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WHITE BLACK LEGAL is an open access, peer-reviewed and refereed journal provide dedicated to express views on topical legal issues, thereby generating a cross current of ideas on emerging matters. This platform shall also ignite the initiative and desire of young law students to contribute in the field of law. The erudite response of legal luminaries shall be solicited to enable readers to explore challenges that lie before law makers, lawyers and the society at large, in the event of the ever changing social, economic and technological scenario.

With this thought, we hereby present to you

# **WISDOM THROUGH THE AGES: AN EXPLORATION OF THE EVOLUTION AND UNIVERSALITY OF HUMAN WISDOM**

AUTHORED BY - NANCY DHILLON<sup>1</sup>

## **Abstract:**

Wisdom is a universally valued concept. Wisdom plays an importance role in applying knowledge and navigating humanity. Wisdom is not only important in education but also plays a significant role in administration of justice. Wisdom is an ability to distinguish between good and bad and also to make sound decisions which creates a balance between individual interest and the societal interest.

This research paper discusses nature of wisdom and its historical evolution. This paper also aims to provide a comprehensive understanding of wisdom as a timeless and universal phenomenon. By examining the various dimensions of wisdom and its role in human society, this paper also discusses how wisdom plays a significant role in academics, delivering justice and creates a balance between law and society.

**Keywords:** wisdom, justice, society, humanity.

## **1. Introduction**

For millennia, humanity has been captivated by the concept of wisdom, which is commonly defined as the capacity to use information and experience wisely in order to make wise judgements and negotiate the complexity of life. Although the definition of "wisdom" is open to debate, its fundamental value as a standard for behaviour among people has never changed. Wisdom and ethics have to play a great role in education. For furthering understanding and knowledge, it is always advised to look back to answer future. The objective of this research is to investigate the timeless quality of wisdom through an analysis of its historical evolution, cross-cultural variances, and current applicability. This study examines the many facets of wisdom, what makes it unique, and how important it is to the administration of justice and to

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education. It places special emphasis on wisdom's ability to balance the needs of the individual with those of society. Wisdom is a timeless and universal phenomenon, and its relevance in directing people towards moral decision-making, emotional control, and compassionate action is highlighted by its appearance in Eastern philosophies, Western philosophical thought, religious traditions, the Enlightenment period, and contemporary psychology. Wisdom promotes ethical thinking and the whole development of persons, making it a crucial educational objective.

Wisdom is crucial to the ethical concerns of legal practise and judicial decision-making in the field of justice. It works to preserve justice and strike a careful balance between the rights of the person and the interests of the community. Furthermore, the idea of restorative justice is the application of wisdom; it emphasises healing and reconciliation, which is consistent with the moral and humane values that wisdom reflects. Though not without difficulties, the interaction of wisdom and law advances the goal of justice and the ongoing development of legal frameworks. This essay contends that knowledge, a timeless and universal phenomenon, still acts as a compass, balancing personal goals with the demands of society and pointing humanity in the direction of a more moral, sympathetic, and just cohabitation.

## **2. Historical Evolution of Legal Wisdom**

The Vedas, a collection of ancient scriptures that include the Rig, Yajur, Sama, and Atharva, the Upanishads, Puranas, and Itihas, the Bhagavad Gita, the epics of Mahabharat and Ramayana, Kautilya's Arthashastra, Manusmriti, and Buddhism, are just a few of the many ancient knowledge sources found in India. This bank's wisdom can be expanded upon and applied to legal issues in India. The ethics of ancient India can assist modern laws in developing more sustainable legal system. We can overcome current legal issues by utilising our traditional Indian knowledge and wisdom. India has a great past with its wisdom books, which is undeniable. It is a philosophy or way of life that inspires us to move in the path of enrichment.<sup>2</sup> Since then, Indian law has developed, starting with early religious prescriptions and moving through a legal system founded on the idea of "Dharma" to the contemporary legal system that delves into and passes through common law and the secular legal system. In India, legal education dates back to the Vedic era, when people learned how to interpret the law on their

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<sup>2</sup> Jaiswal, A. (2018). ANCIENT INDIAN WISDOM: A REVIEW OF ITS IMPLICATION TO MODERN MANAGEMENT. research gate, 60-64.

own and within the framework of Dharma. The original source of law, the Vedas, was interpreted by the legal guardians of the time, Smrithikaras and Nibhandakaras. A variety of practitioners from various Hindu philosophical systems, as well as later Jains and Buddhists, enhanced the habitude of legal process in ancient India, which was maintained through Sadachara, customs, nyaya, and yukti.<sup>3</sup>

The Manu Smriti provides evidence of the "Niyogis," or native Indian lawyers, who acted as the parties' representatives in court in ancient India. Because there were numerous reigning dynasties in ancient India, the court systems developed during their many reigns as a crucial aspect of the country's governance structure differed from region to region.

Common law was introduced by the British with the founding of the East India Company, and it is a system of laws based on court-established precedents. Madras, Bombay, and Calcutta Mayor's Courts were founded in 1776, bearing King George I's seal. The Mugal judicial system was subsequently superseded by the Mayoral court system, which was extended beyond three cities following the British victory in the Battle of Plassey. Following the overthrow of the Mayor Courts in 1857, the Supreme Court was established to replace them. A hierarchical court structure was established when the India High Court Act of 1862 took the place of the first Supreme Court.<sup>4</sup>

The "vakils" that had been in place during the Mughal era persisted in serving as client agents. Nevertheless, the Legal Practitioners Act of 1879 removed this prohibition, allowing solicitors of any nationality or religion to practise law. Prior to this, the Supreme Court had only admitted English, Irish, and Scottish lawyers.

The process of coding laws was taken up by the First Law Commission in 1834, and under the direction of Thomas Babington Macaulay, the Indian Penal Code was passed and put into effect in 1862. Formal legal education was taught in English as a two-year course using a straight lecture format for over a century, from 1857 to 1957. Following independence, the tallest leaders of the independence movement, who were attorneys, created a system for legal education and practise that called for a high level of expertise together with a broad

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<sup>3</sup> Supra note 1.

<sup>4</sup> Brief History of legal education in India, Reteieve on october 15, 2023 from <https://universalinstitutions.com/brief-history-of-legal-education-in-india/>

understanding of the law and its tenets in order to practise and uphold the legal system of a newly formed nation.<sup>5</sup>

### 3. Dimensions of Wisdom

Basically, there are three dimensions of wisdom that is cognitive dimension, reflective dimension and ethical dimension. The application of information and experience to make well-informed decisions is the cognitive dimension of wisdom. It encompasses problem-solving, critical thinking, and the capacity to draw from one's own and others' experiences to navigate complex situations. Wisdom is not just about gathering knowledge; it is also about knowing how to apply that knowledge. Wisdom's reflective dimension places a strong emphasis on introspection and self-awareness. It entails being aware of one's own motivations, feelings, and values. Wisdom promotes emotional control and empathy for others by challenging people to consider their prejudices and ideas. An essential component of making moral decisions is self-awareness. Possibly the most fundamental aspect of intelligence is its ethical dimension. It has to do with acting with kindness, generosity, and social responsibility as well as possessing a moral compass. A person with wisdom makes decisions that are in line with moral standards and advantageous to all parties involved—including themselves, their communities, and society at large.<sup>6</sup>

#### 3.1. Legal wisdom

The objective that law seeks to accomplish is justice. The aim of the law is justice. Law is a body of broad guidelines used to administer justice. Justice is a matter of cause and how the law is applied in a certain situation. Jurisprudence is the legal theory. Law and jurisprudence must finally be put to the test in the context of administering justice. "Law as it is" might not be able to fully uphold "Law as it ought to be" in some cases. One could refer to the space between the two as Morality's domain. Without a doubt, morality has an impact on how laws are developed. As powerful agents of development, the concepts of equity and natural justice have an impact on the moral infusion needed to reshape the law. When the gap between the two is closed and the requirements of justice are met by the legal system, everything is wonderful.<sup>7</sup>

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<sup>5</sup> Ibid.

<sup>6</sup> Varshney P., *THE CHANGING DIMENSION OF LEGAL EDUCATION*, (March 31, 2020), lawbhoomi, Retrieve on October 15, 2023 from <https://lawbhoomi.com/the-changing-dimension-of-legal-education/>

<sup>7</sup> Monika Ardel, Empirical Assessment of a Three-Dimensional Wisdom Scale, *SageJournal*, Volume 25, Issue 3, Retrieve on October 18, 2023 from <https://doi.org/10.1177/0164027503025003004>

### **3.2. Interpretation of law**

Purposive construction of the existing law is the first tool at the courts' disposal. The assumption that a statutory provision should be construed in an updated manner is a fundamental premise of statutory interpretation. When interpreting a statute that is still in operation, it is assumed that the legislators intended for the act to be applied in a way that would carry out its original objective whenever possible. By doing this, consideration is given to the pertinent social developments that have taken place in the community since the law's passage. Additionally, it is a rule of interpretation that a word with multiple meanings must be interpreted to advance the goal of the legislation. To put it briefly, the interpretive process allows the court to give the current law a meaning that approaches justice.

## **4. New dimensions of legal education**

The legal education system in ancient times was not highly valued, but as society became more complex and crimes became more complex, reforms were introduced. In India, the Indian Advocates Act, 1961, integrated legal education under uniform standards. The National Law School of India in Bangalore, established in 1986, pioneered reforms to improve legal education quality. Later, a central examination system, CLAT, was established. The legal education system has evolved significantly in the 21st century, with increased interest and investment from private entrepreneurs. Private universities like Symbiosis University, OP Jindal University, and University of Melbourne etc. are leading the way in improving the quality of legal education. These changes provide tough competition to other institutions, but all are delivering high-quality education.<sup>8</sup>

Legal education aims to produce professional lawyers, who play a crucial role in society and the economy. Harvard Law School emphasizes the dual purposes of law schools: training individuals for the legal profession and providing a center for scholars to contribute to understanding law and government. Law schools should focus on qualities that should be present in legal practitioners, train individuals in solving problems for society, and act as centers of research and criticism. Lord Denning emphasizes the importance of understanding legal rules, extracting principles from existing legal rulers, and pointing the right path for future development. The current goal is to transmit accumulated knowledge about the management of the legal process to the rising generation, enabling them to gain a comprehensive

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<sup>8</sup> *Supra note 6.*

understanding of their legal system. Legal education serves multiple objectives and aims to shape the future of law professionals, students, and faculty, making the world a better place for upcoming legal practitioners and existing ones.<sup>9</sup>

## **5. Problems in present legal system**

Developing countries face numerous obstacles in developing their education systems, affecting legal education, an effective tool for social control. Many believe understanding does not imply acceptance, and poor economic and social services hinder legal knowledge. Legal professionals often lack creative roles, unlike in developed countries. Adequate cost and money supply are also challenges, particularly in countries dealing with poverty, unemployment, caste systems, and reservation. A solid foundation is needed to improve these conditions.

## **6. Suggestions**

The legal education system faces several challenges, including inadequate international exposure, poor curriculum and effective teaching methods, and a balance between Indian law knowledge and globalization challenges. To address these issues, law schools should consider innovative international programs, better curriculum and teaching methods, global interaction and collaborations, and global research. The development of web-based research tools and databases has transformed comparative and international law research, making it crucial for law schools to have access to legal material from all jurisdictions. Emphasizing professional ethics and responsibility is also essential, as globalization has added new challenges to traditional inquiries about how a professionally responsible lawyer should meet duties to clients, courts, and the public.

## **7. Conclusion**

In today's fast-changing world, wisdom has become more important than ever. It is not only about gaining knowledge but also about using it with understanding, balance, and compassion. When wisdom is included in education, it helps students build strong moral values, emotional awareness, and problem-solving skills. In the field of law, wisdom ensures that justice is served fairly, keeping in mind both individual rights and the needs of society. True wisdom creates harmony by guiding people to make ethical choices and by connecting knowledge with humanity. If applied in education, justice, and daily life, wisdom can help individuals and

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<sup>9</sup> Supra note. 6

communities face modern challenges with clarity, fairness, and empathy.

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