PART ONE
PROLOGUE TO THE LIFE AND WORKS OF LORD DENNING
GENERAL INTRODUCTION

PR.1. Introduction
Law is fast becoming a major branch of modern studies. English is the medium of instruction. English is also one of the important subjects in Five Year Law Course. The curriculum development committee working under the directions of the professional council and the university authorities recommended law students to study the autobiographies of the great jurists like Hon. Mr. M. C. Setalwad (My Life) and Hon. Mr. M. Hidayatullah (My Own Boswell). There is a great need to study the lives and works of the great jurists like Hon. Mr. Lord Halsbury, Hon. Mr. Nani Palkhiwala, Hon. Mr. Lord Atkin and last but not least Hon. Mr. Lord Denning.

PR.2. Research Problem and Hypothesis
These two important aspects of traditional research are not exactly applicable to an exhaustive research based on the life and works of the great personalities. The present research will fully explore the various aspects - biographical and philosophical ones related to Lord Denning. Many innovative ideas of interpretation of laws given by him have become ‘Lighthouses’ for the ‘Wandering Barks’ of the legal experts all over the world.

PR.3. Research Methodology
The interdisciplinary research on Lord Denning is ‘Janus faced’. It begins with literature and ends in law. The research methodology employed herein is historical, exploratory, analytical, interpretive, comparative, evaluative and legal including case study method.

PR.4. Objectives
I. To enable the Indian law students to understand the biographies of the great legal luminaries like Lord Denning.
II. To develop art of writing biographies of great luminaries like Lord Denning with special reference to his contribution to the philosophy of law.
III. To study the influence of Lord Denning on Indian Judiciary and the case law.
IV. To study the relationship between Lord Denning’s views and emerging English Constitutional law and the Commonwealth law.

PR.5. Scope of Study
The researcher has chosen the topic ‘The Life and Works of Lord Denning’ for his doctoral dissertation. His Lordship here is portrayed not directly from his judicial or legal works but from his five literary classics which have an autobiographical tinge. They automatically reflect his art of legal interpretation, his thorough legal studies and his great contribution to the philosophy of law. Lord Denning has written a beautiful series of five legal literary classics commonly called Christmas Series along with a separate autobiographical account. They are:

I. *The Discipline of Law* (1978)
II. *The Due Process of Law* (1979)
V. *The Closing Chapter* (1983)

PR.6. Limitations of Research
The research work does not fully comprise innumerable articles, speeches and legal text books by Lord Denning. Our research is only limited to the Christmas series of five classics mentioned above supplemented with *The Family Story. (Autobiography)*

PR.7. Review of Literature

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<th>Sr. No</th>
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<th>Research Degree</th>
<th>Year</th>
<th>Researcher</th>
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<td>1944</td>
<td>John B. C. Watkins</td>
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<td>The Life and Works of Sultan Alauddin Khilji</td>
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<td>4</td>
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<td>1983</td>
<td>Memon Abdul Rauf</td>
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<td>5</td>
<td>An Analytical Study of the Life and the Literature of Vinayak Damodar</td>
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<td>1989</td>
<td>Harindra Shrivastav</td>
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<td>2002</td>
<td>Marcoux Alain</td>
<td>Concordia University</td>
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<td>10</td>
<td>Life and Works of Kishanrao Rathod</td>
<td>Ph. D.</td>
<td>2013</td>
<td>A. G. Bhavre</td>
<td>S. R. T. M. University Nanded</td>
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1) **The Life and Works of Gustav Weid**

The researcher John B.C. Watkins presented his doctoral thesis on the Life and Works of Gustav Weid to the Cornell University in 1944. The thesis is an exhaustive research on the life and works of the great Danish writer Gustav Weid (1858-1914). He was a novelist and a short story writer and a playwright. Watkins has studied Weid from his plays which include:

En Hjemkomst – 1889               Meimmelumsen - 1901  
En Bryllapsnat – 1892             Aertehalm -1909     
Den Gamle Pavillon-1902           Dansemus – 1905       
Karlighed – Fire Idyller-1909
Watkins further studies short stories of Weid which include Silhuetter-1891, Barnlige Sjale-1893, Imellem Slagene-1914. The theses on 'Life and Works' are broad in nature and without any specific shade. They don’t have the hypothesis and research problem. Watkin follows the well established traditional method.

2) The Life and Works of Sultan Alauddin Khilji

The researcher Gulam Sarwer Khan Niyazi presented his doctoral thesis on the Life and Works of Sultan Alauddin Khilji to the University of the Punjab in 1964. There are twelve chapters in thesis including Appendix and Bibliography. Niyazi has given us the importance of Khilji dynasty in the history of India. Alauddin's way to throne has been given in separate chapter. Sultan Alauddin’s administrative reforms become the part of Chapter-IV. Sultan Alauddin has been studied as a crude economist as he introduced land reforms and a price control system with a special reference to the weights and measures. Religious policy of Alauddin Khilji with special reference to his relations with the Hindus has been discussed in detail. The character and achievements of the Sultan are discussed in much detail in Chapter-X. This is a thesis submitted to the Department of History. It tells us the importance of Khilji Rule in India.

3) The Life and Contribution of Qualander Moomond

The researcher Zubeir Hasrat presented his doctoral thesis on the life and contribution of Qualander Moomond to the University of Peshawar in 1977. This thesis gives us the importance of Qualander Moomond and his contribution to the Pashto literature. He provided new ideas and thought to it. He was not only a poet or a writer but he was an original thinker who advocated the cause of humanism in the specific orbit of Poshtun nationalism. Zubair has given us a detailed sketch of Moomond's life which had many shades and facets. He has given us his ideas in nine chapters. The first chapter is very exhaustive and it deals with the details of life of Moomond. In such thesis, the 'life' comes not as passing reference but as an important part of the thesis. Chapter-II deals with the studies in relation to the poetry of Moomond. Chapter-III deals with short stories. Chapter-IV deals with Moomond's critical view. Chapter-V deals with the criticism. Chapter-VI is based on his journalism. Chapter-VII to IX deals with various aspects of life and works of Qualander Moomond and he has been viewed by his contemporaries.
4) The Life and Works of Mufti Mohammad Shafi

The researcher Memon Abdul Rouf presented his doctoral thesis on the Life and Works of Mufti Mohammad Shafi to the University of Jumshoro in 1983. This thesis has been submitted to the Department of Social Sciences. The thesis depicts the life and works of Mohammad Shafi in much detail.

5) Life and Works of Mumtaz Mufti


6) The Life and works of Amir Hamza Khan Shinwari

The researcher Kabil Khan presented his doctoral thesis on the life and works of Amir Hamza Khan Shinwari to the University of Peshawar in 1991. This thesis has been submitted to the Department of Social Sciences of the University. This thesis depicts the life and works of Amir Hamza Khan Shinwari in an exhaustive manner.

7) The Life and works of Alexander Ivanovich Ertel (1855 -1908 Whither Russia?)

The researcher Steven Richard Griffin presented his doctoral thesis on the life and work of Alexander Ivanovich Ertel to the University of British Columbia in 1996. Griffin has submitted this thesis upon the Russian writer Ertel who lived in the reign of the last Czar. There are six chapters with a separate introduction and conclusion. Along with bibliography two separate appendices of original quotations from the Russian language. The thesis depicts the life of Ertel in detail. Part-I, Chapter-I studies certain stories from Ertel. Chapter-II studies "The Sacrifices of one Child" etc. Part-II, Chapter-III studies Providential Polyphony in Gardening, Chapter-IV studies "The Struggle" Part-III, Chapter-V studies Hope and Despair in Dukhovidtsy. Chapter-VI
studies in detail the influence of Russian literature on the Western world with special reference to Ertel.

8) The Life of works of Dimitri Dimakopoulos

The researcher Marcouse Alain presented his thesis on the life and works of Dimitri Dimakopoulos to the Concordia University as a partial fulfillment for the degree of Master of Arts in Art History. Dimitri Dimakopoulos was a great Greek architect born in 1929 and died in 1995. He is remembered for his various erections. An exhaustive and illustrative list has been provided by the researcher in the end notes. The thesis contains three parts with a separate introduction and conclusions. We find an exhaustive bibliography. There are **one hundred illustrations** in the thesis given at the end notes. Part-I gives us the early life of Dimitri at Athens (Greece) where he took his primary education. Then he entered McGill University in Canada. The part covers his life from 1929-1955. Part-II provides us the struggle of living and the early career of Dimitri as an architect between 1955-1969 along with his partnership. Part-III provides us the exhaustive study of Dimitri Dimakopoulos and partners between 1970 to 1995.

9) The Life and literature V.D. Sawarkar

*The complete title of this thesis is An Analytical Study of the Epic Sweep in the Life and Literature of Vinayak Damodar Sawarkar*

The researcher Harindra Srivastava submitted his doctoral thesis to the Nagpur University in 1989 on which his book The EPIC Sweep followed. The researcher studies in detail the childhood primary education and higher education in law acquired by eminent freedom fighter Vinayak Damodar Sawarkar. His epic sweep and his life at the Andaman as a British prisoner, has been given in much detail. Sawarkar considered Jail Library as an Open University. There are many references of Sawarkar's Marathi poetry and researchers English translations of the same. The researcher has critically studied the importance of Sagar (Ocean) in the life of Sawarkar and its reflections in his immortal poetry. The appendix gives us illustrative information of more than one hundred contemporary freedom fighters out of which some were with Sawarkar as the British prisoners at the Andaman.
10) The Life and Works of Kishanrao Rathod

The researcher Bhavre has submitted his doctoral thesis to the Swami Ramanand Teerth Marathwada University, Nanded on the Life and Works of Eminent social worker Honourable Shri Kishanraoji Rathod in 2013. The thesis depicts the early life, the struggles and hardships which appeared in the life of the great social reformer. It further tells us about the importance of the contribution of Honourable Mr. Rathod to the field of education especially in the under-developed regions like Marathwada.

PR.8. Significance of Study

Lytton Strachey, the celebrated biographer of Queen Victoria, stated in 1918 “The art of Biography has fallen on evil times” (Prasad 1999: 230). Similar is the position of the research works upon the ‘Life and Works’ in Indian Universities when the theses on the same have been accepted by the world’s leading universities in various interdisciplinary studies. They include architects, poets, critics, philosophers etc. We have chosen a ‘legendary judge’ of our times for this purpose. Thesis on ‘Life and Works’ is not exactly biography. It includes critical studies and the impacts of the great personalities on the contemporary generations. The researcher looks at the personality from his kaleidoscope and arrives at some conclusions. Special emphasis has been laid on certain contributions and the studies which may lead to many exhaustive biographical works in near future. Life and works of any great personality inspires the people especially the young ones and brings sublimity in human life. Lord Denning’s long span of life covers more than a century (1899 – 1999), witnessed two World Wars, Rise and decline of the British Empire upto considerable extent and immense scientific development that revolutionized the human life. ‘British India’ was a part and parcel of the vast Victorian Empire where Sun had neither power to rise nor to set at the same time upon it. All the crown territories were under the obligation to follow the Orders in Council issued by the British Vice-Roy and the judicial decisions of the Privy Council and the House of Lords had a binding force. Lord Denning entered the British judiciary on 7th March, 1944, when India was still a part of the British Empire. India achieved independence on 15th August, 1947. The Indian Parliament passed the Abolition of Privy Council Jurisdiction Act 1948. A new Constitution of India was promulgated on 14th November, 1949 which immediately declared India to be a Republic. It was the practical end of the legislative executive and the judicial relations between the United
Kingdom and the infant Republic. In 1976, 42nd Amendment to the Constitution has added the words ‘Secular and Socialist’ to the Preamble. Our beloved leader and then Prime Minister Pandit Nehru wanted to preserve the cultural, educational and economic relations with the United Kingdom and the other Commonwealth Realms like Australia, Canada and New Zealand, etc. India continued to work as a Member of the Commonwealth of Nations. Along with the United Kingdom the Queen is the Head of State for Australia, Canada, New Zealand etc (see App II). The Republic of India recognizes the Queen as the Head of the Commonwealth only. It is “a Free Association of British as well as former British States for promotion of educational, cultural and social activities’.

Lord Denning in his exceptionally long career as an important judicial authority of the British Empire had to deal with a number of complicated cases. Profumo Affair (Report of 1963), and the Sikh Boy’s Turban Case (Mandla v Dowell-Lee 1983 QB1) are worth mentioning. As far as the India is concerned, we are not bound directly by the precedents of the Privy Council after the passing of Privy Council Abolition of Jurisdiction Act 1948. However, they certainly have a guiding force of law and are learned opinions in the eyes of jurisprudence. In Sykes v Director of Public Prosecutions 1962 AC 528 Lord Denning revived the ancient crime of Misprision of Felony –at a crucial time when the entire globe was and still is facing the acute problems of terrorism. He delivered more than 2000 judgments. They are referred to all over the world as learned opinions. His views on professional negligence and abuse of power are respected all over the world.

According to Shri Balramji Gupta, Lord Denning is one of the most important judges from the United Kingdom. Mr. Gupta praises Lord Denning because the later has produced six legal classics from 1979 to 1984 when he was an octogenarian.
The above landmark quotation is a part of the Book of Forest taken from the sacred epic Mahabharata. It is a Divine Message for the entire human beings. It states that the dry arguments are inconclusive. The religious texts differ from each other. There is hardly any situation in which we can follow the quotations from any single sage. The solid truth is hidden in the caves – the hearts of the great souls. In such a situation it is safe to follow the footprints of the great people.

It is impossible to understand spiritualism by mere prayer or study and interpretation. We should study, how do the great souls speak, eat, walk, think and sit. We should further study the purpose of their living. The lives and the works of great people represent the essence of all knowledge.

The great American philosopher Ralf Waldo Emerson has always stressed the importance of biography even far more than history. [2] Sometimes the greatness of a person reaches to such a height that the concerned age is identified with him/her. Let’s take the example of Mahatma Gandhi. His autobiography ‘My Experiments of Truth’ [3] and various biographies written on him by R. Rolland [4] and Louis Fischer [5] are capable enough to become the political history of modern India. In the same way Adolf Hitler’s autobiography Mein Kamph [6] and Sir Winston Churchill’s account Gathering Storms [7] are capable enough to become the modern European history. Biography of any great personality is in fact a living record of some particular
field. Lord Denning’s biography too is capable enough to become the modern Legal and Judicial History of the Commonwealth Realms.

Eminent jurist Olivecrona, the champion of the Scandinavian Realism was of the opinion that the real law is only administered by the law courts. [8] Lord Denning effectively administered the law in the courts and thus automatically proved the Olivecrona’s theory. In his judgments we find a nice blending of the judicial interpretation and judicial activism.

The present interdisciplinary work is actually based on the Life and works of Lord Denning and the biographical elements are inevitable. Lord Denning has written a number of law related technical articles and books. We have chosen only five literary classics called the Books of Christmas Series. [9] Most of them were written when Lord Denning had crossed his eighties and was peacefully living in White church. They contain his life experiences. He has also written a separate autobiography “The Family Story” containing his own story up to 1980. Moreover some biographies also appeared on the life of Lord Denning in the United Kingdom as well as in the United States. “Lord Denning: A Life” by Iris Freeman and “Lord Denning: A Biography” by Edmund Heward are worth mentioning.[10] Along with the whole Christmas series the Biography of Lord Denning by Heward and his autobiography are fully considered here for the critical studies in nutshell. These peculiar aspects bring the research work in the close vicinity of the English language and literature. His Lordship’s magnum opus contribution to the philosophy of law cannot be separated from his life and works and it is bound to touch the technicalities of law and thus becomes interdisciplinary in the real sense of the term.

Law is normally treated as a separate faculty in the universities. [11] However, a close observation will show that it is a means of social control and thus it is a part and parcel of the faculty of social sciences. Here, it should be seen carefully that the law is spread all over the literary works of Lord Denning. Even his autobiography The Family Story (1981) contains certain legal technicalities. His judicial views are the outcomes of his judicious mind. His ceaseless efforts to reach up to the truth made him, “a Peoples’ Judge” and he became a legend in his own life time. Thus, his footprints have become a perfect path for the legal experts, judges, lawyers, officers and last but not least the law students. In other words, the development of law in modern times cannot be separated from the life and works of Lord Denning. Before actually turning towards his life and works, here only Christmas series containing five classics, it is
necessary to have a bird’s eye view on the elements of the very literary forms of biography and autobiography. [12] Lord Denning’s popular biography written by Edmund Heward and his autobiography The Family Story will also be subsequently assessed by applying various scales of Literary Criticism. Thus, all the seven books fall within the primary sources of the research work. [13]

1.1 Language and Literature - Language is a means of human communication Literature is the art of written works. The human arts further include sculpture, music and films. The most basic literary categories include fiction and non-fiction. The form fiction is written in prose which is further categorized into the essay, the novel, the short story, the criticism and last but not least the pair forms the biography and the autobiography. [14] The form Non-fiction further includes the poetry and the drama.

1.2 BIOGRAPHY (LORD DENNING: BY EDMUND HEWARD)

‘Biography is the history of the lives of individual men as a branch of literature.’[15]

- Oxford Dictionary

A biography is a description or an account of someone’s life and times usually published in the form of a book an essay or a film. The words biography and autobiography are in contrast with each other. In autobiography the life account is written by the person himself while in biography such an account is written by some other person who may be or may not be a contemporary to the personality whose life is portrayed in the literary works. A biography is not a list of facts like birth, education, works contribution and death. The word biography was used by Dryden in 1683. The kaleidoscopic views of the biographers do appear in the biographies. It further includes the in-depth analysis of the subject’s personality. It is a rational study of the life and the age in which the concerned personality lived. The biographer must remain honest with the events and the evidences. Hence the biography is considered as a branch of history. However, it differs from history in being a record of the life of one individual. Here its canvass is fulfilled with one figure. There may be the other great characters but they must be subsidiary to the central hero. It must be a faithful picture of its subject with both virtues and faults, neither praising the former nor condemning the later but keeping equilibrium. According to Sir Sidney Lee the biography must transmit the personality fully. It is a great work by which we have to rebuild a living man
from the dead bones. Eminent Indian scholar Birjadi Prasad has distinguished a pure biography from an impure one. According to him a pure biography must give us a perfect picture of both the external and the inner life of the individual subject. If certain factors are intervening, it would make the biography impure. Let’s study one of such dominating factors. There is a well known Latin maxim available in this regard. [16]

De mortius nil nisi bonum
(The living should speak nothing but good of the dead)
If any biographer desires to honour the dead in order to conceal his evils he is bound to impure the biography. A second factor responsible for imparting impurity is the author’s own opinion, his views and prejudices.

Thomas Carlyle says, [17]

“A well written life is almost as rare as a well spent one”.

It is not easy for a man who has not lived with his subject to present an accurate account of him in his pages. Well known and the masterly biographies are written by the contemporary writers. Boswell was a disciple of Jonson. [18] Lockhart was son-in-law of Scott. [19] Forster was a contemporary of Dickens. [20] But all biographers are not always contemporaries or associates. They are more dependent upon the sources like other biographies, autobiographies, histories, related articles, diaries, correspondences, reports, memories kept by the relatives and the friends, pictures and photo material preserved in museums etc. Up to nineteenth century, the biographers all over the world chose their subjects from the eminent personalities contributing much to the growth of the religion, governance, social life, literature, arts, military achievements etc. Twentieth century scenario, in this regard is far different. Now we also have the biographies of Ann Frank, a small poor girl of 14 years of age persecuted to death by the brutal Nazis on account of their nasty racial policies. It is a representative voice urging the Human Rights. [21]

W. H. Dunn studied the biography and other forms of composition and stated. [22]

“Perhaps no other form of composition is so difficult; no other deals with such elusive material. Other forms of composition deal with their source, with man himself with his in word and outward manifestation, who is sufficient for such a task.”
Lytton Strachey, the celebrated Victorian biographer wrote in 1918. [23]

“The art of biography seem to have fallen on evil times in England. Those two fat volumes, with which it is our custom to commemorate the dead- who does not know them, with their ill digested masses of material, their ship shod style their tone of tedious panegyric, their lamentable lack of selection, of detachment or design? They are familiar as the cottage of the undertaker and wear the same air of slow funeral barbarism?”

Both the above mentioned thought of the great biographers, Dunn and Strachey tell us the very importance of the literary form of biography. Strachey laments for the scanty number of biographies and further the most of them being impure ones. It is very interesting to note that the criticism of Strachey brought a revolution in the sphere of writing biographies. Theses on the Life and Works are akin to biography. They have been accepted by the world’s leading Universities for conferring the research degrees A List of Ten theses on the Lives and Works is provided in Prologue- 7 Review of Literature. The repetition and the same is avoided. However fifteen landmark biographies from ancient to modern times are produced here as follows. They are just like some drops from the ocean.

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<td>Eminent Victorians</td>
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<tr>
<td>7.</td>
<td>William Shakespeare</td>
<td>Sidney Lee</td>
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<td>8.</td>
<td>Mahatma Gandhi</td>
<td>Romain Rolland</td>
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<td>9.</td>
<td>Lord Atkin</td>
<td>Geoffrey Lewis</td>
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<td>10.</td>
<td>The Life and Works of Sigmund Freud</td>
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<td>11.</td>
<td>Princess Diana</td>
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<td>12.</td>
<td>William Blackstone</td>
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<td>13.</td>
<td>Lord Halsbury</td>
<td>John Hostettler</td>
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<td>14.</td>
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<td>15.</td>
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<td>Edmund Heward</td>
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1.2.1 Lord Denning: A Biography

Illustration - 2.

*Front cover of the classic ‘Lord Denning: A Biography by Hon. Edmund Heward.*

1.2.2 General aspects in relation to the biography of Lord Denning

Lord Denning is regarded as one of the world famous legal luminaries of the 20\textsuperscript{th} century. Many biographers have made him a subject of their literary art. They include -

1. Lord Denning: A Life (by) Iris Freeman 1993

Here it should be noted carefully that none of the above mentioned biography is complete as they are written in the life time of Lord Denning. No doubt they cover a major span of his life. Here we have chosen the second biography mentioned above for our critical studies. The reason of
selection is its more recent period of publication in 1997 just two years before the death of Lord Denning. This biography like the earlier one is highly exhaustive, illustrative and elaborative. Our biographer honorable Mr. Edmund Heward is himself a retired judge. He has witnessed closely the modus operandi of Lord Denning.

1.2.3 Pragmatic aspects of the Biography of Lord Denning by Edmund Heward


1.2.4 Chapterization at a Glance

There are twenty chapters in this biography. There is a preface and a bibliography at the end of the classic. Heward has illustrated his biography with 28 photos.

1.2.5 Critical aspects of the Biography of Lord Denning by Edmund Heward

Honorable Mr. Edmund Heward is a retired Judicial Officer of Her Majesty’s Realm. He can be treated as a contemporary of Lord Denning. He has openly praised the American Judiciary having a real power of judicial review. The courts can declare a statute unconstitutional. This is the magic of Montesque’s theory of Separation of Power. This situation made the American judges John Marshal, Oliver Holmes, Louis Brandies and Earl Warren famous throughout the world. England truly is a Kingdom in the constitutional sense of the term. (The suffix-dom means authority esp. over private property) There is chance of fusion rather of the separation powers. There may not be any independence of one wing of the government including judiciary at least in theory. In practice the Apex Royal Authority has provided full autonomy to all the wings of all the Commonwealth Realms. In such a situation Lord Denning issued his landmark judgments. Some of them were toppled down by the House of Lords but the time proved their timely relevance. The subsequent amendments appeared in the enactments

Lord Denning entered the British judiciary in 1944. [24] He became a Law Lord in 1948. Heward has devoted chapter 4-5 of his biography to provide us the innovative ideas of Lord Denning on the matters related to Family Law. Heward points out Lord Denning’s efforts to protect the deserted wives. Lord Denning was of the view that the deserted wives be given share
in the family property. He further stressed to provide the amount of maintenance to the divorced 
women which must be continued up to the remarriage; if any. His strong social views led to 
major amendments at Family Law in 1967. Chapter VI gives us the major changes which the Law 
of Contracts and the Law of Torts are facing due to the various judgments of Lord Denning on 
the Promissory Estoppels. Chapter VII discusses Lord Denning’s experiences in the House of 
Lords. Chapter VIII studies theories forwarded by Lord Denning in relation to removing the 
binding force of precedents throughout the Commonwealth. Lord Denning never wanted to 
follow them blindly. What he stated in 1957 became a reality in 1966. The House of Lords 
accepted his revolutionary ideas. It is the Apex Judiciary for all the Commonwealth Realms. His 
fame immensely increased Heward has given us a small but interesting event in this regard. The 
students of the University of Toronto (Dominion of Canada) produced a white shirt on which a 
photograph Lord Denning in legal robes was printed along with the words EQUITY in ancient 
Gothic font. (P28) His classic humour inspired the cartoonists. (P-67) Heward has also given us 
the importance of case Mandla vs. Dowell Lee 1982-WLR 932. According to Heward- [25]

“Denning and his brother fought in the World Wars. They were patriots. The 
English Men are inclined to be suspicious of foreigners”.

Heward has further stated above the contribution of Lord Denning in the following words- [26]

“One of Denning’s outstanding characteristics as a judge was his concern for the 
little man and to protect him from the powers of the state, the big corporations 
and the trade unions”.

Heward’s ‘Lord Denning’ is a classics biography. He has become successful in transmitting the 
message of Lord Denning to the world in exceptionally simple language. The biography is quite 
illustrative. However it would have been better if Heward had provided an exhaustive chart 
showing the hierarchy in the English Judiciary from the County Courts, Crown Courts to the 
Privy Council, the highest court of appeal for the most of the Commonwealth Realms. The 
Appendix must have contained a note on English Bar. It is divided two distinct classes-
Barristers and Solicitors. [27] Most of the modern readers in the countries like India, Pakistan, 
Nepal, etc. are unable to understand the legal scenario of the United Kingdom. Here in India,
after the passing the Advocates Act 1961, there is only a single class of legal practitioners called the Advocates. [28]

He has discussed the **Bromley’s Case** [29] but has not discussed the **DeFalco’s Case**. [30] It seems that it is purposefully avoided. They have been decided differently by Lord Denning. In the earlier case he has tried to uphold the subject’s common rights. In the later, he allowed the local authorities to violate the law giving houses to homeless. Here these homeless people were from the Republic of Italy. Heward has tried to uphold the views of Lord Denning for which he has given the Instances of the patriotism of the Denning Family in which all the five young male members had responded to Lord Kitchener’s Appeal at the times of the First World War. [31] Lord Denning’s anti trade union views are also given in minimum pages. In the famous case **Hubbard v Pitt (1976 Q B 142)** [32] we find a slight vagueness in the views of Lord Denning in relation to the implementation of the various labor welfare laws in the United Kingdom. Heward has not provided his opinion in relation to this important aspect. It is true that all the members of the Denning family were the true devotees of Lord Jesus Christ. [33] Throughout the Kingdom as well as the Commonwealth Realms, the reigning Queen is the Head of the State. The followers of the Church of England deserve a special status under the Unwritten Constitution. The conventions stress the King to choose his Queen from the dignified personalities of good character. King Edward VIII wanted to marry an American divorcee which his subjects did not like. These provisions compelled Sir Stanley Baldwin (The King’s First Minister) to advise His Majesty the King Edward VIII to abdicate in favour of his younger brother (Afterwards His Majesty the King George VI). **His Majesty’s Abdication Act was promulgated in 1938.** [34] Lord Denning was engaged in his legal practice in those times. His Majesty’s abdication at a time when the British Empire was at its zenith was itself a landmark in world history. The convention established the supremacy of the will of the subjects over the will of their King. It must be the outcome of the famous Latin maxim:

\[
Vox \text{ populi} - Vox \text{ Dei}
\]

*(The Voice of People is the voice of God)* [35]

What were Lord Denning’s views in relation to this most important SECOND Glorious Revolution? Further what were his views on unemployment problem which the United Kingdom was facing after the Second World War? What exactly were his views in relation to the civil
rights of the BRASIANS (Britain settled Asians especially the Hindus including the Sikhs). [36] The researcher thinks that Heward has very aptly cleared all these matters. He has not even touched the important upheaval of abdication. The researcher has separated a number of aspects from the biography and the autobiography Lord Denning and has discussed them in details at the ensuing chapters of the research work. It is done to avoid repetition and to stress the important aspects as per the required chapterization. For example two exhaustive accounts of the First and the Second World War (from the Family Story) become the part and parcel of ‘The Age of Lord Denning’ In the same way the civil rights of the Brasians become a part and parcel of chapter IX – Lord Denning Philosophy and Indian Socio – Legal Problems : A Pragmatic Approach.

1.2.6 Lord Denning: A Biography

In his biography Heward describes Denning’s early life at Whitchurch where he was born in 1899. His mother was a tutor and his father a cloth merchant. He received some economic aid and attended a seminary and then was admitted to Magdalen College affiliated to Oxford University. He then enrolled himself in the British Army and fought in the war from 1914 to 1918. Denning’s two brothers were killed in the same war. After the war, he returned to his education and achieved a Bachelor’s Degree in Mathematics. He then became a Mathematics teacher for a short time. He came to London and was admitted to Lincoln's Inn so as to become an advocate. He had to marry for two times, in 1932 and in 1945 on account of the sad death of his first wife. Meanwhile in 1944 he entered the British Judiciary. He was promoted to the supreme court of appeal in 1948.

At that time the Court was a purely a Civil Court with much workload than the House of Lords. Chapters 4 and 5 deal with Lord Denning and the family law. Lord Denning always stressed for the liberal interpretation rather than literal interpretation of the legal documents especially the contracts.

Chapter 6 deals with the law of torts. Lord Denning brought the doctrine of "Promissory Estoppel" for all the Commonwealth Realms. It is a great equitable remedy. Chapter 7 deals with Lord Denning’s experiences in the House of Lords and the Court of Appeal. Though he was the Master of the Rolls for 20 years, he was also a respectable member of the House of Lords. He
fought against the injustice. His immense fame certainly created malice in the minds of some of his contemporaries. They described him as -

"A Shiekh sitting under a palm tree, judging in accordance with his own peculiar ideas of justice".

Chapter 9 deals with Lord Denning’s efforts to protect the common people against the trade unionism. Heward devotes a full chapter 12 to Lord Denning and the trade union jurisprudence. Heward strongly points out that Denning was not anti-union but simply out to protect innocent parties against abuses of power.

It will be noted that this is the second edition of this biography. In it Heward has added a new Chapter 20, describing Lord Denning's activities since his retirement and his ceaseless efforts "to bring justice into the administration of the common law".

Heward has not clarified whether Lord Denning did believe that all the Commonwealth Realms under Her Majesty should rearm heavily to meet the challenges coming from autocracy and extreme terrorism which may be an outcome of religious fanaticism? Heward has not made any attempt to ascertain these important matters. Lord Denning wailed for the constantly advancing jurisdiction of the European Court of Justice Strasbourg over the Grand House of Lords. He did not like the Treaty of Rome and listened to an alarm. He wanted to preserve and protect the Royal Sovereignty. However his advancing age was a great obstacle in setting the things right.

Heward's biography is far from perfect. However it can give full satisfaction to the readers. Though Heward's work discusses a number of Lord Denning’s decisions, however a number of important decisions are still out of touch. It is written in simple and plain English and thus is likely to hold the interest even of those who have never studied law in their life. It means Heward was greatly influenced by his senior master, Lord Denning himself. In short Heward’s ‘Lord Denning: A Biography’ is a classic not only for the lawyers but also for the laymen.

1.3 AUTO BIOGRAPHY (THE FAMILY STORY BY LORD DENNING)
An autobiography is a term in combination consisting of three different Greek words-‘autos’ (self), ‘bios’ (life) and ‘graphein’ (to write). In short it is book about the life and achievements of a person written by himself / herself. [37] Its aim lies to present the personality and the concerned age effectively. The word autobiography was firstly used by William Taylor 1797. Taylor was somewhat puzzled in this emerging form. Robert Southey, in 1809 used the tern in its modern sense. Actually it goes back to antiquity. Biographers are dependent upon a variety of documents while autobiographers can solely rely on their memories. Hence, this form was called, Memoirs. Whatever the nomenclature may be, here, it must be seen carefully that every autobiography is incomplete for it must come to an end before the death and the writer. Dr. Samuel Johnson has preferred Autobiography to Biography. [38] In his very words-

“Every man’s life is best written by himself. The writer of his own life has at least the first qualification of an historian, the knowledge of truth”.

Here Dr. Johnson has clearly pointed out that the autobiographers can only record the motives which prompted them at decisive moments. Longfellow has further distinguished the art forms biography and autobiography thus-[39]

“Autobiography a product of firsthand experience while biography a second hand”.

Longfellow stresses for the portrayal of truth in the autobiography. Private correspondence, interviews, diaries, confessions and memoirs –all come in the vicinity of autobiography. They all are the original first hand experiences. [40] There are many difficulties which an autobiographer has to face in writing his own story. According to Abraham Cowley, self praise becomes difficult at a number of times. Many events are difficult to depict. Great care must be taken in making any comment on people who may be alive at the time when the autobiography appears. The autobiographers may have to face civil / criminal action for ‘defamation’ (libel / slander) under the provision of the S-499 of the Indian Penal Code Act XLV of 1860 – [41] or under the similar provisions throughout the world with minor alterations) according to Herbert Spencer, the details of daily life must be omitted from the autobiographies and the concentration must be on the exceptional events. Such a principle may lead to the fusion of falsification into autobiographies A list of 25 landmark autobiographies is given herewith in chronological order to stress the importance of this form of art. It is nothing but a drop from the ocean.
<table>
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<tr>
<th>Sr. No.</th>
<th>Name of the Auto-biography</th>
<th>Autobiographer</th>
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<tr>
<td>1.</td>
<td>Confessions</td>
<td>St. Augustine</td>
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<td>2.</td>
<td>Confessions of an English Opium eater</td>
<td>De Quincy</td>
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<td>3.</td>
<td>Apology for the Life of Colly Cibber</td>
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<td>4.</td>
<td>Confessions</td>
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<td>5.</td>
<td>The Private Life of Benjamin Franklin</td>
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<td>6.</td>
<td>My Own Life</td>
<td>David Hume</td>
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<td>7.</td>
<td>My Bondage and My Freedom</td>
<td>Frederick Douglass</td>
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<td>8.</td>
<td>Memories of Boyhood</td>
<td>Ion Creanga</td>
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<td>9.</td>
<td>Memories of Ulysses-S. Grant</td>
<td>Ulysses. S. Grant</td>
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<td>10.</td>
<td>Autobiography of Charles Darwin</td>
<td>Charles Darwin</td>
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<td>11.</td>
<td>The Story of My Life</td>
<td>Helen Keller</td>
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<td>12.</td>
<td>The Diary of Ann Frank</td>
<td>Ann Frank</td>
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<tr>
<td>13.</td>
<td>Autobiography</td>
<td>John Stuart Mill</td>
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<td>14.</td>
<td>Mein Kampf (My struggle)</td>
<td>Adolf Hitler</td>
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<td>15.</td>
<td>The Story of my Experiments with Truth</td>
<td>Mahatma Gandhi</td>
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<td>16.</td>
<td>An Autobiography</td>
<td>Jawaharlal Nehru</td>
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<td>17.</td>
<td>Diary of Anais Nin</td>
<td>Anais Nin</td>
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<td>19.</td>
<td>Poetry and Truth from my own Life</td>
<td>Goethe</td>
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<td>20.</td>
<td>The world as I see it.</td>
<td>Albert Einstein</td>
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<td>21.</td>
<td>My Early Life</td>
<td>Sir Winston Churchill</td>
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<td>22.</td>
<td>My Life</td>
<td>M. C. Setalwad</td>
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<td>23.</td>
<td>Speak Memory</td>
<td>Vladimir Nabokov</td>
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<td>24.</td>
<td>My Own Boswell</td>
<td>M. Hidayatullah</td>
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1.3.1 The Autobiography of Lord Denning

Illustration - 3.

*Front cover of the classic autobiography of Lord Denning, ‘The Family Story’*

THE FAMILY STORY - A STUDY

1.3.2 GENERAL ASPECTS IN RELATION TO THE FAMILY STORY

Lord Denning was one of the most famous judicial personalities of the world. He entered the apex British Judiciary in 1944 and was the last judge not bound to retire on a specific age. He was the Master of the Rolls for more than twenty years. He was commonly called a peoples judge. He decided landmark cases and established firm ratios which now guide the legal fraternities all over the world. He had become a living legend. Along with The Family Story (autobiography) two separate biographies are available on Lord Denning. The eminent biographers Iris Freeman and Edmund Heward have become quite successful in giving the world an exhaustive account of the life of this great soul. Every autobiography is bound to remain incomplete. Here also Lord Denning provides us an account up to 1980.
The Family Story was published in the sequence of the Christmas series from 1978-1984. Lord Denning had crossed his eighties. The aforesaid biographies too appeared in 1993 and 1997. Actually Lord Denning lived up to 1999. He himself was the witness of his own biographies. Any thesis on the Life and Works is bound to illustrate the life of the subject in exhaustive manner. The works (Here the selected and allotted works) will automatically follow. A sincere evaluation of the contribution of any great personality can be done only after his death. The present thesis on the Life and works of Lord Denning is also bound to provide the aspects of the life of Lord Denning in an exhaustive manner with required illustrations in Part 2. The accepted contents of his life are purposefully admitted here as there is a fear of repetition. The studies in 1.4 are limited to the pragmatic and the critical aspects of the concerned autobiography only. A short book review is bound to follow.

1.3.3 Pragmatic Aspects of The Family Story


1.3.4 Chapterization at a Glance

Along with a Prologue and an epilogue, the classic autobiography is divided into two separate books i.e. Book One- Before the Wars and Book Two- After the Wars. Both the books are further divided into four sections each. They are very exhaustive and depict the minute details of the contemporary social life. There are selective illustrations.

It is interesting to note that the preface contains an autograph of Lord Denning signed in January 1981. Along with a chart of the family tree, taken from the family album the front of the autobiography is illustrated with a beautiful color portrait of Lord Denning by Michael Noakes.

1.3.5 Critical aspects of The Family Story

Lord Denning had written five consecutive books between 1978 to 1984. They stress for the growth and development of law. They also provide us the landmark cases. They also contain some of the cases decided by himself. In short they are autobiographical up to certain extent.
But they cannot be classified into Autobiography. They may be treated as a Judge’s Life Experiences. Young members of the legal fraternity were always asking His Lordship to tell them something in relation to own life and his family. The first flower of the Christmas series, ‘The Discipline of Law’ appeared in 1978. Lord Denning declared- [42]

“It is something to have lived through this century- the most dangerous century in the history of the English people. Our Family has one its part. All five of us brothers fought in the wars. Two were lost. They were the best of us. Three survive. One to become a General. One an Admiral. And me, the Master of the Rolls. Someday, if I have time I will tell the family story”.

Hence it becomes very clear that His Lordship never intended to write any autobiography separately but the people’s love compelled the Peoples’ Judge to put the land mark events of his life before the world. The Family Story appeared in 1981. It is to be treated as the sixth flower in the garland of the Christmas Series but different in color because it is a pure autobiography, a distinguished literary form, while the other five books are the literary classics dealing with law. In the very preface of The Family Story Lord Denning declared -[43]

“Some time ago I decided myself to try and to write the Family Story. Now I have done it. And I offer it for you to read. It is ‘a tale that is told’ by me”.

This is the fulfillment of the promise which Lord Denning had given to the world in 1978. All the six books in the Christmas Series were written in the Holy Christmas vacations between 1978 to 1984. Lord Denning had also declared his superannuation in the same span of years. In 1981 when The Family Story appeared the Oxford University Press Review stated. [44]

“Lord Denning has now found time to tell the remarkable story of his family. He recounts how the five brothers and sister grew up in the small Hampshire town--------------------------------- In telling his own part in the story, Lord Denning mentions of some of the most famous, and some of the most notorious, law cases of our times”.

The Family Story is considered as Lord Denning’s successful attempt at autobiography. [45] It is a classic work of family history with his career which originally was educational then legal and lastly judicial. It has power to reveal Lord Denning’s studies of English society. He put his Life and Works within the larger English story of which his own family story is a miniature. It is
miraculous to note that it has been told by His Lordship in such a way as it perfectly suited to the grand office of the Master of the Rolls.

Lord Denning here is speaking not only of his family but also of his beloved nation England, Great Britain, the United Kingdom and the vast overseas Commonwealth territories where the Queen is constitutionally recognized as the fountain of power. Lord Denning was a born ‘Victorian’ and these are the typical Victorian emotions of patriotism. (No doubt he lived most part of his life in the post Victorian era) In this regard he quotes five important lines form King John Act 5 Scene 7 composed by the great poet William Shakespeare.

\[
\begin{align*}
&\text{This England never did, nor never shall} \\
&\text{Lie at the proud foot of a conqueror} \\
&\text{Come the three corners of the world in arms.} \\
&\text{And we shall shock them: naught shall make us rue} \\
&\text{If England to itself do rest but true'.}
\end{align*}
\]

Lord Denning was an intellectual well versed in law literature, history, science and religion. The first part of The Family Story (The Start) is full of the incidents of invasions upon Albion (Modern England). It was already inhabited by the Angles the Saxons, the Vikings, the Danes and lastly the Normans. (They are from the Normandy Region of North Western France) The Danes are from Denmark. Lord Denning has successfully proved his hypothesis of the social assimilation of the aforesaid races into a single English Race. It has taken the ‘Policy of Fair Dealing’ from the Saxons. ‘Hardihood to withstand the storm,’ from the Vikings.

It has also taken the ‘Capacity to lead’ from the Normans. Lord Denning has further given us a story of the Danish Invasions upon the British Isles. According to him Denning means Dane ING (patronymic suffix ING = SON) so that Dane ING means to son of a Dane. According to him the world LAW is itself of the Danish origin. The Danes are the branch of the warlike Vikings. In normal circumstances they love the rule of law and the Independence of judiciary. They respect ‘The Thing’ (A body of elder people). His long love towards his legal career may be an outcome of his ancient ancestral background. His Christian name “Alfred” is associated with the Anglo Saxon King and Law giver Alfred the Great, who died in 899 A. D. Exactly, 1000 years after king Alfred’s death, Lord Denning was born at Whitechurch. According to him the aforesaid social assimilation of the various races can be proved from a beautiful poem
“LOCHINVAR” composed by the great poet Sir Walter Scott. According to Lord Denning the poem has retold a real story prevalent in 18th century England in which a beautiful young daughter of an aristocratic Anglo Saxon Poyntz family eloped with a Dane. Even today the eldest son of each generation of the Denning’s family is called The Poyntz Denning. The POYNTZ is a simple shield with bands of gold and red. There are also lions in the ancient Coat of Arms. Eminent Anglo-American poet and critic T. S. Eliot once said- [50]

“The past is never dead. It always remains the in the present.”

In the same way we also find a typical ‘Lion’ in Lord Denning coat of Arms which further depicts the Latin words “FIAT-JUSTITIA as one of Her Majesty’s Privy Councilor. (Fiat Justitia is a Latin maxim which means- ‘Let justice be done though the Heavens fall.’) (P-40)

Here, Lord Denning has also written about the English Civil War (1649-1660) and INTER REGNAM, which finally resulted into the Grand Restoration.[51] It was a war for ultimate political power in England. It was a war which took place between the ROYALISTS headed by King Charles I and the Parliamentarians headed by Gen Oliver Cromwell. It resulted into the defeat of the Royal Party. The Victorious Parliamentary forces (ROUND HEADS) charged the King for ‘anti-national’ activities. John Bradshaw J. signed the Death Warrant. The execution took place. The poet John Milton had supported Gen. Cromwell while his friend the poet Andrew Marvel had supported the Royal forces. The Royal Stuart prince, a teenager anyhow, reached France and started to live there in asylum. Gen Cromwell ruled the country with hard hand and after twelve long years of tyranny, hypocrisy and corrupt practices finally arrived at the ‘high nepotism’ in which he ordered his ‘Parliamentarians’ to accept his son ‘Richard’ to be the next ‘Lord Protector’ of the Republican England! A miraculous “Monarchy’ under the disguise of “Democracy’. The Earl of Shaftsbury, Gen. Monk and number of his former supporters did not like such a considerably young person by superseding the veterans. They decided to revolt against the pretence of the Lord Protector, who was strongly protecting the personal interests of ‘A Republican Dynasty’ purely based on heredity for his future generations to come. The conscious English society supported them and made a hue and cry for the Royal Restoration. It was nothing but the affection towards the subjects which compelled the Prince to return from France to resume the Royal Duties under the Unwritten Constitution. He was warmly welcomed at the Dover Beach, by the crowds of enthusiastic English people, whose number could not be
counted. He occupied the throne as the King Charles II and immediately issued amnesty to many who were against his father in INTER REGNUM, the most troubled years in the History of English people. The name of the poet Milton appeared in the amnesty granted list but the name of John Bradshaw J was omitted. The culprits committing heinous crime of regicide were openly hanged. In the Civil War, Lord Denning quotes that his ancestors had actively taken part. Newdiagate Poyntz fought for the King while his own brother Sydenham Poyntz fought for the Parliamentary forces under Gen. Cromwell.

All over the world Hon’ble Mr. Charles Stephens is regarded as a high authority on the Common Law and its interpreters including Lord Denning. His classic treatise THE JURISPRUDENCE OF LORD DENNING (in three bulky volumes published by the Cambridge University- U. K.) is a great instrument of understanding the Denning Philosophy. In the third Volume entitled. ‘The Freedom under the Law’ he has given his critical opinions on The Family Story. There is a well pondered statement in relation to Lord Denning’s opinion of John Bradshaw J. [52]

“For Lord Denning John Bradshaw committed no regicide. He applied the law without fear or favour. Lord Denning was no Royalist, for him the legacy of the disruption of the civil wars was the limitation of the powers of the monarchy and the establishment of the independence of Judiciary.”

The conclusions of Mr. Stephens are highly appropriate. The researcher also has a high respect for the most learned and experienced jurist. However his inferences and even the pondered conclusions in this important matter are slightly different from that of Mr. Stephens. Throughout his life, Lord Denning was an impartial Judge. His ancestors fought for both the parties at the Civil War. Without a doubt, Lord Denning had a high respect for his contemporary monarch Queen’s Most Excellent Majesty Elizabeth – II.

In the very preface of ‘The-Due Process of Law’ we find:[53]

“For Lord Denning John Bradshaw committed no regicide. He applied the law without fear or favour. Lord Denning was no Royalist, for him the legacy of the disruption of the civil wars was the limitation of the powers of the monarchy and the establishment of the independence of Judiciary.”

The annotation is capable enough to attract Lord Denning’s high respect towards the established Royal Administration. Lord Denning of course, followed the Royal order.
In the struggle between the Royalists and the Round Heads, (In the Medieval History the Tories and the Whigs and in the Modern Era the Conservatives and the Labors ---- all approximate nomenclatures) Lord Denning had always followed a ‘Middle Path’. He carefully criticized the wrong doers irrespective of the parties. He had a balanced mind and remained aloof from the party politics. He glorified King Charles – II for issuing general amnesty and criticized King James – II for impeachment of certain Law Lords from the Royal Council. [54]

Let’s see his political views in his own words- [55]

‘I have never voted in a parliamentary election. I am independent of any political party whatsoever (The Closing Chapter Page – 158)’.

It is now fully accepted by the jurists all over the world that proper nomenclature for Lord Denning’s views must be nothing but ‘RADICAL CONSERVATISM’. His views in relation to labor politics and Trade Unions are as follows- [56]

“They (The Trade Unions Statues) are to be construed with due limitations, to keep the immunity within the reasonable bounds. Otherwise the freedom of the ordinary individuals to go about their business in peace would be intruded upon beyond all reasons (Express Newspapers Vs. Mc Shane 1979 ICR 210)”.

And on one occasion he clearly said – [57]

“I would thing that I am a conservative in behavior. (HRO 90)”.

Nothing can be concluded if one or two lines of praise are occasionally stated in relation of Gen. Cromwell.

In the next chapter Lord Denning tells us how the ancient family estates of the Manor of Marr and surrounding agricultural lands were lost in Chancery Proceedings around 1807. The Dennings too were lost in obscurity. They had to face economic difficulties. Lord Denning’s father was a Draper. The rest of the family story puts Lord Denning and his four brothers and one sister in the heart of the ‘History of Queen’s Realms’.
1.3.6 The Denning Family:

Almost all the Victorian Families were large ones. In the Denning family too there were five sons and one daughter. It is necessary to understand them in order to understand The Family Story of Lord Denning in depth. (P-50)

1) Marjorie Evelina (1891)
She was the eldest child in the family. Lord Denning remembers his elder sister –

"Marjorie was fair with blue eyes like her mother. She made friends everywhere."

Marjorie married to an Army Officer John Haynes. After the First World War, he joined the Indian Army. Marjorie lived with him in India for some time and then returned to England. Lord Denning had a great affection and respect for his elder sister. (P-49)

2) John Edward Newdigate Poyntz (Jack) [1892-1916]

He was the eldest male child of the Denning family. He was called ‘Newdiage Poyntz’ as per the family tradition. According to Lord Denning, all the young members of the family had decided to respond the appeal – (P-51) by His Majesty’s Defense Advisor Lord Kitchner. It had a great impact in those times. All the Denning brothers had joined the Royal Army. The War Diary (26th June 1916) states –
Jack boldly faced the death for the sake of his nation. According to the Royal proclamation it was a “War for Civilization”

3) Reginald Francis Stewart (Reg) [1894]
Reg joined the Queens Westminster Rifles. He fought severely in France and received injuries but fortunately was saved by a kind hearted Red Cross Surgeon. Major – Gen - R.F.S. Denning had also served under Lord Louis Mountbatten (His Majesty’s last Vice Roy to India) Reg actively participated in the Second World War also. It ended in the victory of the Allies. Reg’s services to the Crown were appreciated by Her Majesty. He was promoted to the highest rank in Royal Army. (P-42, 48, 53 & 55)

4) Charles Gordon [1897 – 1918]:
Gordon was only two year senior to Lord Denning. In childhood both the boys had gone to the same school. Gordon entered the Royal navy as a Middle Shipman. Gordon was not so strong like Jack. At Jutland or somewhere on the Continent, Gordon was infected by the germs of
tuberculosis. He was admitted to the Royal Naval Hospital in Chatham. He wanted to go home and was allowed to do so. At Home he asked his mother to read 23rd Psalm—

“The Lord is my Shepherd. 
Therefore I shall Lack nothing----. 
I will dwell in the home of the Lord forever.”

Then he died peacefully. Gordon’s death reflects the feelings of Theism and Patriotism running in the Denning family. (P-6 & 44)

5) Alfred Thomson Baron Denning [LORD] [1899-1999]:
The subject of the present thesis The Life and Works of Lord Denning – The fifth child in the Denning family. (P-10&48)

6) Norman Egbert [Ned] [1904-1979]:
Norman was youngest child in the Denning family. He joined the Royal navy. Norman’s services to the Crown at the time of the Second World War were appreciated by Her Majesty and he was elevated to the post of Admiral. After the retirement Norman started to take interest in the social work. Once he tried to stop the chaos of the dogs – in which he was bitten. The tetanus was given but the reaction set off a sudden heart attack which caused his death. Lord Denning then tells us about his education at the Lincoln’s Inn. His professional experiences at the Court of Appeal and the House of Lords are given in detail. He was the Master of the Rolls. (1962-1982). There is an epilogue to The Family Story. The Family Story is not a Fictional Autobiography like ‘David Copper field of Charles Dickens. [57] It is somewhat akin to a ‘Memoir’. The story of England is fused much with the story of family. [58] Lord Denning had full authority to do so because all the male members of his family i.e. he and his four brothers served the nation in both the world wars which made 20th century ‘highly dangerous’ in history.[59][ This according to Lord Denning is due to sad occurrences of the two world wars. The section –II and IV of The Family Story are fully devoted to the aforesaid devastating wars. The part is omitted on account of its exhaustive description in the next part of this chapter. Similar is the position of the professional career of Lord Denning described in the section –VI and – VII of The Family Story. This will be the part and parcel of Chapter-II – The Life of Lord Denning read with Chapter VIII – Lord Denning’s Contribution to the Philosophy of Law.] The Family Story is full of 40 illustrations.
1.3.7 Biography and Autobiography of Lord Denning – A Comparison:

The biography of Lord Denning which is selected here for an exhaustive study is written by his contemporary Judge Edmund Heward. It has its own value as an authentic evidence of many events in the life of Lord Denning. Heward has successfully portrayed the personality of the subject and his age with utmost care and caution. He has supported his every statement with proper evidence in the same way as it is done in the judgments pronounced by the court. It may be treated as a direct biography.

The Family Story is Lord Denning’s successful attempt of writing an autobiography. Actually it is said that many of his contemporary judges and Law-Lords of the Privy Council had advised him not to write any memoir which may depict his professional experiences. However Lord Denning had promised his countrymen to put his experiences in a crystal clear way subject to time. His views on many complicated legal issues like the doctrines of precedent and promissory estoppels are also discussed in nutshell. Any autobiography is a firsthand experience of the author and hence it always becomes superior to biography especially upto the span of its depiction.

The Family Story is Lord Denning’s best attempt at autobiography. According to Lord Denning divorce poses a threat to the maintenance of that order-[60]

‘A broken home leaves an indelible mark - a dark, dark mark - on the character and temperament of the child’.

Lord Denning carefully links the English constitution, the body of the nation, with that of the family customs and tells us- [61]

‘Family trees only take root in a marriage bed’.

He further says- [62]

‘Descent by blood counts a good deal. Heredity it is called. Family and the descent through the generations by way of the ‘marriage bed’ combined to produce our native English race’.

He says that the origins of that line of descent are now lost in ‘times immemorial’ but are preserved in the continuity of the name: ‘The first beginnings are myth - derived only from names’. [63] ‘Surrounding play their part - fields, hills, rivers and mills’.
Lord Denning praises the peaceful life of the English towns. The people know each other and the crime rate is much low. He prays his elementary education, based on language, literature and history, and states- [64]

‘The teachers who taught us. All go to the making of us’.

Lord Denning clearly states that family, land, language, history, literature and religion, are the elements which have made England and other Realms of Her Majesty, which the subjects love by heart. In 1960, Lord Denning returned to Whitchurch, the town of his birth. He bought a house, the Lawns, where he lived ‘in the sort of establishment which judges of olden days used to live’. (P-22 & 47) He stresses to keep in memory one’s own grass root level and states-[65]

‘I am back in the place where I was born. It is good for a man to have his roots deep down. It is good for him to return to the place of his childhood. It is good for him to meet and talk with those whom he knew when he was a boy. And to feel that he has done something to keep its character as a period piece’.

Lord Denning tells his own ‘family story’ in such a way that it mixes fully with the history of England thereby placing him, in the line of a tradition which conferred the authority to ‘Representative Voice of England’ He states his personal life thus-[66]

‘I was born in 1899, just one thousand years after King Alfred’s death. He was being remembered here in Wessex. A fine statue was set up to his memory in Winchester. My father and mother decided that I should be christened Alfred. Our connection with him is not proved. But he took shelter in Somerset where the Dennings were. I like to think that there the Chapter One son of the Dane may have married into the family of Alfred the Great.’

At the Lincoln’s Inn dinner held to mark his eightieth birthday in 1979, Lord Denning, profoundly delivered his speech:

‘Out of us, five brothers, three fought in Picardy. I was the youngest of the three - only there for the last nine months. Too young to go before, I came through unhurt. The other two were soldiers there from the beginning. Both were in the Battle of the Somme’.(P-52) Then Lord Denning remembers his two brothers who laid down their lives for their nation and says-[67]

‘Jack and Gordon - they were the best of us’.
'They shall not grow old as we that are left grow old. Age shall not weary them, nor the years condemn, at the going down of the sun and in the morning we shall remember them.'

‘We kept bees for honey. We kept chickens for eggs. We had no car. We went without. We won through’. His two surviving brothers, Reg and Norman, prospered in their careers in the Royal Army and the Royal Navy respectively. Both were promoted to the highest ranks. His principles were very plain-[68]

‘Let justice be done’,
‘Freedom under the law’ and
‘Put your trust in God’.

Lord Denning himself quotes his life experiences upto 1980. Heward portrays the life of Lord Denning only up to 1990. Lord Denning was alive upto 1999 and was healthy and quite active upto his last breath of his life. He had, actually become a living legend. Hence there is an intensive need to portray ‘The Life and Works of Lord Denning’, in much detail upto his death. The Post-Denning judicial scenario must also be studied minutely considering his grand impact throughout the Commonwealth Realms and the other Commonwealth and civil law countries.