andhra Pradesh courtroom incident of 2026, in which a High Court judge reportedly directed that a young advocate be taken into custody during court proceedings following an exchange in the courtroom, triggered a nationwide debate regarding judicial temperament, judicial accountability, courtroom decorum, and the limits of judicial authority. The incident drew responses from the legal fraternity, the Bar Council of India, and the Supreme Court, which took suo motu cognisance of the matter and emphasized the importance of judicial sensitivity and institutional restraint.

The controversy raises fundamental questions regarding constitutional morality, judicial ethics, independence of the judiciary, contempt powers, and the relationship between judges and advocates. While judicial independence remains indispensable to democracy, it cannot be divorced from accountability, transparency, and adherence to ethical norms. The study further analyses comparative international practices, judicial conduct standards, institutional mechanisms of accountability, and reforms necessary to strengthen public trust in the judiciary.

Keywords: Judicial Conduct, Accountability, Judiciary, Democracy

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I. Introduction

The legitimacy of courts rests upon public confidence. Unlike the executive, which commands administrative machinery, or the legislature, which derives authority from electoral mandates, the judiciary relies substantially upon moral authority. Courts possess neither the power of the purse nor the power of the sword. Their effectiveness depends on public trust and acceptance of judicial decisions.

Justice Felix Frankfurter once observed that the judiciary ultimately depends upon public confidence for its authority. This observation is particularly relevant in constitutional democracies where courts function as guardians of rights and arbiters of disputes. Judicial conduct therefore assumes significance not merely as a matter of professional ethics but as a constitutional necessity.

India's constitutional framework grants extensive powers to the judiciary. Articles 32, 136, 141, 142, 226, and 227 of the Constitution provide courts with wide-ranging authority. Alongside these powers comes an expectation that judges will exercise restraint, impartiality, patience, and dignity.

The Andhra Pradesh courtroom incident became controversial because it appeared to involve a disproportionate response to an interaction between a judge and an advocate. Video clips and reports circulating through traditional and social media generated widespread discussion regarding whether judicial authority was

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exercised appropriately. The incident quickly transcended the facts of a single courtroom episode and evolved into a debate concerning judicial temperament and accountability.

The episode raises important questions:

- What constitutes proper judicial temperament?
- Can judicial independence justify harsh courtroom behaviour?
- What safeguards exist against misuse of judicial authority?
- How should conflicts between judges and advocates be resolved?
- Does India require stronger judicial accountability mechanisms?

Understanding Judicial Temperament

Judicial temperament refers to the qualities of character and conduct expected from judges while performing judicial functions.

It encompasses:

- Patience
- Courtesy
- Open-mindedness
- Impartiality
- Self-restraint
- Respect for litigants
- Respect for lawyers
- Emotional stability
- Commitment to fairness

A judge may possess exceptional legal knowledge but still fail to inspire confidence if he or she lacks judicial temperament.

The concept has evolved through centuries of common law tradition. Courts across jurisdictions have repeatedly emphasized that justice must not only be done but must also appear to be done.

Judicial temperament is therefore inseparable from public perception.

Essential Components

1. Patience

Judges encounter arguments that may appear repetitive, weak, or incorrect. Yet patience remains an essential judicial virtue.

2. Courtesy

The dignity of courts is enhanced rather than diminished by courtesy.

3. Humility

Judges exercise immense authority. Humility acts as a safeguard against arbitrariness.

4. Emotional Control

Courtrooms often involve stressful and emotionally charged situations. Judges are expected to maintain composure even under provocation.

5. Respect for Due Process

Judicial authority must always operate within procedural fairness.

The absence of these qualities can create perceptions of bias and undermine confidence in judicial institutions.

Concept And Meaning Of Judicial Deviance

Within the discipline of Criminology and sociology, deviance has typically been defined as behaviour that strays from the expected social rules, legality, or institutional expectations. Within the criminal justice system, deviance can also occur among ordinary citizens, as well as among those in positions of authority and power. Once committed by those public officials who were given legal powers, it is frequently regarded as official deviance. Judicial deviance is a type of official deviance that occurs within the judiciary. Judicial deviance may be defined as any conduct by a judge that deviates from the accepted standards of judicial ethics, legal duties, and professional responsibilities associated with the office.

Judges hold a duty of loyalty to, and enforcement of, the Constitution, laws, and codes of conduct. Judges should not allow their behaviour to compromise impartiality, fairness, or integrity — deviant behaviour occurs and falls under the purview of the judicial system in such circumstances. Judicial deviance, legally, refers to a variety of abuses and misdeeds against the judicial system such as corruption, abuse of judicial authority, bias in decision-making, improper relationships with litigants or lawyers, and conflicts of interest. This behaviour breaks the basic principle that justice must not only be done but must also be seen to be done. Judicial deviance has implications for procedural fairness and undermines the legitimacy of the adjudicatory process.

Often, scholars analyse the deviance of the judiciary in the context of official misconduct, a definition which describes unlawful or unethical behaviour by public officials acting in an official capacity. Judges, in particular, face the great expectation of neutrality and integrity in making decisions that impact individuals' personal rights, liberties, and property. Any breach of these standards would have serious implications for justice. The deviance problem raises important ethical dimensions of the independence, accountability, and freedom the judiciary can wield on its own. Judicial independence is important so judges can make decisions free from political or external pressures. One of the most important issues to consider in the judicial system is judicial misconduct, as it often requires courts. But too little insulation from scrutiny can lead to situations when deviant actions become unchecked. So it follows that the legal system must build means to ensure that judicial autonomy is maintained with certain forms of accountability and disciplinary process. Judicial deviance frequently has to be applied to the Indian constitutional order and judicial ethics.

The judiciary is supposed to conform to standard ethical behaviour — namely, impartiality, integrity, propriety, and competence. Breaches of these norms do not only tarnish individual judges' reputation, though; they also erode institutional legitimacy, as well as undermine the public's faith in the system of justice. Knowledge of judicial deviance and what it relates to is necessary in order to analyse its causes, definitions, types, and resultant effects. Establishing a clear conceptual framework clarifies the spectrum of examples of misconduct that can occur within the judiciary and gives us insight into how to develop effective mechanisms for accountability and institutional reform efforts by definition for the judiciary as such and to guide legal reform.

Types And Forms of Judicial Deviance

Judicial deviance can take several forms depending upon the type of misconduct and the circumstances in which it occurs. Because judges have discretion in interpreting legislation and determining the rights and obligations of people, any misuse of that power can severely affect the conduct of justice. Criminological and legal ethicists apply the following principles to classify judicial deviance, based on the nature of behaviour in question. In a view to mitigate such risk, this is vitally important to understand these forms and thus help establish viable accountability mechanisms within the judicial system.

- **Judicial Corruption**

Corruption as a severe example of judicial deviance. Judicial corruption happens when judges accept bribes, gifts, or other benefits in return for having a say in the outcome of a case. This behaviour contravenes the very principles of fairness, impartiality, and integrity that the judicial system stands on. Corruption can happen through outright bribery, favouritism of an influential person, corrupting judicial proceedings for one's own or monetary gain. Corruption in the judicial system weakens the credibility of the legal system.

- **Bias and Partiality**

This system expects judges only to decide on cases with the legal principles and evidence put before a court. Judicial deviance, however, can occur when a judge finds something (such as social standing, religious tradition, politics or religion, gender or class) that is potentially prejudicial and detrimental to the candidate. Bias might show up in discriminatory hearings, biased comments, or rulings that benefit a faction or party without due process under law. The act goes against the concept of equality before the law and undermines the perception of judicial impartiality.

- **Abuse of Judicial Discretion**

Judges must exercise discretion in how the laws are interpreted and how it should be addressed with the appropriate remedies or punishment. There is good reason for judicial discretion but some people sometimes put such leeway in the wrong ways leading to deviance. Judicial discretion can be abused when a judge consciously disregards legal principles, hands down undue punishment, or issues arbitrary orders without sufficient justification. Such authority abuse undermines the predictability and consistency of legal decisions.

- **Conflict of Interest**

Judicial deviance occurs when judges judge cases in which they have some personal, economic or professional interest. A conflict of interest can arise when the judge has relationships with litigants, attorneys or entities involved in the case. Under moral obligation a judge should recuse himself/herself to avoid any conflicts in judgments. Not doing so jeopardizes fairness and transparency in the courts, but this lack of recusal concerns fairness in judicial proceedings.

- **Improper Communication (Ex Parte Communication)**

Judicial deviance might also occur if there is improper communication with one party in a case without knowledge or notice to the other side. Ex parte communication of this type undermines procedural fairness as it lets one side manoeuvre the judge privately. Judicial ethics prohibits this behaviour because it threatens the neutrality and transparency of the adjudicatory process.

- **Political Influence and External Pressure**

It is the duty of the judiciary to operate independently from the political system. But deviance happens when judges' decisions are influenced by political considerations or from outside pressures. Political interference can take many forms — whether through pressure coming in informally, expectations of future appointments, or pressure from powerful actors. This kind of behaviour works contrary to the independence of the judiciary and weakens the separation of powers in a constitutional system.

- **Delay and Negligence in Judicial Duties**

Judicial deviance can also take a course of action in the form of consistent negligence and long term delay of performing judicial duties. Delays in executing judgments that should not have happened, failure to properly examine evidence, breaches in procedural obligations cannot be ignored and could affect the rights of litigants. All too often though, they don't seem to be corrupt or malicious in any way but it undermines the efficacy and legitimacy of the justice system.

Judicial Temperament in Indian Constitutional Philosophy

The Constitution of India does not explicitly define judicial temperament. Nevertheless, constitutional principles imply its necessity. Judicial ethics rules clearly set forth the basic duties of trial court judges. Yet, despite the clarity of the rules, many judges break them with alarming frequency and amazing creativity.

There are many reasons for judicial misbehavior. Nonetheless, the following two-part explanation usually rings true. First, whether strategic or merely habit, lawyers obsessively fawn over judges. Lawyers "engage in stylized demonstrations of obeisance. Lawyers stand when the judge enters and leaves the room. Lawyers' 'pleadings' are 'respectfully submitted.' Before speaking, Lawyers make sure that it 'pleases the court.' They obey the judge's orders and we even say 'thank you' for adverse rulings." And second, from the judge's perspective, "When your daily life consists of sitting in an elevated position in judicial robes, with people bowing and scraping before you, it likely goes to your head." When facing discipline for multiple acts of misconduct, one rather bold judge even attempted to use his outsized ego as a defense. "In an interesting attempt to mitigate his discipline," the judge argued that "his misconduct was attributable to a mental disability—narcissistic personality disorder ('NPD')." This is "a condition in which people have an inflated sense of self-importance and an extreme preoccupation with themselves." Paradoxically, the judge's defense was spot-on but ineffective. Because "NPD was not readily treatable," the disciplinary authority "declined to afford it significant mitigating effect."

It has been argued that the problem "is more widespread than many people believe—especially judges." That is, "When told about the brazenly bad behavior of their brethren, judges are often incredulous. How quickly they forget their own experience as lawyers. How quickly they assume the role of judge and become apologists for others." Additionally, most judges are simply out of the loop, as they "seldom visit each other's courtrooms and know little of what goes on there." Although judicial misconduct is now getting some national attention, it is difficult to quantify the true scope of the problem. Cases in which judges commit misconduct typically "are not reported to judicial conduct commissions or appealed on that basis because the lawyers appear before the offending judges with sufficient frequency that they must be concerned about possible retribution." Trial lawyers in particular "cannot call judges out on their [misconduct] without risking reprisal. Many lawyers—especially public defenders—are repeat players.

Regardless of its true frequency, judicial misconduct often violates several of the criminal defendant's important statutory and constitutional rights. This is true even when the judge's misconduct is not directed at the defense in particular. For example, when judges fail to act with the diligence required by the ethics rules, cases can be delayed by months and even years. Meanwhile, indigent defendants remain locked-up, often in violation of their statutory and constitutional speedy trial rights, while they await trial. The bigger problem, however, is that judicial misconduct often is directed at the defense. "Criminal defendants are regular targets and so are their lawyers. Getting slapped down, dressed down, and put down is part of the job." In other words, "Most criminal defense lawyers experience this reality not anecdotally but daily."

Many judges do not take kindly to such advocacy. In fact, if a defense lawyer merely tries "to slow things down to have a conversation about the facts or the law," that alone is enough to brand him or her an "obstructionist." Despite the problem that judicial misconduct poses for defense lawyers and, consequently, their clients, most lawyers fail to give any thought to the matter until it is too late. Such passivity does the client a tremendous disservice. By failing to anticipate possible judicial misbehavior ahead of time, the lawyer has no chance of preventing it from happening. Further, in those situations where it cannot be prevented, the lawyer will be unprepared to respond to it. The unprepared lawyer who is blindsided by judicial ignorance, hostility, or bias in the middle of a hearing or trial is often shocked, or even struck numb, and cannot effectively mitigate the damage and protect the client.

The impact of judicial misconduct on the defense lawyer's ability to do his or her job should not be underestimated. For example, with regard to hostility, "some judges are so unpleasant it's hard to make a cogent

argument in their presence.” In other cases, a bad judicial temperament can quickly turn into a direct assault on the defense lawyer.

Constitutional Morality

Dr. B.R. Ambedkar emphasized the importance of constitutional morality as a guiding principle for public institutions. Constitutional morality requires:

- Respect for constitutional values
- Institutional self-restraint
- Adherence to due process
- Protection of individual dignity

Judges, as custodians of the Constitution, are expected to embody these values.

Rule of Law

The rule of law requires that power be exercised according to legal standards rather than personal preferences. An angry or impulsive exercise of judicial power can create perceptions of arbitrariness.

Dignity

Article 21 has been interpreted expansively to include human dignity. The dignity principle applies equally inside courtrooms. Lawyers, litigants, witnesses, and court staff deserve respectful treatment regardless of disagreements.

The Andhra Pradesh Courtroom Incident

The Andhra Pradesh courtroom incident became a matter of national concern when reports emerged that a High Court judge directed the detention of a young advocate following an exchange during court proceedings. Accounts indicated that the lawyer attempted to explain his position during a hearing. The interaction escalated rapidly, leading to directions for the advocate's custody.

The event generated immediate reactions from:

- Legal associations
- Bar Councils
- Senior advocates
- Constitutional scholars
- Media organizations

The central concern was not merely the legality of the order but the manner in which judicial authority appeared to have been exercised. Critics argued that courtroom discipline should not become a justification for disproportionate punitive measures. Supporters of strict judicial control emphasized the need for maintaining order and respect in court proceedings. The Supreme Court subsequently took suo motu cognisance of the issue, reflecting its institutional significance.

The incident thus evolved into a broader discussion regarding judicial behaviour and accountability.

Courtroom Authority and Its Constitutional Limits

Judges possess authority necessary to ensure orderly proceedings.

Such authority includes:

- Controlling hearings
- Maintaining decorum
- Preventing disruptions
- Enforcing procedural rules

However, judicial authority is not unlimited.

Due Process

Every exercise of judicial power must comply with procedural fairness.

Proportionality

Modern constitutional jurisprudence recognizes proportionality as a key principle. The severity of judicial action should correspond to the seriousness of the conduct involved.

Natural Justice

The principles of natural justice require:

- Fair hearing
- Absence of bias
- Reasoned decision-making

Immediate punitive action without adequate procedural safeguards may raise constitutional concerns.

Contempt Jurisdiction and Judicial Power

One of the most powerful tools available to courts is contempt jurisdiction.

Articles 129 and 215 recognize the Supreme Court and High Courts as courts of record with contempt powers. The Contempt of Courts Act, 1971 further regulates this jurisdiction.

Purpose of Contempt Powers

Contempt powers exist to:

- Protect administration of justice
- Preserve authority of courts
- Ensure compliance with judicial orders

They do not exist to shield judges from criticism or personal discomfort.

Judicial Interpretation

The Supreme Court has repeatedly emphasized restraint in contempt proceedings. Contempt jurisdiction should be exercised sparingly and only when necessary to protect the justice system. The Andhra Pradesh incident revived debate regarding whether courtroom disagreements should automatically attract coercive responses.

Judicial Ethics and the Bangalore Principles

The Bangalore Principles of Judicial Conduct constitute one of the most influential international frameworks governing judicial ethics. They identify six core values:

1. Independence
2. Impartiality
3. Integrity
4. Propriety
5. Equality
6. Competence and Diligence

These principles have influenced judicial ethics worldwide.

Relevance to India

Indian courts frequently refer to ethical standards emphasizing dignity and restraint. The Bangalore Principles recognize that judicial conduct affects public confidence. A judge must therefore avoid behaviour that may create perceptions of unfairness or misuse of authority.

Restatement of Values of Judicial Life

India's judiciary adopted the Restatement of Values of Judicial Life in 1997.

These values emphasize:

- High ethical standards
- Avoidance of impropriety
- Maintenance of public confidence
- Judicial independence with responsibility

The document recognizes that judges are subject to greater public scrutiny than ordinary citizens.

The Andhra Pradesh controversy highlights the continuing relevance of these principles.

Bar–Bench Relations: A Constitutional Partnership

The legal profession and judiciary share a symbiotic relationship.

Courts cannot function effectively without advocates.

Advocates cannot perform their professional duties without independent courts.

The relationship is therefore one of constitutional partnership rather than institutional rivalry.

Importance of Mutual Respect

Mutual respect promotes:

- Effective advocacy
- Fair adjudication
- Efficient proceedings

Breakdowns in bar–bench relations can adversely affect justice delivery.

Rights and Duties of Advocates

Advocates owe duties to:

- Clients
- Courts
- Society
- Constitution

They must maintain decorum and professionalism.

At the same time, lawyers possess the right to present arguments fearlessly.

A courtroom environment where advocates fear retaliation may undermine effective representation.

Balancing judicial authority and professional independence remains essential.

Judicial Independence versus Judicial Accountability

One of the most challenging constitutional questions concerns balancing independence with accountability.

Importance of Independence

Judicial independence protects:

- Fundamental rights
- Minority interests
- Constitutional governance

Without independence, courts cannot act as checks on governmental power.

Need for Accountability

Independence does not imply immunity from scrutiny.

Accountability promotes:

- Transparency
- Public trust
- Institutional legitimacy

The challenge lies in designing accountability mechanisms that do not compromise judicial independence.

Comparative Perspectives

- **United Kingdom**

The UK Judicial Conduct Investigations Office investigates complaints regarding judicial behaviour.

- **United States**

Federal judges are subject to disciplinary procedures and ethical review.

- **Canada**

The Canadian Judicial Council investigates allegations of misconduct.

- **Australia**

Judicial commissions provide independent oversight.

These models demonstrate that accountability mechanisms can coexist with judicial independence.

Media, Social Media, and Judicial Reputation

The Andhra Pradesh incident gained national attention partly because of rapid dissemination through digital platforms. Media scrutiny promotes transparency. Partial recordings and sensational reporting can distort events. Courts must therefore balance transparency with fairness. The digital age has fundamentally altered public engagement with judicial institutions.

Is There a Crisis of Judicial Temperament in India?

The Andhra Pradesh incident is not an isolated episode. Over the years, concerns have occasionally emerged regarding:

- Harsh courtroom remarks
- Intemperate observations
- Public controversies involving judges

Most judges demonstrate exemplary conduct. Nevertheless, isolated incidents can disproportionately affect public perception.

A crisis exists not because misconduct is widespread, but because public expectations of judicial behaviour are exceptionally high.

Reforming Judicial Education

Judicial training should extend beyond legal knowledge.

Training programs should include:

- Emotional intelligence
- Communication skills
- Conflict management
- Ethics
- Constitutional morality

Continuous judicial education can reduce courtroom conflicts and improve public confidence.

Strengthening Institutional Accountability

Possible reforms include:

1. Independent Complaints Mechanism

A structured mechanism for examining complaints regarding judicial conduct.

2. Enhanced Transparency

Publication of disciplinary procedures.

3. Judicial Performance Evaluation

Assessment focusing on conduct and efficiency rather than decision outcomes.

4. Ethical Training

Mandatory periodic ethics programs.

5. Structured Bar–Bench Dialogue

Regular institutional engagement between judges and lawyers.

Constitutional Morality as the Way Forward

The ultimate solution lies in constitutional morality.

Judges must remember that authority derives from constitutional trust rather than personal status.

Constitutional morality requires:

- Restraint
- Respect
- Fairness
- Dignity

These values strengthen rather than weaken judicial authority.

Conclusion

The Andhra Pradesh courtroom incident serves as an important reminder that judicial legitimacy depends not only upon legal correctness but also upon judicial conduct. The controversy highlights the delicate balance between authority and restraint, independence and accountability, discipline and dignity. Courts must maintain decorum, yet they must do so in a manner consistent with constitutional values and procedural fairness.

The episode should not be viewed merely as a controversy involving a judge and an advocate. Rather, it should be understood as an opportunity for institutional reflection. Public confidence in the judiciary is among the most valuable assets of a constitutional democracy. Every courtroom interaction contributes either to strengthening or weakening that confidence.

India's judiciary has historically enjoyed immense respect because of its role in protecting constitutional freedoms and upholding the rule of law. Preserving that legacy requires continual commitment to judicial ethics, constitutional morality, and professional civility. The future of judicial accountability does not lie in weakening judicial independence but in ensuring that judicial power is exercised with wisdom, humility, and restraint.

The Andhra Pradesh incident ultimately reminds us that the true strength of the judiciary lies not in its power to punish but in its ability to command respect through fairness, dignity, and adherence to constitutional principles. Such qualities form the foundation of judicial temperament and remain indispensable to the future of constitutional governance in India.

References

- [1]. M.P. Jain, Indian Constitutional Law (8th ed., LexisNexis 2018).
- [2]. Upendra Baxi, The Crisis of the Indian Legal System (Vikas Publishing 1982).
- [3]. Bangalore Principles of Judicial Conduct (2002)
- [4]. Roscoe Pound, The Causes of Popular Dissatisfaction with the Administration of Justice, 40 Am. L. Rev. 729 (1906).