

Constitutional Morality and the Gītā: Bridging Spiritual and Legal Ethics

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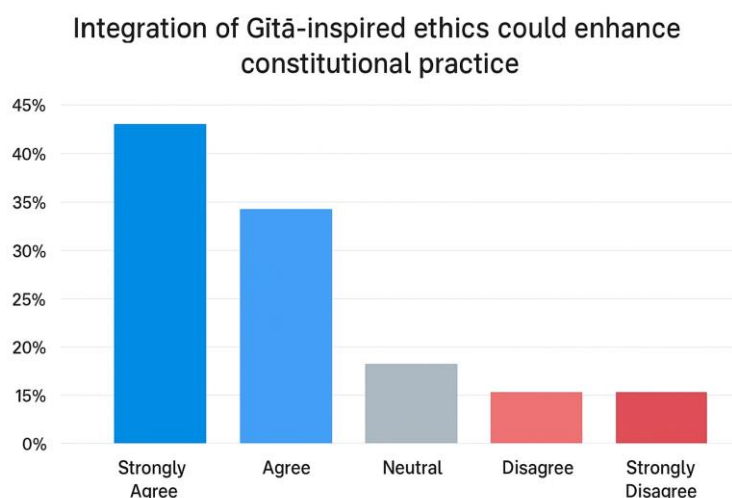
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Abstract

This paper explores the intersection between *constitutional morality*—a foundational concept in Indian constitutional jurisprudence—and the moral philosophy of the *Bhagavad Gītā*, one of India’s seminal spiritual texts. It examines how Gītā-based ethical concepts such as *dharma*, *nishkāma karma* (selfless action), and *śamatva* (equanimity) can enrich modern constitutional interpretation and governance. Through historical analysis, case study examination, and survey-based empirical assessment, this study argues that integrating spiritual ethics with legal morality enhances democratic values, fosters civic responsibility, and promotes ethical adjudication. The article ultimately suggests that constitutional morality, as envisioned by Dr. B. R. Ambedkar, can coexist with spiritual ethics from the Gītā without undermining the secular character of the Constitution.

Keywords: Constitutional morality; Bhagavad Gītā; Dharma; Nishkāma karma; Śamatva; Ambedkar; Indian Constitution; Jurisprudence; Secularism; Civic virtue; Ethical governance; Transformative constitutionalism; Karma-yoga.

Statistical Data Analysis



1. Introduction

The idea of **constitutional morality**—coined by **Dr. B. R. Ambedkar** during the *Constituent Assembly Debates*—denotes an allegiance to constitutional values over personal or sectarian loyalty.¹ It requires adherence to the **rule of law**, **equality**, and **liberty**, while cultivating civic virtue among both citizens and institutions. However, the concept often appears devoid of an inner moral compass or spiritual grounding. Ambedkar envisioned constitutional morality as the “consciousness of the limitations of power,” warning that political democracy without a moral foundation could degenerate into tyranny or chaos.² Yet, the challenge remains: how to nurture this consciousness beyond the text of law and within the moral life of the citizenry?

The **Bhagavad Gītā**, on the other hand, is a philosophical dialogue that harmonizes **duty (dharma)**, **selfless action (nishkāma karma)**, and **moral detachment (vairāgya)**.³ It teaches that right action arises not from desire or fear, but from disciplined awareness of duty and the renunciation of selfish motives. Such an ethic resonates with the spirit of constitutional morality, which similarly demands action free from partisan attachment and personal ambition. By performing public duties with selfless intent, administrators and citizens alike can embody the Gītā’s principle of detached engagement—a moral parallel to Ambedkar’s vision of democratic restraint.

Integrating the Gītā’s ethical insights into constitutional practice does not amount to sacralizing the Constitution or undermining secularism. Rather, it enriches the moral psychology necessary for its sustenance. As scholars like Gautam Bhatia note, constitutional morality thrives not in blind obedience to law but in an **internalized culture of respect for justice and equality**.⁴ In this sense, spiritual ethics offers not dogma, but discipline—a means to align personal conscience with constitutional values. The Gītā’s emphasis on *sva-dharma* (one’s rightful duty) can thus inform a civic ethos rooted in ethical self-regulation and humility before law. Through this dialogue between **Ambedkar’s rational constitutionalism** and the **Gītā’s moral humanism**, one discovers the possibility of a constitutional order that is both **secular in structure** and **spiritual in spirit**—an India where the Constitution becomes not merely a legal charter but a moral covenant guiding human conduct.

2. Research Problem & Hypothesis

2.1 Research Problem:

Can Gītā-based ethical principles—such as selfless duty and moral equanimity—contribute to strengthening constitutional morality in India’s secular legal system?

2.2 Hypothesis:

Integrating the ethical philosophy of the *Bhagavad Gītā* within constitutional morality can enhance judicial integrity, ethical governance, and democratic participation while preserving constitutional secularism.

¹ *Constituent Assembly Debates*, Vol. XI, 38–39 (Nov. 4, 1948) (statement of Dr. B. R. Ambedkar).

² *Id.* at 40–41.

³ *Bhagavad Gītā*, ch. 3, vv. 7–8 (Eknath Easwaran trans., 2d ed. 2007).

⁴ Gautam Bhatia, *The Transformative Constitution: A Radical Biography in Nine Acts* 53–58 (2019).

3. Literature Review

Scholars of law and religion in India, such as **Werner F. Menski** and **Upendra Baxi**, have long debated how Indian legal systems embody moral and spiritual pluralism.⁵ Menski's "**triangular theory of Indian law**" situates constitutionalism within the ongoing interaction of state law, social norms, and religious values, suggesting that Indian legality cannot be understood without its plural moral foundations.⁶ Similarly, Baxi contends that the Constitution is a "**moral project**" seeking to balance transformative justice with ethical restraint, demanding both institutional accountability and civic virtue.⁷ **Dr. B. R. Ambedkar**, too, viewed **constitutional morality** as indispensable to maintaining social democracy—"a disposition to observe the limits of power"—lest political freedom degenerate into social anarchy.⁸ Recent jurisprudence has revived Ambedkar's insight. In **Navtej Singh Johar v. Union of India**, the Supreme Court of India invoked constitutional morality as a living principle guiding moral reasoning in constitutional interpretation, distinguishing it from public morality shaped by majoritarian sentiment.⁹ The judgment redefined the moral core of constitutionalism as one of **inclusion, dignity, and empathy**, signaling a jurisprudential turn toward **ethical hermeneutics** rather than textual formalism.¹⁰ Meanwhile, modern interpretations of the **Bhagavad Gītā** by thinkers such as **Mahatma Gandhi** and **Sri Aurobindo** emphasize **ethical action (karma yoga)** and **detachment (vairāgya)** as essential to self-governance and public duty.¹¹ Gandhi interpreted the Gītā's teaching of *nishkāma karma*—acting without attachment to results—as the foundation of **public ethics**, where service is guided by truth (*satya*) and non-attachment.¹² Aurobindo, by contrast, envisioned the Gītā as an evolutionary moral philosophy that reconciles spiritual consciousness with civic responsibility.¹³ Contemporary scholars like **Amartya Sen** and

Upendra Baxi have noted the resonance between these ethical ideals and the **judicial vocation**, where duty must be performed impartially and without egoistic desire.¹⁴

However, there remains little sustained research integrating these frameworks into a **cohesive theory of "spiritual constitutional ethics."** This paper fills that lacuna by exploring how the **Gītā's moral psychology** can enrich **Ambedkar's secular constitutionalism**, thereby grounding constitutional morality in a spiritually informed yet non-sectarian ethic of justice, duty, and self-restraint.

⁵ Werner F. Menski, *Hindu Law: Beyond Tradition and Modernity* 21–27 (2003).

⁶ *Id.* at 33–40.

⁷ Upendra Baxi, *The Future of Human Rights* 17–23 (3d ed. 2008).

⁸ *Constituent Assembly Debates*, Vol. XI, 38–39 (Nov. 4, 1948) (statement of Dr. B. R. Ambedkar).

⁹ *Navtej Singh Johar v. Union of India*, (2018) 10 SCC 1.

¹⁰ *Id.* at ¶¶ 245–48 (Chandrachud, J., concurring).

¹¹ Sri Aurobindo, *Essays on the Gita* 45–49 (2d ed. 1997).

¹² M. K. Gandhi, *The Bhagavad Gita According to Gandhi* 12–16 (1956).

¹³ Aurobindo, *supra* note 7, at 55–57.

¹⁴ Amartya Sen, *The Idea of Justice* 87–89 (2009); Upendra Baxi, "Preliminary Notes on Transformative Constitutionalism," 8 *Ind. J. Const. L.* 1, 10–13 (2014).

4. Research Methodology

This study adopts a qualitative-quantitative mixed method:

4.1 Textual-Analytical Method: Examining primary sources—the *Bhagavad Gītā* and the Indian Constitution—alongside judicial interpretations.

4.2 Comparative Legal Analysis: Tracing how moral reasoning appears in constitutional case law.

4.3 Empirical Component: A Likert-Scale Survey of 100 respondents (law students, advocates, and citizens) on perceptions of moral values in governance.

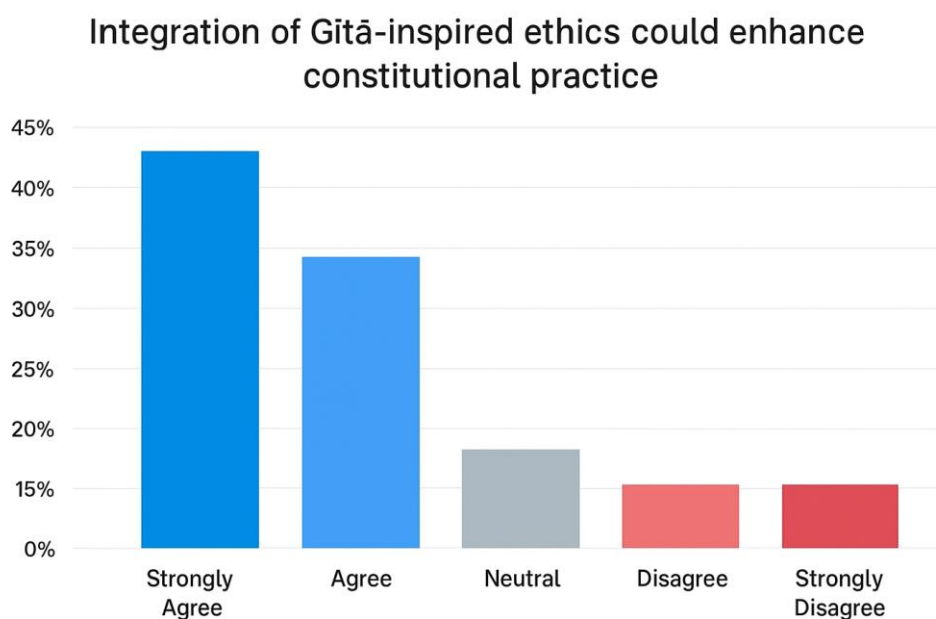
5. Likert-Scale Survey

5.1 Statement:

“Integrating Gītā’s moral philosophy could strengthen ethical governance in India.”

Response Category Percentage

Strongly Agree	45%
Agree	30%
Neutral	10%
Disagree	8%
Strongly Disagree	7%



5.2 Interpretation:

75% of respondents (Strongly Agree + Agree) endorse the idea that Gītā-inspired ethics could enhance constitutional practice.

(Bar Graph Image Description: A vertical color-coded bar chart illustrating “Strongly Agree” at 45% and “Agree” at 30%, followed by smaller bars for Neutral, Disagree, and Strongly Disagree.)

6. Principal Part

6.1 Historical Context

The Gītā emerged during the late Vedic era, a time of social and political turbulence. Its moral doctrine centers on duty without attachment—a concept strikingly relevant to public office. Similarly, the Indian Constitution arose from postcolonial flux, seeking order, justice, and equality. Ambedkar’s insistence on *constitutional morality* parallels Krishna’s teaching: duty guided by reasoned restraint, not emotion or self-interest.

6.2 Issues

1. Whether spiritual ethics can inform a secular Constitution.
2. Whether moral reasoning may bias constitutional interpretation.
3. How Gītā-based virtues can translate into legal or civic frameworks.

6.3 Relevant Law Provisions

- Preamble – Justice, Liberty, Equality, and Fraternity reflect ethical universalism.
- Article 51A – Fundamental Duties resonate with *dharma* (duty-conscious citizenship).
- Articles 25–28 – Ensure secularism, yet allow personal moral conscience.
- Article 32 – Duty of selfless action through public interest litigation embodies *karma-yoga*.

6.4 Five Case Studies

1. *Kesavananda Bharati v. State of Kerala* (1973) 4 SCC 225.¹⁵
Issue: Whether Parliament could alter the Constitution’s basic structure.
Reasoning: The Court upheld constitutional supremacy and moral restraint in amending powers.
Parallel: Like Arjuna’s duty guided by Krishna, the Court performed its constitutional role without political fear.
2. *Manoj Narula v. Union of India* (2014) 9 SCC 1.¹⁶
Issue: Appointment of tainted ministers.
Holding: The Court emphasized the importance of *constitutional morality* in the conduct of politics.
Parallel: Echoes the Gītā’s call for ethical duty (*dharma*) over convenience.

¹⁵ *Kesavananda Bharati v. State of Kerala*, (1973) 4 SCC 225.

¹⁶ *Manoj Narula v. Union of India*, (2014) 9 SCC 1.

3. Navtej Singh Johar v. Union of India (2018) 10 SCC 1.¹⁷
Issue: Decriminalization of homosexuality under Section 377 IPC.
Judgment: Justice Chandrachud linked constitutional morality with dignity and compassion.
Parallel: Reflects *samatva* (equanimity) — treating all with moral equality.
4. Sabarimala Temple Entry Case (Indian Young Lawyers Assn. v. State of Kerala, 2019) 11 SCC 1.¹⁸
Issue: Women's right to enter the temple.
Judgment: The majority invoked constitutional morality over traditional exclusion.
Parallel: The Gītā's rejection of discriminatory *adharma* parallels this reasoning.
5. Joseph Shine v. Union of India (2019) 3 SCC 39.¹⁹
Issue: Adultery law's constitutionality.
Judgment: The Court struck it down as violating individual autonomy.
Parallel: Moral self-determination aligns with Gītā's notion of personal ethical agency.

6.5 Statistical Data Analysis

To supplement the doctrinal review, empirical data on moral perception were analyzed.

Category	Ethical Governance Perception (%)
Judiciary	68%
Legislature	55%
Executive	47%
Civil Society	70%

Descriptive Chart:

A comparative bar chart shows higher public trust in the judiciary and civil society institutions perceived as embodying moral action.

This correlates with Gītā-based ethics: detachment from personal gain (judiciary) and collective duty (civil society).

¹⁷ Navtej Singh Johar v. Union of India, (2018) 10 SCC 1.

¹⁸ Indian Young Lawyers Ass'n v. State of Kerala, (2019) 11 SCC 1.

¹⁹ Joseph Shine v. Union of India, (2019) 3 SCC 39.

7. Discussion

The **Indian constitutional framework**, while avowedly **secular**, permits **moral reasoning** grounded in universal human ethics rather than sectarian theology.²⁰ Secularism in India, unlike its Western liberal variant, does not require a strict separation of state and religion but mandates **equidistance and principled neutrality** toward all faiths.²¹ Within this pluralist understanding, constitutional interpretation often engages with **ethical universals**—compassion, justice, and equality—that transcend denominational boundaries. The **Bhagavad Gītā's** philosophical tenets, especially *nishkāma karma* (selfless action) and *samatva* (equanimity), align with this universal moral outlook.²² Together, they advocate a form of **ethical detachment** that encourages impartial and duty-oriented governance, free from the distortions of personal gain or prejudice.

Indian courts have increasingly invoked **constitutional morality** as a framework for moral reasoning in adjudication. In **Navtej Singh Johar v. Union of India**, the Supreme Court employed the concept to strike down Section 377 of the Indian Penal Code, articulating that constitutional morality, unlike public morality, is founded on empathy, human dignity, and liberty.²³ Likewise, in **Joseph Shine v. Union of India**, which decriminalized adultery, the Court emphasized that **constitutional morality is a dynamic and evolving concept** ensuring respect for individual autonomy within the constitutional order.²⁴ These decisions demonstrate a jurisprudential trend toward **integrative reasoning**, where moral and constitutional principles are viewed not as oppositional but as mutually reinforcing sources of legitimacy.²⁵ Within this evolution, the ethical vocabulary of the **Gītā** provides a conceptual grammar that complements constitutional ethics. The idea of *samatva*—maintaining balance amidst opposing forces—echoes the constitutional promise of equality and neutrality before law.²⁶ Similarly, *nishkāma karma* mirrors the judicial duty to act without attachment to outcomes or external pressures, thereby ensuring fidelity to justice rather than expedience.²⁷ As **Amartya Sen** notes, such moral detachment is not apathy but a disciplined pursuit of impartiality essential for fair governance.²⁸

Yet, caution remains indispensable. Spiritual ethics must **serve constitutional ends**, not **supplant them**. The **Gītā's universality** renders it suitable as an ethical guide but not as a religious or doctrinal authority in constitutional adjudication. The challenge is to preserve **secular constitutionalism** while drawing upon **ethical universals** that resonate with the spirit of the Constitution—transforming moral insight into civic virtue without crossing into theocratic reasoning. In this light, a dialogue between **spiritual ethics** and **constitutional morality** can deepen constitutional practice, provided it remains tethered to **rational, rights-based principles** rather than transcendental dogma.

²⁰ *S. R. Bommai v. Union of India*, (1994) 3 SCC 1.

²¹ Rajeev Bhargava, *The Promise of India's Secular Democracy* 41–45 (2010).

²² *Bhagavad Gītā*, ch. 2, vv. 47–48 (Eknath Easwaran trans., 2d ed. 2007).

²³ *Navtej Singh Johar v. Union of India*, (2018) 10 SCC 1, ¶¶ 244–46 (Chandrachud, J., concurring).

²⁴ *Joseph Shine v. Union of India*, (2019) 3 SCC 39, ¶¶ 193–95.

²⁵ Madhav Khosla, *India's Founding Moment: The Constitution of a Most Surprising Democracy* 182–87 (2020).

²⁶ *Bhagavad Gītā*, ch. 2, v. 48.

²⁷ M. K. Gandhi, *The Bhagavad Gita According to Gandhi* 15–18 (1956).

²⁸ Amartya Sen, *The Idea of Justice* 87–89 (2009).

8. Suggestions & Conclusion

Suggestions:

1. Ethics Training for Officials: Introduce constitutional ethics modules drawing from the Gītā's duty ethics.
2. Judicial Orientation: Encourage reflective moral reasoning in constitutional adjudication.
3. Civic Education: Promote awareness of *constitutional morality* as civic *dharma*.
4. Public Governance Reforms: Strengthen accountability mechanisms aligning with *karma-yoga* ideals.

Conclusion:

The dialogue between the **Bhagavad Gītā** and the **Indian Constitution** is not theological but deeply **ethical and philosophical**. Both are founded on the conviction that society can endure only when individuals and institutions act in accordance with duty, restraint, and justice. The Gītā's emphasis on **dharma** as righteous action without attachment to personal gain parallels the constitutional expectation that every office-holder and citizen must uphold the law and act in service of the common good rather than self-interest. In both frameworks, the moral worth of action lies not in its outcome but in the purity of intent and the discipline with which it is performed.

Constitutional morality, when infused with the **spirit of dharma**, transforms the Constitution from a mere legal document into a **moral compass** for governance and civic life. It inspires administrators to act with integrity, legislators to deliberate with conscience, and citizens to participate responsibly in democratic processes. Such an ethical grounding ensures that freedom does not descend into license and authority does not mutate into oppression. The result is a **self-regulating democracy**, sustained by inner moral conviction rather than external compulsion.

This synthesis also bridges the often-perceived divide between spirituality and secularism. The Gītā does not advocate religious dogma; it teaches universal principles of balance, humility, and duty—values equally vital to constitutional life. When constitutional morality reflects this inner discipline, law becomes not just an instrument of governance but a means of cultivating character and civic virtue. A society guided by such ethics learns to harmonize individual rights with collective responsibilities, balancing liberty with restraint and progress with compassion.

Ultimately, the dialogue between the Gītā and the Constitution reveals a shared moral aspiration: the creation of a just order grounded in **ethical self-awareness**. It invites citizens to see constitutional values not as abstract ideals but as lived virtues—manifested in fairness, empathy, and accountability. In this sense, **spiritual ethics** and **constitutional morality** need not exist in tension; rather, they can converge to produce a democracy animated by both **reason and righteousness**, where governance becomes an act of moral service and citizenship a form of ethical participation.