



# Justice, Law and Moral Responsibility in Modern Indian Writing in English

**Dr. S. Kandasamy**

Associate Professor and Head, Department of English  
Urumu Dhanalakshmi College, Trichy



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## Abstract

*The interdisciplinary dialogue between law and literature offers significant insights into the ethical and philosophical dimensions of justice. In modern Indian Writing in English, literary narratives frequently explore the tension between institutional law and moral responsibility. Contemporary writers portray the lived realities of marginalized communities who remain unheard within legal frameworks. This paper examines how modern Indian writers interrogate the limitations of legal systems while foregrounding ethical consciousness rooted in Indian philosophical traditions. Through selected works of Arundhati Roy, Rohinton Mistry, and Kiran Desai, the study argues that literature functions as a moral critique of law and reveals the deeper philosophical foundations of justice in contemporary Indian society.*

**Keywords:** law and literature, modern indian fiction, justice, social inequality, moral philosophy, postcolonial justice, indian writing in english, legal ethics.

## Introduction

Law, as a system of codified rules, attempts to regulate society through formal institutions and legal procedures. Literature, however, engages with the emotional and moral complexities of human life. The field of law and literature demonstrates that narratives can illuminate the ethical implications of legal decisions and social policies. In modern Indian Writing in English, writers often depict the distance between legal justice and lived justice.

The historical context of India—marked by colonial rule, social inequality, and democratic aspirations—creates a fertile ground for literary

engagement with legal issues. Many contemporary Indian writers portray characters who struggle against oppressive institutions, thereby questioning whether law truly protects human dignity. As philosopher Martha Nussbaum argues, literature “cultivates the moral imagination” by allowing readers to understand the suffering of others (Nussbaum 5). Modern Indian fiction similarly invites readers to rethink justice beyond formal legal structures.



### **Law and Social Injustice in Contemporary Fiction**

Modern Indian literature frequently exposes the inadequacy of legal systems in addressing social inequality. A powerful example appears in *The God of Small Things* by Arundhati Roy. The novel portrays the tragic consequences of caste prejudice and social injustice in Kerala. Roy demonstrates how social hierarchies undermine the principles of legal equality.

Roy famously writes, **“The laws that lay down who should be loved, and how. And how much”** (Roy 33). This statement reveals the implicit social laws that regulate relationships and determine individual fate. The novel suggests that even when legal systems claim to uphold justice, deeply rooted cultural norms often perpetuate discrimination.

Roy’s narrative thus highlights the philosophical question of whether law can truly deliver justice when social institutions themselves remain unjust. Literature becomes a critical space where the moral contradictions of society are exposed.

### **Law, Power and Human Dignity**

Another important exploration of law and morality appears in *A Fine Balance* by Rohinton Mistry. Set during the political turmoil of the Emergency in India, the novel portrays how legal authority can become an instrument of oppression. Government policies, enforced through legal mechanisms, displace poor communities and restrict civil liberties.

Mistry poignantly observes, **“There is always hope—hope enough to balance our despair”** (Mistry 603). This statement reflects the resilience of individuals who continue to seek justice even when legal institutions fail them.

Through the experiences of characters such as Ishvar and Omprakash, the novel demonstrates how legal power can marginalize vulnerable populations. Yet Mistry also reveals the human capacity for solidarity and compassion. Literature therefore becomes a medium through which the ethical dimensions of justice are explored beyond legal codes.

### **Globalization, Law and Identity**

Modern Indian fiction also examines the impact of globalization on justice and identity. In *The Inheritance of Loss*, Kiran Desai portrays the struggles of migrants navigating cultural and legal boundaries. The novel reveals how legal systems often fail to accommodate the complexities of transnational identities.

Desai writes, **“Could fulfillment ever be felt as deeply as loss?”** (Desai 324). This reflection suggests that the experience of displacement involves not only legal difficulties but also emotional and philosophical dilemmas. Migrants frequently encounter immigration laws that reduce human lives to bureaucratic categories. Through such narratives, Desai demonstrates how modern legal systems struggle to address the ethical dimensions of globalization. Literature provides a space where these human experiences are articulated and understood.

### **Philosophical Dimensions of Justice**

Indian Writing in English often reflects philosophical traditions that interpret justice as a moral principle rather than a purely legal concept. Indian philosophy emphasizes *dharma*, or ethical duty, as the foundation of social harmony. This concept challenges the Western assumption that justice is achieved solely through institutional law.

Contemporary Indian writers integrate this philosophical perspective into their narratives. Their works suggest that justice must involve compassion, empathy, and moral responsibility. Literature thus encourages readers to question whether legal systems truly reflect ethical values. The philosopher Jacques Derrida argues that justice is “incalculable” and cannot be fully captured by legal rules (Derrida 16). Modern Indian fiction similarly portrays justice as an evolving ethical ideal rather than a fixed legal structure.

### **Literature as a Voice for the Marginalized**

One of the most significant contributions of literature to legal discourse is its ability to represent marginalized voices. Many individuals who suffer



injustice lack access to legal power or political influence. Literary narratives provide a platform where their experiences can be acknowledged. In modern Indian fiction, marginalized communities—including Dalits, migrants, and women—often emerge as central figures. Their stories reveal the human consequences of legal and social exclusion. By portraying these experiences, literature challenges readers to confront the ethical implications of inequality. Thus, literature performs a function similar to that of legal testimony. It records human suffering and demands recognition. However, unlike legal documents, literary narratives evoke empathy and moral reflection.

### Conclusion

The relationship between law and literature in modern Indian Writing in English reveals the complex interaction between legal institutions and moral philosophy. Through the works of Arundhati Roy, Rohinton Mistry, and Kiran Desai, contemporary literature exposes the limitations of legal systems while advocating for a deeper ethical

understanding of justice. These writers demonstrate that law alone cannot guarantee justice. True justice requires empathy, social awareness, and moral responsibility. Literature therefore serves as a philosophical critique of legal structures and reminds society of its ethical obligations toward the marginalized. Ultimately, modern Indian Writing in English invites readers to imagine a more humane conception of justice—one that recognizes the dignity and complexity of every human life.

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