

## **SYNTHESIS BETWEEN THE IDEALS PROPOUNDED BY BHAGAVAD GITA AND THE PRESENT-DAY LEGAL SYSTEMS**

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### **ABSTRACT**

In this research paper the authors have tried to elucidate the various ideals propounded by the holy book of Bhagavad Gita and have tried to throw some light on the relevance that it has in the modern-day world. Although in our country those in power or having authority shy away from recognising its influence on our legal systems mainly because of the reason that India is a secular country and the state cannot be seen as tilting towards a particular religion as the Constitution of our country expressly forbid the intermixing of religion and state power but authors have tried to put across the point as to how it is not a religious text but a book which shows us the right way of living our lives and how the tenets of Bhagavad Gita if adhered to, can actually lead to the egalitarian or even the utopian society of our dreams. The authors have further described the concepts of Dharma and Artha as propounded by the Bhagavad Gita and explained as to how it is even more relevant in the present day world which is filled with unending strife for power and perusal of materialistic desires which ultimately leads to lot of confusion and edginess in the present day world.

**KEYWORDS:** - Bhagavad Gita, Legal Systems, Dharma, Artha, Materialistic Desires, Capitalism, Socialism, Constitution of India.

## **RELEVANCE OF THE BHAGAVAD GITA & ITS PHILOSOPHY IN PRESENT AGE:**

Bhagavad Gita in the literal sense means a song of God, it is a sermon ( upadesh ) given by Lord Krishna to Arjuna , Bhagavad Gita appeared as an episode in one of the greatest epic tale of all time Mahabharata. Mahabharata tells us about the events leading up to the present age of Kaliyuga, approximately fifty centuries ago Lord Krishna spoke Gita to his friend and devotee Arjuna. The greatest religious & philosophical discourse took place between the Lord & his devotee before the commencement of battle of Kurukshetra , Lord Krishna became the Charioteer of Arjuna's chariot and showed him the right path of dharma , Krishna through his godly sermons eliminated all kinds of confusions which were arising in the mind of Arjuna , Arjuna initially was very much confused and was in religious crises that whether he should use weapons against his own family members or not , in order to remove his confusions he surrendered himself to the Lord Krishna , chapter one of the holy Bhagavad Gita basically deals with the problems of Arjuna which he narrated to the Lord Krishna & rest of the chapters deals with the solutions to the problems of Arjuna, if we talk about the present world then the relevance of the Gita is intact , today the teachings of Lord Krishna in the form of Gita is useful in solving the various distinct problems of human beings , like Arjuna who was facing difficulty in the battle of Kurukshetra a person in the present context also deals with different types of problems in his/her day to day life , a person is always anxious about the solutions to the particular problems which he is facing , Gita as a divine source acts as a medium which provides solutions to the problems of mankind & helps a person to solve his problems & lead a better quality life , in a general sense we can say that the Gita is a way of life .

We all know that the suffering is part of a human life , every human being suffers in his/her life, in this modern world there are some persons who are lazy and they don't want to solve their respective problems they are not bothered about the root cause of their problems , they keep on suffering and keep on blaming other people or the situations for their deteriorated conditions, Gita motivates a person to know the root cause of his/her respective problems & find the solutions of those problems through the different shlokas of the divine source. In the present world people have forgotten the main purpose of life, Gita helps in re-establishing the real purpose of human life. In the Dwapar Yuga , Arjuna was in ignorance before surrendering himself to the Lord Krishna after Arjuna became an associate to the Lord Krishna all his ignorance was completely eliminated , Lord

Krishna gave the teachings which are beneficial to the present generation of human beings. Today majority of human beings are materially contaminated and are driven by the materialistic things having a false consciousness that they are the product of the material nature, Lord Krishna talks about how the pure soul is engaged in a material body in the Bhagvad Gita, he states – *“mamaivamso jiva-loke jiva- bhutah sanatanah manah-sasthanindriyani prakrti-sthani karsati.”*<sup>1</sup> this shloka means that living entities are suffering very hard with the six senses , including mind. Gita provides the concept of Mukti (liberation) which helps a person to liberate himself/herself from the material consciousness.

Gita as a Divine source helped many famous personalities to solve their respective problems & provided them with the better life, there are many famous personalities like Mahatama Gandhi, Albert Einstein, Herman Hesse, Aldous Huxley who recognized the importance & relevance of philosophy of Gita in the present age .

*According to Mahatma Gandhi, “When doubts haunt me, when disappointments stare me in the face, and I see not one ray Of Hope on the horizon , I turn to Bhagavad Gita and find a verse to comfort me; and I immediately begin to smile in the midst of overwhelming sorrow. Those who meditate on the Gita will derive fresh joy and new meanings from it every day.”*

*According to Albert Einstein, “When I read the Bhagavad Gita and reflect about how God created this universe everything else seems so superfluous”*

*According to Hermann Hesse, “The marvel of Bhagavad Gita is its truly beautiful revelation of life’s wisdom which enables philosophy to blossom into religion”*

*According to Aldous Huxley, “Gita is the most systematic statement of spiritual evolution of endowing value to mankind. It is one of the most clear and comprehensive summaries of perennial philosophy ever revealed; hence its enduring value is subject not only to India but to all of humanity.*

In today’s world the negative emotions and unfulfilled desires are playing with the consciousness of human beings , in order to satisfy the unfulfilled desires person walks on the path of adharma , by reading or summarizing one shloka of Bhagavad Gita every day person can change his/her self-

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<sup>1</sup> Chapter 15 verse 7 of Bhagavad Gita As It Is

centered attitude & can walk on the righteous path of Dharma. Gita in the present age is very much beneficial for the youth, Gita can help them to walk on the right path & can help them to become a better citizen, today majority of youth is suffering from various problems such as depression, anxiety and many other psychological problems, philosophy of Gita as a divine source can help youth to deal with such psychological problems. Gita does not advocate complete liberation from life, it does not promote Sanyasa it talks about how a person can deal with the different affairs of his life, a person can indulge in several activities with a slight change in his/ her thought process, Gita demands that a person should consider all his activities and works in this present world as the service to the lotus feet of Lord Krishna & as a service towards mankind.

The impact of Gita is universal, the corporate learning sessions from the Gita have been conducted for the members of the Young Presidents' Organisation at the Wharton School. Gita states that if a person is morally right then he/she should never hesitate to fight injustice, inspired by this statement Mustafa Bulent Ecevit, the four times Turkish Prime Minister developed the courage and he sent Turkish Troops to Cyprus. Gita is not of specific character it is universal in nature and person from any sect, religion, culture or group can grasp the teachings of this holy book. Some section believe that it is confined to the particular religion i.e. Hinduism but this contention is totally wrong. We can also say that there is no comparison between Quran & Bible because they are specific in nature & their teachings are confined to their specific religions.

The concept of Dharma in Bhagavad Gita is very wide, Gita talks about the different duties which are to be performed by the different class of people in a right manner, in today's world it is mandatory for a person to know about his/her prescribed duty for the betterment and the development of the society like an intellectual class should know that what are their respective duties, a labor class should be aware of their respective duties, a judge should know that his prescribed duty is to provide justice to the society. According to Bhagavad Gita Dharma is the prescribed duty.

*Bhagavad Gita states- "tasmac chastram pramanam te karyakarya-vyavasthitau jnatva sastra-vidhanoktam karma kartum iharhasi"*<sup>2</sup>

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<sup>2</sup> Chapter 16 verse 24 of Bhagavad Gita As It Is.

The above stated shloka from the Gita tells us about the concept of dharma, it is necessary that a person should be completely aware about his/her respective duties which are to be performed, after properly recognizing those duties a person should act in accordance with those duties in order to get to the zenith of his/her particular working field.

Further the concept of Artha which is discussed in Gita is of greater importance, Artha concept talks about the economic development, Economic development is considered as a subject/topic of major importance by different countries across the world. Bhagavad Gita says that the accumulation of wealth is of profound importance but at the same time it says that the same should not come at the cost of Dharma which a person is expected to adhere to.

If we have a look at the present day world, we have numerous examples of strife between not only people but nations as well for the accumulation of wealth. The simple concept which Bhagavad Gita puts forward can help a great deal and solve a lot of these issues. If we have a look at major issues at the international level be it the major struggle between the superpowers in the Indo Pacific or that in Taiwan or in Hong Kong and many more we find that somewhere or other the underlying issue is that of having unbridled access to the means of accumulation of wealth.

There are various models around the world according to which the economics of the world are modelled the major among them being socialistic and capitalist. But sadly what has been witnessed has been that none of these have being able to act as a perfect solution to the issue of betterment of all the people in the society. In the socialistic model the major issue which has been felt that people do not find the motivation or reason to work hard as no matter how hard they work , the benefits which they get is fixed and is same for them and the laziest person of the society. As said by Che Guevara "For us, there is no valid definition of socialism other than the abolition of the exploitation of one human being by another.". On the other hand, in capitalistic model the major problem is that of accumulation of wealth in the hands of selected section of the society while the rest of the society is devoid of even the barest needs of proper food and healthcare facilities. "Capitalism cannot reform itself; it is doomed to self-destruction."- W.E.B. DuBois. Hence, neither of the two has proved effective here is when the ideal of Gandhian Socialistic model which is actually modelled on the concept of Artha as propounded by the Bhagavad Gita come into foray. According to this model of economy neither the market nor the state totally control the economy but it is a mixture of both although we in India claimed that we adopted this very model but this

does not appear to be the case. In the Nehruvian era Indian economy was heavily tilted towards socialism with private players having no real freedom and when this model failed miserably in 1990s we started moving towards capitalism after the Liberalization, Privatization and Globalization reforms.

Indian government at the present times appears to be in strong favor of privatization of public assets as a panacea to all the economic issues present in our country. But there is a big chance that the animal spirit of wealth accumulation being the only objective of the private players might end up making the economy bigger and bigger but it will be consumed by those 1% capitalist only making the poorer even more poorer and even more devoid of the basic needs of survival. The solution to this enigma lies in the Gandhian socialistic model according to which the state strictly controls some sectors and strictly deregulates the others. This is what Bhagavad Gita propounds ‘the accumulation of wealth while keeping in mind one’s dharma’.

### **CONNECTION BETWEEN THE BHAGAVAD GITA AND CONSTITUTION OF INDIA:**

It is evident that Bhagavad Gita has a great impact on our present day legal systems and all the fundamentals which are linked to those legal systems, if we compare the preamble of our Indian Constitution with the immortal shlokas of Bhagavad Gita then we can observe that there are many similarities between both of them, shlokas & sermons (upadesh) which are given by the Lord Krishna are fundamental & can never be destroyed or changed, it is useful for the present generation & will continue to be useful for the upcoming generations same is the nature of our preamble, i.e. it is fundamental in the nature, it is a fundamental law that cannot be changed & is considered as a basic structure. Our Indian Constitution is of supreme nature, it is binding on all the people it talks about the concept of ‘unity in diversity’, all the units as well as subjects derive its power from the Constitution of Indian, we can observe that there is a major similarity between both the Gita and the Constitution. According to Bhagavad Gita, “*yac capi sarva-bhutanam bijam tad aham arjuna na tad asti vina yat syan maya bhutam caracaram*”<sup>3</sup>, this shloka of Gita means that everything in this world happens for a particular reason, there is a cause for any kind of happenings in the present world and all those causes are connected with Lord Krishna, he while

<sup>3</sup> Chapter 10 verse 39 of Bhagavad Gita As It Is

answering to the problems of Arjuna States that he is omnipresent , all the creatures which are present on the Earth derive their existence from Lord Krishna , here lord Krishna states that he is the universal reason for every creatures existence on this earth. We can clearly see that as this shloka states that lord Krishna is supreme & omnipresent same is the nature of our Indian Constitution , it is also supreme as well as omnipresent , it exercises exclusive control over each and every person there is no authority that is superior or above our constitution, all the humans derive their rights from it .

Our Indian Constitution talks about the concept of Justice , each and every human being in this society has a independent right to live peacefully and without any kinds of problems either physical or mental , constitution states that a fair justice must be provided to each and every citizens of this country , it works for eliminating any kind of injustice from the society that can pose a threat on the mankind and survival of human beings, our holy text Bhagavad Gita talks about the same concept, it clearly states that if there is any kind on injustice or adharma in the society then the Lord Krishna will remove all the kinds of injustice that are prevailing in the society.

*“yada yada hi dharmasya glanir bhavati bhārata abhyutthanam adharmasya tadatmanam srijamyaham”<sup>4</sup>*

Lord Krishna while enlightening Arjuna States that whenever there is lots of corrupt practices happening on this earth, people are indulged in those corrupt practices & adharma prevails everywhere then the supreme lord i.e. Lord Krishna will himself descend on this earth & will remove each and every kind of injustice as well as adharma . Further Lord Krishna states – *“paritrāyā sadhūnāṃ vinasāyā ca duskṛtāṃ dharmā – samsthāpanārthāyā sambhāvāmi yuge yuge”<sup>5</sup>*, this shloka means that when there is adharma on this earth & the condition of this earth will not be in a normal state due to the wrongful, sinful actions & activities of the people then the Lord Krishna will himself descend on this earth in order to restore normal condition of the earth and will re-establish the principles of dharma, here we can clearly observe that the above mentioned shloka of Bhagavad Gita highlights the authority of judiciary which is one of the fundamental feature of our Indian Constitution , judiciary being an independent authority can punish all the wrongdoers for their illegal or illicit activities. The above stated shlokas and

<sup>4</sup> Chapter 4 verse 7 of Bhagavad Gita As It Is.

<sup>5</sup> Chapter 4 verse 8 of Bhagavad Gita As It Is.

statements clearly prove that both the holy Bhagavad Gita & Constitution are the custodian of justice.

The Indian Constitution talks about the equality of status & opportunity, it states that there should be equality in social, economical & political areas , it further states that there should be proper or fair distribution of wealth among people , it emphasizes on eliminating an unequal distribution of wealth among people i.e. concentration of the wealth in fewer hands or we can say concentration of wealth in upper class. Bhagavad Gita supports and advocates same idea of equality and harmony , it talks about the collective well- being and welfare of mankind . “*suhrn-mitravy-udasina madhyastha-dvesya-bandhusu sadhusv api ca papesu sama- buddhir visisyate*”<sup>6</sup>. In the following shloka Lord Krishna states that a person should consider each and every person equal and should not discriminate on any grounds whether he is a well- wisher, friend, enemy or anything. Gita motivates us to look at every person with fair consciousness, and it promotes that each and every person who is at power or on supreme state should provide an equal opportunity to his/her subjects and should provide with the equitable resources which can help them to grow without any discrimination on any grounds of caste, creed, religion, etc. It is often observed in some situations or cases that the person who is at power or have ultimate authority try to exploit their subjects and does not provide them an equal opportunity to grow and reach to the zenith of their respective fields in such cases Gita motivates those people with the authority and motivates them to provide equal opportunity to their subjects in order to succeed and grow.

The Indian Constitution talks about the Fundamental Duties enshrined in Article 51 A, it states that there shall be the duty of every citizen of India—(a) to abide by the Constitution and respect its ideals and institutions, the National Flag and the National Anthem; (b) to cherish and follow the noble ideals which inspired our national struggle for freedom; (c) to uphold and protect the sovereignty, unity and integrity of India; (d) to defend the country and render national service when called upon to do so; (e) to promote harmony and the spirit of common brotherhood amongst all the people of India transcending religious, linguistic and regional or sectional diversities; to renounce practices derogatory to the dignity of women; (f) to value and preserve the rich heritage of our composite culture; (g) to protect and improve the natural environment including forests, lakes, rivers and wild life, and to have compassion for living creatures; (h) to develop the scientific

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<sup>6</sup> Chapter 6 verse 9 of Bhagavad Gita As It Is

temper, humanism and the spirit of inquiry and reform; (i) to safeguard public property and to abjure violence; (j) to strive towards excellence in all spheres of individual and collective activity so that the nation constantly rises to higher levels of endeavour and achievement; [(k) who is a parent or guardian to provide opportunities for education to his child or, as the case may be, ward between the age of six and fourteen years.] the above stated duties clearly tells us that there are certain duties that are to be performed by each and every citizen of India no one can escape from their respective duties, Bhagavad Gita supports the above stated idea of duties. Lord Krishna through his divine shlokas stated that there are certain prescribed duties that are to be fulfilled by each and every person belonging to different class, Lord Krishna further states that doing the duties for which a particular person is entitled encourages that person to walk on the righteous path of Dharma.

*“karmanaiva hi samsiddhim asthita janakadayah*

*loka-sangraham evapi sampasyan kartum arhasi”<sup>7</sup>*

Through this shloka in Bhagvad Gita Lord Krishna has highlighted the importance of duties that are to be performed by each and every individual. In this shloka the supreme lord states that the Janaka who was the father of Sita and Father in law of Lord Rama performed his prescribed duties and attained perfection through the performance of those respective prescribed duties, through his dedication and perseverance Janaka also motivated his subjects to perform their respective prescribed duties and encouraged them to walk on the right path of dharma. Lord Krishna while eliminating the ignorance and confusion of his dear friend and devotee Arjuna stated that it is his prescribed duty to use the weapon against his own family members in order to re-establish and restore the dharma.

History is researched for patterns one can identify, yet mythology is ignored with a questionable scepticism. Very Few times, mythology has been looked from a practical perspective and as a source which contributes to the legal and administrative framework.

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<sup>7</sup> Chapter 3 verse 20 of Bhagavad Gita As It Is.

## REFERENCES-

### BOOKS-

1. Bhagavad Gita As It Is
2. The “ Bhagavad Gita”: A Biography By Richard H. Davis
3. Indian Constitutional Law ( Eighth Edition ) By M.P. Jain

### ARTICLES-

1. Global Gita, “Bhagavad Gita is not a religious book: it has been translated world over and is meant for the whole community” The Indian Express.
2. Priya Viswanathan, The Bhagavad Gita – Its Relevance Then And Now.
3. Dr. K. Parameswaran, Introducing integral dimensions between law And Bhagavad Gita : overlapping elements and constitutional law principles.
4. Jayant Lele, On Regaining The Meaning Of The “Bhagavad Gita”.
5. C.J. Fuller, Hinduism And Scriptural Authority in Modern Indian Law.
6. Nalini Pandit, Ambedkar and the “ Bhagwat Gita”.
7. Bina Gupta, “Bhagavad Gita” as Duty and Virtue Ethics: Some Reflections.
8. K.N. Upadhyaya, The Bhagavad Gita on War and Peace.
9. D.D. Koshambi, Social and Economic Aspects Of The Bhagavad Gita.
10. Kay Koppedrayar, Gandhi’s “Autobiography” as Commentary on the “Bhagavad Gita”.

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