
RELEVANCE OF INDIAN KNOWLEDGE SYSTEM WITH THE CONSTITUTION OF INDIA

Dr. Mahendra Subhash Khairnar, Associate Professor, Bharati Vidyapeeth's Yashwantrao
Chavan Law College, Karad, Dist. Satara (M.S.) Pin 415539

ABSTRACT

The article aims to justify the relation between the IKS and the Constitution of India. Several provisions of the constitution are based on the Natural law theory which itself is an integral part of IKS. IKS is a manifestation of universal principles which has been largely acclaimed and universally recognised under the Roman law. However, the IKS is a much older legacy than that of the Greeks and Romans. However, due to colonisation, moreover, owing to Macaulay's model of education in India, our own traditional knowledge and wisdom have been ignored. We must acknowledge the contribution of our constitutional framers who kept the IKS alive which can be seen in its several provisions and values.

Keywords: Indian Knowledge System, Constitution of India

Introduction

The Indian Knowledge System (IKS) holds significant and evolving relevance in the present era, particularly in its relationship with the Constitution of India. While the Indian Constitution is largely influenced by Western constitutional principles, there's a growing acknowledgment of how indigenous values, philosophies, and historical governance models, embedded in IKS, have either implicitly shaped its foundational ethos or can offer complementary perspectives for its interpretation and application today.

The article is an attempt to investigate into the area of IKS and establish its relation with the Constitution of India. Constitutional philosophy, morals and values are some of the ethos which has gained momentum in certain judicial decisions of the Supreme Court. These ethos and ideals are at the foundation of IKS.

1. Philosophical Underpinnings and Ethical Foundations

- **Dharma as a Precursor to Rule of Law and Justice:** The concept of *Dharma* (righteousness, duty, moral order) deeply ingrained in IKS, serves as an ancient precursor to the modern notions of the 'Rule of Law' and 'Justice' enshrined in the Indian Constitution's Preamble. While not a direct legal code, *Dharma* emphasized universal ethical principles, moral governance, and the protection of all individuals, including the weakest.

‘*Yato Dharma stato Jayah*’ is a Sanskrit phrase meaning "Where there is Dharma, there will be Victory". It is a motto of The Supreme Court of India and a theme of the Hindu epic Mahabharata. This signifies the integration of IKS in Constitutional institutions of modern India.

Constitutional Link: This resonates with the Preamble's promise of "Justice – social, economic, and political" and the emphasis on a society governed by law, not by arbitrary power. The idea that even rulers are bound by *Dharma* aligns with the constitutional principle of limited government and accountability.

Directive Principles of State Policy under Part IV of the Constitution enshrines the duty/dharma of the State towards to citizens.

- **Vasudhaiva Kutumbakam (The World is One Family):** This ancient maxim from IKS emphasizes universal brotherhood and interconnectedness.

Constitutional Link: This philosophical stance implicitly influences India's foreign policy (Article 51 of Directive Principles), promoting international peace and security, respectful relations, and international law, reflecting a non-parochial worldview consistent with the spirit of global cooperation.

- **Welfare State Principles (Lokasamgraha):** The IKS tradition, particularly articulated in texts like Kautilya's *Arthashastra*, stressed the king's paramount duty to ensure the welfare and happiness of his subjects (*Prajā sukhe sukham rājñah, prajānām ca hite hitam* - "In the happiness of his subjects lies the happiness of the king, and in what is beneficial to his subjects is his own benefit").

Constitutional Link: This aligns directly with the Directive Principles of State Policy (Part IV of the Constitution), which mandate the state to secure a social order for the promotion of the welfare of the people (Article 38), ensure social and economic justice, and provide public health and education. These are essentially modern articulations of ancient welfare duties.

2. Fundamental Rights and Duties

- **Balancing Rights and Duties:** While the Indian Constitution's Fundamental Rights (Part III) are inspired by Western bills of rights, IKS traditionally emphasized the symbiotic relationship between rights and duties. The concept of *Dharma* inherently implied duties towards oneself, family, society, and nature.

Constitutional Link: This finds resonance in the Fundamental Duties (Article 51A) inserted into the Constitution in 1976. Duties like striving towards excellence, promoting harmony, protecting the environment, and developing scientific temper reflect values that align with IKS. For example, the duty to protect and improve the natural environment (Article 51A(g)) connects directly to the reverence for *Prakriti* in IKS.

- **Equality and Non-discrimination:** While ancient Indian society had hierarchical structures (like the Varna system), IKS also contains philosophical strands emphasizing the underlying unity of all beings. Thinkers like Buddha and Mahavira challenged discrimination.

Constitutional Link: The Constitution's commitment to equality (Articles 14, 15, 16) and the abolition of untouchability (Article 17) represent a reformative break from discriminatory historical practices, yet they aim to achieve a societal harmony (Samata) that, in a sense, is a modern realization of an ideal often discussed in philosophical IKS.

3. Governance and Administration

- **Principles of Good Governance:** Texts like the *Arthashastra* outline detailed principles of state administration, including transparency, accountability, efficient resource management, and the appointment of qualified officials. These mirror modern good governance principles.

Constitutional Link: These principles align with the constitutional design of a responsible and accountable government, public administration, and independent institutions like the judiciary and Election Commission. The emphasis on ethical leadership in IKS can inform the spirit of public service.

- **Judicial System and Dispute Resolution:** IKS had developed sophisticated systems of justice delivery, including a hierarchy of courts (from family courts to the King's court), emphasis on evidence, and robust alternative dispute resolution mechanisms like *Panchayats*.

Constitutional Link: The Indian Constitution establishes an independent judiciary and promotes various forms of ADR. While the structure is modern, the underlying cultural acceptance of such mechanisms draws from historical roots in IKS. The idea of *Nyaya* (justice) as a core societal function is continuous.

4. Cultural Identity and Soft Power

- **National Identity:** The IKS contributes to India's unique cultural identity, which the Constitution acknowledges through provisions related to the promotion of cultural heritage and education.

Constitutional Link: Articles 29 and 30 protect the cultural and educational rights of minorities, while the spirit of the Constitution encourages the preservation of India's diverse heritage. The recent National Education Policy (NEP 2020) explicitly emphasizes the integration of IKS, indicating a state policy aligned with cultural revival.

Conclusion

The Indian Knowledge System is not merely a historical relic but remains highly relevant in understanding and enriching the Constitution of India in the present era. While the Constitution is a modern document shaped by global influences, its foundational values often resonate with principles deeply embedded in IKS, such as *Dharma*, collective well-being, the importance of duty, and sophisticated governance models. Recognizing this continuity allows for a more nuanced interpretation of constitutional provisions, fosters a stronger sense of national identity, and potentially offers indigenous solutions or complementary perspectives to contemporary legal and societal challenges, moving towards a more holistic and ethically grounded constitutional practice.

Bibliography

- **Books:**

- **Austin, Granville.** *The Indian Constitution: Cornerstone of a Nation.* Oxford University Press, 1966. (Classic work on the making of the Indian Constitution, offers insights into influences).
- **Basu, Durga Das.** *Commentary on the Constitution of India.* LexisNexis. (Standard reference work on Indian Constitutional Law).
- **Kane, Pandurang Vaman.** *History of Dharmasastra: Ancient and Mediaeval Religious and Civil Law in India.* Bhandarkar Oriental Research Institute, 1930-1962.¹⁶ (Monumental work detailing the vast scope of Dharmashastra).
- **Kautilya.** *The Arthashastra.* Translated by R. Shamasastri. (Numerous editions available).
- **Shukla, V.N.** *The Constitution of India* Eastern Book Company. (A widely used textbook on Indian Constitutional Law).
- **Singh, Nagendra.** *India and International Law: Ancient and Modern.* S. Chand & Co., 1969. (Relevant for the philosophical underpinnings of ancient Indian governance).

- **Journal Articles & Papers:**

- **CHRIST (Deemed to be University) Journals.** "Dharma and the Indian Constitution." *Christ University Law Journal*, Vol. 7, No. 1, 2018. Available at: <https://journals.christuniversity.in/index.php/culj/article/download/999/759/2070>
- **IJAPRR.** "Good Governance in Ancient India: An Analysis." *International Journal of Advanced Research in Public Relations & Rural Development*, Vol. 4, Issue 8, 2017. Available at: https://www.ijaprr.com/download/issue/Volume_IV/Issue_VIII/158_Volume_IV_Issue_VI_II_15-21_Dr_Meenakshi.pdf
- **IJLLR.** "Rule Of Law: Tracing India's Journey From Ancient To Modern System Of Governance." *Indian Journal of Legal & Legislative Research*, Vol. 7, Issue 3, June 2025.

Available at: <https://www.ijllr.com/post/rule-of-law-tracing-india-s-journey-from-ancient-to-modern-system-of-governance>