

Dharma and Other Vedic Legal Principles As An Instrument to Enact the Present Codified Laws

Sharan V¹, Ambika R Nair²

¹Student, Law, VIT School of Law

²Head of Department, Law, VIT School of Law

ABSTRACT

Ancient India is well known for its unique practices which are followed in Hinduism. Even in Hinduism there were numerous caste and creeds, which led to various practices followed by the people in the ancient society which resulted in different cultural practices in Hinduism. But there should be some kind of coordination among everyone in order to survive in a society where we have different cultural conflicts. In order to avoid these cultural conflicts, there should be some sort of rules and regulations which must be binding on everyone and individuals must adhere to it. Hence, Dharma was considered to be the tool not only to prescribe the rules and regulations but also to provide solutions for the cultural conflicts. The legal principles and determination of right or wrong would be judged by the society through the usage of dharma in early days but later on, as the time passes legislations and several acts were enacted in the form of a codified laws to regulate the behaviour and conduct of an individual in order to maintain a peaceful and threat less society. Although, the authority to determine the conduct may change from society to Law but the guiding factor to those itself remains Dharma as a source. The context of this paper is to bring limelight about the difference between the legal principles which are used in the present with that of those which were used in Vedic period. This research paper also throws light on the concept of how Dharma was used as a source of jurisprudence in the Vedic period, as well as in enacting legislations and laws for the current generation. This research paper also emphasizes on the concepts which were completely adopted from dharma into the modern world through laws. Finally, it also emphasises the drawbacks which would occur when dharma was completely adopted into the modern world without any codified laws or legislations and provides a solution towards it like how the laws could be changed in order to make it more effective and binding without disturbing the moral values of the society.

Keywords: Dharma, Vedic Jurisprudence, Codified Law, Customary Practises, Cultural conflict.

INTRODUCTION

The concept of Dharma has been defined as an individual's duty fulfilled by observance of custom or law¹ which simply refers as a duty or obligation which is imposed on an individual which must be performed by him for his orderly behaviour in the society and this duty would be basically derived out of the customary practices or law which was effectively been practiced by the society. In accordance with the definition, it is clear that in ancient India, the system of rules and regulations were completely based on Dharma and other religious principles which were acting as a guiding factor to regulate the people and the

¹ Merriam Webster, <https://www.merriam-webster.com>, 31/01/23

society. These principles would be derived from the religious sources like shrutis and smritis. Basically, Shruthi means something which is heard and smriti means something which is written into text in the form of codified manner. Although smritis are codified there didn't exist only one smriti to determine these rights there were numerous smritis like Naradha smriti, Egnavakyaya smriti, Manusmriti and others. The best example for citing the difference is that in Manusmriti talks about the person who is bound to offer Pinda to the deceased person and this person must be closely related to the deceased person often it would be Blood related and it is like part of the deceased person body where in Dayabhaga Pinda is referred as a rice ball and can be given by the distant relative of the deceased person too.

The existence of this difference itself helps to clearly understand that there was no definite system in the sense the absence of codified legislation makes the society to be led in its own way by a group of people who had dominance. Basically, the people were interpreting and giving their own rules and regulations which are convenient to them and if anyone doesn't abide by it there would be sanctions upon them. Although there was a harmonized society through the laws and regulations, there were some codified systems of rules which prescribed rules and regulations for each individual in the society which everyone must adhere towards it, the name for those rules and regulations is so called Dharma. For example, Raj Dharma which prescribes the actions which must be done by the ruler or king and there won't be any difference in these standards and it is uniformly applied and followed by everyone in the society.

Statement of Problem

The legal framework of ancient India was deeply embodied with the principles of dharma which are basically derived from the Vedas, Smritis, and other sacred texts to emphasise duty, righteousness and moral conduct. However, the application of these principles faced significant challenges due to the lack of codification and the existence of various Smritis, leading to inconsistencies and ambiguities in legal interpretations and enforcement. This research seeks to examine how the uncoded nature of Dharma and the multiplicity of Smritis created legal uncertainties and disparities in ancient Indian society. It will explore the impact of these historical challenges on modern legislation, investigating how ancient principles have been adapted and codified in contemporary laws and whether the historical drawbacks have been effectively addressed. Additionally, the paper will consider the broader social and legal implications of integrating ancient, uncoded legal principles into a modern, diverse society, analysing whether this integration promotes justice and equity in the modern day.

Scope and Limitation

This research paper aims to explore the utilization of Dharma as a foundational tool in the enactment of contemporary Indian legislation. The scope of this study includes an in-depth analysis of ancient Vedic legal principles, particularly those condensed in Dharma, and their influence on modern legal frameworks. The research will examine historical texts, such as the Vedas and Smritis, to understand the core doctrines of Dharma and how these principles have been interpreted and integrated into current laws. Additionally, the study will investigate specific legislative examples where Dharma has played a significant role, assessing the effectiveness and relevance of these ancient principles in addressing contemporary legal issues. By analysing case studies and legislative texts, the paper will highlight the continuity and transformation of Dharma from ancient to modern times. However, the paper has certain limitations such as confining its analysis to Indian Scenario and may not incorporate the role of dharma on other countries legislations. Finally, this paper completely relies on the existing legal textbooks and articles associated with this topic.

Research Objective

The primary objective of this research paper is to limelight the importance given to dharma during ancient days to maintain proper administration of justice. It also tries to mention the significance of dharma in the current legislations. Finally, it tries to mention the flaws which were present in implementation of dharma in the present world. additionally, it also tries to mention the ways in which a balance could be achieved in incorporating dharma principles into the current legislation.

Research Questions

1. Whether Dharma has played a significant importance in enacting the current existing Legislations?
2. Whether Dharma and current legislations co-exist with each other?
3. Whether Dharma was used as an effective tool during those days to maintain proper administration of Justice?

Research Methodology

The methodology used for the existing research paper is purely doctrinal. The data used for this research is based both on primary and secondary data where the primary data would be such as the Constitution of India and other legislations. Secondary data would be other reference materials such as research papers, literatures and other articles associated with this topic.

MEDIEVAL INDIA DURING THE INVASION OF BRITISHERS

As society progresses, confusion aroused because of all these principles, rules or regulations were not available in a codified manner and various interpretation to these religious and sacred textbooks took place. Due to which the Britishers during their invasion to India, it became a serious threat in their administration of justice, to keep a balance and harmonizing the society as Indian society was completely guided by the personal laws. They found it very difficult to observe personal laws for imparting the rules and regulations, as there was tremendous difference in each religion which existed in India. Hence, they have inculcated the idea of introduction of laws in the form of codified legislation which paves an easy and effective way of administration. These legislations were in the form of Government of India Acts, 1915, 1935 etc. But the essence of dharma was not completely removed even though after passing these legislations. The ultimate base for enacting these legislations was based on Justice, Equity and Good Conscience which is also been preached by Dharma and the main focus of Dharma itself is to maintain justice by making the individual to abide by their moral and consciousness.

The major concept which has to be stressed upon is that Hindu Jurisprudence for better understanding about the concept of Dharma and other legal principles, as it clearly throws light on how the evolution of law has occurred and contribution of Hinduism or Dharma towards the evolution of legal system.

HINDHU JURISPRUDENCE

In Hindu jurisprudence, the idea of dharma can be seen. Hindu jurisprudence is a combination of Dharma, Sastras and Smritis² In puranas, Vedas, Smritis etc. one of the major concepts propounded is 'Dharma'. The rules and rituals in life are also considered to be an integral part in determining Dharmasastras. Many of the ancient laws are governed by the principle of Dharmasastra. The 'Dharma' part of Hindu Jurisprudence, also as a concept of Individual moral values. In the eyes of Hindu jurisprudence, the concept of 'Dharma' and 'Karma' plays a vital role. One of the important and valid arguments from this

²Anita Koirala, *Hindu concept of law*, SSRN 1, 3, 2020

part is that, in the case of an action which he has done in the past, he has to face the consequences in the future. This could be also read along with the utilitarian principle³ by Bentham were the concept of 'Pleasure and Pain'.

Another important aspect while dealing with the Hindu law is that the dominance which the Brahmin community had in the Hindu legal system. Even though there is the king to implement the law and order in the society. But they were the one who were advising the kings with related to administration aspects. The best example which could throw some light is that Kautilya's Arthashastra which could be even addressed as a complete guide for the Ruler that clearly explains the essential characteristics which a king must possess in order to administer the country, how to administer the country and to maintain relations with the neighbouring countries, most importantly it also explains how a ruler must act in different situations.

DHARMA AS AN INSTRUMENT FOR ADMINISTRATION IN MEDIEVAL INDIA

The king was basically considered to be a subordinate and protector of Dharma. The king was not entitled to make any statute by himself, he has to execute the law and apply it in deciding disputes in which he had original and appellate jurisdiction⁴. The other negative aspect is that since, these people are considered one among the counsel of the king and the advice provided to them will be different from one kingdom to another kingdom so, it paved a way for lot of interpretations and gaps which couldn't be cater to follow a uniform procedure among all the kings and rulers in those days. Later on, as time passes these people took dominance and It was essential for the division of power later hence the Brahmin was later on confined only to the religious and other works which is confined to god, whereas the king emerged as the head of the state or political party⁵ but this situation was reformed and changed somewhat during the time of Britishers although it was another form of domination like colonizing and dominating was only with regard to application of law and rules for native people and Britishers. But after Independence the entire concept had a shift whereby The Constitution of India was enacted and all these difference with related to application of law and rules were abolished and a uniform system of application of law was followed along with that as similar to ancient times, this Constitution was considered to be the commanding authority or sovereignty which prescribes the duties, rights and obligation which must be followed by the citizens as well as the government. In simple terms, it can be said as no one is above the constitution and even if the government wants to enact any particular legislation it must be enacted in accordance with the constitution and if it violates or ultra vires to the Constitution then the particular section or act in that legislation itself would be considered as void.

This concept was also seen in ancient times where if anyone violates the Dharma then the particular act which was committed would be considered as immoral and society would impose sanction upon them and the principles which is set forth in the dharma would be prevailing, if any other principles which violates Dharma means it would not be considered as valid and Dharma would be superseding. This was the approach through which society was functioning in the early Vedic period.

ADMINISTRATION OF JUDICIARY DURING VEDIC PERIOD

In Ancient Vedic India, the traces could not be found with related to administration of justice through es-

³Jerry Bentham *An Introduction to the principle of morals and legislations*, 1781 etd, at.3

⁴P.K Menon, *Hindu Jurisprudence* International Lawyer, Vol 9 No.1, @ 210

⁵U.C.Sarkar, *Hindu Law: its character and evolution*, Journal of the Indian Law Institute, Vol 6, @ 216

established court system, but the administration was based on Dharma which has been derived out of Puranas and Smriti. The ultimate sovereignty was given to these religious textbooks, the king was also not having the sovereignty and his powers were also derived from these principles only and he also has to abide by it. The distinction between a civil wrong and a criminal offence was clear, while civil wrongs related mainly to disputes arising over wealth, the concept of sin was the standard against which crime was to be defined⁶. Another important text which has to be cited here is that Manu smriti whereby it could also be addressed as “Laws of Manu” in this he clearly explains the ten essential rules which must be followed by individual as prescribed in Dharam that is Patience (Dhriti), forgiveness (Kshama), piety or self-control (dame), honesty (Astea), sanctity (Shaich), control of senses (indraiya-nigrah), reason (dhi), knowledge or learning (vidya), truthfulness (satya) and absence of anger (krodha).⁷ Further he also explained the Essence of Dharma “Non violence, truth, non-coveting, purity of body and mind, control of senses are the essence of Dharma”⁸. From the above reference it has become crystal clear that the traces or influence of dharma in the ancient society were present through the usage or existence of Manusmriti and other literatures like Varna system was used to impose punishments which was also mentioned in Manusmriti itself, whereby while mentioning the method which must be used by the king to determine the wrong committed by the individual and before imposing the punishment two essential things has to be considered that is the strength and knowledge of the person which would be completely determined by the Varna system. Further, it also states that Legal consideration of Varna rank has two main outcomes, one having to do with responsibility, the other with privilege, and one concerning the perpetrators (person who has committed the crime) of crime and the other its victims. Crimes against persons were adjudicated with reference to the class-status of the victim and the perpetrator. The penalty for a crime was increasingly severe the higher the Varna of the victim and lower the Varna of the perpetrator⁹. Kings were also given a duty to maintain and protect the Varna system through the power which is confiscated to him through Danda which is used to represent his sovereignty.

This concept has relevance in the modern world legislations too For Example, In Law of Torts, Concept of ‘Actus Reus’ and ‘Mens Rea’ and the existence of certain terminology like “actus non facit reum nisi mens set rea”¹⁰ which means a person can’t be considered as an accused person unless he has committed a crime with a malafide intention. Along with it, the Concept of Actus Reus and Mens Rea¹¹ are considered to be the essential elements which must be present in order to address it as crime. In simple terms, it refers that if a person is just having an intention to commit a crime and not executing or performing the activities which may constitute a crime will not be considered as an offence. In the similar sense, simply committing a crime without any intention will also not be considered as crime therefore the two essential conditions has to be fulfilled in order to address it as crime. The whole point which revolves around these examples is that although theses terminology might be different from ancient to modern that is in ancient it was regarded as strength and knowledge of the person has to be looked into by the king before imposing

⁶ Basham, *The wonder that was India*, Taplinger Publishing Company, 3rd edition, January 1, 1968

⁷ Manu, Manusmriti, George Bhuler, The laws of Manu, vol.25 of The Sacred book of east, oxford, clarendon press, (1886)

⁸ Rama Jois, *Seeds of modern public law in ancient Indian Jurisprudence*, Indian Law Institute, Vol.35, October- December (1993)

⁹ Das, 1982, Sage Journal

¹⁰ actus non facit reum nisi mens set rea

<https://www.oxfordreference.com/display/10.1093/oi/authority.20110803095349253;jsessionid=450E958E41929967979F5D2D30305E07>, 03/01/23

¹¹ Actus Reus and Mens Rea <https://barefootlaw.org/legal-dictionary/actus-reus-mens-rea-3/>, 03/01/23

sanctions or convicting him but, in the Modern legislation it was transformed into Motive and Intention, whereby a person can't be convicted or pronounce him as the accused person without proving his intention to commit such crime. Along with that, there is another similarity which represents Legislature in the place of Kings where the Kings used to maintain or protect the Varna system through the use of his scepture. But currently, the Varna system could be viewed as the Constitution where Legislature is bound to create laws and legislations which abide by the Constitution and no one is having the ultimate sovereignty which can supersede the Constitution. Therefore, the point is clear that ancient principles were used and paves a way to establish the present legal principles.

ADMINISTRATION OF COURT SYSTEM IN VEDIC PERIOD

Katyayana Smriti was considered to be the base which prescribes the establishment of court system and other procedures related to administration of Justice system based on this smriti during ancient Vedic period Dharma, Vyavahara, Charitra and Rajasasana which is considered to be evidence, history and official order of the king are considered to be the four pillars or legs of law. These principles were used in King's Court for administration of Justice and Courts were present in Districts which comprises of 'Sangrahana' is centre for 10 villages, 'Karyatik' for 200 Villages, 'Dronamukha' for 400 villages and 'Sthaniya' for 800 villages and it consists of three members who will be well versed in Dharma and three members from the King's Court would be the members who are entitled for administration of court system. In villages, the system of administration will be done by the local village councils or Kulani, which consists of board of five members who are entrusted to provide justice to that particular locality. In addition to it, each village consists of a head man who adorn his position through hereditary and he is the ultimate person who will be completely responsible to maintain order and administer justice throughout the village. This concept has started right from King's administration where during King's rule Zamindars or Council of Ministers would be entrusted to settle the dispute and if the decision is not satisfactory for them then the aggrieved party can approach the King's Court.

ADAPTATION OF VEDIC PRINCIPLES TO CURRENT LEGISLATION

When the shift occurred from ancient to British, they have established a well-defined court system because they found it difficult with regard to application of these principles in a uniform way across the country. So, they have incorporated their form of administration of Justice based on positive law that is every act and legislations would be codified and uniform system of administration of justice was followed. Instead of establishing district courts as such they have introduced the concept of establishment of Supreme Courts in Princely States that were established in Madras, Bombay and Kolkata. But an effective form of administration of Justice occurred when India got independence and when Constitution of India was enacted because there are Articles which exclusively dealt with the establishment of Courts in India and also describes the powers and functions which courts are entitled to Deal with it. For Example, Part V chapter IV of the Constitution exclusively deals with the powers, functions and describes the Jurisdiction of Supreme Courts and High Courts related things has been established from Articles 214 to 231 of the Indian Constitution. Apart from these articles which are enshrined in the Constitution, there are separate acts too Like High Courts Act, 1861 all these enactments deal with the procedure of how Judges must be appointed, describes the jurisdiction to try matters will be completely governed in a systematized way through these acts and legislations.

When it comes to the matter relating to village disputes a separate Act has been enacted to govern the pan-

chayat system (administration of Justice in village areas) i.e., Panchayat Raj Act, 1994 which exclusively govern the panchayat system. Mainly the panchayat system would be functioning to settle disputes related to irrigation, agriculture, other land disputes related to agriculture and trivial matters. The main aim of enacting a codified legislation is to bring effectiveness to the panchayat system and to administer in a systematized way along with that it also provides rules with regard to establishment of council and the method of electing the head of the panchayat.

In order to deal with the disputes related to family matters there established “Puga” system which basically comprises group of families to decide civil disputes which arises among the family members. Presently, in the modern era Family Courts has been established in order to function in a systematic and effective way where these courts have the jurisdiction try matters related to divorce, maintenance and custody.

TRANSMISSION OF SMRITIS INTO PROVISIONS IN LEGISLATIONS

The main or the core concept of Smriti is to make justice evident and accessible to each and every individual in the society. One of the essential elements which is necessary to adjudicate the matter or conflict will be through witnesses which gives a clear understanding about the facts as well as it helps to determine to whom justice has to be provided. Currently, the scope and other essential elements which a witness must possess and who are all would be considered as witness is well explained in Laws like Indian Evidence Act and Criminal Procedure Code but during those days, this matter related to witness was exclusively dealt under “Brihaspatismriti” whereby this smriti states that minimum number of witness must be three and even two witnesses are also admissible but there is a condition imposed on it that is those two persons must be learned Brahmins and only one witnesses are acceptable. However, the minimum number of witness and all has not been prescribed in the present laws, but other conditions like he should be a sound mind, hearsay evidences are not accepted in all cases and concept related to burden of proof all has been elaborately explained in order to make the system of administration of justice to run in a smooth and effective manner.

Another notable smritis which deals with evidence is Yagyavalakya Smriti whereby this smriti is mostly based on the concept of Manu smriti where this text gives a complete description about the establishment of court system and judicial process in a more systematized manner similar to the manner which is practiced in the Modern days. This smriti further deals that there must be threefold evidence has to be present in order to prove a particular case or dispute that is the presence of documentary evidence, direct witness and Possession which would be applied when the matter is of civil nature. For documentary evidence also it gives certain condition for its admissibility as evidence whereby the document must be precise and must related to the matter which is in conflict and must be signed by two witnesses. The same concept can be viewed under Indian Evidence Act Section 3 whereby, it talks on the admissibility and the valid condition in order to make it or treat it as documentary evidence. There is also another smriti named Narada Smriti which deals and specifies eleven types of witnesses to decide the matter.

SMRITI RELATED TO POSSESSION

The matters related to possession would be completely dealt under Yagyavalakya whereby under this smriti it is said that “Title prevails over the possession unless the latter is hereditary.” whereby it means that ‘title’ refers to ownership. Ownership prevails over possession until possession is hereditary. In short it states the present condition that Ownership has ten points and Possession has nine points. The only restriction which hinders or differentiates possession from ownership is that right to alienation or sale. All

other rights are available to the owner like right to enjoy, prevent others from enjoying the property, right to possess, use, alienate. Whereas for the possessor all these rights are also available but one and only right which differentiate between the owner and the possessor is right to alienation, sale or transfer. Even the concept of adverse possession was also mentioned in the smriti. But presently, the concept of adverse possession is dealt under various Acts and legislations that is under Section 65 of Limitation Act, 1963, which makes it very clear that to avail the adverse possession of private property, the individual must own and use the property for more than twelve years and there should not be any gap in between or no one would have abstained him from enjoying the property which belongs to some other person. If all these criteria are fulfilled means then the theory of adverse possession will come into force and the possessor will be considered as owner and the actual or real owner of that property itself can't evict the possessor out. Although, he may possess the title deeds of the property but he can't ask the person to get away from his property. It would be regarded as he has relinquished his right over the property.

SUGGESTIONS AND CONCLUSION

The implementation of these legal principles and other legal concepts as prescribed in Dharma and the customary practices which are followed in the Ancient Vedic India to the Modern World would be effective in its own way. Although it is a point which can be agreed that some advancement and improvements has to be incorporated when the society is progressing but when it comes to Law and other legal practices which is meant to govern the society. Then, those principles must be adopted right from the past to present then only a clear understanding can be derived about the society and if any loopholes are present means it could be corrected while enacting the present laws.

The best example which can be quoted here to substantiate this point is that the enactment of laws by the legislature. Where the legislature before creating a particular law or legislation some amount of field work would be carried out like whether there is any necessity to create a law on that particular or specific ground, if any existing law is there if any amendments have to be made in order to make it more effective and all these similar matters would be looked into it then only, he creates law which could cater the needs for its enactment. Apart from this, there is also an another major reason for adopting the customs and other practices into the codified system is that the people were following for many years and they were adapt towards it and the system of functioning were also smooth and has catered the needs of the society too the only thing which they were lacking is that a systematized body to govern them and codified laws because if it's not codified it will paving a way to lot of interpretations and confusions on what to follow which later it might result in a conflict and confusions. In order to avoid all such things only present laws has been enacted in a codified form and has given importance to customary practices also by including it. In the sense, that no particular act or legislation is created which completely excludes or ignores the customary practices explicitly but the major essence or principles has been incorporated into the legislations.

One of the drawbacks in enacting the same practices which was followed in Ancient Period will not be very much advisable because earlier, there was practice of Sati and Dowry system and all were women were deprived of some rights and were not treated in par with the male. But if we adopt the same principles to the modern world then it would be completely unfair because they are also considered too be humans and some amount of consideration must be there and there should not be any discrimination between male and female that is basically on the basis of gender which obviously, affects the progress of our nation as well the society. So, the present Laws were enacted which didn't exactly adopted the principles or practices

which is followed on those days but enacted some legislations which are controversy to the practices like Dowry Prohibition Act, 1961, Sati Abolition Act, 1829 and many other numerous laws which governs and enables protection for women. This empowerment or change is not only felt under legislations it was also enshrined in the Constitution that every Person must be treated equally and Article 15 also states that state can make any special laws which benefits the women. All these practices were not much available or couldn't be traced in the early Vedic period but now as the society progresses, equal importance has been felt and present laws has changed accordingly which could serve the needs of the present.

Apart from this, the lack of codification and numerous interpretations has caused lots of confusion and people started to follow different norms which were convenient for them so there was no uniform principle been followed by the people. If at all any confusion has arisen also individuals were approaching the shastras who will be giving his own interpretation or understanding about Shrutis and Smritis because there were many shastras and different interpretation has occurred as a result many different Schools with related to Hindu Jurisprudence has also emerged like Mitakshara School, Dhayabagha School, Bomabay School, Mithila School and Banaras School and each were addressing the matters differently¹². So, a uniform rules and regulations couldn't be able to adopt it.

The ultimate purpose of enacting a law itself is to maintain and harmonize the society in a peaceful manner and to avoid conflict which hinders the progress of the society for which the government is created. As a result, it imposes a duty towards the government to enact and maintain the people in such a way which doesn't hinder their progress, development and sentimental beliefs. So, the person who ever is entrusted with the sovereignty in making laws who either may be the legislature or the government they must ensure that the ultimate purpose of enacting a specified law must be achieved along with that such enactment should not affect the people or subjects sentimental or customary belief which are reasonable. For example, restriction can't be imposed with related to practice of a religion itself because it is one of the cores main customary practices which is been followed by the society right from the ancient period so, no one would be having the authority to impose such restrictions. Moreover, the restriction will not be considered as reasonable too. The restrictions can be imposed only it affects the public at large. In short, if it affects the public morality and has more negative impact on the society due the existence of such a practice then the restriction can be imposed which could be considered as reasonable and the people itself would be appreciating it. As a final note, it is very clear and it could be brought to limelight that due to the existence of Dharma, Legal Principles in the form of Shrutis and Smritis and other customary practices has paved a easy access or has developed a path for the legislatures to enact and enforce the current Laws and Legislations to develop and lead the society in a more peaceful and appropriate manner which could in turn leads to the development of the Country.

REFERENCES

1. Indian Constitution
2. Jermy Bentham An Introduction to the principle of morals and legislations, 1781
3. Ankit Koirala, Hindu Concept of Law, SSRN, (17 July 2021)
4. Madhu Kishwar, Codified Hindu Law: Myth and Reality, Jstor, (23 February 2021)
5. Swastik Kumar, Concept of Law and Dharma in Indian Jurisprudence, IJRASET, (22 June 2024)
6. U.C.Sarkar, Hindu Law: its character and evolution, Journal of the Indian Law Institute, Vol 6
7. P.K Menon, Hindu Jurisprudence, Vol 9 No.1

¹² Dr. Tabassum Choudhary, Sources of Hindu Law, Department of Law AMU, @ 7

8. Basham, the wonder that was India, Taplinger Publishing Company, 3rd edition, (January 1, 1968)
9. Manu, Manusmriti, George Bhuler, The laws of Manu, vol. 25 of The Sacred book of east, oxford, clarendon press, (1886)
10. Rama Jois, *Seeds of modern public law in ancient Indian Jurisprudence*, Indian Law Institute, Vol. 35, October- December (1993)
11. Dr. Tabassum Choudhary, Sources of Hindu Law, Department of Law AMU