

Indian Knowledge Systems and Constitutional Values

A. Rajashree¹, S. Ramya²

^{1,2} Assistant Professor, Department of Law, Prist Deemed to Be University

Abstract

This thesis examines the relationship between Indian Knowledge Systems (IKS) and the constitutional values of justice, liberty, equality, fraternity, dignity, secularism, democracy, and respect for diversity. It argues that IKS should neither be treated as a single, homogeneous civilisational inheritance nor employed as a substitute for constitutional adjudication. Rather, it should be approached as a plural archive of intellectual, ethical, linguistic, scientific, artistic, legal, ecological, and social traditions that can be critically engaged through the normative discipline of the Constitution.

The study adopts doctrinal, historical, and normative methods. It reads the Preamble, Fundamental Rights, Directive Principles of State Policy, Fundamental Duties, and selected Supreme Court decisions alongside strands of Indian thought such as Buddhist compassion, Jain plural reasoning, Bhakti and Sufi egalitarian idioms, Gandhian ethics, Ambedkarite critique, and traditions of local ecological knowledge. The thesis contends that constitutional values supply the test of inclusion: a tradition may inform education, policy, and public reasoning only when its contemporary use is compatible with equal citizenship, individual dignity, freedom of conscience, scientific temper, and non-discrimination.

The central conclusion is that a constitutionally faithful engagement with IKS requires plurality, source criticism, transparency, and safeguards against caste, gender, religious, and regional exclusion. It recommends a rights-based curricular framework, interdisciplinary research standards, community participation, and judicial caution against romanticising the past. In this form, IKS can enrich constitutional culture without displacing the supremacy of the Constitution.

Keywords: Indian Knowledge Systems; constitutional values; constitutional morality; plurality; dignity; secularism; education; social justice.

1. Introduction

Background

The contemporary discussion of Indian Knowledge Systems has acquired institutional importance in higher education and public policy. Yet the expression is often used without sufficient attention to its internal diversity, contested histories, or constitutional limits. A legal inquiry is therefore necessary. The Indian Constitution is not merely an institutional charter; it is a transformative framework that repudiates inherited hierarchies when they conflict with equal citizenship and human dignity.

This thesis uses “IKS” as an umbrella term for knowledge practices developed, preserved, adapted, and debated in the subcontinent. These include formal textual traditions, oral and artisanal knowledge, medical and agricultural practices, languages, aesthetic theories, ethical reflection, and community institutions. The term does not imply that every historical practice is normatively defensible today.

Research Questions

- How should Indian Knowledge Systems be conceptually understood in a constitutional democracy?
- Which constitutional values are most relevant to evaluating claims made in the name of IKS?
- How can IKS be integrated into education and governance without compromising secularism, equality, dignity, or scientific temper?
- What institutional safeguards can prevent exclusionary or uncritical uses of tradition?

Objectives

- To map the conceptual range and plurality of IKS.
- To analyse the Preamble, Fundamental Rights, Directive Principles, and Fundamental Duties as interpretive standards.
- To develop a constitutional methodology for engaging IKS in public institutions.
- To propose recommendations for curriculum, research, policy, and adjudication.

Methodology and Scope

The research is primarily doctrinal and qualitative. It analyses constitutional text, leading judicial decisions, official policy materials, and selected secondary scholarship. It does not claim to provide a complete history of Indian intellectual traditions. Its focus is the normative relationship between claims of traditional knowledge and the constitutional order.

Hypothesis

IKS can contribute constructively to democratic life only when it is treated as plural, critically verified, and constitutionally subordinate. Constitutional values are not external restraints on Indian traditions; they are the public standard through which a diverse people negotiate tradition, reform, and common citizenship.

2. CONCEPTUAL AND CONSTITUTIONAL FRAMEWORK

Understanding IKS

An adequate account of IKS must resist two opposite errors. The first is dismissal: it assumes that valuable knowledge can arise only within modern Western disciplinary forms. The second is essentialism: it treats all Indian traditions as uniform, timeless, and immune from criticism. A more defensible account recognises multiple epistemic communities, internal disagreements, transmission through texts and practices, and historical change.

The category includes traditions of grammar, logic, medicine, mathematics, astronomy, statecraft, ethics, jurisprudence, music, architecture, agriculture, water management, and local ecological practice. It also includes traditions of dissent and social reform. The presence of a tradition in this archive establishes historical relevance, not automatic constitutional authority.

Constitutional Values

The Preamble commits the Republic to justice—social, economic, and political—liberty of thought, expression, belief, faith and worship, equality of status and opportunity, and fraternity assuring the dignity of the individual and the unity and integrity of the nation. These values are operationalised through rights against discrimination, freedoms, protections for religious and cultural minorities, and commitments to social welfare and education.

The Constitution also combines individual rights with social transformation. Articles 14, 15, 16, 17, 19, 21, 25–30, 38, 39, 46, 48A and 51A are particularly relevant. Article 51A(h), which speaks of developing scientific temper, humanism, and the spirit of inquiry and reform, is crucial: it permits engagement with inherited knowledge while rejecting insulation from evidence and criticism.

Constitutional Morality

Constitutional morality denotes fidelity to the Constitution's ethical commitments rather than mere obedience to majoritarian preference or social custom. In *Navtej Singh Johar v. Union of India*, the Supreme Court underscored that constitutional morality must prevail over social morality where the two conflict. The principle is especially useful where claims of tradition are invoked to limit autonomy, equality, or dignity.

3. PLURAL TRADITIONS WITHIN IKS**Ethical and Philosophical Resources**

Indian intellectual traditions contain diverse accounts of selfhood, duty, suffering, non-violence, welfare, and liberation. Buddhist thought foregrounds compassion and the reduction of suffering; Jain traditions develop non-violence and many-sided reasoning; several Bhakti and Sufi practices challenge social distance through devotional and ethical idioms. These resources can animate public ethics, but they must not be selectively detached from their historical contexts.

The concept of ahimsa may contribute to discussions of care, restorative practice, and environmental responsibility. It cannot, however, be used to diminish the State's obligation to protect persons from violence or to erase claims for remedy. Likewise, philosophical pluralism can enrich deliberation only if it accepts the equal civic standing of persons who do not share a religious or cultural premise.

Knowledge, Work and Community

Many forms of knowledge have been sustained by cultivators, craftspeople, healers, performers, fisher communities, forest dwellers, women, and linguistic minorities. A serious IKS programme must therefore move beyond elite textual canons. It should credit knowledge holders, secure informed participation, protect community interests, and avoid extracting local knowledge without attribution or benefit-sharing.

This broader approach exposes a critical tension. Some inherited social arrangements were shaped by caste and gender hierarchy, while the Constitution requires their transformation. The constitutional value of equality does not require rejecting history; it requires refusing to reproduce unjust statuses under the language of heritage.

A Note on Tamil Contexts

Tamil intellectual and cultural materials illustrate the need for regional plurality. Sangam literature, Siddha traditions, temple and water-management practices, folk arts, rationalist reform movements, and Dalit intellectual traditions cannot be reduced to a single civilisational narrative. In a Tamil Nadu context, an IKS curriculum should therefore include linguistic diversity, social-reform history, and the knowledge of marginalised communities alongside classical sources.

4. CONSTITUTIONAL VALUES AS A NORMATIVE FILTER**Equality and Non-Discrimination**

The equality code requires that public adoption of IKS neither privileges citizens on grounds of religion, caste, sex, language, or community nor reinforces graded inequality. A curriculum that presents a social hierarchy as natural or ideal, without critical context and counter-voices, would be inconsistent with the Constitution's anti-subordination purpose. Articles 15, 16, and 17 require affirmative attention to exclusion, access, and representation.

Liberty, Conscience and Secularism

State-supported teaching about traditions is distinguishable from compulsory religious instruction. The former may be educational when it is comparative, evidence-based, and open to critique; the latter becomes constitutionally problematic when it coerces belief or treats one faith as civic orthodoxy. Freedom of conscience requires space for believers, non-believers, and dissenters alike.

Indian secularism is not indifference to religion. It is a constitutional arrangement that protects religious freedom while allowing reform and maintaining the State's equal concern for all citizens. Accordingly, the State may study religiously connected knowledge traditions, but it must do so without devotional compulsion or exclusionary preference.

Dignity and Fraternity

Dignity requires that individuals are not treated as bearers of fixed social rank. Fraternity requires a civic relation across caste, religion, language, region, gender, and class. These values caution against nostalgic narratives that conceal historical injury or depict any group as less fully Indian. An inclusive IKS project must make room for contestation, critique, and repair.

Scientific Temper and Evidence

Article 51A(h) does not demand a narrow or hostile view of traditional knowledge. It demands inquiry, reform, and humanism. Public claims concerning health, technology, or environment should therefore be tested by transparent methods, peer review where appropriate, safety standards, and honest communication of uncertainty. Cultural respect cannot substitute for evidence when life, health, or public resources are at stake.

5. IKS IN EDUCATION, GOVERNANCE AND LAW

Education

The National Education Policy 2020 and subsequent institutional initiatives have encouraged curricular engagement with Indian knowledge. The constitutional question is not whether IKS may be taught, but how it is taught. Pedagogy should distinguish historical description from normative endorsement, introduce multiple regions and communities, identify contested claims, and encourage students to evaluate sources and evidence.

A rights-based syllabus should include anti-caste and feminist perspectives, minority voices, tribal and local knowledge, and constitutional debates. Assessment should reward comparison, source criticism, and reasoned disagreement rather than rote celebration. This approach advances educational access and intellectual freedom at the same time.

Governance and Policy

Policy makers may learn from local water practices, agricultural experience, biodiversity knowledge, dispute-resolution traditions, and public-health practices. However, consultation cannot be ceremonial. Communities must have meaningful participation; intellectual and cultural contributions must be acknowledged; and policy choices must comply with statutory safeguards, environmental standards, and fundamental rights.

Courts and Legal Reasoning

Courts may encounter tradition in disputes involving religion, culture, education, property, environment, and personal law. They should distinguish evidence of a practice from a claim that the practice is constitutionally protected. The decisive inquiry remains whether the asserted practice is compatible with rights, dignity, equality, public order, health, morality as constitutionally understood, and the reformative commitments of the Constitution.

Illustrative Framework

Consider a proposal to introduce a local medicinal practice in a public-health programme. The proposal should be assessed through four questions: Is the source and community acknowledged? Is there reliable evidence of safety and efficacy for the claimed use? Is participation voluntary and non-discriminatory? Is the programme consistent with informed consent and existing health regulation? Passing the first question alone cannot justify public adoption.

6. FINDINGS AND RECOMMENDATIONS

Findings

- IKS is better understood as a plural field of traditions than as a singular and uncontested body of knowledge.
- The Constitution supplies the public norm for evaluating contemporary use of traditional knowledge.
- Equality, dignity, liberty of conscience, secularism, fraternity, and scientific temper are mutually reinforcing safeguards.

- Educational incorporation is legitimate when it is critical, inclusive, non-coercive, and evidence-sensitive.
- Uncritical invocation of heritage can reproduce caste, gender, religious, and regional exclusions unless institutional safeguards are built in.

Recommendations

- Adopt a constitutional-impact review for publicly funded IKS curricula and projects, examining equality, autonomy, representation, and evidence.
- Create plural advisory bodies including historians, scientists, jurists, language scholars, community knowledge holders, Dalit and Adivasi representatives, women, and minority voices.
- Require clear source citation, translation transparency, and disclosure of disputed interpretations in teaching materials.
- Separate cultural and historical instruction from religious observance; prohibit coercive participation in publicly funded institutions.
- Develop ethical protocols for community knowledge, including prior informed consent, attribution, benefit-sharing, and data protection.
- Fund research that examines both contributions and exclusions within traditional knowledge systems.
- Train teachers and administrators in constitutional values, research ethics, and methods of critical inquiry.

Conclusion

The constitutional future of Indian Knowledge Systems depends on a disciplined relationship between inheritance and critique. The value of a knowledge tradition lies not in its antiquity alone, but in its capacity to enter public reason without demanding immunity from equality, dignity, liberty, evidence, or dissent.

A constitutional approach does not impoverish IKS. It enlarges the field by recognising regional, linguistic, artisanal, Dalit, Adivasi, women's, minority, reformist, and dissenting traditions. It also prevents the State from converting cultural study into ideological conformity. The Constitution thus provides both a limit and a method: it limits domination, and it enables a democratic conversation among many knowledge traditions.

Bibliography

Primary Sources

1. Constitution of India, 1950.
2. Constituent Assembly Debates (Official Report).
3. National Education Policy 2020, Ministry of Education, Government of India.
4. Guidelines for Incorporating Indian Knowledge in Higher Education Curricula, Ministry of Education, 2023.
5. Indian Young Lawyers Association v. State of Kerala, (2019) 11 SCC 1.
6. Justice K.S. Puttaswamy (Retd.) v. Union of India, (2017) 10 SCC 1.

7. Navtej Singh Johar v. Union of India, (2018) 10 SCC 1.
8. Shayara Bano v. Union of India, (2017) 9 SCC 1.
9. Maneka Gandhi v. Union of India, (1978) 1 SCC 248.
10. Kesavananda Bharati v. State of Kerala, (1973) 4 SCC 225.

Secondary Sources

1. Ambedkar, B.R. Annihilation of Caste.
2. Austin, Granville. The Indian Constitution: Cornerstone of a Nation.
3. Austin, Granville. Working a Democratic Constitution: The Indian Experience.
4. Baxi, Upendra. The Future of Human Rights.
5. Bhargava, Rajeev (ed.). Secularism and Its Critics.
6. Chakrabarti, Mohit. Indigenous Knowledge Systems and Modern Education.
7. Guru, Gopal and Sundar Sarukkai. The Cracked Mirror: An Indian Debate on Experience and Theory.
8. Khilnani, Sunil. The Idea of India.
9. Nandy, Ashis. Traditions, Tyranny and Utopias.
10. Sen, Amartya. The Argumentative Indian.
11. Thapar, Romila. The Past as Present.
12. Waghmare, Charu. "Constitutional Morality and the Indian Constitution."