

Literature as a Catalyst for Legal Change: Narratives That Reshaped Justice*

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DOI: <https://doi.org/10.59136/lv.2025.25.1.27>

Abstract

Literature, while often influenced by real-world events, also holds the power to shape them, particularly within legal and social frameworks. This paper explores how literary texts function as legal advocacy tools and social justice catalysts. Through a literary-legal approach, the study examines how narratives extend beyond fictional boundaries to affect legal consciousness and institutional decisions. This research examines two key case studies: Harriet Beecher Stowe's Uncle Tom's Cabin, which contributed to anti-slavery movements in the United States, and The Legend of Nangeli from Kerala, symbolically challenged caste-based oppression. The paper demonstrates how literature can illuminate societal injustices and provoke critical reflection that contributes to legal change. It argues for the recognition of literature as a potent force in shaping legal thought and policy reform.

Keywords: Literature, Narratives, Social Justice, Law

Introduction

Literature is news that stays news.

--Ezra Pound, *ABC of Reading*

Etymologically, Literature is a writing (littera, a letter; letters or learning) in the plural. It embraces in its most extensive meaning as all written and printed works of art; more strictly, those which promote thought or knowledge, and still more precisely, those that deal with the universal value in a manner of exceptional beauty or power—those compositions, in short, which possess artistic excellence (Clarke 53). From its historical origins to its enduring societal and psychological impact, the study of literature unveils a rich tapestry of human expression, emotion and intellectual exploration (Waxler and Hall 5). The historical and etymological roots of the word 'literature' reveal its rich and multifaceted origins. The term originates from the Latin *literatura*, which refers to the written word, encompassing a wide range of creative and expressive works, from poetry and prose to drama and fiction (Nodalo 487). Let the men and women lose their memory, and their friends can still see how strong their favourite book or film influences their character. Let it prove to humankind that Literature is timeless (Foucault). Literature has a significant influence on people's minds, either intentionally or unintentionally, through various forms. At its core, literature serves as a vehicle for exploring the complexities of the human condition, providing a window into the diverse perspectives and experiences that define the human journey (Nodalo 489). Literature's influence extends far beyond the realm of the written word, profoundly shaping the societal and psychological landscape. Literature

***Article History:** Full Article Received on 31st May 2025. Peer Review completed on 15th June 2025, Article Accepted on 3rd Aug. 2025. First published: September 2025. **Copyright** vests with Author. **Licensing:** Distributed under the terms and conditions of the Creative Commons Attribution (CC BY) license (<https://creativecommons.org/licenses/by/4.0/>)

serves as a mirror, reflecting the cultural, political and social realities of the time it is produced, providing insights into the human condition and the complexities of the world around us. Terry Cochran recognises Literature in *The Knowing of Literature* as “Rather than a subcategory of cultural production, Literature is a process of invention that involves the human mind in its most basic yearnings and capacities to represent” he goes on to add that “Yet since the literary is not an object, cannot be reduced to any set of objects, its sense relies heavily on the way it has been conceived and mentally elaborated.” “Literature as it has been stripped of its powers to evoke the unknown, the unknowable, the unforeseen, or even the unthinkable” (qtd. in Culler 232).

Literature signs its autograph in the present and the future of the spectators. Literature is the creator’s hub of unpredictable knowledge (Culler 235). According to Harold Bloom, there are aftereffects of delving into a literary piece:

Pater’s aesthetic, essentially also my own, is Lucretian through and through; it is deeply concerned with the effects of the work upon its reader: “What is this song or picture, this engaging personality presented in life or a book, to me? What effects does it really produce on me? Does it give me pleasure? And if so, what sort of degree of pleasure? How is my nature modified by its presence and under its influence?” (Bloom qtd. in Clarke 65)

There is a common misbelief so far in this Universe that any form of a literary piece, let it be a film, art, music, or a written piece, is always influenced by the real-life happening in the world and, more precisely, happening around the real-life of the author. Still, little is known about it, which is the other way around; a prominent real-life transition can happen after literature influences it. Literature does not only influence the real-life characters in their day-to-day life; for example, a man mastering the act of asking his woman out or a woman wanting to build her library like Belle from the Disney film, *The Beauty and the Beast*. Fortunately, Literature has also caused a significant transition in the legal world. However, law and literature, together in a single phrase, is not a new concept for the world. Law and Literature joined hands ages ago, starting with critics like Plato and Aristotle and with some of the greatest dramatists of the 16th century, Shakespeare, Marlowe, Ben Jonson and Thomas Dekker. All these dramatists have incorporated legal terms and courtroom scenes in their dramas. Hence, law has been incorporated into Literature, and it is time to highlight the other side of the coin. The power of Literature made the legal field pass an entirely new legal bill after being enlightened by a literary piece of work, a true masterpiece. Literature is competent enough to challenge and shape laws; this cannot only happen within a film but can also happen in real life and has already happened. The following passages focus on the power of Literature that helped craft a few legal bills. The transformative power of literature has long been a subject of scholarly discourse. One scholar observes, “Literature, because of its verbal medium, has always been something beyond art as a sensitive and emotional dimension” (Campana 15). This notion underscores the unique ability of literature to transcend the boundaries of traditional artistic expression, delving into the depths of the human experience. By examining the intersections between law and literature, we can better understand the dynamic interplay between fiction and the legal landscape (Paskey 4).

Methodology

This research uses both literary analysis and legal criticism. The selection of primary texts was based on how they have shaped law and society, and supporting materials from law, the humanities, and history allow us to look at how narrative is linked to justice. Studying fictional and non-fictional imaginative writings in this way lets us examine their effects on the public and their involvement in updating the law.

Nangeli and the 200 Years Old Historic Change

Taxes are the most ignored chapter in the life of every adult. Taxes are the most significant factor in the existence of any nation in the world, yet they are never taught in any school. Taxes are as old as the dinosaurs; however, the dinosaurs went extinct, but the taxes stayed back (The Hidden Importance of Taxes). Around 200 and more years ago, in Travancore, a kingdom located in South Kerala, a southern state of India, in an Asian country, lower cast women were forbidden to cover their breasts and were compelled to pay a tax called *mulakkaramto* to cover their upper body. Women at that time protested collecting such tax that was based on the size of their breasts by covering it up (Ram 2). Kishore Ram quotes Venkat Pulapaka in his paper, *Body as Revolt: The Myth of Nangeli, the Woman who Covered her Breast*:

Breast tax or locally known as Mulakkaram, which was prevalent in the Travancore Kingdom, was imposed on Dalit and backward class women. It was especially slapped on Avarna women, who belong to the lower caste. These women were forced to pay a tax on their breasts if they desired to cover their breasts with an upper cloth. In those days, women of low cast baring their breasts were showing respect to superior castes like the Namboodiris. (Ram 2)

Nangeli is remembered for her revolting act; that is, she chopped off her breasts and offered it to her tax collector on a banana leaf and died. After Nangeli's uproar, followed by her death, the breast tax was finally aborted by the then-ruler of the kingdom (Ram 6). Many people from the state of Kerala believe this myth was not recorded to be remembered as a fact. Nangeli brought about a change during the time of the monarchy, which is believed to be the darkest days of history, in which people's opinions are unheard of and less considered. Nangeli's history or myth was one of many forgotten stories that brought some severe transition to the world. Adding to that, it is not only the people's protest and revolt that has brought some severe and legal change to the society; fortunately, there is some Literature change as well, that is, a literary piece that sparked a revolt in the society and brought a change that was strictly needed for the mere survival of many unheard people. The law should be fair and equal to every individual. If a law and a legal bill are biased for a specific group of people or even an individual, they need to be altered and redefined; hence, the people should not follow any such laws until it is altered to uphold justice and morality, as the philosopher St. Augustine claims. The intricate relationship between literature and law reveals a fascinating interplay of influence, where each domain shapes and is shaped by the other (Olson 375). Literature, often viewed as a reflection of society, is profoundly influenced by real-world events, particularly those that impact the author's experiences and perspectives (Liemer 1). Conversely, literature has the remarkable capacity to influence the real world, especially in law, as a potent tool for legal advocacy and social justice (Farber and Sherry 807). This influence transcends mere persuasion; it is deeply embedded in the very structure of legal rules, as legal principles often mirror the narrative elements of a story (Paskey 5). When reflective of the experiences and perspectives of the people they govern, legal narratives are more likely to foster a sense of ownership and acceptance within the community (Strand 607).

The following section discusses the novel that started one of the greatest wars in the United States, *Uncle Tom's Cabin*.

The Book That Started the Great War

As *Stylistics of Teaching and Learning Process of Language through Literature: A Symbiotic Relationship* rightly records, literature is a "familiar key of language using, manipulating, learning and teaching," highlighting its role as a tool for understanding and navigating the human experience (Ismail 1); furthermore, the transformative power of literature is well-documented. As *Transforming Literacy: Changing Lives Through Reading and Writing* suggests, when actively engaged, literature can "stir the human heart," igniting the imagination and inspiring profound personal and societal change. The novel *Uncle Tom's Cabin, Life*

Among the Lowly, was written by an American author, Harriet Beecher Stowe and was published in two volumes in 1852. The author intertwines the abhorrent slavery and oppression faced by African Americans in the United States. The anti-slavery novel by an abolitionist was crafted into words. It became the finest masterpiece for several decades after the Fugitive Slave Act of 1850 that was imposed in the United States.

President Fillmore, the 13th President of the United States, signed the Fugitive Slave Act on 18 September 1850. Fred Landon quoted Rhodes about the Fugitive Act in *The Negro Migration to Canada After the Passing of the Fugitive Slave Act*, "One of the most assailable laws ever passed by the Congress of the United States.... Under this act... the Negro had no chance; the meshes of the law were artfully contrived to aid the master and entrap the slave" (qtd. in Landon 25). The act affirmed that it was illegal to offer any support or aid to runaway refugees; the act also had the liberty to report the runaway slaves, hunt them with a separate force appointed by the government and return them to their masters regardless of the master's right or wrongdoings. The Fugitive Slave Act opened the Civil War and led thousands of people of colour to cross the borders to reach Canada, seeking safety from their hunters and the government. It was approximated that from fifteen to twenty thousand Negroes set foot into Canada between 1850 and 1860, which ultimately increased the population of Negro in the British provinces from about 40,000 to nearly 60,000 (Landon 26). "Here are the papers. I own the slaves," one of the claimants and the master of enslaved people, according to the Act, announced in an open court about his slave. One need not look further than the Constitutional Convention and its choice to refer to slavery using a variety of euphemisms for evidence. When history books fail to bring the truth to us, it is the fiction, non-fiction and, more critically, the Literature that transcends the truth to the future and the entire world; the truth that could have been painted and faded if it was not for the intense on the pages through the ink of the writer. The novel's success also prompted a backlash from pro-slavery critics, who accused Stowe of distorting and exaggerating the realities of slavery. Stowe, however, was determined to demonstrate the truth of the conditions she had fictionalised, and she compiled documentary evidence to support her claims in "A Key to Uncle Tom's Cabin" (Rowe 38).

Stowe's novel *Uncle Tom's Cabin* is a depiction of her anger against this law and an open attack on it; she and her family have always been against the slavery act, and her novel is proof of her anger against the bill that made so many people think that they better did not live at all, that also made a mother abandon and disown her infant child. The novel confronted America and the ruthless circumstances experienced by the enslaved African Americans in the country because of their fellow American citizens; additionally, the novel also had the power to reach a vast number of audiences through the mode of novel and play. The book was a wild hit in the book markets, selling 10,000 copies in the United States alone in the first week of its publication and 300,000 in the first year. *Uncle Tom's Cabin* also debuted in the markets of Great Britain, and the novel sold more copies abroad than in the United States; in Great Britain, 1.5 million copies were sold in a year. People were so curious about the ill-treatment faced by the enslaved people in the United States, which no one had any clue about; most of the audience never knew such bills and treatments of slaves ever existed in the world until Stowe depicted it in her novel. The audience was psychologically unprepared to trust such a cruel reality until they spoke with the author herself. As Hochman's research has shown, the novel's remarkable transformation from a widely read work of fiction to a "dated American classic" that reinforced racial hierarchies resulted from broader cultural changes in how Americans thought about race, childhood, literacy and fiction (Rosenthal 281). Stowe got invited to Great Britain to give a lecture in various universities and places about slavery; this led to a spark among the Britishers as well about slavery and revealed the strong opposition against slavery amongst the people. The novel was dramatised in various theatres throughout the United States. This book is the second best-selling book of the nineteenth century after the Holy Bible.

Uncle Tom's Cabin is credited as the first major American novel to feature a Black protagonist and authentically portray Black speech through regional dialects. In brief, the novel showed the real black man in his tongue; the black man was not put into someone else's skin to deliver his end of the truth. Adding to that, the book marks its importance till now to the present generation; in 2018, when BBC Culture polled writers around the globe to pick narratives that travelled across generations of continents and changed society and that have still managed to be the news to the ever-changing world, the writers around the globe selected *Uncle Tom's Cabin* as 2 out of the 100 stories that moulded the world, a book that still is so relatable in many parts of the world. The book fuelled the anti-slavery forces and provoked widespread anger in the United States.

Harriet Beecher Stowe's novel *Uncle Tom's Cabin*, published in 1852, profoundly impacted the public discourse surrounding slavery and the events leading up to the American Civil War (Rosenthal 281). The book's vivid depictions of the horrors of slavery, coupled with its widespread popularity, helped to galvanise public opinion against the institution of slavery (Rowe 40). When Stowe was invited to the White House by then President Abraham Lincoln in 1862, he is reported to have commented on the author: "So you're the little woman who wrote the book that started this great war" (Rowe 39). While the book did not directly lead to new laws and amendments in the legal arena, *Uncle Tom's Cabin* is still officially stated, influencing public opinion and contributing to the abolitionist cause, ultimately leading to the Emancipation Proclamation and the abolition of slavery in the United States.

Beyond *Uncle Tom's Cabin* and *The Legend of Nangeli*, several other literary texts have historically influenced perceptions of justice and human rights. Victor Hugo's *Les Misérables* remains a cornerstone in illustrating the moral complexities of criminal justice and redemption (Bell 257). Harper Lee's *To Kill a Mockingbird* mirrors institutional racism in the legal system, with Atticus Finch as a literary emblem of moral conscience (Johnson 74). Though non-fiction, the Diary of Anne Frank is an enduring literary document of human rights violations and has become central in shaping Holocaust education and awareness (Kirk 63). Franz Kafka's *The Trial* critiques the absurdity and opacity of bureaucratic legal systems, revealing the alienation of individuals in faceless legal machinery (Weisberg 170). These works transcend their narratives, positioning literature as a force capable of critiquing and even reshaping legal consciousness.

Conclusion

"For a philosopher to say, 'The good and the beautiful are one,' is infamy; if he goes on to add, 'also the true,' one ought to thrash him. Truth is ugly. We possess art lest we perish from truth." (Nietzsche 435). Literature is the most beautiful thing humankind has ever sketched and styled for humankind. In many aspects, a literary work in the form of a film, novel, or even music is powerful enough to change a person's life or even an entire social system by altering our consciousness. There are cases where people are put behind bars because the lyrics in a song are violent or controversial for the society that confronts the government and their lack of attention ever since the days of the monarchy. It means that Literature in the form of a film, novel, song, or poem can play an essential role in human lives and social progress. A man or a woman need not cut off their body parts or someone else's body parts to bring attention to them to be heard; Literature can do that job when the ink is with the right hands. A sword without the swordsman is just a mere iron piece. Literature can challenge societal norms and prejudices by presenting alternative perspectives and questioning established beliefs. This can contribute to a more critical and reflective public discourse, encouraging individuals to question unjust systems and advocate change for the betterment of regular people in society. Literature can catalyse legal reform and policy change for the regular audience by highlighting flaws, injustices, and loopholes. Authors can beautifully craft the technical narratives that humanise

legal issues and make them accessible to a broader group. This storytelling approach can be a powerful advocacy tool, making complex legal concepts understandable and relatable to people who may not have a legal background. By exploring the meanings of law circulating in social relations, we can gain insights into how people perceive and interact with the legal system (Silbey 8623). Literature is a powerful tool for legal advocacy and social justice, offering a platform to challenge existing norms, expose injustices and promote empathy and understanding (Lowe 99).

Uncle Tom's Cabin, a novel that falls under the rubrics of Literature, had the power to start a war, as accredited by the former President of the United States, Abraham Lincoln and the most cussed and discussed book of its time as quoted by Langston Hughes, which ended slavery altogether, at least from the legal eyes. The text had a direct impact on the legal field. It is not always that only the law inspires the Literature genre and the artist to paint, but Literature can also mark its footprint in the Legal Arena. In most cases, literature is crafted based on a revolutionary incident that has already happened, whereas very little is made that makes revolutions; instead of literature making the past, literature makes the future as well. Thus, artists should be responsible for crafting art that deserves attention to the World and would positively change it; words and ideas can turn the world upside down; many critics have admitted this fact, but not everyone knows the intensity of the statement. Life without art is going to be miserable. "The human race is filled with passion. And medicine, law, business and engineering these are noble pursuits and necessary to sustain life. But poetry, beauty, romance, love, these are what we stay alive for," (Kleinbaum 27). To paraphrase Nietzsche, we have art in order to not perish from the truth.

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