

Converging Philosophies: The Constitutional Reading of the Bhagavad Gita

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ABSTARCT

स्वे स्वे कर्मण्यभिरतः संसिद्धिं लभते नरः |

स्वकर्मनिरतः सिद्धिं यथा विन्दति तच्छृणु³ |

(Meaning- When each person, including rulers and administrators, performs their role sincerely, society functions justly)

The progress of any society depends on the sense of duty among its citizens⁴

The Bhagavad Gita stands as an eternal and universal scripture transcending the boundaries of religion, time and geography, whereas the Indian Constitution is a secular, legal document, rooted in modern democratic principles. The Bhagavad Gita and the Indian Constitution may appear to belong to different millennia, originating in different historical and cultural contexts, but they share several foundational similarities. The central research problem addresses how Geeta's moral philosophy aligns with and enriches constitutional ideals, without violating its secular and legal character.

The study adopts a doctrinal, comparative legal research methodology examining primary texts, selected constitutional provisions, philosophical insights from the Gita, supported by legal commentaries, judicial references and Constituent Assembly debates. The research draws philosophical parallels between the core constitutional principles, such as justice, equality, fundamental rights and duties and the Gita's teachings of karma, dharma, Nyaya, samata, sthitapradnyata and dharamanirpekshata. An effort has been made to understand the continuity and divergence between the two by studying how ancient doctrines were absorbed, reinterpreted or rejected in shaping the constitution of India and on the other hand, how radical constitutional reforms have their subtle continuity with the Gita's jurisprudence.

Recently, the judiciary has also explicitly invoked the Bhagavad Gita's verses in matters involving criminal, environmental jurisprudence and public morality, signalling a judicial trend towards blending natural law principles with constitutional mandates. Whether one is a believer or not, the Bhagavad Gita's moral authority in fact enriches India's constitutional morality, and it continues to offer universal

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³ Shrimad Bhagavad Gita ch.18, v.45.

⁴ Constituent Assembly Debates, Vol. VII, at (Nov. 4, 1949) (statement of Dr. B.R. Ambedkar).

answers to existential and ethical questions mirroring the spirit of inclusivity, duty and justice enshrined in the constitution.

The paper concludes by proposing that while the Constitution must remain ideologically neutral, India's plural legal system can benefit from the moral framework of the Bhagavad Gita, filtering it through the lens of constitutionalism.

Keywords: Bhagwat Geeta, moral philosophy, constitutional thought, legal pluralism, legal consciousness.

INTRODUCTION

The field of law, by its very nature, includes all other areas of knowledge. All other disciplines finally come to the discipline of law for its final rescue. The Bhagavad Gita, as a seminal text in Indian thought, offers enduring insights into some of the most valuable principles of life. Detailed research has been made to analyse the significance of the Bhagavad Gita. There are numerous expositions in almost all domains of knowledge- Vedic psychology, management lessons, leadership lessons, dispute resolution, tools for psychological transformation, study of war philosophy, corporate social responsibility, treasure of scientific explanations, document of environment, sustainable development and the list goes on. However, what connection does it have with the constitution of India? Which principles of the Bhagavad Gita can legal reasoning take into account, jurisprudence can dissect, and legal philosophy can include in its umbrella? The Bhagavad Gita lays harmony between the animate and inanimate aspects of life, which any constitution of the world also tries to achieve. The paper, while trying to answer these questions, asserts that "What the Indian Constitution promises, Bhagavad Gita inspires".

India's intellectual and moral tradition is deeply rooted in its ability to find order amid chaos. Two of its significant texts – *The Bhagavad Gita and the Indian Constitution*, though composed in two different millennia, share striking similarities in their backgrounds and purpose for guiding society. The Bhagavad Gita, a part of the Mahabharata's Bhishma Parva, is not merely a religious or spiritual text. It is a dialogue on law, duty and moral reasoning, just like the Constitution provides a framework for the legitimate exercise of state power.

*"History is researched for patterns one can identify, yet mythology is ignored with questionable scepticism. Very Few times, mythology has been looked at from a practical perspective and as a source that contributes to the legal and administrative framework."*⁵ In our country, although those in power often refrain from acknowledging the influence of the Bhagavad Gita on our social and legal systems largely because India is a secular state and the constitution expressly prohibits any intermingling of religion and state affairs. But the Gita should not be viewed merely as a religious scripture but rather as a philosophical text that offers profound guidance on righteous living and moral duty. It is, in fact, a scripture par excellence, universal in its message, all-inclusive in its outlook, and practical in its guidance. The ideas conveyed by the Gita do not fade with time; rather, like a liquid that takes the shape of its container, they adapt to the reader's perspective and the context in which they are interpreted.

The paper further explores that the Indian Constitution, though a secular document, certainly draws upon India's ethical and cultural heritage to articulate universal principles of human dignity and collective

⁵ Hemant Pandey & Amrit Singh, Synthesis Between the Ideals Propounded by Bhagavad Gita and the Present-Day Legal Systems, *Journal of Multi-Disciplinary Legal Research*, Vol. 2, Issue 3 (n.d.), <https://www.ijfmr.com/publication-archive.php?volume=2&issue=3>.

welfare. The core principles of Dharma, Nishkama karma, Loksangraha, profoundly resonate with the constitutional ideals of constitutional morality, rule of law, fundamental duties and social welfare. And the Constitution reflects the dharmic concepts in the preamble like equality, fraternity, liberty of thought and expression and many more, which have been dealt with ages ago in the Bhagavad Gita. These principles are even more relevant in today's world, which is filled with relentless pursuit of power, material wealth, widespread confusion, anxiety, and moral disorientation. Thus, the paper undertakes a constitutional reading of the Bhagavad Gita. It tries to unfold how Geeta offers a normative framework for ethical governance and civic responsibility, echoing the principles that form the moral foundation of constitutional democracy.

HISTORICAL CONTEXT: PERIODS OF CRISIS AND TRANSITION

Throughout India's intellectual and political history, moments of crisis have often given birth to deep moral reflection. The Bhagavad Gita represents a dialogue between Krishna, the divine teacher and Arjuna, the seeker. One represents wisdom and moral clarity, while the other represents the human condition-confused, emotional, and uncertain. It was composed during the Kurukshetra war, which is a symbolic representation of the moral decline and chaos that pervaded ancient Indian society. The conflict between the Pandavas and Kauravas was not merely a battle for power, but a struggle between righteousness (dharma) and unrighteousness (adharma). At the crossroads of this turmoil stood Arjuna, who was torn by ethical doubt and moral confusion. It was in this moment of crisis that Lord Krishna imparted the wisdom of the Gita, urging him to perform his duty without attachment to the fruits of action.

In a strikingly similar manner, the making of the Indian Constitution occurred during another great transition- the end of British colonial rule, partition and birth of a new democratic India. The time was marked by political instability, communal violence, and economic uncertainty. A similar dynamic existed between the visionary leaders and the nation they sought to guide. They acted as moral and intellectual guides for a nation standing at a crossroads. Their debates, discussions, and compromises within the Constituent Assembly mirrored a collective search for truth and justice, much like the philosophical exchange between Krishna and Arjuna. Like Krishna's teachings to Arjuna, the Constitution serves as a guide for citizens and leaders to perform their duties in the spirit of justice, equality, and fraternity. Thus, the making of the Bhagavad Gita and the Indian Constitution reflects India's timeless journey from chaos to order, from conflict to harmony, and from ignorance to wisdom.

PARALLELS BETWEEN THE BHAGWAT GITA AND THE CONSTITUENT ASSEMBLY DEBATES

The Bhagwat Gita and the Constituent Assembly Debates share both similar ideas and ways of thinking. There are thematic as well as philosophical continuities. They are, in fact, dialogues emerging from crisis and both seek to restore justice, law and order. Krishna addressed every question of Arjuna through logic, metaphysics and ethics. He tells Arjuna, "*Reflect on this fully and do as you wish*"⁶. The Constituent Assembly also functioned in the same spirit. Complex issues like federalism, minority rights, and executive powers were resolved by 389 members through debate and reasoning for drafting

⁶ इति ते ज्ञानमाख्यातं गुह्याद्गुह्यतरं मया विमृश्यैतदशेषेण यथेच्छसि तथा कुरु || Shrimad Bhagavad Gita ch.18, v.63.

every clause of the Constitution. Thus, they both uphold conversation, dialogue and not command or impose authority. This reasoned freedom was far above blind obedience.

The Gita revolved around the tension between emotional attachment and moral duty; the assembly tried to balance the tension between rights and duties, religion and secularism. The outcome of both was action rooted in Dharma. Arjuna acts according to Karmayog- selfless action for collective good. The drafting of the constitution was Nishkam Karma-service without expectation. Both culminate in their duty for the greater good. The oft-quoted shloka from the Gita, which has its soul states that “*Your right is to action alone, not to its fruits.*”⁷ The same idea is reflected in the statement of Dr Babasaheb Ambedkar when he said, “*We are laying down a mechanism, not the guarantee of its working. The working will depend on the people.*”⁸ In essence, both statements emphasise responsibility for effort rather than certainty of results. The Gita speaks of individual duty, while the Constitution speaks about collective responsibility in making a system function.

One of the most significant contributors to the making of the Indian Constitution, Dr Shaymaprasad Mukherjee, also compared the moral conflict of Arjuna on the battlefield of Kurukshetra to the dilemmas faced by the framers of the Constitution. Just as Krishna guided Arjuna to rise above personal pain for the greater good, he believed India’s leaders must rise above divisions and act for the unity and integrity of the nation. “*Like Arjuna on the field of duty, we too must not shrink from our national responsibilities, however painful they may be.*”⁹

Just as the Bhagavad Gita transformed Arjuna’s moral confusion into enlightened action, the Constituent Assembly Debates transformed India’s political chaos into constitutional order. In both, dialogue became the medium of dharma.

INVOKING GITA IN THE CONSTITUENT ASSEMBLY DEBATES

Like Arjuna’s confusion, the framers of the Constitution faced grave questions-

1. What direction should India take? Western liberalism or Indian dharma-based ideals?
2. How to balance individual liberty with collective harmony?
3. How to establish justice amid chaos and diversity?

The Indian Constitution was born out of this turmoil, offering not just legal rules but a moral and philosophical framework for governance, just as the Gita provided for action and life.

The drafting of the Indian Constitution was beyond being just a legislative procedure, representing genuine efforts to shape the ideals of a new nation. During these debates, members of the Constituent Assembly drew upon India’s rich spiritual and ethical traditions. Among these sources, the Bhagavad Gita held a special place. It was invoked repeatedly as a guide to duty (*dharma*), righteousness, selfless service, and moral clarity in times of crisis. It becomes most relevant here to cite words of some of the most illuminated members of the Constituent Assembly.

Dr Sarvapalli Radhakrishnan emphasised that India’s Constitution should be grounded in the nation’s ethical and spiritual values. He argued that the Constitution must rest upon India’s spiritual heritage,

7 कर्मण्येवाधिकारस्ते मा फलेषु कदाचन |

मा कर्मफलहेतुर्भूर्मा ते सङ्गोऽस्त्वकर्मिणि || Shrimad Bhagavad Gita ch.2, v.47.

⁸ B. R. Ambedkar, Speech in the Constituent Assembly (Nov. 25, 1949), available at <https://www.roundtableindia.co.in/> (last visited Oct. 29, 2025).

⁹ Constituent Assembly Debates, Vols. VII–VIII (1948–49) (Interventions by Dr. Shyama Prasad Mukherjee), available at https://eparlib.sansad.in/bitstream/123456789/763000/1/cad_08-11-1948.pdf (last visited Oct. 29, 2025).

referring particularly to the Gita's doctrine of Nishkama karma. He said, "We must build the house on strong ethical and spiritual foundations. We in India have our own distinctive outlook on life. We believe in the Gita's doctrine of disinterested action... to work without attachment to the fruits of action, dedicating all activity to God."¹⁰

During the debate on fundamental rights and directive principles, another visionary leader, K. M. Munshi, articulated the idea of constitutional morality by drawing upon the Gita's conception of *dharma* and its emphasis on duty-based ethics "Our entire cultural civilisation is based on Dharma. The Bhagavad Gita teaches us to act according to our duty without attachment to the result. The very basis of our rule of law, of the ideals of justice, liberty and equality, is rooted in this conception of Dharma."¹¹ He also connected India's civilisation and constitutional values to the Gita's philosophy. In his words- "We are inheritors of a culture whose foundation is the Gita, the Upanishads and our ancient ideals of righteous conduct. The Constitution we are framing must reflect this moral inheritance."¹²

Another foundational role was played by Pandit Jawaharlal Nehru. He recognised Gita not as a sectarian religious book but as a guide for Nishkama karma (selfless duty) and national unity. His invocation of the Gita during the introduction of the "Objectives Resolution" directly links Preamble values to India's Dharmic philosophical tradition. While talking about India's spiritual heritage, he stated, "We are a people with a rich and ancient heritage. The ideals which have influenced us, and which have governed the thought of our nation, are contained in our old scriptures - the Upanishads and the Gita. They teach us the value of self-discipline, selfless action, and the spirit of unity. It is in that spirit that we are attempting to build the future of India."¹³

Shri HV Kamth, a veteran and one of the most eminent members of the assembly, in his closing speech before the adoption of the constitution, directly quoted one of the most divine verses of Geeta-

यदा यदा हि धर्मस्य ग्लानिर्भवति भारत । अभ्युत्थानमधर्मस्य तदात्मानं सृजाम्यहम् ॥¹⁴

परित्राणाय साधूनां विनाशाय च दुष्कृताम् । धर्मसंस्थापनार्थाय सम्भवामि युगे युगे ॥¹⁵

"Whenever there is a decline of righteousness and rise of unrighteousness, then the Divine manifests Itself for the restoration of Dharma. Today, after a long night of bondage, we have risen again to uphold righteousness through this Constitution, which we are about to adopt"¹⁶ His statement symbolised the birth of a new constitutional and moral order- India's rebirth as a republic.

During the discussion on the National Flag, Kamath also argued that the Indian Constitution and its national symbols must reflect the ethical and spiritual essence of Indian civilisation. He defended the adoption of the Ashoka Chakra (Dharma Chakra), invoking the Gita's teaching on *dharma-yuddha* (righteous action). "The Chakra is not a mere ornament. It is the wheel of dharma, the same dharma

¹⁰ *Constituent Assembly Debates*, vol. VII, at 843-44 (Dec. 2, 1948), https://sansad.in/uploads/const_Assmbly_Debates_Volume7_2_December1948_c98c5ac41d.pdf.

¹¹ K.M. Munshi, *Constituent Assembly Debates*, vol. VII, 19 Nov. 1948, at 546-48, https://eparlib.sansad.in/bitstream/123456789/763009/1/cad_23-11-1948.pdf.

¹² K.M. Munshi, *Constituent Assembly Debates*, vol. II, 23 Jan. 1947, at 296-97, https://sansad.in/uploads/const_Assmbly_Debates_Volume2_25_January1947_446c4d0ebd.pdf?updated_at=2022-09-15T06:08:26.834Z.

¹³ Jawaharlal Nehru, *Constituent Assembly Debates*, vol. I, 13 Dec. 1946, at 59-60, https://eparlib.sansad.in/bitstream/123456789/763009/1/cad_23-11-1948.pdf.

¹⁴ Shrimad Bhagavad Gita ch4, v.7

¹⁵ Shrimad Bhagavad Gita ch4, v.8.

¹⁶ *Constituent Assembly Debates*, vol. XI, 26 Nov. 1949, at 979-80 (statement of H.V. Kamath), https://eparlib.nic.in/bitstream/123456789/763232/1/cad_26-11-1949.pdf.

which Sri Krishna taught to Arjuna on the field of Kurukshetra. The Gita reminds us that action must be guided by righteousness.”¹⁷

A stalwart, a mighty leader and a torch bearer of the Indian Constitution, Dr Shyamaprasad Mukherjee, noted that the Gita teaches selfless duty without fear or desire for reward- a spirit that should guide those upholding the Constitution. During the general discussion before final adoption of the Constitution, in his words, “*The Bhagavad Gita gives us the message of Nishkama karma, the message of duty, for duty’s sake to work without fear and without expectation of reward. This spirit must inspire those who work this Constitution*”¹⁸. During the debate on Fundamental Rights & Cultural/Religious Freedoms, he argued that India’s unity is rooted not in uniformity but in a shared spiritual outlook. “*The Gita is not a sectarian scripture. It speaks of duty, discipline and the moral law which sustains society. These ideals belong to the culture of all those who have drawn inspiration from the soil of India*”¹⁹. Another crucial issue that was being debated in the assembly was the national education policy. Dr Mukherjee strongly held that “*If education is to build character, then it must draw upon the ethical sources of our civilisation. The Gita has inspired generations in India with the spirit of self-discipline and responsibility.*”²⁰ Mukherjee viewed the Gita as the spiritual backbone of Indian nationalism. He opposed any attempt to create a Constitution detached from India’s civilizational roots. For him, the Gita’s universalism and Dharma-centred governance offered the perfect synthesis between tradition and modern democracy. According to him, the Gita embodies the eternal law of righteousness, i.e the Dharma, which guides not only individuals but also nations.

Thus, it is well established that these references reflected an effort to connect India’s modern constitutional ideals with its ancient heritage, symbolising the blending of morality with political responsibility.

SYNTHESIS BETWEEN THE IDEALS OF GITA AND THE INDIAN CONSTITUTION

The supreme laws of the country represent the very principles that the citizens of the nation believe in. In the case of India, the Constitution, even though inspired by other constitutions of the world, is an embodiment of those fundamental principles that have been practiced by us since time immemorial.

Timeless values of justice, fairness and freedom unite in the Bhagwat Gita and the Indian Constitution. These values helped shape India’s constitutional vision for justice, liberty, equality, and fraternity. The framers of the Constitution were deeply aware of India’s philosophical heritage. They wove these enduring principles into the fabric of its laws, ensuring that democracy in India would be rooted in both modern governance and ancient wisdom.

In tracing the elements of the Bhagavad Gita in the Indian Constitution, one can appreciate the seamless blend of ancient wisdom and modern governance. While citizens’ duties are codified in the Constitution, the Gita encourages selfless fulfilment of duty by synthesizing traditional knowledge of the law with contemporary legal principles. The Constitution is a legal and political document, yet it carries within it

¹⁷ *Constituent Assembly Debates*, vol. III, 22 July 1947, at 713–14 (statement of H.V. Kamath), https://eparlib.nic.in/bitstream/123456789/762994/1/cad_22-07-1947.pdf.

¹⁸ *Constituent Assembly Debates*, vol. XI, 17 Oct. 1949, at 997–98, https://eparlib.nic.in/bitstream/123456789/763228/1/cad_17-10-1949.pdf.

¹⁹ *Constituent Assembly Debates*, vol. VII, 23 Nov. 1948, at 543–44, <https://www.constitutionofindia.net/constituent-assembly-debate/volume-7/1948-11-23>.

²⁰ *Constituent Assembly Debates*, Vol. VII–VIII (Nov. 8, 1948) (India), available at https://eparlib.sansad.in/bitstream/123456789/763000/1/cad_08-11-1948.pdf

the reflections of India's timeless spiritual heritage, ensuring that the country's governance is not just a matter of law, but also a reflection of deeper moral and ethical values. Together, they produce a sacred alliance between practice and philosophy. The interplay between these two sources creates a beautiful balance that guides both society and the individual towards harmony.

A. The Preamble and the Gita-

The preamble of the Constitution begins with "*We the people of India*". These words symbolise inclusiveness, equality and the nation's unity and diversity. Similarly, in the *Bhagavad Gita*, Lord Krishna declares,

“विद्याविनयसम्पन्ने ब्राह्मणे गवि हस्तिनि | शुनि चैव श्वपाके च पण्डिताः समदर्शिनः ॥²¹

This emphasises that a wise man, through his knowledge, sees all beings alike-be it the Brahmin, or cow, or elephant, or dog, or a dog eater.

B. Equality and Gita's vision of Oneness-

The *Bhagavad Gita* speaks of the inherent unity of all beings, emphasizing that all individuals, irrespective of their social standing, are manifestations of the same divine essence. The preamble's goal of "equality of status and opportunity" aligns perfectly with the message of the *Gita* enshrined in

सुहृन्मित्रार्युदासीनमध्यस्थद्वेष्यबन्धुषु | साधुष्वपि च पापेषु समबुद्धिर्विशिष्यते ॥²²

This beautiful message tells us that, person who remains equal and impartial toward friends, acquaintances, and foes alike-treating supporters and critics, the virtuous and the sinful, with equal regard-is truly admirable.

This philosophical vision of equality finds embodiment within the framework of Article 14²³, which ensures equality before the law, and in Article 15²⁴, which prohibits discrimination based on religion, race, caste, sex, or place of birth. The convergence here is not a mere coincidence; it signifies a deep civilizational continuity in India's intellectual heritage, where the principle of *sama-darsana* (equal vision) transforms into a constitutional pledge to uphold social equality and reject discrimination of any kind. Moreover, Article 17 abolishes untouchability, a practice deeply entrenched in the caste system²⁵.

The *Gita*, though written in a time when society was divided by class and status, teaches that all people are spiritually equal and that our true identity is beyond such differences. In the same way, the Constitution aims to remove social inequality and ensure equal rights for everyone, reflecting the *Gita*'s message of fairness and unity.

C. Self-Realisation, Inner Freedom and Individual Liberties

The *Gita* also emphasises self realisation, inner freedom in the following verse, उद्धरेदात्मनात्मानं नात्मानमवसादयेत् | आत्मैव ह्यात्मनो बन्धुरात्मैव रिपुरात्मनः ॥²⁶.

It means that you must uplift and elevate yourself by the power of one's mind and should not degrade yourself, for the mind can be a friend and also an enemy of the self. This parallels the Constitution's protection of individual liberties in Articles 19–22²⁷, which secure freedoms of thought, conscience,

²¹ *Shrimad Bhagavad Gita* ch.5, v.18.

²² *Shrimad Bhagavad Gita* ch.6, v.9.

²³ India Const. art. 14.

²⁴ India Const. art. 15.

²⁵ India Const. art. 17.

²⁶ *Shrimad Bhagavad Gita* Ch.6, v. 5.

²⁷ India Const. art. 19.

India Const. art. 20.

speech, expression, movement, and association. Both texts recognise that human dignity flourishes when individuals are empowered to cultivate their inner capacities and moral judgment without coercion.

D. Dharma and Fundamental Duties – Aligning Personal and National Responsibilities

Krishna instructs Arjuna to perform his svadharma regardless of personal consequence. II“श्रेयान्स्वधर्मो विगुणः परधर्मात्स्वनुष्ठितात् । स्वधर्मे निधनं श्रेयः परधर्मो भयावहःII²⁸.

Thus, emphasis on duty with action aligns closely with constitutional morality. It also comes with an expectation that citizens act within the nation’s ethical and legal framework. It also deeply resonates with Fundamental Duties under Article 51A, which reinforce the idea that citizenship in a constitutional democracy comes with morality, demanding consciousness and responsibilities in public life. In the same spirit that Krishna calls for “*Niṣkāma karma*’-action performed without attachment to personal reward, the Constitution also calls upon the citizens, public institutions and officials to fulfil their duties in a spirit of selfless service to the nation. He further warns one to act for the benefit of society and sustain social order. He writes in another verse, “*O Partha! Those who abandon the duties prescribed by natural law, seek after personal indulgence, live fruitless lives, and are burdens to society.*”²⁹

Lord Krishna emphasizes that a true leader governs without selfish motives, for the welfare of the people, and with an unwavering commitment to dharma. The Constitution of India, through its various provisions, promotes the idea of leadership rooted in justice and service to the nation. The Indian President, as the head of state, is expected to uphold the Constitution and act in the best interests of the nation. Similarly, elected representatives in Parliament and state legislatures are entrusted with the responsibility of serving the public with integrity and fairness. The Gita’s teachings on ethical leadership find reflection in the constitutional requirement for public servants to act in accordance with the principles of justice, equality, and fairness.

E. Rule of Law

The core principle of the constitution, Rule of Law, which is fundamental to the Indian constitutional structure, also finds conceptual affinity in the Gita.

यदा यदा हि धर्मस्य ग्लानिर्भवति भारत | अभ्युत्थानमधर्मस्य तदात्मानं सृजाम्यहम्³⁰

In this verse, Krishna asserts that whenever there is a decline in righteousness and rise of injustice, order must be restored - not arbitrarily, but in accordance with the cosmic law of dharma. The rule of law provides that all are subject to the law. Even the king is bound by dharma. “*SarvaDharmah raja dharma Pratishtha*”- all duties are implicit in the duties of the king. Dharma belongs to sovereignty and not to the king.

F. The Pursuit of Justice and the Principle of Nishkama Karma

तस्मादसक्तः सततं कार्यं कर्म समाचर । असक्तो ह्याचरन्कर्म परमाप्नोति पूरुषः II³¹

(Meaning- Therefore, always perform actions which should be done, without attachment; for, by performing action without attachment, man attains the Supreme).

India Const. art. 21.

India Const. art. 21A.

India Const. art. 22.

²⁸ Shrimad Bhagavad Gita Ch.3, v. 35.

²⁹ Shrimad Bhagavad-Gita Ch18, v.7.

³⁰ Shrimad Bhagavad-Gita Ch4, v.7.

³¹ Shrimad Bhagavad Gita Ch. 3, v. 19.

The principle of Nishkam karma (desireless action) emphasises performing one's duty without any expectation or reward. This teaching aligns closely with the Constitution's vision of justice enshrined in the preamble. The constitution, in its vision, strives to create a just society where individuals perform their responsibilities without expectation of any gain but with the larger aim of uplifting the nation. Thus, Krishna's instruction to act without attachment becomes a philosophical foundation for the ideal conduct expected of civil servants, legislators, and judges who are entrusted with the responsibility of protecting constitutional values beyond individual interests. Dr BR Ambedkar, the principal architect of the constitution, was also deeply influenced by the idea of social justice and principles of equality, which align with the Gita's teachings of Nishkama Karma.

G. Balance of Rights and Duties-

Moreover, the Gita and the Constitution both advocate a balance between rights and duties. Arjuna's hesitation on the battlefield symbolises the tension between personal emotion and social obligation. Krishna resolves this conflict by teaching that morality cannot be exercised merely through the assertion of rights but through the acceptance of duties for the welfare of people at large. The Constitution mirrors this relationship by pairing Fundamental Rights (Part III) with Fundamental Duties (Part IVA), emphasizing that liberty must operate within a framework of responsibility to others and to the nation.

H. Unity in Diversity

"Unity in diversity", which forms the foundation of India's secular democratic identity, is also harmonised between the Gita and the Constitution.

॥ ये यथा मां प्रपद्यन्ते तांस्तथैव भजाम्यहम् ।मम वर्त्मानुवर्तन्ते मनुष्याः पार्थ सर्वशा॥³²

(Meaning- whatever way people surrender unto Me, I reciprocate accordingly. Everyone follows My path, knowingly or unknowingly, O son of Pritha.)

Krishna acknowledges that individuals approach the divine in varied ways, and each path is valid. This is a doctrinal articulation of pluralism. The Constitution institutionalises this pluralism through Articles 25–28³³, guaranteeing freedom of religion and equal respect for all faiths, encapsulated in the idea of *Sarva Dharma Samabhav*.

1. Loksangraha - Welfare of the Society

The term *lokasangraha* appears in the 20th *shloka* of the 3rd *Adhyaya* titled Karma Yoga of the Bhagavad Gita.

कर्मणैव हि संसिद्धिमास्थिता जनकादयः ।लोकसंग्रहमेवापि सम्पश्यन्कर्तुमर्हसि

(Meaning- By performing their prescribed duties, King Janaka and others attained perfection. You should also perform your work to set an example for the good of the world.)

The Gita's doctrine of *lokasangraha*, which advocates action directed toward the welfare of society, finds a close parallel in Article 38 of the Indian Constitution³⁴. This Article directs the State to promote the welfare of the people and to minimise inequalities. The welfare state envisioned by the Constitution

³² Shrimad Bhagavad Gita Ch. 4, v. 11.

³³ Constitution of India, arts. 25–28.

³⁴ The State shall strive to promote the welfare of the people by securing and protecting as effectively as it may a social order in which justice, social, economic and political, shall inform all the institutions of the national life (Constitution of India, art. 38(1)).

is thus philosophically continuous with the Gita's idea that leadership and governance must strive for the collective good rather than personal or dynastic power.

J. Shitapradnya- The Vision of the Ideal Person

The Bhagavad Gita portrays a very important idea of 'Sthitapradnya'. It talks about the dutiful individual of steady wisdom whose mind remains calm amidst turmoil, unmoved by pleasure or pain, and who is guided by reason and logic. It closely parallels the constitutional ideal of the impartial judge and a responsible public servant. Just as the Sthitaprajna acts without attachment or bias, the judges and public servants are expected to uphold justice and the rule of law without being carried away by emotions, external pressures, or personal interests.

The *Bhagavad Gita* and the Constitution of India both guide how individuals should act in ways that support the larger moral and social order. The *Gita* does this through spiritual and philosophical teachings, while the Constitution does it through laws and institutions. Yet, both share common ideas—such as duty, equality, self-discipline, and working for the common good. This shows that India's Constitution is not a break from its ancient traditions but a modern way of expressing the same lasting moral values.

ANALYSIS OF JUDICIAL PRONOUNCEMENTS FROM THE LENS OF THE BHAGAVAD GITA

The Bhagavad Gita has influenced the judicial reasoning in many cases directly or indirectly. Indian courts, while primarily being guided by constitutional morality and positive law, have occasionally interpreted the Gita's principles to illuminate questions of ethical conduct, administrative responsibility, and constitutional duty. Such engagement reveals the judiciary's recognition of the *Gita* as part of India's morals rather than just as an orthodox religious text.

In a very important ruling, the Gujarat High Court dismissed a Public Interest Litigation filed by *Jamiat Alma-e-Hind Gujrat* that challenged the inclusion of the Bhagavad Gita in the state's school curriculum, holding that the scripture is secular in essence and not a religious instruction. It conveys universal values that do not violate the principles of secularism³⁵. This shows a trend of interpretation where judicial reference to the Gita's text has been interpreted through the lens of constitutional morality.

Hon'ble Justice Sanjay Kishan Kaul's concurring opinion in the landmark case of *Justice KS Putuswamy vs Union of India*³⁶ which recognised the Right to Privacy as a fundamental right, is a significant and nuanced contribution to the judgment. He framed the inquiry in terms of dharma (justice) and adharma (injustice). He observed that Indian legal consciousness has never been detached from ethical ideals that evolve with time, emphasizing the timeless principle that justice manifests itself in different epochs to counter emerging forms of wrong. He referenced the well-known verse:

॥ परित्राणाय साधूनां विनाशाय च दुष्कृताम्। धर्मसंस्थापनार्थाय सम्भवामि युगे युगे॥³⁷

(I manifest in every age to protect the virtuous, destroy the wicked, and re-establish dharma.)

Justice Kaul interpreted these verses not as a theological justification but as a jurisprudential principle that law must evolve to confront new injustices. He linked these words with Articles 14 and 21,

³⁵ *Jamiat Ulama-e-Hind Gujarat & Anr. v. Union of India & Anr.* (WPPIL/54/2022)

³⁶ *Justice K.S. Puttaswamy (Retd.) and Anr. vs. Union of India and Ors.* (2017) 10 SCC 1

³⁷ *Shrimadbhagavad Gita* Ch 4, verse 8

describing them as the “heartstones of the Constitution,” representing the collective conscience and moral intelligence of society.³⁸

Even in cases where if a judgment does not explicitly refer the principles of the Gita, it inevitably reflects the moral values embodied in it, and we can interpret the judgment through that lens. Moral and ethical order remains a vital force in tackling critical societal challenges such as social justice, human rights, and environmental conservation. Social justice, for example, is firmly anchored in the Indian spiritual ideals of equality and compassion.

In *State of Gujarat v. Mirzapur Moti Kureshi Kassab Jamat*³⁹ While assessing the constitutional validity of the Bombay Animal Preservation (Gujarat Amendment) Act, 1994, a legislation prohibiting cow slaughter, the Court drew upon the Gita to emphasize dharma as an evolving ethical order firmly attached to Indian civilisation. “The State and every citizen of India must have compassion for living creatures ... A cattle which has served human beings is entitled to compassion in its old age when it has ceased to be milch or draught.” This emphasis on compassion resonates strongly with the ethical heart of the Bhagavad Gita that all life belongs to the universal Self. It mirrors the moral reasoning underlying laws enacted for the preservation of social and ecological balance. Here, the text of the Gita was used not to impose religious morality, but to trace the indigenous philosophical grounds of compassion and duty.

Likewise, in *Subramanian Swamy v. Union of India*⁴⁰, the Court upheld the constitutionality of criminal defamation. It reasoned that freedom of expression must be balanced with responsibility and the equally protected facet of individual reputation under Article 21. Unrestricted speech causing reputational harm can damage social harmony. While the judgment does not refer to the Gita directly, its rationale resonates with the Gita’s emphasis on proper speech.

अनुद्वेगकरं वाक्यं सत्यं प्रियहितं च यत् |

स्वाध्यायाभ्यसनं चैव वाङ्मयं तप उच्यते ||⁴¹

(Words that do not cause distress, are truthful, inoffensive, and beneficial are declared as austerity of speech.)

The Supreme Court’s decision in *State of Gujarat v. Hon’ble High Court of Gujarat*⁴² It is a seminal instance where the ethical principle of Nishkama karma is interpreted to emphasise the judicial role. In para 69 of the judgement, the court directed the state to constitute a wage fixation committee as a constitutional duty to ensure fairness to prisoners. This aligns with the principle that “judges must act without attachment to outcomes, stating that the ethos guiding the judiciary is one of detached yet diligent duty”, resonating with Krishna’s instruction to Arjuna on the battlefield. This invocation was not theoretical in nature; rather, it functioned as a moral-constitutional framing of judicial responsibility.

The Gita’s moral vision has subtly shaped India’s environmental jurisprudence, also inspiring the judiciary to view environmental protection as a sacred duty and not just a statutory obligation. The historic judgement in *TN Godvarman vs UOI*⁴³ pioneers in ecological protection. The original judgment does not itself quote the Bhagavad Gita. But the Court’s emphasis on the interconnectedness of all life

³⁸ Id. at ¶ 45 (Kaul, J., concurring).

³⁹ *State of Gujarat v. Mirzapur Moti Kureshi Kassab Jamat* (2005) 8 SCC 534, para 67

⁴⁰ *Subramanian Swamy v. Union of India*, (2016) 7 S.C.C. 221.

⁴¹ *Shrimad Bhagwadgita*, ch.17, v.15.

⁴² *State of Gujarat v. Hon’ble High Court of Gujarat*, (1998) 7 SCC 392,

⁴³ *TN Godvarman vs UOI* (1997) 2 SCC 267.

forms echoes the following verse of the Gita, which speaks of the cyclical relationship between nature, sacrifice, and human survival.

अन्नाद्भवन्ति भूतानि पर्जन्यादन्नसम्भवः । यज्ञाद्भवति पर्जन्यो यज्ञः कर्मसमुद्भवः॥

(“From food, beings are born; from rain, food is produced; from sacrifice, rain arises; and sacrifice is born of action.”)⁴⁴

The verse appears most explicitly in *M.C. Mehta v. Kamal Nath*⁴⁵, also and is routinely linked in commentary to *Godavarman* because *Godavarman* forms the constitutional basis for ecocentric interpretation under Articles 21, 48A, and 51A(g).

Interestingly, an interlocutory application, filed in the same case, was recently decided by the Hon’ble Bench of the Supreme Court, comprising Hon’ble Chief Justice of India, BR Gavai, Justice SVN Bhatti and Sandeep Mehta, directed the government to form a policy for “sacred groves” and lauded the Piplantri Village as a model example of community-driven conservation of the environment. In this judgement, the Court cited an important verse from the Gita-

“प्रकृतिं पुरुषं चैव विद्ध्यनादी उभावपि । विकारांश्च गुणांश्चैव विद्धि प्रकृतिसम्भवान् ॥⁴⁶

The court emphasized the deep connection between spirit and nature: “*Nature is the source of all material things: the maker, the means of making, and the things made. Spirit is the source of all consciousness which feels pleasure and feels pain*”.⁴⁷

Taken together, these judicial references demonstrate that the Bhagavad Gita primarily operates in Indian jurisprudence as a source of normative and ethical reasoning, rather than as a legal authority. Its invocation is philosophical, universalist, secular and compatible, reinforcing values already embedded in the Constitution, particularly equality, duty, restraint, and dignity. The invocation of the Bhagavad Gita in this constitutional context demonstrates that dharma is not static. It adapts to preserve justice in new circumstances. Just as Krishna’s message to Arjuna emphasised righteous action amid moral complexity, the constitutional order must respond to contemporary challenges such as digital surveillance, data modification, and state information dominance.

CONCLUSION

A great philosopher with a practical approach and an ardent follower of the Bhagavad Gita, swami Krishnananda, summarises the entire discussion in the following words, “The Bhagavad Gita displays before us the structure of universal law that operates everywhere. And if we abide by it, it will protect us like the protection we expect from the Central Constitution of a government. Such is the beauty of this message, the Bhagavad Gita.”⁴⁸

॥ नैनं छिन्दन्ति शस्त्राणि नैनं दहति पावकः । न चैनं क्लेदयन्त्यापो न शोषयति मारुतः ॥⁴⁹

Translation: The atman cannot be shattered by weapons, it cannot be burnt by fire, it cannot be drenched by the waters, and it cannot be rendered dry by the winds.

⁴⁴ Shrimad Bhagwadgita, ch.3, v.14

⁴⁵ M.C. Mehta v. Kamal Nath (1997) 1 S.C.C. 388, ¶ 26.

⁴⁶ State of Gujarat v. Mirzapur Moti Kureshi Kassab Jamat

⁴⁷ In Re: T.N. Godavarman Thirumulpad v. Union of India & Ors., 2024 INSC 178 (S.C. India). (T.N. Godavarman Thirumulpad v. Union of India, I.A. No. 1486 in W.P. (C) No. 202 of 1995, Order dated 6 September 2024, ¶¶ 7–11.

⁴⁸ Swami Krishnananda, *The Philosophy of the Bhagavad Gita* (2015), retrieved from https://www.swami-krishnananda.org/gita/Philosophy_of_the_Bhagavadgita.pdf.

⁴⁹ Shrimad Bhagavad Gita, Ch. 2, v. 23

Just as the *Atama* is eternal, unchanging, and yet capable of assuming new forms, the Gita's core principles also transcend time and circumstances. Just as the *Atma* passes from one body to another while retaining its essential nature, the Gita too transforms its outer form while preserving its eternal spirit. It cannot be destroyed by time, ideology, or material change; it merely assumes new forms to meet the evolving consciousness of society. It re-emerges and adapts in every age. In modern India, its essence has found expression in a new socio-political and ethical framework in the form of the Indian Constitution, which resonates with the Gita's vision of Dharma. The Indian Constitution also remains a living document, adaptable through amendments to meet the changing needs of society. Both stand as testaments to India's capacity to seek and sustain order through moral and intellectual discipline.

The research paper affirms that the Indian constitution is neither a complete departure from the past nor a mere continuation of it. Rather, it represents a thoughtful synthesis of ancient wisdom and modern democratic ideals. It is a carefully crafted blend of ethical insights from ancient jurisprudence and the rational, legal framework of a modern democratic state. Ultimately, this research underscores that India's legal system harmoniously integrates tradition and modernity, guiding the nation's ongoing pursuit of justice within an ever-evolving society.

Not just the Indian constitution, but all the existing constitutions across the continents have sought to balance freedom, responsibility, power, ethics and universal harmony, which is what the Bhagavad Gita precisely orchestrates. It would certainly not be an exaggeration if we state that, even without direct citation, Gita's moral rhythm beats quietly in the heart of every charter of every other country that seeks justice and dignity for all.