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Exploring the interwoven threads of Indian Knowledge Systems in the structure of the Indian Legal System

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Abstract— Indian Knowledge Systems (IKS) are a body of knowledge and wisdom of wide-ranging practices and traditions that have been formulated and developed over the course of millennia. It encompasses almost every aspect of human life imaginable, from arts and medicine to politics, economics, and governance. The National Education Policy 2020 (NEP, 2020) has placed major emphasis on its integration with the education system to provide students with a holistic and versatile education and has strongly encouraged its adoption. While the NEP, 2020 has not been made applicable to the Indian legal education, legal education is a part of the broader higher education system and the values in focus in NEP, 2020 are worthwhile to be included.

However, as far as the inclusion of IKS into Indian legal education goes, the wisdom of IKS has long been influencing and guiding the Indian legal system and legal education. The concept of Dharma has been one of the core building blocks of many aspects of the current legal system. The jurisprudence and study of the concept of law itself are studied in their context. Our Constitution contains many of the values which are highly inspired by them. Our criminal laws, our philosophy behind how punishments are applied(i.e., penology) show influences from concepts of Danda. Our civil laws such as personal laws recognize Vedas and Upanishads as their foundational sources. Even the modern dispute resolution systems such as arbitration reflect the elements of IKS acting as the guiding force.

This paper examines these elements of IKS which are and always have been integrated into the Indian legal system and Indian legal education, and recognizes their significant contribution in building and guiding the formulation of the modern legal framework of India.

Keywords :Indian Knowledge Systems, Dharma, Danda, Legal Education, Jurisprudence, Constitution, Criminal Law, Personal Law, Arbitration

Introduction

The National Education Policy, 2020 (hereinafter referred to as NEP 2020), is widely regarded as a major overhaul of the Indian education system, and includes reforms across the board, from school education to higher education. One of the central themes of the NEP 2020 is the focus on Indian Knowledge Systems (hereinafter referred to as IKS). The inclusion of ancient era Indian wisdom and philosophy in a scientific manner has been strongly encouraged. The interconnected and holistic nature of IKS allows for a true multi-disciplinary and all-inclusive education to be imparted. NEP 2020 actively pushes for re-framing of curricula to include the traditional Indian knowledge and its elements.

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While various disciplines and institutions are actively working to incorporate IKS in their systems, the Indian legal education already incorporates elements of IKS in its varied disciplines. IKS is not something external to ourlegal structure, instead it is a constant which was always a part of it. Recognising these elements can strengthen legal education, deepen understanding, and enhance their academic and practical relevance.

Indian Knowledge Systems

Indian Knowledge Systems (IKS) are a diverse collection of knowledge and wisdom spanning a vast array of disciplines and fields of studies. It contains information derived from wide-ranging traditions, practices andcustoms, that have been formulated across millennia. The breadth of disciplines is extensive, ranging from art, mathematics and medicine, to economics, politics, and governance. Its origin and development has been a part of the Indian history. Ancient texts such as Vedas, Puranas, Bhagavad Gita, Upanishads, Vedangas along with commentaries such as Natyashatra&Arthashatra from authors like Bharata&Kautilya serve as the foundational principles, strongly emphasizing a holistic framework guided by Dharma and Ethics.

Three key components of IKS are Jnani.e. Knowledge, Vignan i.e. Science &JeevanDarsani.e. the philosophy of life. The evolution and development these systems have undergone was by the way of rigorous process of experimentation, analysis and experience.

The following are the key characteristics defining the nature of IKS

i. **Integrated &All-inclusive:** IKS firmly believes that all branches of knowledge are associated to each other and no branch is meant to be read in isolation.
ii. **Based on real world experiences:** The knowledge base of IKS is founded on application based direct approaches and observations.
iii. **Guided by principles and morals:** Moral principles are the central tenet of IKS influencing all of its components.
iv. **Pluralistic:** The blend of cultural diversity of the Indian Subcontinent is reflected in the co-existence of various regional and cultural practices.

Existing Presence of IKS in the our Law

Indian Knowledge Systems have influenced the Indian legal system for centuries. Many foundational ideas, doctrines, and approaches found in modern Indian law have possible links to the earlier knowledge traditions. While they might lack explicit recognition as such, these influences continue to shape the legal framework.

Below are the major areas where elements of IKS are already embedded in Indian law:

3.1 Dharma and the Normative Foundations of Law

The contribution ofdharma has been significant and noteworthy in shaping India's understanding of justice, duty, and social order. Dharma does not refer only to religious duty, but to the broader idea of fairness, moral balance, and ethical behaviour. Many of the normative principles that guide the Indian legal system, such as equity, reasonableness, and fairness, align with the idea of dharma.

The Indian Constitution, particularly its emphasis on justice, equality, and welfare, also reflects these values. The Directive Principles of State Policy further reflect the idea that the state must act for the welfare of society—an idea present in ancient Indian texts. Thus, dharma continues to influence both the ethical and normative foundations of modern Indian law.

IKS and Jurisprudence

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Jurisprudence is the study of the concepts, theories, sources, and philosophy of law. It examines the fundamental question of what things can be considered as law, and what should an ideal law ought to be, and how ideas such as rights and duties should be understood.

Long before Western legal theories became dominant, Indian traditions had formulated and developed their distinct legal-philosophical systems. Dharma served as the central concept of Indian jurisprudence, functioning not just as a legal norm but as a moral and social guiding principle. The Dharmashastra literature, including texts such as the Manusmriti and YajnavalkyaSmriti, provided detailed theories on the sources of law, categories of rights and duties, and methods of adjudication.

Ancient Indian knowledge schools also contributed to legal thought. The Mimamsa school developed principles of interpretation which are comparable to modern rules for construing statutes. The Nyaya school dealt with logic and reasoning, forming a structured system of inference and analysis which parallels the analytical method used in contemporary jurisprudence. These components demonstrate that IKS forms a significant part of India's indigenous jurisprudential tradition.

Criminal Law and the Concept of Danda

The ancient Indian concept of danda refers to punishment, discipline, and authority. It is closely connected to the idea of maintaining social order. The Arthashastra discusses danda as a necessary tool for governance, emphasising that punishment must be fair, proportionate, and aimed at ensuring stability.

Modern theories of punishment in India, such as deterrence, retribution, and reformative justice, reflect similar ideas. The Indian Penal Code and judicial decisions on sentencing show a balance between deterrence and reform, which aligns with traditional Indian thought. Although the terminology has changed, the underlying principle that punishment must maintain order and promote social welfare mirrors the ancient conception of danda.

Civil Law and Personal Laws

A significant portion of civil law, especially personal laws, is directly influenced by IKS. Hindu personal laws establish their validity and legitimacy from scriptures like the Vedas, Smritis, and commentaries. Concepts relating to marriage, guardianship, succession, and partition are rooted in ancient traditions.

Even when codified statutes have modified these principles, the basic structure continues to reflect the indigenous systems. Thus, civil law demonstrates a clear continuity between ancient Indian thought and modern legal practice.

Dispute Resolution Mechanisms

Indian methods and traditional practices inspire Modern dispute resolution systems such as mediation, conciliation, Lok Adalats, and even arbitration. Historically, disputes were resolved through community assemblies, panchayats, and elders' councils, which relied on consensus, reconciliation, and community involvement.

The emphasis on non-adversarial resolution in modern ADR mechanisms closely parallels these indigenous approaches. The continuity between ancient and modern methods shows how IKS continues to inform present-day legal processes.

Implications for Indian Legal Education

Since elements of IKS are already present in the Indian legal system, recognising them can enhance legal education. Understanding these concepts enables a student to develop deeper insight into the origins of Indian law along with its philosophical foundations. It also encourages a more contextual approach to learning, as students can connect legal doctrines with their historical and cultural background.

Incorporating IKS into legal education can be achieved without requiring a complete change in curriculum. Instead,

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it is achievable through focused modules or discussions within existing subjects such as Jurisprudence and Theory of Law, Constitutional Law, Criminal Law, Civil & Family Law, and Alternative Dispute Resolution. This approach can benefit students by enabling them to understand the indigenous roots of Indian law and promote a more well-rounded perspective.

Conclusion

Indian Knowledge Systems are an undeniable and constant constituent of the legal tradition and framework in India. Their influence can be seen in jurisprudential theories, criminal and civil law principles, customary practices, and dispute-resolution mechanisms. Recognising these connections allows legal education to become more meaningful, culturally grounded, and holistic. As NEP 2020 strongly favours integrating IKS across disciplines, identifying and understanding these elements within law becomes both relevant and necessary. It strengthens the educational process and helps preserve India's culturally rich and pluralistic intellectual heritage while being supportive ofcreation of a well-informed legal system.

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