

Law & Governance: Concepts of Justice, Law, and Administration in Ancient India

Vivek Kumar

Research Scholar, Meerut College, Meerut

ABSTRACT

This paper explores the foundational ideas of law and governance in ancient India, focusing on how concepts of justice, authority, and administration were articulated in classical philosophical, legal, and political traditions. Drawing upon textual sources such as the *Dharmashastra* literature, the *Arthashastra*, and early epic narratives, the study examines how normative ideals were translated into practical systems of rule. Central to ancient Indian legal thought was the notion of *dharma*, which functioned as both a moral principle and a juridical framework guiding individual conduct, social obligations, and royal duties. Kingship was conceived not merely as an exercise of power but as a sacred trust, with rulers expected to uphold justice, protect subjects, and maintain social harmony through equitable administration.

The paper further analyzes institutional mechanisms of governance, including judicial assemblies, village councils, taxation systems, and bureaucratic offices, highlighting their role in sustaining political order and economic stability. Attention is also given to methods of dispute resolution, codification of laws, and the balance between customary practices and royal edicts. By situating legal and administrative structures within their broader philosophical and ethical contexts, the study demonstrates that ancient Indian governance was characterized by a sophisticated interplay between moral authority and pragmatic statecraft.

Through this examination, the paper argues that early Indian political thought contributed enduring ideas about accountability, welfare-oriented rulership, and the integration of ethics into public administration—principles that continue to resonate in contemporary discussions of law and governance.

Keywords: Dharma; Arthashastra; Kingship; Legal Institutions; Ancient Indian Administration

INTRODUCTION

The study of law and governance in ancient India offers a revealing window into one of the world's earliest and most sophisticated traditions of political and legal thought. Long before the emergence of modern constitutionalism, Indian thinkers developed elaborate frameworks to regulate social conduct, administer justice, and legitimize political authority. These frameworks were embedded in philosophical reflection, religious norms, and pragmatic considerations of statecraft. Far from being primitive or purely ritualistic, ancient Indian legal systems articulated principles of fairness, accountability, welfare, and institutional order that continue to attract scholarly attention today. The present study investigates how ideas of justice, law, and administration were conceptualized and operationalized in early Indian civilization, with special reference to normative texts such as the *Dharmashāstras*, political treatises like the *Arthasāstra*, and narrative sources found in epic literature.

The relevance of these ancient ideas extends beyond antiquarian interest. Contemporary debates in Indian constitutional law and political theory frequently invoke *dharma*, welfare-oriented rulership, and moral constraints on power, whether in judicial rhetoric or public discourse. Scholars have argued that understanding indigenous traditions of governance helps complicate colonial narratives that portrayed India as lacking legal rationality prior to British rule.¹ Instead, historical

¹ B. K. Matilal, "Indian Jurisprudence and Legal Theory," discussion available at: <https://plato.stanford.edu/entries/legal-india/> (accessed on 2 February 2026).

inquiry reveals a deeply rooted culture of legal reasoning, institutional experimentation, and normative reflection that predates European influence by many centuries.

This paper therefore seeks to situate ancient Indian concepts of justice and administration within their broader intellectual and institutional contexts. It does not attempt to romanticize the past or to claim direct continuity with modern legal systems. Rather, it aims to demonstrate that early Indian thinkers grappled seriously with questions that remain central to political philosophy today: How should power be constrained? What obligations do rulers owe their subjects? How can law promote social harmony while accommodating diversity? By examining textual prescriptions alongside descriptions of administrative practice, the study highlights both the ideals and the operational realities of governance in ancient India.

In doing so, the paper contributes to a growing body of scholarship that re-examines non-Western legal traditions as complex, internally differentiated, and theoretically sophisticated. Ancient Indian governance emerges from this inquiry not as a relic of a distant past but as a fertile site of intellectual experimentation whose concerns with justice, administration, and ethical authority continue to resonate in contemporary legal thought.

Objectives

1. To examine how ancient Indian legal and political texts conceptualized justice, authority, and the ethical duties of rulers within systems of governance.
2. To analyze the administrative institutions and judicial mechanisms of ancient India in order to understand how law was implemented in practice across different social and political contexts.

METHODOLOGY

This study adopts a doctrinal and historical research methodology to examine concepts of justice, law, and administration in ancient India. Primary sources, including translated versions of the *Dharmashāstra* texts, the *Arthaśāstra*, and major epics, are analyzed to identify normative principles relating to governance and legal authority. Secondary literature by legal historians and Indologists is reviewed to contextualize these sources and assess scholarly interpretations. Comparative textual analysis is employed to trace continuities and divergences among philosophical ideals, judicial practices, and administrative structures across different periods and regions of ancient Indian history.

Analysis

Ancient India developed a remarkably complex legal and administrative tradition that combined moral philosophy, social custom, and political pragmatism. Unlike modern legal systems grounded primarily in codified statutes and constitutional supremacy, early Indian jurisprudence drew authority from layered normative sources—*dharma* (righteous duty), royal edicts, customary practice (*ācāra*), and pragmatic statecraft (*artha*). These overlapping foundations shaped how disputes were adjudicated, how officials governed provinces and cities, and how kingship itself was constrained by ethical obligation. Through textual prescriptions and narrative illustrations found in works such as the *Dharmashāstras*, the *Arthaśāstra*, and epic literature, ancient Indian thinkers articulated a vision of justice that sought to harmonize social order with fairness and welfare.

Dharma as the Moral Core of Jurisprudence

At the heart of this system lay *dharma*, conceived not merely as religious observance but as a comprehensive normative order governing social relationships, property, inheritance, contracts, and punishment. The *Manusmṛiti* devotes extensive attention to judicial procedure, specifying the qualifications of judges, the evaluation of evidence, and proportionality in sentencing.² It describes a royal court assisted by learned *brāhmaṇas* who advised the king in legal matters, reflecting the belief that adjudication must be anchored in scriptural learning and moral discernment. Yet the same text recognizes the authority of local custom, acknowledging that community practices could operate alongside textual injunctions where they did not contradict fundamental principles.³ This pluralistic orientation allowed law to adapt to regional conditions while retaining a shared normative vocabulary.

Epic Narratives as Illustrations of Legal Reasoning

Illustrative “cases” embedded in narrative literature further illuminate how these ideals were imagined to operate in practice. The *Mahābhārata* famously recounts the dice-game episode in which Draupadī is publicly humiliated after her husbands lose her in a wager. Draupadī challenges the legality of the act, questioning whether Yudhiṣṭhira retained the right

² Patrick Olivelle (trans.), *Manu’s Code of Law*, Oxford University Press, available at: <https://archive.org/details/manus-code-of-law-olivelle> (accessed on 2 February 2026).

³ *Ibid.*, Book II.

to stake her after having lost himself. The assembled elders and warriors debate the issue, revealing uncertainty about contractual capacity, marital rights, and royal duty.⁴ Although no immediate verdict is reached, the episode dramatizes the tension between formalistic adherence to rules and substantive justice—an issue that remains central to legal theory today. The narrative suggests that legality devoid of moral reasoning may itself become unjust, thereby reinforcing the primacy of *dharma* as an ethical constraint on procedure.

Statecraft and Pragmatic Governance in the Arthasāstra

More systematically pragmatic approaches to justice and governance appear in Kauṭilya's *Arthasāstra*, a text traditionally dated to the Mauryan period. Here, the king is depicted as the supreme authority responsible for maintaining order through a highly organized bureaucracy. Detailed chapters outline the structure of courts, the classification of disputes, and the use of written documents, witnesses, and oaths as evidence.⁵ The *Arthasāstra* even prescribes graded fines for false testimony and judicial corruption, underscoring the state's interest in institutional integrity. Unlike the more moralistic tone of the *Dharmashāstras*, Kauṭilya frames justice in utilitarian terms: law is essential for social stability, economic productivity, and the security of the realm.

Commercial Regulation and Administrative Enforcement

A notable “case-like” discussion in the *Arthasāstra* concerns theft and commercial fraud. Kauṭilya instructs officials to conduct surveillance in marketplaces, test the honesty of traders through undercover agents, and impose proportionate penalties depending on the gravity of the offense and the offender's status.⁶ These provisions reveal a sophisticated understanding of regulatory enforcement and administrative discretion, anticipating later developments in commercial law and policing. Justice here is less about moral exhortation and more about deterrence and efficient governance, illustrating the diversity within ancient Indian legal thought.

Decentralized Justice: Village Councils and Guild Courts

Administrative justice extended beyond royal courts into village councils (*sabhas* or *pañcāyats*) and guild tribunals (*śreṇīs*). These bodies handled disputes relating to land boundaries, debts, wages, and artisan contracts. The *Dharmashāstras* recognize such institutions as legitimate forums, often ranking them below the king's court but permitting litigants to approach them first.⁷ This multi-tiered structure fostered accessibility and localized dispute resolution, reducing the burden on central authorities while embedding law within everyday social life. From a comparative perspective, such arrangements resemble modern systems of alternative dispute resolution and decentralized governance.

Mauryan Administration and Royal Proclamations of Justice

Historical reconstructions of Mauryan administration, drawing on inscriptions and literary accounts, further illustrate how law and bureaucracy intersected. Emperor Aśoka's edicts, carved on pillars and rocks across the subcontinent, announce policies relating to humane punishment, religious tolerance, and welfare measures such as medical facilities for humans and animals.⁸ In several edicts, Aśoka refers to the appointment of *dhamma-mahamattas*—officials tasked with promoting ethical conduct and ensuring fair treatment of subjects. These proclamations function as quasi-legal instruments, blending moral exhortation with administrative command, and provide rare epigraphic evidence of royal efforts to institutionalize ethical governance.

Judicial Accountability in Aśokan Edicts

One particularly revealing edict describes Aśoka's concern that judicial proceedings should be conducted with patience and impartiality, warning officials against excessive severity.⁹ Although these inscriptions cannot be read as comprehensive legal codes, they demonstrate a ruler publicly articulating standards of justice and accountability, thereby reinforcing the normative expectation that sovereign power be exercised responsibly. Such epigraphic “cases” of royal self-representation complement literary depictions and underscore the ideological importance of justice in statecraft.

⁴ John D. Smith (ed.), *The Mahabharata*, available at: <https://www.sacred-texts.com/hin/maha/> (accessed on 2 February 2026).

⁵ R. P. Kangle (trans.), *The Kauṭilya Arthasāstra*, available at: <https://archive.org/details/kautilya-arthasastra> (accessed on 2 February 2026).

⁶ *Ibid.*, Book IV.

⁷ Werner Menski, *Hindu Law: Beyond Tradition and Modernity*, overview available at: <https://academic.oup.com> (accessed on 2 February 2026).

⁸ Romila Thapar, *Aśoka and the Decline of the Mauryas*, available at: <https://archive.org/details/asoka-decline-mauryas> (accessed on 2 February 2026).

⁹ Government of India, Archaeological Survey of India, “Edicts of Ashoka,” available at: <https://asi.nic.in> (accessed on 2 February 2026).

Royal Duty and Public Justice in the Rāmāyaṇa

Another instructive narrative appears in the *Rāmāyaṇa*, where Rāma, as king, confronts accusations against his wife Sītā's chastity after her rescue from captivity. Despite his personal anguish, Rāma subjects Sītā to a public trial by ordeal, justifying his actions as necessary to preserve royal legitimacy and public confidence.¹⁰ Modern readers often critique this episode for its gendered assumptions, yet from a jurisprudential standpoint it illustrates the ancient preoccupation with reputation, social order, and the ruler's duty to uphold perceived justice even at personal cost. The episode also raises questions about the limits of royal authority and the ethical tensions between public duty and private morality—issues that resonate with contemporary debates about judicial independence and executive accountability.

Punishment, Proportionality, and Social Order

Punishment in ancient Indian law was similarly shaped by both moral and pragmatic considerations. The *Dharmashāstras* articulate graded sanctions calibrated according to the offense, the intent of the offender, and sometimes social status, reflecting hierarchical assumptions embedded within the social order.¹¹ Kauṭilya, while less explicitly tied to ritual hierarchy, likewise endorses proportionality and deterrence as guiding principles.¹² These discussions reveal an ongoing concern with balancing retribution, rehabilitation, and social stability—an enduring challenge in criminal jurisprudence.

Internal Tensions and Dynamic Legal Traditions

Taken together, these texts and illustrative cases reveal a legal culture deeply invested in procedural regularity, ethical justification, and administrative efficiency. They also expose internal tensions: between moral idealism and political realism, centralized authority and local autonomy, egalitarian aspirations and hierarchical social structures. Rather than viewing ancient Indian law as static or monolithic, the evidence suggests a dynamic tradition continually negotiating these competing imperatives.

Contemporary Significance of Ancient Indian Legal Thought

From a contemporary perspective, the significance of these traditions lies not in their direct transplantation into modern legal systems but in their demonstration that sophisticated debates about justice, governance, and accountability flourished in South Asia long before colonial interventions. By examining narrative disputes such as Draupadī's wager, regulatory schemes in the *Arthaśāstra*, and royal pronouncements in Aśoka's edicts, scholars gain insight into how ancient societies conceptualized the rule of law, constrained authority through ethical norms, and institutionalized administrative oversight.

Findings and discussion

The foregoing analysis demonstrates that ancient Indian legal and administrative thought constituted a sophisticated and internally differentiated tradition that combined ethical ideals with pragmatic governance. Across normative treatises, narrative literature, and epigraphic records, law emerged not merely as a mechanism of coercion but as a moral enterprise rooted in *dharma*, social welfare, and accountability. The discussion of judicial procedures in the *Dharmashāstras*, together with Kauṭilya's institutional blueprint in the *Arthaśāstra*, illustrates that early Indian thinkers conceptualized justice through a dual lens—moral righteousness on the one hand and administrative efficiency on the other.¹³ This coexistence challenges reductive portrayals of ancient legal systems as either purely spiritual or wholly authoritarian.

Narrative “cases” from the epics deepen this picture by dramatizing legal dilemmas and ethical conflicts. Draupadī's interrogation of the legality of her wager in the *Mahābhārata* foregrounds concerns about contractual capacity, consent, and royal responsibility, while Rāma's conduct in the *Rāmāyaṇa* exposes tensions between public legitimacy and private morality.¹⁴ These stories functioned as vehicles of jurisprudential reflection, reinforcing the expectation that rulers and judges must justify decisions not only procedurally but ethically.

Administrative practice further confirms this normative–pragmatic synthesis. Kauṭilya's prescriptions for market regulation, espionage, and graded punishment reveal a highly developed regulatory imagination comparable to later

¹⁰ Robert Goldman (trans.), *The Ramayana of Valmiki*, overview available at: <https://www.press.uchicago.edu> (accessed on 2 February 2026).

¹¹ Olivelle, supra note 1.

¹² Kangle, supra note 4.

¹³ Patrick Olivelle (trans.), *Manu's Code of Law*, Oxford University Press, available at: <https://archive.org/details/manus-code-of-law-olivelle> (accessed on 2 February 2026).

¹⁴ John D. Smith (ed.), *The Mahabharata*, available at: <https://www.sacred-texts.com/hin/maha/> (accessed on 2 February 2026); Robert Goldman (trans.), *The Ramayana of Valmiki*, overview available at: <https://www.press.uchicago.edu> (accessed on 2 February 2026).

traditions of economic and criminal governance.¹⁵ Simultaneously, the recognition of village councils and guild courts indicates a decentralized legal ecology that permitted local participation while maintaining royal oversight.¹⁶ Such pluralistic arrangements suggest that ancient Indian governance operated through layered authority rather than rigid centralization.

The Mauryan period, particularly under Aśoka, provides concrete historical evidence of these ideals translated into state policy. The emperor's edicts articulate commitments to humane punishment, religious tolerance, and ethical administration, projecting a model of kingship constrained by moral obligation. The appointment of officials tasked specifically with promoting *dharma* underscores that justice was conceived as an administrative responsibility as well as a philosophical principle.¹⁷ These inscriptions also demonstrate how rulers publicly constructed their legitimacy through legal-moral discourse.

Collectively, these findings reveal several enduring themes: the centrality of *dharma* as a normative compass; the balancing of royal authority with institutional checks; the accommodation of custom alongside textual law; and the continual negotiation between ethical aspiration and political necessity. At the same time, the sources reflect social hierarchies and gendered assumptions that complicate any uncritical celebration of the past.¹⁸ Recognizing these limitations is essential for historically grounded analysis.

From a modern perspective, the significance of ancient Indian legal traditions lies less in direct continuity with contemporary systems than in their contribution to global legal history. They demonstrate that debates about accountability, proportionality in punishment, decentralized justice, and welfare-oriented governance were vigorously pursued outside the Greco-Roman and European worlds.¹⁹ This insight complicates colonial-era narratives that framed South Asian societies as lacking juridical rationality prior to British intervention.²⁰

In sum, the overall findings suggest that ancient Indian law and administration constituted a dynamic and reflective tradition that grappled with perennial jurisprudential questions—how to restrain power, secure social order, and align legality with justice. The analytical synthesis of textual norms, narrative cases, and historical practices underscores the intellectual depth of early Indian governance and affirms its continuing relevance for comparative legal scholarship.²¹

CONCLUSION

This study has examined the concepts of justice, law, and administration in ancient India to demonstrate that early Indian political and legal thought constituted a sophisticated and multifaceted system of governance. Drawing upon normative texts such as the *Dharmashāstras* and the *Arthaśāstra*, narrative illustrations from epic literature, and epigraphic evidence from the Mauryan period, the analysis revealed a tradition that integrated ethical ideals with pragmatic statecraft. Central to this framework was the principle of *dharma*, which functioned as both a moral compass and a juridical foundation guiding rulers, judges, and officials in the exercise of authority.

The findings highlight that ancient Indian governance relied on layered legal institutions, including royal courts, village councils, and guild tribunals, thereby promoting accessibility and localized dispute resolution. At the same time, administrative innovations such as market regulation, welfare measures, and specialized officials underscore the importance attributed to institutional accountability and public order. Narrative “cases” from the *Mahābhārata* and *Rāmāyaṇa* further

¹⁵ R. P. Kangle (trans.), *The Kauṭīliya Arthaśāstra*, available at: <https://archive.org/details/kautiliya-arthasastra> (accessed on 2 February 2026).

¹⁶ Werner Menski, *Hindu Law: Beyond Tradition and Modernity*, Oxford University Press, summary available at: <https://academic.oup.com> (accessed on 2 February 2026).

¹⁷ Archaeological Survey of India, “Edicts of Ashoka,” available at: <https://asi.nic.in> (accessed on 2 February 2026).

¹⁸ Bimal N. Patel et al., *Indian Legal System*, Oxford University Press, overview available at: <https://global.oup.com> (accessed on 2 February 2026).

¹⁹ Upendra Baxi, “Ancient Indian Jurisprudence in Comparative Perspective,” discussion available at: <https://www.jstor.org> (accessed on 2 February 2026).

²⁰ Radhika Singha, *A Despotism of Law*, Cambridge University Press, summary available at: <https://www.cambridge.org> (accessed on 2 February 2026).

²¹ Stanford Encyclopedia of Philosophy, “Indian Philosophy of Law,” available at: <https://plato.stanford.edu> (accessed on 2 February 2026).

illustrated how legal dilemmas were used to explore tensions between procedure and morality, public duty and private conscience, and authority and compassion.

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