

# From Rajadharma to Constitutional Morality: Historical Roots of Indian Democratic Ethos

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## Abstract:

This study examines the historical evolution of Indian political tradition from the normative doctrine of Rajadharma to the modern constitutional principle of constitutional morality. It challenges the widely held assumption that Indian democracy is merely a colonial transplant by arguing that ethical governance traditions embedded in ancient and medieval political thought shaped India's democratic imagination. Using a qualitative historical-analytical methodology, the study draws upon classical political treatises, ancient political traditions, epics, medieval statecraft practices, colonial constitutional developments, and Constituent Assembly debates.

The paper demonstrates that while constitutional morality marks a decisive institutional transformation—particularly in its commitment to egalitarian citizenship and popular sovereignty—it also retains core normative continuities with Rajadharma, including ethical restraint, welfare orientation, and accountability. However, it simultaneously rejects hierarchical social ordering inherent in earlier traditions. The study concludes that Indian democratic ethos is historically layered rather than civilizationally ruptured, representing a complex synthesis of indigenous political ethics and modern constitutional liberalism. The findings contribute to interdisciplinary debates in political theory, history, constitutional studies, and democratic ethics.

**Keywords:** Rajadharma, Constitutional Morality, Indian Political Thought, Democratic Ethos, Civilizational Continuity, Political Tradition

## Introduction:

The origins and foundations of Indian democratic ethos remain a subject of enduring scholarly debate. One dominant perspective attributes the emergence of democratic institutions in India to colonial constitutional reforms and Western liberal-democratic influence (James Mill, 1817). Another perspective argues that India possessed indigenous traditions of ethical governance and moral leadership, decentralised decision-making, and moral restraints on political power long before colonial intervention (Bal Gangadhar Tilak, 1903). The tension between these interpretations reflects a deeper methodological issue: whether modern democratic traditions in India represent rupture or transformation.

This paper intervenes in that debate by examining the historical transition from Rajadharma—the classical doctrine of moral kingship—to the modern constitutional doctrine of constitutional morality. It argues that constitutional morality, while structurally modern, originated legally and strengthened by Supreme Court through various judgments (Sabarimala verdict) draws upon classical normative traditions that emphasized ethical and moral governance and restraint on limitless power.

The central research question guiding this study is:

Does constitutional morality represent a radical break from Indian political tradition, or does it represent a transformed continuity of Rajadharma within a democratic constitutional framework?

To address this question, the paper integrates historical analysis with normative political theory. Rather than treating ancient, medieval, and modern political thought as disconnected epochs, it conceptualizes Indian political development as an integrated layered civilizational process.

### **Literature Review:**

Scholarship on Indian political tradition can be categorized into four broad streams:

#### **1. Colonial and Early Liberal Interpretations**

Colonial scholars often characterized ancient and medieval Indian polity as despotic, fragmented (Mill, 1817). Early liberal and colonial interpretations argue that democratic governance was largely introduced through British parliamentary precedents and constitutional reforms like Charter Acts and various Government of India Acts (Austin, 1966). They further articulate that Colonialism is a blessing in disguise for India and Indians.

#### **2. Nationalist Historiography**

Nationalist historians challenged colonial discourse, emphasizing the richness of India's civilizational continuity. Ancient and medieval Indian polity contained consultative village assemblies, republican democratic practices, and ethical governance doctrine. For example, the Mahajanpada System in ancient India (Majumdar, 1951). Rajadharma was interpreted as evidence of normative restraints on power. It created a system of check and balances. Even in ancient Indian political systems, kings were under moral limitations to exercise power.

#### **3. Marxist and Materialist Perspectives**

Marxist historians analyzed ancient Indian and medieval polity through bourgeois and proletariat frameworks. They emphasized economic structures and power struggle between classes over normative doctrines (Kosambi, 1965). Rajadharma was interpreted as ideological legitimation rather than substantive constraint. They articulated that Rajadharma was more relevant theoretical discourse than in pragmatic political processes. At the social level, the system was having division between ruling classes and working classes.

#### **4. Contemporary Political Theory**

Modern constitutional scholars have revisited constitutional morality as a foundational principle of Indian democratic and political system (Bhargava, 2008). They emphasize its role in sustaining pluralism, strengthening diversity, preventing majoritarianism, enriching multi-culturalism, and embedding ethical discipline within constitutional practice.

However, a conceptual and foundational gap exists. Most studies treat Rajadharma and constitutional morality as historically distinct and disconnected practices. Few attempt a systematic comparative analysis linking the two across time.

This study seeks to fill that gap.

### **Research Methodology:**

#### **1. Research Design**

This study follows qualitative historical-analytical research approach. It combines:

- Textual and contextual interpretation
- Conceptual reconstruction and understanding
- Normative comparative analysis
- Historical contextualization and discourses

## 2. Data Sources

Primary Sources:

- Classical documents and treatises (Arthashastra, Dharmashastra traditions)
- Epic and mythological literatures (Mahabharata, especially Shanti Parva)
- Constituent Assembly Debates (1946–1949)

## 3. Secondary Sources:

- Scholarly research and works on Indian political thought and traditions
- Constitutional theory literature and perspectives
- Democratic theory studies

## 4. Analytical Framework:

- The study evaluates:
- Source of legitimacy and power
- Conception of authority
- Moral constraints on power and authority
- Relationship between ruler and subjects from the perspectives of Rajadharma and constitutional morality
- Social order and equality
- Historical Restraints on Authority

## 5. Limitations:

- Classical texts reflect elite and limited perspectives.
- Normative reconstruction risks interpretative subjectivity.
- The study does not employ quantitative empirical validation

## Conceptual Foundations of Rajadharma

Rajadharma refers to the moral and ethical obligations of the ruler. In simple terms we can describe Rajadharma as system of checks on the ruling authorities. It emerges prominently in Dharmashastra traditions, epic literatures and contemporary dialectical precedents. Governance was not understood as mere exercise of coercive authority but as an ethical duty aligned with Dharma (Sharma, 1968). India's kingship model never followed divine rights theory rather kings were under the divine. Hence it was an important aspect of moral limitations.

In this context we can cite the example of Rulers of Mewar, the ruling Maharanas ruled in the name of Baghwan Eklingji (form of lord Shiva). As a result they were bound by the duty of Rajadharma. It was not only a moral order rather it was a welfare system for the entire ruling systems. It enhanced ruler and subject relationship. Notable monarchs like Maharana Hammir Singh and Maharana Pratap Singh used this Rajadharma system to protect their motherland against foreign invaders. (Omendra Ratnu, 2024)

However systematic origin of Rajadharma theory dates back to Mahabharata, Shanti Parv. Here great warrior Bhishma provides detailed advice to aspiring King Yudhishthir about ethical governance, moral conduct of the rulers, welfare orientation of ruling establishments and duties of the king for subjects and motherland. Apart from that it also gives equal importance to dandaniti and mokshsha philosophy.

Similarly in during the phase of Indian nationalism Nationalist writers like Bal Gangadhar Tilak and Aurobindo Ghosh emphasized on the concept of Rajadharma for rejuvenating National identities. Aurobindo articulated the concept of spiritual nationalism which is to be founded on the pillars of

Rajadharma. Taking inspiration from German traditions he emphasized Nation has a spirit which is ever evolving. He used spiritual nationalism to counter colonial narratives of Indian balkanization.

Rajadharma is holistic and comprehensive. It is plural and evolutionary in nature. With the passage of time it get strengthened with modern ideas and various political and constitutional precedents.so the main features of Rajadharma can be illustrated below:

- 1. Moral Legitimacy:** The king derived authority not from divine absolutism but from adherence to Dharma. It creates a distinction between western and Indian model of Kingship. The ruler was accountable to cosmic and moral order.The system of Rajadharma Acts not only moral but also political limitations on the Ruler.Even for his political Acts Monarch was answerable to subjects, This systems of debates was practised in the "Sabha and samiti" system in ancient India. Similarly Sangam literature have instances where ruling monarch himself gives priority to intellectual discourses.
- 2. Welfare Orientation:** It implies primary duty of the king is to protect the life and liberty of the subjects. Though in Rajadharma political system was monarchial in nature but foremost duty of the king is preserve the welfare of the people. In ancient India Emperor Ashoka appointed officers for the welfare and peace of the subjects. Even economic and taxation system was periodically revised for the betterment of the subjects.
- 3. Administrative Accountability:** In Kautilyas Arthashastra, Acharya Chankya recommends various means for the surveillance of the administrative officials.He even recommends "carrot and stick " for enhancing the efficiency of administrative establishments.
- 4. 4.Idea of Tolerance :** Rajadharma implies kingship should be based on tolerance .The monarch must be tolerant to different castes and religion. The idea of Tolerance must be based on the core idea of "Justice ".Idea of tolerance was instrumental in healthy social and economic order,

### Limitations:

Despite ethical and moral emphasis,

- Rajadharma operated within caste based and hierarchical varna system ,it further resulted Dominance of the few sections within the society
- Limited political participation by the ruling authorities .In many cases the principle of Rajadharma was followed for some days and after that Monarch enjoys absolute power
- Rajadharma was a moral concept of duties to be followed by the ruling authority but there was absence of an institution which would check the Rajadharma of the monarch

Thus, while morally and ethically constrained, it was not democratic and egalitarian in modern terms.

### • Medieval Political Alterations:

Medieval India witnessed the interaction of Indic and Islamic political traditions. More than that medieval history witnessed large scale invasions which altered the discourse related to Rajadharma. With the emergence of Sultanates in India,the age old concept related to Rajadharma gradually eroded .Most of the times rivalries between the kings and various battles costed the life of normal citizens. In this period many kingdoms witnessed large scale violence and conflicts as a result the concept of tolerance and welfare deteriorated with the time.

However some rulers like Raja Krishnadev Raya of Hampi and Chatrapati Shivaji Maharaj gave equal importance to Rajadharma while defending their kingdoms against the Islamic invasions,.The internal Conflicts between various kingdoms within India opened the gateways for Colonialism in India.

### • Colonial Constitutional Disruption:

Colonial rule was exploitative in nature. After the "Battle of Plassey" British East India company gradually subjugated Indian subcontinent. It introduced codified law, bureaucratic system, and limited electoral mechanisms. It incorporated British legal traditions to the complex Indian society. The main motive of the colonial rulers was to exploit India economically as a result legal system was gradually introduced. Government of India Acts (1919, 1935) institutionalized representative structures, started rule of law, justice. However, colonial governance lacked full popular sovereignty. Democratic participation remained restricted. Even popular enfranchisement was also limited. Theoretically Rule of law was started but in reality colonial rulers dominated the popular narrative.

Early 19th Century witnessed rise of modernity and nationalism in India. Indian nationalist leaders tried to rejuvenate India's indigenous identity. Bal Gangadhar Tilak conceptualised Swaraj, Swami Vivekananda laid the foundation for Neo-Hinduism, Aurobindo Ghosh articulated spiritual nationalism, Gopal Krishna Gokhale and Mahatma Gandhi advocated spiritualisation of politics. These leaders internalized constitutional vocabulary but reinterpreted it through indigenous ethical lenses (Chandra, 1989).

### Constitutional Morality: Normative Reconstruction

Constitutional morality emerged as a foundational principle during Constituent Assembly debates. Various Nationalist leaders like Dr. B. R. Ambedkar advocated Constitutional morality must be more significant than social morality. Before the emergence of "Basic structure doctrine", it was constitutional morality that was emphasized on the principle of checks and balances. The idea of constitutional morality strengthened constitutional Supremacy. Similarly, The Supreme Court of India in various judgments (**Navtej Singh Johar v. Union of India (2018)**): strengthened constitutional morality.

It emphasized, the following concepts

1. Rule of law: everyone is under the law and no one can violate it. Rule of law advocates supremacy of law
2. Respect for institutional boundaries: priorities institutional autonomy and institutional integrity.
3. Minority protection: based on the idea of pluralism and multi-culturalism
4. Ethical discipline in political practice: constitutional morality integrates ethical governance in pragmatic political processes

Constitutional morality strengthened with the growth of Constitutionalism in India. The *Navtej Singh Johar v. Union of India* case, Chief Justice Misra further fortified the scope of constitutional morality:

‘Constitutional morality embraces within its sphere several virtues, foremost of them being the espousal of a pluralistic and inclusive society. The concept of constitutional morality urges the organs of the State, including the Judiciary, to preserve the heterogeneous nature of the society and to curb any attempt by the majority to usurp the rights and freedoms of a smaller or minuscule section of the populace. Constitutional morality cannot be martyred at the altar of social morality and it is only constitutional morality that can be allowed to permeate into the Rule of Law. The veil of social morality cannot be used to violate fundamental rights of even a single individual, for the foundation of constitutional morality rests upon the recognition of diversity that pervades the society.’

### Comparative Analysis between Rajadharma and Constitutional morality:

These two concepts germinated in different phases of history. The concept of Rajadharma is ancient wh-

areas Constitutional morality is relatively modern. However both the concepts have many similarities. Broadly speaking both the ideas aim to create certain checks on the ruling establishments. Both the concepts originated with the ideas of moral and ethical foundations. On a larger perspective both the concepts set some precedents which to be followed by the ruling sections. In the former case ethics, morality and integrity plays the important role while in the later case rights, liberties and supremacy of law plays the significant role. In the process of Rajadharma ethical foundation is important while in constitutional morality judicial foundation is more instrumental.

However both the concepts have certain distinctions as well. Rajadharma is largely duty based whereas constitutional morality is legal and judicial based. In a monarchical system king could supersede Rajadharma whereas in a democratic set up constitutional morality cannot be superseded.

### **Democratic Ethos as Civilizational Continuum:**

The idea of democratic ethos must be understood beyond elections and electoral mechanisms. It includes:

Ethical governance and integrity based establishment helps in harnessing problem solving approach

- Plural coexistence upheld multiculturalism which ultimately strengthens secularism and minority rights
- Normative restraint acts as moral guardian to arbitrary exercise of power and helps in preserving supremacy of the law
- Indian democracy synthesizes Indigenous moral and ethical traditions, Liberal constitutionalism,
- Social and economic justice aspirations

It is neither wholly derivative nor purely traditional.

### **Theoretical Implications:**

This analysis contributes to broader debates on:

#### **1. Postcolonial Constitutionalism**

Democracy in postcolonial societies often blends indigenous norms with imported institutional forms.

#### **2. Normative Legitimacy Theory**

Legitimacy evolves from moral obligation to legal-rational authority.

#### **3. Democratic Resilience**

Ethical traditions strengthen constitutional stability.

### **Findings:**

Rajadharma embedded moral limitations on power. It acts as moral and ethical restrictions on the absolute power

- Rajadharma was mainly started as welfare oriented and people centric approach of the monarchical system
- Medieval time recorded uncertainties while modern era with colonial rule initiated constitutional moral reforms influenced from Rajadharma
- With the incorporation of Indian constitution constitutional morality got legitimised which was the different form of the Rajadharma

- Constitutional morality ultimately strengthens the democratic ethos with helps in preserving unity and the diversity
- Constitutional morality transformed ethical kingship into institutional accountability.
- Indian democratic ethos is historically layered.

**Conclusion:**

The transition from Rajadharma to constitutional morality represents transformation rather than rupture. While constitutional democracy decisively rejects hierarchical social ordering and establishes popular sovereignty, it retains the ethical core of governance as moral responsibility.

Indian democracy must therefore be understood as a synthesis of civilizational continuity and modern egalitarian reconstruction. This layered understanding deepens contemporary debates on constitutional interpretation, democratic ethics, and political legitimacy.

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