

What is Dharma: An Original conception straight from the soul piece and the Intertwined Matrix of Law.....

The word “dharma” is derived from the Sanskrit word root “dhar” that means to adopt, to support to sustain. It refers to moral concerns of human beings, the principle of right. In common parlance it is often associated with religion or spirituality. But dharma is not spirituality alone. To stick to tick to whatever duties we have decided to follow in life is dharma. ***The Dharamshastras have given the definition of dharma on the basis of Vedic tradition and it is deeply intertwined with the logistics of Law.***

According to the tradition, the dharma of each person is determined by the position one occupies in the social system of “Varna” and ashrams which is another aspect and a perspective on Law. According to “Mimasakas, dharma is accepted as a set of prescription and prohibitions. The Buddhist literature highlights it as the basic feature of conscience. The concept of dharma is widely discussed in “shanti” and “anushashan” parvas (parts) of Mahabharata. The view propounded here is a combination of theoretical and practical considerations. The basic view of dharma is that it subscribes to a moral action. Dharma for one consists in realization of ones potential in the context of the place one occupies in society. A person is supposed to take responsibility for one’s motives and intentions. It is assumed that one can not be hold accountable of ones actions. But since man has soul, an ability to understand and relate himself to it is an intrinsic part of the whole process. His motives and intention are crucial to moral life.

In Gita, while exhorting Arjuna act according to his dharma, Krishna asked him to conquer his passion and impulses as determined by his nature and temperament and follow his duty (swadharma) in a spirit of equanimity which pertains to the moral law of the land. Man does not know the working of fate. He can’t ensure that the result of his action (karma) will be always good but he is totally autonomous in so far as his motives and reasoning are concerned. This autonomy imposes on him an obligation to work for society.

The totality of the concept is embodied in “Vasudev Krishna” idea of “niskama karma” (work regardless the consequences). How then do we decide the right course of action? It is suggested that first one has to follow the customs of morality as embodied in Vedas, Sruti, Smirit and other traditional sources of moral life. Dharma covers a wide range of meanings with different connotations. According to Manusamhita, the term refers not only to qualities and natural characteristics of things, it also refers to the highest virtue and spiritual efforts. It also talks about what one should do and should not to do.

Secondly, Dharma not only refers to civil religious and spiritual matters but it also talks about the general behavior of individuals, as personal habits like cleanliness, sanitation, civic consciousness, good behavior, courteous and polite ways of conduct and even subjects of common sense are considered part of the definition. Thirdly, dharma can be understood in different ways to different classes in society and act different stages of life and status. It could be different for men and women. It is indeed a network of diversified but interrelated duties. It has to be defined in each case by an individual himself. Fourthly, while referring to the area and operation of dharma as already ordained in the Vedas and Smirits concerning four classes (Chaturvarna). The law giver Manu and other exponents of Hindu philosophy have been given a leading place to accepted conducts which were handed down from generation to generation by the well-meaning persons of the society. We should not only talk about Dharma in the context of class or status and situation, we should also understand and implement it in the context of time and age.

Lastly, the most important aspect of the dharma is the inclusion of the spiritual purpose of life within its ambit. The *Dharma* is related to four ends of life. These happen to be: *Dharma*, *Arth*, *Kama* and *Moksha* (salvation). *Dharma* is the controlling factor, *Arth* and *Kama* are subservient to it. It cannot be divorced from pleasure and prosperity. Dharma is superior because it regulates all our activities in the interest of all. It is a positive concept. It is an initiation of highest possible ideals. ***It pertains to self realization and soul emancipation which also happens to be interrelated to the matrix of Law as it pertains to the general emancipation of the hoi polloi***

Whenever there is a contradiction of different principles, the basic principle has to be the welfare of all (*Upkar*) which in the Indian tradition is the law of the land of *Bharatvarsha*. The welfare of a larger group must take precedence over the welfare of smaller groups. The good of the society is to preferred over the good of the individual. The *Mahabharata* goes on to say that while individual can be sacrificed for the sake of the village, village for the state, the whole world can be abandoned for the sake of the soul. In the ultimate analysis, except two virtues truth (*satya*) and non violence (*ahimsa*), practice of all virtues depend on the complete sense of circumstances which includes individual's nature and temperament as well as the status which one occupies in the society.

Krishna lays down two general principles in the case of doubt. First, one must strike to follow the example of great men in similar situations in the past. Second, one must subordinate personal interest to the welfare of the society (*Lakshyamarga*). Against the above backdrop, *Dharma* cannot be exactly translated as the English word *Religion*. In our ancient culture and tradition Dharma being a composite word, meant four things together.

- *Righteousness*
- *Duty*
- *Lawfulness*
- *Rightful Claims*

In the western tradition the essence of Dharma is captured by the motto, my station and it's duties which is another perspective of law. It means that everyone should discharge the functions of his station dutifully. In the Indian tradition, this amounts to the philosophy of four classes (*chaturvarna*). Mahatma Gandhi identified it with compassion for fellow human beings in distress. The concept of Dharma is very subtle. A liberal might think that right to property is necessary. On the contrary one who believes in the philosophy of communism will argue against this. Though the principle of Ahimsa is valuable no one would dispute the importance of the adage “*ahimsa paramo dharma*” but in actual practice it is admitted that there is always a choice between the more or the less. *Markandeya* thus declared that the ways of righteous are subtle, diverse and infinite. When life or property or moral principle themselves are at stake one may deviate from the basic position. However on the ground on which deviation is permitted is welfare of all. The philosophy of dharma affirms life and enjoins us to look at it in all complexities.

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