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# The Influence of Historical Figures on Legal Communication

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## ABSTRACT

This paper examines how historical figures have shaped the development of legal communication, from classical antiquity through the digital age. It examines how key thinkers such as Cicero, Edward Coke, William Blackstone, Jeremy Bentham, and Roscoe Pound laid foundational structures for legal rhetoric, language, and persuasion. The analysis considers the interplay between law and broader cultural, historical, and linguistic forces, with attention to the evolution of legal education, the role of women in law, and technological advancements. Legal communication is framed not merely as a transmission of law but as a dynamic system influenced by discourse, institutional power, and societal transformation. Using historical case studies, rhetorical analysis, and linguistic frameworks, the paper highlights how figures of authority both shaped and were shaped by legal traditions, creating standards still referenced in modern legal practice, education, and public perception.

**Keywords:** Legal communication, historical figures, legal rhetoric, legal education, legal language, jurisprudence, legal history, law and culture, women in law.

## INTRODUCTION

The influence of historical figures on legal communication can be analyzed through communication theories that stem from legal historicism, particularly in areas like law and language, legal language, and legal rhetoric. Notable figures such as Jeremy Bentham, Edward Coke, William Blackstone, Oliver Wendell Holmes Jr., Roscoe Pound, John Henry Wigmore, and Karl Llewellyn significantly shape legal discourse. Their works continue to impact literature, conversation, and legal education. These figures have become woven into law school traditions, with their statues found in various public spaces. They have played vital roles in the evolution of legal thought. Legal communication encompasses the production and transmission of legal knowledge, closely linked to knowledge bureaucratization. This includes not just legal texts but all factual communications. When focusing on how legal culture interacts with knowledge production, legal communication results from the interplay of law, culture, and specific locations of knowledge, such as academic legal writing. This encompasses both scholarly legal communication and mainstream legal communication. Historical figures are often seen as having authoritative viewpoints due to their notoriety, positioning them as credible sources. However, figures from ancient law tend to be viewed as obscure and sometimes trivialized as mere reference points. Consequently, historical figures may not always feature prominently in legal discussions or documents. Understanding their emergence in legal contexts could illuminate the variations in legal cultures and the law itself [1, 2].

### Historical Overview of Legal Communication

Attention in this panel is shifted from a consideration of the legal implications of modern communications technology to an examination of its potential for improving the communication network in those affairs of men that we call the law. Characteristics of Legal Communication Network The legal communication network today is characterized by two features. Any communication network in this century is marked by a division between the extent to which there is a man involved and the extent to which there is a machine involved. The interesting question is, What is going on within this network that is amenable to being

handled by a machine, and what, among those things, is it wise to do that way? A second and limiting characteristic of the legal communication network arises from the fact that we restrict ourselves to the English language as virtually our sole means of communication, which limits the use we can make of machines. Uses of Machine Retrieval. It is useful in legal research, for purposes of isolating some of those things that may be done wisely by machines, to draw a distinction between document retrieval and information retrieval. When one wants to find a document that contains some words, phrases, or symbols on a page, one engages in document retrieval. If one cannot find it, no further intelligent inquiry can be made. The answer to the first question must be "no." A case does not exist in the file cabinet or library, or machine unless one knows that there is one. By contrast, information retrieval has nothing to do with the existence or location of a document. If one asks a question or states a proposition, and intelligent inquiry is initiated, ten-to-one (no, one-hundred-to-one) it is in a database assembly of records, other documents, or data somewhere [3, 4].

## Key Historical Figures

Throughout history, many influential figures have shaped legal writing and communication. Prolific thinkers, from ancient times to modernity, have formulated numerous legal processes and means of communication. Some have bridged gaps between the courts, the legal community, and the public by presenting law in accessible terms, enhancing understanding among diverse audiences. Others have upheld standards, structure, and clarity in legal writing, contributing to the discipline significantly. Key historical figures linked to contemporary legal writing include Cicero, Livius, Fortescue, Blackstone, Bentham, and notable justices of the U.S. Supreme Court, such as Justice Marshall, Justice Brandeis, and Justice Kagan. For instance, Cicero, a Roman statesman, emphasized the importance of persuasive pleadings in legal argumentation. Julius Caesar enhanced the reach of addresses by acknowledging diverse audiences, while Livius Andronicus translated Greek epic poetry into Latin, demonstrating the blend of cultures in legal matters. Sir John Fortescue, as Chief Justice, advocated for longer jury deliberations on capital crimes. Blackstone's Commentaries on the Laws of England laid the groundwork for statutory and common law, influencing the U.S. Constitution and the Bill of Rights. Jeremy Bentham's Treatise on Judicial Evidence recommended systematic shifts in legal statutes for the preservation of norms. Central Kiswahili-speaking juristic disambiguators contributed to uniformity in legal writing across East, Central, and Southern Africa, blending vernacular with legal communication effectively [5, 6].

## Legal Rhetoric and Persuasion

Some forms of legal writing are designed explicitly to influence human beliefs and conduct. These persuasive legal documents may be either briefs or letters. Persuasive legal documents are written to cause specific action on the part of the reader. In litigation, they persuade the court to issue a decision favorable to the writer's client. In non-litigation contexts, they persuade an opponent to agree to the writer's point of view or to induce the opposing party to take a specific action. In both contexts, the persuasive document must evoke the appropriate legal reasoning and responses from an audience. Many concepts of persuasion have been studied from both a philosophical and a psychological perspective. Much research has been completed, and there is a substantial literature on persuasive writing. In persuasive writing, rhetoric profoundly influences theory and method. The rhetoric of persuasion developed by ancient writers continues to shape many contemporary theories and reviews of legal documents. These traditional items continue to be subsumed under the complex labels of "rhetoric" and "style" in contemporary analysis. In rhetoric, there are recent additions such as intertextuality or graphical representations of texts that have a role in persuasion. A less systematic understanding of these additional items is found in the discussions of legal conflict narrative. Such additional rhetorical figures are products of, and evince, the distinctive cognitive processes developed during the centuries of specialization in legal discourse. Psychologists increasingly document and demonstrate the cogency of those processes, which in turn inductively shape some of the rhetorical figures broadly identified in the past. The emphasis in analysis and review on the form of persuasive writing and the rhetoric therein inscrutably makes the point that judgment of the effectiveness of persuasive writing is ultimately judgment of the effectiveness of rhetoric. Legal conflict narratives are among the best at specializing in persuasion and are most enhanced by rhetoric [7, 8].

## Evolution of Legal Language

Law is a human-made system meant to establish social order and justice. Understanding law requires extensive knowledge of its language, which includes dialects, codes, body language, symbols, and gestures. As a language, law adheres to general rules of linguistics, semantics, and pragmatics, alongside

those specific to particular legal systems, such as legal norms, binding force, and categories. Challenges arise in legal documents, from legislative regulations to court decisions, where the effectiveness of legal language as a communication tool can be evaluated. This assessment will focus on regulations with subpar legal language. Legal reasoning is introduced as a framework for interpreting and analyzing these regulations. It aims to identify and utilize reasoning to evaluate legal language quality, including laws and regulations. The assessment methods for understanding this reasoning are also discussed. Language, in its broad sense, is a sign system that conveys meaning, existing independently of its medium or location. Words, whether spoken, written, or signed, function as signs carrying meaning. Beyond general roles, language serves specific functions in law, acting as a communication medium between lawmakers and society. It should facilitate achieving objectives by fostering a widespread sense of obligation to obey legal rules within a community defined by rights and duties [9, 10].

**Influence of Notable Legal Scholars**

The new university paradigm for law schools meant that the law professor had to earn the status of an academic. The construct of an appropriate persona was situated within an ongoing discussion of the task of law schools by the legal profession itself. Between the 1870s and the mid-1910s, two groups within the field of law were created. Each group addressed the changing environment of the field by producing a different set of values, needs, and purposes. The profession had to find a legal scholar model. On the other hand, semiprofessionals insisted on a practitioner model as a fit with the new paradigm. This explains how a few lawyers, first and foremost Christopher Columbus Langdell and his disciple James Barr Ames, and other actors in the discussion using rhetoric between 1870 and the mid-1910s did and how this rhetoric became a sign of a field in transition. Discourse was carefully utilized by careful discourse analysts. The suggested answer is historical, textual, and rhetorical analyses were combined. Early efforts to analyze and also understand discourse were markedly descriptive in nature. They employed standard qualitative methods and techniques. Textual comparisons of ensuing discourse or legal texts were made without careful consideration of form or organization. The number of observations about discourse was infinite. The law school debate picked up momentum. On the one hand, there was a growing acceptance of university teaching. Law schools were increasingly becoming part of the university. At the same time, there was mounting criticism of the law school system. The debate about legal education, linguistically engaged colleagues, and rhetorical practices in relation to the earlier handling of the matter suddenly transitioned from what's next. It asked what was rhetorically both available and appropriate in the context of law schools becoming universities. Discourses steeped in different knowledge, i.e., the law school finding its place within universities, sprouted responses [11, 12].

**The Role of Women in Legal Communication**

Women have historically been shut out of law but some forces intervened to change traditional law and culture. In the nineteenth century, such forces included suffragists and rights activists who worked hard to gain access to the legal profession. Literature forces on the other hand, produced classic literature important in shaping popular perceptions of women's off-limits spheres. The interaction between these two forces took the form of women shaping legal traditions through the use of literary techniques. This paper examines two such literary texts—Alice's Adventures in Wonderland and its sequel—written by Lewis Carroll, who was a judge in the Court of the Chancery. The texts are re-read to discover how the representation of legal images operates to reflect a defensive posture of patriarchy as a reaction to women encroaching upon masculine spaces of law. The use of pseudo-legal metaphors and structures in literary writings actively works to foreclose women's position within the legal profession while at the same time leaving an opening for negotiation. Because of their grounding in law, the texts inevitably address anxieties of Victorian society. They verbalize fears about the radical transformation of laws, social morality, and the order of society. Nevertheless, their legal significance extends beyond their role as commentaries on law. Re-read legally, those works actively reconstitute modes of legal representation and the discursive construction of power relations. The subversive qualities of the texts subvert their original signifying practices and produce new meanings. The focus is on the depictions of judges, juries, and courtroom procedures. The scope is restricted to the working of the law as there is no mention of the post-grand jury stages of the legal process. The reason is that the examination of post-grand jury procedures involves a different set of issues, including issues of sexual double standards at the heart of the courtroom where sexual offences are tried. Besides, the discussion of the legal situation of women may require an in-depth investigation of women's modes of representation. Alice's Adventures in the law uses such tropes of law to construct an alternative discourse challenging conventional Victorian definitions of the terms 'man' and 'woman' [13, 14].

## Cultural Influences on Legal Communication

Almost everyone thinks that it is just an ordinary, daily habit of searching for words, arranging them into grammatically correct constructions, and pronouncing them correctly. Such activity seems to be clear and unproblematic. However, linguists as well as semioticians know that verbal communication is an extremely complicated activity. In order to speak properly, a person should possess a set of relevant social conventions, called social or linguistic codes, learnt during childhood and, of course, the lexicon and grammar rules of the respective language. If someone possesses these conventions, it is relatively easy to start language production. They create the message by searching for appropriate words. The next step is connected with forming the grammatically correct construction. Such production is time-consuming and complex because it requires looking for corresponding words and arranging them as well as distributing of them between new and known information. From the first truthfully communicated words, humans use language to express their thoughts and emotions, name objects, label states, and give orders to one another. These functions, initially unrelated, are swiftly connected with each other, resulting in chances for wider, more informative speech. However, the technical side was not a considerable problem. Gradually, rules governing syntax, lexicon, phonetics, and writing were worked out and put to use, and with them also rules governing text layout, styles, and choice of their linguistic means in brief, rhetoric. Things became slightly more complicated when one realized that not only the rules but also the lexical, grammatical, and rhetoric units used may differ, even in countries with a long-lasting and close-intended cooperation. Most probably, this may seem to be a new discovery, limited to the research of some exotic languages. Many are aware of the fact that courts and prison systems utilize different terms for adjectives, institutions, offences, and judging institutions. The legal act is reckoned as the primary variable in a given system, a bill, or a constitution of the state that has a prerogative to orthodox institutions in some other country. Different systems have unequal masses of cultivated precedential texts. Monolingual and bilingual dictionaries are less or more sufficiently elaborated for common languages. A person may suppose that all languages, being human systems of communicating thoughts, are similar. Despising vernaculars, they use the language privileged due to its culture and history. The Protestant/Catholic masses are subject to the same transfiguration; nevertheless, the deeper explanation must take place, showing subtlety in both passages, accusatives, and others [15, 16].

## Technological Advancements in Legal Communication

Before telephones, legal communication relied on letters or face-to-face meetings. The telephone allowed real-time engagement between lawyers, clients, and witnesses for questioning and scheduling, but it raised challenges concerning confidentiality, ethics, and privilege. Confidentiality was assumed until conversations took place over the phone, which led to security concerns, especially with mobile phones that made interception easier. Discussing sensitive matters over tapped lines could endanger lives. The internet revolutionized communication further with email, allowing instantaneous interaction and demanding lawyers to draft communications with greater mindfulness and care. As email use grew, so did its significance in legal marketing; law firms began to operate more like businesses. This shift introduced new security risks, with breaches in confidentiality making legal communications vulnerable to scrutiny from outside parties. Social media added another layer of complexity, requiring lawyers to be vigilant about client confidentiality while leveraging networking opportunities to build their reputations. However, the rapid adoption of new media often occurred without proper consideration of the risks involved. This became evident when a law blog gained unwanted notoriety after its author publicly commented on a case, resulting in his job loss. To address these challenges, relationship management systems were developed to help lawyers manage interactions and protect sensitive information efficiently [17, 18].

## Case Studies of Historical Legal Communication

There is a fascinating history of the drama and artistry of courtroom performance in the United States within which Brooks may be considered. This history encompasses a wide range of materials, from the famous trials of Aaron Burr and Susan B. Anthony to the unlikely involvement of the likes of Edgar Allan Poe and Harriet Beecher Stowe in court business. Perhaps most famously, it includes sketches of courtroom performance from 1830 through 1840 that cast the likes of Daniel Webster and William Wirt in the roles of elaborate characters who play against a backdrop of brothers who allow earthly concerns to plague their afterlives. Two major locations of this drama period -Edinburgh, Scotland, circa 1835, and Chicago in the mid-twentieth century- give Brooks the opportunity to examine the staged grandeur of the advent of the lawyer in the courtroom and the lived, low art of homespun local practitioners. Equally engrossing are the sketches of courtroom intrigue involving imagined courtroom duels and the dubious veracity and ludicrous excesses of courtroom performance itself. This is a rich vein in the legal

communication literature. There is also an equally engrossing and fascinating parallel history of the turn to rhetoric in legal scholarship from the late 1940s through the early 1990s. Pakkala-Weckström surveys this literature meticulously, devoting chapters to the contributions of nine scholars and critics. This volume is significant not only for what it says but also for how it says it. Brooks and Pakkala-Weckström are both active members of the legal communication community. It has the feeling of a serious and honest effort to mark the forty-year history of the turn to rhetoric in the community's scholarship. Brooks begins her history in a most entertaining fashion by sketching her research trajectory through the social sciences, written communication, and applied linguistics. She then describes her introduction to rhetorical poetics at the University of Illinois [19, 20].

## The Future of Legal Communication

The legal profession is facing the pressing need to prepare for ethical issues that will arise from the many technologies that future lawyers are likely to encounter in their practice. The introduction of various new technologies has the potential to create entirely new bases for liability that may significantly affect traditional legal aspects we have known. It is crucial for law schools to ensure that students have a comprehensive understanding of these evolving challenges that come with advancements in technology. This preparation must include not only defining their obligations regarding ethical duties but also addressing key issues such as confidentiality, communication, and the importance of maintaining professional integrity in a digital landscape. Law schools have a responsibility to stay fully current with the various impacts that technology has on ethics and the law. An in-depth study of existing ethical frameworks within law curricula, alongside learning from the methods and practices of other disciplines, can provide invaluable insights and a broader context for students. Recognizing and acknowledging the fast-paced nature of technological changes is absolutely essential in this regard. Moreover, reviewing past adaptations to significant innovations, such as the introduction of telephones and their implications for legal practice, can help clarify ongoing debates and suggest necessary reforms in legal education and practice. Ultimately, legal educators must actively encourage a proactive and engaged approach when it comes to understanding and integrating the potential impacts, benefits, and risks associated with new technologies into their curricula. This approach will not only prepare future lawyers for the challenges they will face but will also enhance the ethical standards of the legal profession moving forward [21, 22].

## CONCLUSION

The influence of historical figures on legal communication is both foundational and ongoing. Through the works of jurists, philosophers, rhetoricians, and reformers, legal language and thought have evolved from rigid formalism to a complex interplay of discourse, persuasion, and institutional knowledge. Figures such as Cicero and Blackstone not only authored foundational texts but also modeled methods of legal expression that continue to inform academic, courtroom, and legislative settings. Their contributions underscore the legal field's reliance on historical continuity, rhetorical adaptability, and cultural responsiveness. The gradual inclusion of women, cross-cultural communicative shifts, and technological innovations further demonstrate that legal communication is not static it is a living dialogue shaped by the voices and visions of its most influential contributors. Understanding these legacies is critical for appreciating the diversity, depth, and direction of modern legal communication.

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