

# Impact of Literature on Legal World

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**Abstract:** *Since the inception of society some basic disciplines were there to provide an impetus to social progress. Field of law and literature both were there, and today also witnessing many modifications as per the need of hour. Law was not considered as an autonomous discipline, but rather something more akin to an art form. Literary allusions and philosophical musings were interspersed with logic in judicial decisions. Literature which is an imaginary version appears to be a totally different stream if compared to law, and moreover these two are criticized for their perceived lack of true interdisciplinary approach. Often it is assumed that connection between law and literature is highly elusive and that this area is characterized by a compare and contrast mentality. Over this, a natural question often comes, ‘what literature can say about law?’ or ‘what can the law learn from literature?’ The focus will be to break the myth that literature has nothing to do with law, and to show that how the introduction of some literary works like ‘The Merchant of Venice’, ‘Justice’ etc. and even some poetry could make a change to the perception of readers (future advocates and judges) and can tilt on moral and ethical bent of law field, if introduced as a part of curriculum. These days, students are asked to mug up the case laws and to go for case studies, now the effort is to prove that whether the implementation of this total diverse field of literature, be able to make any change to the existing system of justice. Literature broadens the vision and enlarges the sensitivity of a person, and while exercising discretionary powers it could be used best. Law and literature venture is simply concerned with gleaning and useful information from literary discourse in order to facilitate an innovative reading of the law. The paper is not about any facts and figures or about evidence but about that how far natural justice might not be snatched from victims if the people dealing with their case had studied some literature as the story of next door. It is an effort to avail the benefits of humanities subjects in legal studies, an effort to suggest that a practical means of avoiding the hostile dichotomy between law and literature is to use literature as a teaching tool, integrated into every area of the curriculum.*

**Keywords:** Literature, Law, Education, Imaginary, Ethical.

Paper:

*“Literature adds to reality, it does not simply describe it. It enriches the necessary competencies that daily life requires and provides; and in this respect, it irrigates the deserts that our lives have already become.” – C. S. Lewis.*

The famous minute written by Macaulay on Indian education in 1935 was dictated by an educational, indeed, a literary aim.<sup>1</sup> Macaulayan syllabus, claimed that only great and serious literature should be taught and not the language. The standard canon of English literature from Chaucer and Shakespeare, Milton, Dryden, Pope, Wordsworth, Coleridge, Shelley to Browning was read in original for its elevating and enlightening functions.<sup>2</sup>

Literary studies are an appropriate even a necessary, part of legal studies, fiction gives legal scholars the opportunity to get beyond the technical and circumscribed study of legal rules, and to look at law as part of the broader civilization. Literature challenges assumptions about rationality and the rule of law and emphasizes neglected but important aspects of the legal process. Even if legal education remains professional in nature, fiction courses serve a useful note in the law curriculum and can be taught by professors, so long as they are prepared to learn other discipline.

The concrete and strong ground on which we are standing today is the gift of that era in which the knowledge is shared through fairy tales and stories. One of the great features of life today is the curious shrinkage of the world. The invention of various modes of conveyance and communication like air services and internet, have helped to annihilate space. Of their scientific importance and social value there is no need to speak here; but the cumulative effect of these things upon the psychology of the day is worth noting, in as much as it reacts upon our literature.<sup>3</sup>The

primitive as well as the contemporary literature make us grow as balanced personality because it imparts us vision to think logically. ‘Literature is the mirror of society’, true, and we are developing by tracing out flaws and rectifying them through that mirror.

Legal Education is a human science which furnishes beyond techniques, skills, competences, ideologies and critiques. It provides for theories of justice society and occasions for articulation. It is a subject of great importance on view of its dynamic role in molding and envisioning the legal system of the country in accomplishment of objectives like justice, liberty, equality and fraternity. All these aspects and dimensions are fulfilled by the literature, directly or indirectly.

Lawyers are trained to use the freedom granted by the country’s constitution and to protect the people in case their freedoms are violated. So, the responsibility of legal education is very heavy, as lawyers are meant to preserve the society and act as healers and must contribute not only to their purse but more so to the happiness of mankind.

Legal education thus, should aim at furnishing skills and competence for creation and maintenance of just society. It stands for enhancement of human sensibility and injects a sense of liberty and equality before the law. The ultimate objective of legal education is to produce people who can think with sensitivity with the facts of law, who can only be produced through proper instructions through the literary world. It is defined as a skill for human knowledge which is universally relevant to the lawyer’s art that deserves special attention in educational institutions. In common parlance it may be termed as a science which deals with the practical aspects of law of the land. It’s also defined as a science that

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imparts to student's knowledge of certain principles and provisions of law to enable them to enter in legal profession.

The people dealing with literature of various languages should come in front to tell the world that science, philosophy, history, fiction etc. all are there because fiction was there in name of literature. Fiction prompted people to work on the imaginative aspect which resulted in innumerable innovations of various fields. They should give a clarion call, in defense of literature.

Imagination, justice, courage, love, faith, maintaining relationships, kindness, charity, innovations, discoveries, politics, philosophy etc. are the essential entities of world. And when we talk of world the mention of nature, society, human beings are there. For survival we need a fit body, but for living we need to go for logical approach, a mind with sensitivity and sophistication of heart (an organ of body which runs the body and regulates the world). Phases of progress are known to be given by literary teachings only as the humans learn from stories.

The works of literature holds our history, our culture, our tradition, and moreover binds us with our past as well as with future. It deals with the universal problems<sup>4</sup> and their solutions as well.

Maxim Gorky's, *Mother* is an example of the statement; it is portraying the conditions of the people involved and the atrocities of the common masses on the other hand. This novel must had given a lot of impetus to their contemporary struggle during Russian Revolution. On the same footage Indian struggle for independence was also marked with the contribution of many literary works in name of newspapers, magazines, novels etc.

Today's Era require perfect balanced personalities which literature can give. Go through the life history of any successful man and you will encounter the fact that in their young age they were introduced to good works of literature. Great literature, however, as Mr. Shaw knows perfectly well, is great only so far as it is a living organic thing, intimately related to life and related in two ways. Its taproot lies in the soil from which it draws its sustenance; the soil of a particular age with its limitations and characteristics; but its flower is blown upon by the breezes of heaven and fed by the rain and the sun – in this respect it is related to the universal and is an expression not of an age but of ages.<sup>5</sup>

People use to develop lifelong perceptions by a simple poem or short story. As literature depicts what is going on in society, it forms a base for the progenies to frame out the sound structure of future development. It brings out the complexities of life to the sight of common masses and makes them more sensitive to the relative decisions.

Literature consists of the norms and rules and regulations of an idealistic society. People generally connect themselves with the characters and try to follow the idealistic track of their footprints. Human tendency is to get the appreciation and praise for each and every act of them. Literary works guide and persuade them for logical thinking about dos and dons which help them to come up as rational being liked by

all. No scientific work can provide this service. Government now a days is working on the issues of value education through aesthetic education whereby people can learn to have the capacity to be moved by works of art, literature, or music.<sup>6</sup>

Literature brings us closer to God which indirectly purifies our soul and makes us the perfect being. The idea of direct, joyful, and totally fearless relationship with God can be found in many of Tagore's religious writings; including the poems of Gitanjali.<sup>7</sup>

It dares to expose the rotten customs, in - just rules and atrocities of masses and vices of classes. John Galsworthy's *Justice*, Maxim Gorky's *Mother* and novels of Premchand are the examples. A question can emerge that if it only exposes the under current how is it ethical? The answer is, many sufferers get the solution to their sufferings, many gets motivation to clean the system, and many from the capable section try to reform the system. In a nutshell the topic lines of a literary work are having the capacity to persuade the people as compared to any other means.

The area of literature is very wide which covers prose, poetry, drama, essays, fiction, philosophy, art, history, religion, culture, science, and legal writings. It lays the foundation of an enriched life and adds life to living. Reading literature is not only a matter of taste and intelligence, but also a matter of character as well. The writers are exploring new fields and there is hardly a branch of literature in which experiments some feeble some vigorous are not being made. Literature inculcates a positive attitude and instigates will to concentrate on the work to achieve greater heights.

Be it mythological literature like Ramayan & Mahabharat, or the Noble prize winning Gitanjali, be them the royal characters of Shakespeare or the common ones of R. K. Narayan all are exploring something new for every type of reader, and with it having the capacity to satisfy the mental hunger from masses to classes in terms on morality and of materialism too. Literature treats all people on equal parameters without any discrimination; from streets to palaces, it arouses the same emotions, only gravity of them can change according to situations.

Phases of progress are known to be given by literary teachings only as the humans learn from stories.<sup>8</sup> All other works of science, finance, geography, computers etc. are there to result in knowledge and physical comfort; aesthetic parameter is not a part of it. On the other hand, literature inculcates a perception of sensitivity, motivation, and creativity. In fine we have a long way to go; in the concrete of materialism literature is like the wide shade, one should think to go with it and not without it. In the words of Frost,

*"Woods are lovely dark and deep, I have promises to keep.  
Miles to go before I sleep, miles to go before I sleep."*<sup>9</sup>

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