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Pluralising Legal Education
Indian Knowledge Systems as Jurisprudence and Method

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The article examines the potential of Indian Knowledge Systems (IKS) in legal education. It argues that modern legal education fails to acknowledge indigenous jurisprudential modes foregrounding duty and contextual reasoning. Drawing on the conceptual frameworks of dharma, nyaya and artha, the article proposes modular integration of core subjects along with clinical and interdisciplinary pedagogies. It puts this integration in the context of existing changes in policy, including the National Education Policy 2020 and institutional policy by the Ministry of Education and the Bar Council of India to promote IKS in the professional education sector. The article also discusses the judicial engagement with customary law in the case of Ram Charan v. Sukhram (2025), to show how constitutional principles limit customary norms. It extends this approach to curriculum design and research methodologies. The article identifies the risks of romanticisation and exclusion and suggests a critical and constitutionally sound approach towards tradition (Abstract).

यतो धर्मस्ततो जयः (*Yato dharmas tato jayaḥ*)
Where there is *dharma*, there is justice

-Mahābhārata. (n.d.)

Legal education in India is at a peculiar juncture. It has institutional strength, which has been developed over decades through the evolution of doctrine, judicial case law, and professional standardisation. But it has created a largely positivist and state-centric concept of law that does not reflect the normative complexity of Indian society.

The prevalent paradigm of legal education favours the formal, statutory, case law, and constitutional texts over the plurality of normative orders that structure everyday life in India. However, the state is not the sole source of legal reality in India. It is composed of intersecting and interacting systems of customary practices, community norms, and long-standing philosophical traditions. These systems shape dispute resolution, social control, and conceptions of justice. This tension between formal rules and lived justice echoes Amartya Sen's distinction between *niti* (institutional correctness) and *nyaya* (realised justice), reinforcing the need to move beyond purely rule-based approaches. (Sen, 2009)

The Indian subcontinent has long had rich and diversified traditions of jurisprudence that have been concerned with questions of normativity, authority and social order. *Dharma, nyaya, and artha* offer frameworks for understanding law, not a separate field of study, but as a subset that exists within larger moral, social and political spheres.

Dharma, especially, had given expression to a duty-oriented conception of normativity, and it focused on relationally based responsibilities and context-specific judgment rather than on abstract universalism. The *Nyaya* tradition devised explicit modes of reasoning and decision-making and was concerned with logic, evidence and debate; the *Arthashastra*, on the other hand, was concerned with administration, regulation and statecraft, presupposing an early concern with administrative and legal order (Olivelle, 2013).

Customary and tribal legal systems have also always been places of lived law. These systems tend to work by consensus, mediation and restorative systems and focus more on social harmony rather than adversarial resolution. Influenced by history, culture and ecology, systems are sometimes relegated to the margins of the legal discussion, often as anthropological curiosities. This marginalisation is structurally influenced by colonialism and subsequent unification of the standard form of legal system based on states.

This emphasis on codified law and judicial precedent has resulted in a pedagogical approach to law which puts more weight on abstract rules, general principles and consistency in doctrine than it does on context. While this ensures predictability and institutional stability, it risks producing legal

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professionals who are unprepared to confront the social reality in which law operates. In recent years, the necessity to reconsider this framework has increased with the wider consideration of the decolonisation of knowledge and epistemic plurality. This reconsideration can be seen in certain Indian policies, including the National Education Policy 2020, (NEP, 2020) which explicitly calls on the inclusion of Indian Knowledge Systems (IKS) in other disciplines.

The NEP also focuses on employing local practices in formulating globalised and context-based learning models. Other organisations, such as the University Grants Commission (UGC, 2023) and the Bar Council of India, are also working in parallel on the integration of IKS into professional learning and training, including law, and this too is an indicator of the growing interest in the integration of IKS in professional education and study. These changes represent a significant change, but also prompt pressing questions:

1. How to incorporate traditional wisdom in legal education in a way that is intellectually sound and not just symbolic?
2. What can such integration do to circumvent the two traps of romanticisation and tokenism, and
3. What can it add to a more refined conception of law in practice?

To address these questions, it is necessary to consider Indian knowledge systems not as a material to be added to the already existing curricula but as a source of jurisprudence and methodology. Being jurisprudential resources, they enlarge the vocabulary of conceptualisation of law, providing alternative modes of conception of normativity, justice, and social order. As methodological instruments, they facilitate ways of inquiry that transcend the work of doctrinal analysis in an attempt to address law in its lived and social form.

At the same time, such engagement must remain critical. The traditional systems are not intrinsically egalitarian; they have been historically involved in exclusionary systems, especially in terms of caste and sex. Their integration should thus be based on constitutional values so that the dedication to equality, dignity and rights is not violated. In this context, integration does not mean revival but rather selective and reflective engagement.

Incorporating traditional knowledge is therefore a pedagogical necessity. It provides an opportunity to fill in the divide between official and practical law, enhance the legal reasoning skills, and equip the students with the ability to handle the intricacies of legal practice in India. Simultaneously, it places Indian legal scholarship in the context of more general global debates about legal pluralism and decolonisation of knowledge, making it locally grounded and analytically relevant.

Traditional WiSdom in Indian Legal Thought

Any serious effort to incorporate Indian knowledge systems into the field of legal education should be preceded by an attentive study of the conceptual bases of Indian legal thought. Such traditions are not monolithic or even definable in terms of a single canonical system; instead, they are a multiplicity of intellectual and lived systems to which normative reasoning in the subcontinent has historically been subjected. The notions of *dharma, nyaya and artha* present some of the most promising points of entry, not only due to their philosophical richness, but also due to their perpetual relevance.

The core of most classical systems is dharma, which is usually translated as 'law' or 'duty', but rather should be comprehended as a normative order that combines ethical duty, social role and judgement of circumstances. (Davis, 2020); (Kane, 1962); (Lingat,1973). Unlike contemporary frameworks with their foregrounding of rights, dharma is inherently duty-based and places the person in a web of relationships, familial, social, and ecological, and establishes sets of obligations within the contextualities.

Importantly, dharma doesn't function as a fixed and uniformly codified system. Its implementation is contextual, status-based, and has competing demands that necessitate interpretation, as opposed to rule-following. Although this makes it look distinct in contrast to formalist models of law, it raises the enduring jurisprudential issues of consistency, authority, and possible arbitrariness. These strains are analogous to modern debates on the rule-based and principle-based, implying that dharma can be interpreted as a more alternative form of legal reasoning with continuing relevance.

As an addition to this normative system, there is the tradition of *Nyaya*, which gives a detailed

tradition of logic, epistemology, and adjudicative logic. (Ganeri, 2001); (Matilal, 1986); (Potter, 1970); (Chatterjee, 1978). Giving a central emphasis on valid knowledge (*pramana)*, inference and argument, *Nyaya* provides a methodological foundation for claim evaluation. The use of legal reasoning, in this context, is not only an authority but also a process of justification that is based on rational deliberation. This requirement to provide reasons is quite consistent with the current requirements of judicial decision-making, especially the focus on transparency and responsibility. In this respect, *Nyaya* could be read in parallel to contemporary jurisprudential arguments, specifically under Dworkin, as to the importance of principled reasoning as an alternative but similar set of doctrines that predicts justification, rather than the application of rules. Its introduction broadens the epistemic principles of legal analysis to the boundaries of traditional doctrinal instruction. (Dworkin, 1986)

Arthasastra tradition brings in the pragmatic aspect that is concerned with statecraft, governance and regulatory order. (Kautilya, 1992); (Rangrajan, 1992); (Olivelle, Kautilya's Arthashastra, 2013); (Trautmann, 2012). It is concerned with the questions of administration, economic policy, taxes, and their implementation. It is important to legal education because it focuses on institutional design and regulatory approach, and foreshadows many of the concerns of contemporary public law. Although its instrumental orientation is not similar to the modern rights-based models, its observations on governance are still analytically valuable.

Combined, these traditions show that Indian jurisprudence and legal thought have long been concerned with issues that have been at the heart of jurisprudence: the nature of obligation, the form of reasoning and the exercise of power. Nonetheless, restricting this involvement to textual traditions would ignore an important aspect of Indian legal reality, the place of customary and tribal systems as places of lived law. In India, customary law is practised throughout and across different communities, usually parallel to formal legal institutions. They are usually unwritten and are developed by practice and communal memory as opposed to codification. They focus on mediation, negotiation and consensus-building and often strive towards restoring social harmony as opposed to punitive results. Dispute resolution in most tribal settings is an inherent part of the societal framework, and legitimacy is informed by social acceptability, but not by legal authority.

These systems blur the distinction between legal and social norms, undermine the primacy of adversarial processes, and focus on results that are dependent on relationships as opposed to individual claims. Meanwhile, they pose challenging questions of the internal hierarchies and security of individual rights, especially concerning gender and caste. All these tensions highlight the necessity of a non-dismissive yet critical approach.

The interaction of these systems with the modern law is actively negotiated by the judiciary. Constitutional courts in India have always struggled with the issue of the recognition of customary practices.

Pedagogical Imperative: Doctrine to Context

Indian legal education has long been based on a doctrinal approach; it focuses on the study of statutes, judicial decisions, and established principles of interpretation. This method has resulted in generations of lawyers who are educated on the principles of analytical reasoning and argumentation using precedents as well as institutional procedures, which are essential skills. But there has also been a pedagogical imbalance produced by the prevalence of this model, an imbalance in favour of abstraction at the expense of context and technical competence at the expense of social discernment.

Central to this imbalance is a limited understanding of law, where it is seen as more of a system of rules emanating from a source of authority; the classroom is then a place of decoding judgments and imposing doctrinal categories on hypothetical questions. The social life of law, how legal norms are lived, negotiated, resisted, and reinterpreted in day-to-day life, fades into the background. This limitation is especially critical in a society such as India, where legal pluralism is a lived experience. A purely doctrinal education runs the risk that it will create lawyer practitioners who know how law should work in theory but who fail to connect with the reality of how law actually works on the ground.

A context-sensitive approach addresses this limitation. Clinical legal education, through legal aid clinics, client counselling, and community outreach, situates students within the social and economic

conditions that generate legal disputes. (Carnegie, 2007); (Stuckey, 2007); (Sullivan, 2007); (Wilson & Fennel, 2019). Field exposure to Panchayats and tribal councils reveals legal pluralism in practice and unsettles the assumed primacy of formal law. Reflective journals, seminars, and interdisciplinary coursework link experience with theory and prompt critical engagement with ideas of law, justice, and power.

This integration offers alternative conceptualisations of law. The idea of dharma puts emphasis on moral duties and interpersonal relations, and the idea of *nyaya* puts emphasis on cautious thinking and reasoning. Including these frameworks within the curriculum shakes the implicit hegemony of a strictly positivist approach, leaving new spaces where more plural and context-sensitive approaches to legal reason are available. IKS also fits well with the experiential and interdisciplinary pedagogies. No meaningful study of customary law can be done without interactions with communities. In the same way, the study of dharma or traditional ecological knowledge would need knowledge of philosophy, sociology, anthropology and environmental studies.

However, this transformation comes with challenges. Students taught doctrinally may have some difficulty initially in dealing with unstructured knowledge. Faculty may require help with new strategies. Elements of experience risk being tokenistic. To avert these pitfalls, the change should not be sudden but sustained and institutionalised, and the redesign of the curriculum and more developed evaluation methods should imply an emphasis on critical thinking, situational knowledge and doctrinal precision.

The aim is, after all, equilibrium. Coherence and precision are impossible without doctrinal knowledge. However, taken out of context, it can become disconnected from the realities which it is meant to govern. The adoption of contextual, experiential and IKS-informed approaches will assist legal education to prepare students to better face the realities of law in practice in a legal system as diverse and dynamic as India.

Incorporating IKS into the Curriculum

To successfully incorporate IKS in legal education, we will have to create a systematic, pedagogically unified method of teaching. To be effective, IKS should be incorporated into the mainstream curriculum both in method and in content. It is best to consider integration of IKS as a process that does not replace but rather adds to the traditional legal theories (doctrines, dogmas, and rules). This includes taking a modular approach to the creation of a coherent curriculum, such as interweaving IKS in core subjects in a conceptually and pedagogically sound way, for instance, by placing Hart's *Concept of Law* in conversation with texts such as the Manusmriti. (Hart, 2012) (Olivelle, 2004)

An example of this is a course in jurisprudence that used to be based on Western concepts of law but has been expanded and made more extensive by incorporating the continuity of intellectual traditions of *dharma* and *nyaya*. Constitutional law can explore the issue of pluralism and accommodation of non-state normative systems, with the help of case law on personal laws, tribal autonomy and community rights, to analyse the relationship between constitutional morality and traditional norms. Within criminal law, it is possible to contrast retributive and deterrent models with restorative models within community-based approaches to help students question the inevitability of punitive models.

Family and property law are the most conspicuous areas where customary standards and the legal frameworks interact; the work on IKS will enable the students to become aware of how the results in relations to marriage, inheritance, and land rights can vary within the social and cultural backgrounds. Environmental law has much to gain from traditional ecological knowledge, which contains principles of sustainability, intergenerational responsibility and ecological balance that enhance contemporary frameworks dealing with climate change. Similarly, alternative dispute resolution gets a new depth by taking indigenous practices of mediation and consensus-building and situating ADR in the social realities of the Indian situation.

Curricular integration is not only successful depending on what is taught but also on the way it is taught. Traditional lecture teaching is not enough. A combination of interdisciplinary teaching of sociology, anthropology and philosophy, with experiences such as field trips, clinical programmes and community services, should be incorporated. (Barton, 2001); (Cownie, 2004); (Wilson & Fennel,

2019). The methods of assessment should be changed to incorporate field-based reports, research projects, and reflective essays. At the institutional level, phased adoption through pilot programmes, faculty development and digital resources will offer sustainability of adoption.

On a more fundamental level, this would involve rethinking the epistemic hierarchy by which legal education is strengthened to realise that practical legal knowledge is constitutionalised and set in customs, practices and community experiences. When done cautiously, curricular integration may lead to ethically, contextually, and analytically sound legal reasoning. Moreover, this guarantees the correct implication of legal education to the complexity and diversity of society by equipping graduates to deal with the complex Indian legal system with increased competence.

ReSearch Integration: IKS aS the Methodology

While it is important to reform the curriculum, the impact of such reform cannot be complete without a parallel transformation in legal research. Currently, the law research in India is heavily doctrinal, where the formally recognised sources are prioritised over the lived realities and other normative systems. The incorporation of IKS needs to be realised in the context of appreciating it as not an object of study but as a methodological resource. The non-codified customary systems cannot be analysed by doctrine only. Ethnographic methods, oral history, and participatory research methods come into play, enabling scholars to observe dispute resolution, norm construction, and social regulation and ethics of research to be upheld through ethical considerations like prior informed consent and benefit sharing of research products.

These are especially useful in researching the Panchayat-based or tribal systems of governance. Simultaneously, IKS also encourages the reconceptualisation of comparative scholarship to horizontally organised Global South conversations.

Communal rights, restorative justice and environmental governance may be drawn in parallel to other concepts such as Ubuntu or Buen Vivir. (Ramose, 2002); (Metz, 2011); (Letseka, 2012); (Acosta, 2013) (Gudynas, 2011); (Walsh, 2010). Dharmic perspectives on ethical responsibility and balance may serve as a helpful model when it comes to the ethical implications of advanced technologies such as biotechnology, data governance, and artificial intelligence. Law schools need to develop interdisciplinary knowledge systems (IKS) research centres, create interdisciplinary collaboration opportunities, and revise journal norms to have a greater proportion of empirical and community-orientated scholarship. Dedicated funding to support fieldwork will further this perspective on extending the discipline's boundaries beyond law in its formal articulation to law as it's experienced through practice; it will also support Indian scholarship within the worldwide movement towards decolonising scholarship.

ChallengeS and ConStitutional AnchorS

Integration is not a linear process. The romanticisation of tradition is one of the major dangers; by posing indigenous systems as naturally harmonious, it ignores exclusion and hierarchy in history between caste and gender. Critical involvement is thus paramount, which differentiates normative insight and suppressive practice.

In this regard, constitutional morality provides an essential point of reference. By using the concepts of equality, dignity, and fundamental rights as the basis for the norm, it establishes a standard against which all types of legal knowledge, including customs, will be evaluated. This balance has been at times put into practice by the judiciary, such as in *Ram Charan v. Sukhram (2025)*, the Supreme Court touched upon gender-based exclusion as the rule of tribal property. The Court held, considering the facts raised that the customary practice could not prevail over the provision of equality as in Article 14 of the Constitution since there had been no customary rule denying women inheritance under the tribal customs. The Supreme Court, in reaching its decision regarding the claim of women's inheritance rights, relied on the principles of justice, equity and good conscience and found that general customary law cannot override the Constitution. In this decision, the Court exhibited a method that was consistent with the value of tradition yet grounded in constitutional values.

In addition to normative issues, there exist institutional issues: the unequal ability of law schools to offer this course, faculty development of IKS methods, institutional inertia to change the curriculum, insufficient funds to take students into the field, and disproportionate implementation of NEP 2020. Possible solutions are pilot programmes, digital facilities, cross-disciplinary collaboration

and long-term regulatory assistance. The difficulties are not to discourage the project, but they require more rigour and sensitivity. The other option of remaining with a model that does not consider the complexity of the social context itself is no victory either.

Conclusion: Towards a Plural and Responsive Legal Education

The question of whether Indian knowledge systems should be introduced into legal education is not one of the extensions of the curriculum but rather a question of conceptual redirection. It is also a criticism of the formalisation of law and the repositioning of law in terms of the wider normative structures in which justice is perceived and realised. This is not an exercise in nostalgic revivalism, but rather a critical reconstruction. The validity of tradition lies not in its antiquity but in its capacity to overcome constitutional review and meet the needs of equality, dignity, and justice. Integration should, therefore, be selective, stringent, and constitutional.

A system that still favours abstraction to lived reality will always risk breeding a generation of lawyers who are masters of doctrine but who are no longer in touch with the reality in which law is enforced. Reframed in this regard, legal education is also a space for reconsidering what counts as law, how it is known, and whom it serves.

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