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THE KING SHOULD JUDGE, SEATED
ON THE THRONE OF *DHARMA*:
DHARMA AS A FOUNDATION OF LAW IN ANCIENT
INDIA – PRELIMINARY REMARKS

KRÓL POWINIEN SĄDZIĆ, ZASIADAJĄC NA TRONIE
DHARMY: *DHARMA* JAKO PODSTAWA
PRAWA W DAWNYCH INDIACH – UWAGI WSTĘPNE

Summary: This article presents a preliminary inquiry into the centrality of *dharma* within the legal and political system of ancient India. The analysis is based on the *Manusmṛti*, one of the most authoritative and foundational treatises on *dharma* and law. The study focuses on the interpretation of a verse portraying the king enthroned upon *dharma*, an image that encapsulates the intimate relationship between law and moral order in early Indian thought. The article argues that *dharma* functioned as the supreme normative source from which all law and legal authority emanated. The king's right to rule and to adjudicate was conceived as entirely contingent upon his alignment with and subordination to *dharma*. As such, *dharma* not only legitimized royal power but also established the limits of its exercise, serving as the ultimate standard for the creation, interpretation, and application of law. In exploring these themes, the article contributes to a more nuanced understanding of the intersection between religious doctrine and legal theory in the early Indian legal tradition.

Keywords: *dharma*, ancient Indian law, *Manusmṛti*, royal legitimacy

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Streszczenie: Artykuł przedstawia wstępne rozważania nad centralnym znaczeniem *dharmy* w systemie prawnym i politycznym dawnych Indii. Analiza opiera się na *Manusmṛti*, jednym z najbardziej autorytatywnych i fundamentalnych traktatów dotyczących *dharmy* i prawa. Studium koncentruje się na interpretacji wersu przedstawiającego króla zasiadającego na tronie *dharmy* – obrazu, który w sposób syntetyczny ukazuje ścisły związek między prawem a porządkiem moralnym w myśli dawnych Indii. Artykuł dowodzi, że *dharma* pełniła funkcję najwyższego normatywnego źródła, z którego wywodziło się całe prawo oraz wszelka władza. Królewski mandat do sprawowania władzy i wymierzania sprawiedliwości postrzegany był jako całkowicie zależny od zgodności z *dharmą* i podporządkowania się jej zasadom. W konsekwencji *dharma* nie tylko legitymizowała władzę królewską, lecz także wyznaczała jej zakres, stanowiąc ostateczne kryterium tworzenia, interpretacji i stosowania prawa. Podejmując te zagadnienia, artykuł wnosi wkład w bardziej pogłębione zrozumienie relacji pomiędzy doktryną religijną a teorią prawa w tradycji prawnej wczesnych Indii.

Słowa kluczowe: *dharma*, prawo dawnych Indii, *Manusmṛti*, legitymizacja władzy królewskiej

The concept of *dharma* occupies a fundamental place in minds of ancient Indians. It functions as both a guiding principle and a foundational concept, not only in religious, philosophical and social thought in India, but also in the formulation of laws and the administration of justice. As a complex, context-dependent concept, *dharma* encompassed moral, spiritual, legal and social dimensions, guiding not only individual behavior but also juridical and political authority. An examination of the legal dimensions of *dharma* reveals its significance as a foundational pillar of ancient Indian jurisprudence and highlights its enduring influence on the development of legal thought.

Practical implications of *dharma* were articulated in foundational texts such as the *Manusmṛti*, which outlined detailed norms for legal and ethical conduct. The discussion will delve into how it encapsulates the intertwining of *dharma* with the principles of law and justice, illustrating its role as a guiding force in the administration of legal affairs in ancient India. *Manusmṛti* is one of the oldest and most important texts concerning *dharma* in the Hindu tradition¹. Although it is not the only treatise on *dharma*, its comprehensive approach to various aspects of social and legal life makes it representative of early considerations of law and justice in ancient India.

The aim of this article, as part of the introductory remarks to the subject, is to examine – through the lens of a specific verse from the *Manusmṛti* – how *dharma* was understood as the ultimate normative source of both legal authority and political power in early India, and to outline the key ways in which this principle

¹ Traditionally attributed to the sage Manu, the *Manusmṛti* is believed to have been composed between the 2nd century BCE and the 3rd century CE. See, for instance, G. Flood, *An introduction to Hinduism*, Cambridge 1996, p. 56.

shaped the scope, legitimacy, and practice of royal governance, while acknowledging that the analysis is limited to selected aspects relevant to this discussion.

The selection of this particular verse from the *Manusmṛti* is not due to its centrality within the text but rather its illustrative value in demonstrating the interplay between *dharma* and the administration of justice. The king, seated on the throne of *dharma*, symbolizes the embodiment of justice, entrusted with ensuring that his judgments align with the ethical and cosmic order. As shall we see, the verse portrays an idealized vision of the ruler who embodies *dharma*, acting with utmost focus, and showing reverence for the cosmic order. This depiction underscores how *dharma* was conceptualized not merely as a set of moral principles but as the foundational framework for governance and the dispensation of justice. While the verse itself may not hold pivotal significance in the broader context of the *Manusmṛti*, it is particularly relevant for exploring the legal dimension of *dharma*. It exemplifies the connection between the cosmic and social order, represented through the ruler's duties as the guardian of *dharma*.

THE MEANING OF DHARMA

In the Hindu tradition, *dharma* occupies the central position within the entire cosmological, social and legal order. It is the concept so deeply embedded in Indian thought that it resists precise translation into Western languages, as no single term in English or other Western languages captures its full semantic range². Etymologically, *dharma* derives from the Sanskrit root *-dhr*, meaning “to hold”, “to support”, “to sustain”, or “to preserve”. This root encapsulates the foundational function of *dharma*: it is that which upholds and maintains the universe. *Dharma* is not a human invention but an eternal principle, grounded in the very act of creation itself – as articulated in the *Puruṣasūkta* hymn of the *Rgveda* – where the cosmic being (*puruṣa*) is dismembered to constitute the social and cosmic order³. Thus, *dharma* is ontologically prior to and constitutive of all social roles, institutions and duties. Importantly, it cannot be equated simply with “law” in the Western juridical sense, nor is it reducible to

² For more on the problems with translating the term, please refer to L. Rocher, *Studies in Hindu Law and Dharmaśāstra*, London/New York: Anthem Press 2012; J.P. Suda, *Dharma: Its Nature and Role in Ancient India*, “The Indian Journal of Political Science” 31, no. 4, 1970; G. Flood, *An Introduction to Hinduism*, Cambridge 1996.

³ See *Rgveda* 10.90 (*Puruṣasūkta*), which narrates the primordial act of creation through the sacrificial dismemberment of the cosmic being, *Puruṣa*. This cosmogonic sacrifice does not merely generate the physical universe, but simultaneously establishes the foundation of the social order. The emergence of the four *varṇas* (Skt. “colour”, “class of men”, “caste”) – *brāhmaṇas* from the mouth, *kṣatriyas* from the arms, *vaiśyas* from the thighs, and *śūdras* from the feet – reveals a divinely sanctioned social hierarchy, intrinsically embedded within the very structure of the cosmos from the moment of creation. This has profound implications for law, as one's rights and duties are directly derived from their position within divinely ordained *varṇa* system.

“religion”⁴. Rather, it occupies a space that integrates both normative and spiritual dimensions, encompassing ethical conduct, ritual duty, social obligation and cosmic harmony. It represents the nature of things, the correct path, the essential principle that upholds order and harmony in the universe. At its core, *dharma* constitutes the fundamental, eternal and unchanging principle that sustains cosmic order and ensures that every element within the universe occupies its rightful place⁵. It is the organizing force that upholds harmony and balance, both in the natural world and within the structures human society. The concept thus transcends the boundaries of legal system as understood in the West, as all legal norms and obligations are rooted in this timeless cosmic order⁶.

In the context of law, *dharma* can be defined as a set of norms for proper conduct, distinct for each social class and *varna*, which was established at the very moment of the creation of the world. An individual’s rights and duties are derived from *dharma*, which in turn is intrinsically linked to *varna* affiliation and the overarching socio-cosmic framework. In this way, law, social organization, religion, morality, cosmology, and philosophy are all interconnected and unified under the single, foundational notion of *dharma*. Each of these dimensions emerges from and reinforces the others, illustrating the integrative nature of this central concept in Hindu thought.

SOURCES OF KNOWLEDGE ABOUT DHARMA AND THE ROLE OF THE MANUSMRTI

It has already been established that *dharma* forms the foundation of the entire social and legal order. However, a fundamental question emerges: how can one determine what constitutes *dharma* and what stands in opposition to it (*adharma*)? The origins of Hindu law lie in the Vedic hymns, which reflect established social customs and are regarded as divinely revealed⁷. While the *Vedas* are the original source of knowledge on *dharma*, they, as P.V.Kane observes, “contain only disconnected statements on the various aspects of *dharma*”⁸. For a more systematic and

⁴ L. Rocher, *The Dharmaśāstras*, “The Blackwell Companion to Hinduism”, Oxford 2003, p. 102.

⁵ J.P. Suda, *Dharma: Its Nature and Role...*, p. 359.

⁶ As L. Rocher states, any discussion of Hindu conceptions of law has to start with the basic observation that the Hindu tradition does not contain a term that precisely corresponds to the Western concept of law, whether in the sense of *ius* or *lex*. This conceptual framework was introduced during the colonial period, when European scholars began translating Sanskrit texts. In doing so, they established a lasting equivalence: *dharma* was interpreted as law, and the *dharmaśāstras* were treated as legal codes or lawbooks. It should be noted, however, that this equivalence was artificially constructed by Western scholars and was not recognized by the original authors of the *dharmaśāstras*. See L. Rocher, *Studies in Hindu Law...*, p. 39.

⁷ H.A. Freeman, *An Introduction to Hindu Jurisprudence*, “The American Journal of Comparative Law” 1959, 8, no. 1, p. 31.

⁸ P.V. Kane, *History of Dharmashastra. Ancient And Mediaeval Religious and Civil Law Vol. 1*, Poona 1930, p. 7.

coherent account, one must turn to the *smṛti* texts⁹ – particularly the *dharmasūtras* and *dharmasāstras*. Kane's *History of Dharmashastra* shows that these later texts are deeply rooted in the ancient Vedic tradition, and their authors were fully justified in treating the *Vedas* as the foundation of *dharma*¹⁰. However, since the *Vedas* are not formal treatises on the subject, it is the *dharmasūtras* and *dharmasāstras* that define *dharma* more concretely¹¹. The primary aim of the *Dharmasāstra* tradition is to articulate a singular, eternal, and unalterable system of *dharma*¹². Those texts possess a prescriptive and normative character, articulating principles of *dharma* that are intricately intertwined with legal norms¹³. As such, they constitute a foundational corpus for the Hindu legal and juridical tradition and remained influential in the administration of law even during the British colonial period in India¹⁴. Among them, the *Manusmṛti*, also known as the *Mānavadharmasāstra* ("Manu's Treatise on Dharma"), is an ancient Indian text that outlines the principles governing social, moral, and religious life. It belongs to the genre of texts known as *dharmasāstras*, or "treatises on dharma", and as such, it serves both as an exposition and as a source of this foundational concept. As Patrick Olivelle notes in his book *Manu's Code of Law*, by the 3rd to 5th centuries CE, the *Manusmṛti* had become the most important text on moral, social, and legal principles in ancient India¹⁵. Authors of later texts regarded Manu as the highest authority¹⁶. Throughout the medieval period, the *Manusmṛti* remained the most frequently cited and commended-upon work of its kind, and its influence extended beyond India into South Asia¹⁷. In 1794, it was translated into English by William Jones as the first Indian text on law and religion to reach a Western audience¹⁸.

Every rule or regulation described in the *Manusmṛti* is understood as a manifestation of *dharma* – a duty to uphold the divinely ordained social order, established at the moment of cosmic creation and regarded as eternal and immutable.

⁹ The term *smṛti*, "remembrance", "memory", denotes the body of texts that were supposed to be remembered and composed by human teachers. They are in contradistinction to the so-called *śrutis* ("hearing", "that which has been heard or communicated from the beginning"), the sacred scriptures directly heard or revealed to the sages.

¹⁰ Ibidem.

¹¹ Ibidem.

¹² L. Rocher, *Studies in Hindu Law...*, p. 319.

¹³ The term *śāstra* denotes both a field of knowledge or scholarly discipline and the texts that articulate and transmit that knowledge.

¹⁴ The matter of this influence stays beyond the scope of the present article. An interested reader may refer, for example, to G. Flood, *An introduction to Hinduism...* P. Olivelle, *Manu's Code of Law: A Critical Edition and Translation of the Mānava-Dharmasāstra*, Oxford 2005; L. Rocher, *Studies in Hindu Law...*

¹⁵ P. Olivelle, *Manu's Code of Law...*, p. 3.

¹⁶ Ibidem.

¹⁷ Ibidem.

¹⁸ Ibidem.

In this context, *dharmā* functions as a meta-principle that shapes both the content and interpretation of law, which remains subordinate to it. While often referred to as the “Law of Manu”, the text is primarily a Brahmanical idealization that incorporates elements of existing Hindu customs¹⁹. It does not represent a codified legal system ever uniformly applied, but rather a normative vision of how society ought to be structured²⁰.

OBTAINING THE THRONE OF *DHARMA*

The *Manusmṛti* 8.23 reads:

dharmāsanam adhisthāya samvītāngah samāhita |
pranamyā lokapālebhyah kāryadarśanam ārabhet ||

Seated upon the throne of *dharmā*, his body covered and mind focused, having bowed to the guardian deities, [the king] should commence the examination of lawsuits.²¹

This verse from the *Manusmṛti* conveys far more than a procedural instruction for a king adjusting legal matters; it articulates a profound ethical, ritual, and meta-physical conception of justice and sovereignty within the framework of *dharmā*. One of the most significant aspects of *dharmā* is its application to kingship and governance²². The king is regarded as a mediator between the divine and human realms²³. When the king acts in accordance with *dharmā*, the kingdom flourishes; when he deviates from it, the people suffer²⁴. As Gavin Flood observes, the body of the king, which symbolizes the social body, is the earthly counterpart of the sacrificial body of the cosmic man (*purusa*), which constitutes the universe²⁵. The king, therefore, is conceived as an intermediary between the eternal order of *dharmā* and its terrestrial manifestations²⁶.

This sacred role is reflected even in the Sanskrit word for king, *nrpa* – the compound of the noun *nr* (“man”) and a derivative from the root *-pā* (“to watch”. “keep”. “preserve”, “to protect”). Thus, the king’s primary duty is the protection of his people. His essential functions – protecting the populace, maintaining social order,

¹⁹ B.S. Jackson, *From Dharma to Law*, „The American Journal of Comparative Law” 1975, v. 23, nr 3, p. 492.

²⁰ *Ibidem*.

²¹ The Sanskrit text is quoted after Manu. *Manusmṛti: With the Sanskrit Commentary Manvartha-Muktavali of Kulluka Bhatta*. Edited by J.L. Shastri and S.C. Banerji. Delhi: Motilal Banarsidass 1983, p. 278. All the translations from Sanskrit in the present article are mine.

²² G. Flood, *An introduction to Hindusim...*, p. 67.

²³ *Ibidem*.

²⁴ *Ibidem*, p. 71.

²⁵ *Ibidem*.

²⁶ *Ibidem*.

and administration of justice – are all intrinsically tied to *dharma*, understood as the eternal order that must be upheld and preserved. The king's primary responsibility lay in upholding the *status quo* prescribed by the eternal *dharma*. The king's role as a legislator was of secondary importance. Decrees issued by the king and his council were not viewed as independent sources of law but rather as situational directives intended to address particular cases²⁷. These edicts were incidental and administrative, not normative or constitutive. *Dharma* and customary practice were generally regarded as sacrosanct and immutable, and royal orders merely served to enforce this sacred and preexisting legal framework²⁸. In this model, the king was not the originator of law but its guardian and executor, entrusted with ensuring that divine and social order remained intact.

As the ruler of the state and the guardian of sacred law, the king was obligated to uphold justice. His responsibility for protecting *dharma* was regarded with utmost seriousness. The impartial administration of justice was believed to bring the king spiritual merit comparable to that attained through Vedic sacrifices. Importantly, the king himself was not above the law; he was bound by a specific royal code of conduct known as *rājadharmā*, "the king's *dharma*" or "the royal *dharma*"²⁹. The king's obligation to adhere to this principle held particular significance within the Indian legal culture, underscoring the fundamental notion that even the sovereign was subordinate to the principle of *dharma*. Consequently, the king is not above the *dharma* but is its servant and embodiment. This principle is vividly expressed in the ritual act of beginning judicial proceedings. The king seats himself on the throne of *dharma*³⁰ – by doing so he submits himself to this order and draws his

²⁷ A.L. Basham, *Indie. Od początków dziejów do podboju muzułmańskiego*, Warszawa 1973, s. 131.

²⁸ Ibidem.

²⁹ *Rājadharmā* refers to the royal duty or the code of conduct governing kingship in the Hindu tradition. It outlines the ethical, legal, and administrative responsibilities of the ruler, emphasizing the king's role as the upholder of *dharma*. As such, *rājadharmā* positions the king not as a sovereign above the law, but as its servant and executor, bound to govern with justice, impartiality, and moral integrity.

³⁰ Translators of the *Manusmṛiti* have attempted to render the complex concept of *dharma* into Western languages in ways that reflected its specific context within the text. Patrick Olivelle, in his widely cited English translation, generally uses the term "law" to translate *dharma*, aligning with its normative and institutional dimensions. However, in the verse under discussion he translates *dharma* as "justice", highlighting its juridical and ethical significance in that particular context. In contrast, Maria Krzysztof Byrski, in his Polish translation, adopts a broader interpretive strategy, consistently rendering *dharma* as "zacność", a term that may be approximated in English as "nobility" or "virtue". Byrski's choice reflects an understanding of *dharma* not merely as legal obligation but as a comprehensive moral idea. In the present context, however, the phrase "throne of *dharma*" appears to demand an even more expansive interpretation. While translation "justice" is contextually relevant, it proves too narrow to encompass the full semantic range of *dharma*, which integrates legal, moral, ritual, social, and cosmic dimensions. The throne on which the king sits signifies not only his judicial authority, but his submission to a higher, divinely sanctioned order. Thus, *dharma* in this passage is best understood as the totalizing principle that legitimizes royal authority and binds it to a transcendent moral and cosmological framework. See P. Olivelle, *The Law Code of Manu...*; M.K. Byrski, *Manusmṛiti: Traktat o zacności...*

legitimacy from it. In assuming this position, the king does not assert domination but rather acknowledges submission to *dharma* as the ultimate sovereign. The throne, is not a symbol of dominance but of moral accountability. All forms of disorder that give rise to legal disputes are, in this framework, seen as disruptions of *dharma* and must be resolved by the king to restore cosmic and social balance. From a secular perspective, a monarch who distorted justice or ruled negligently risked forfeiting his throne³¹. The king was thus entrusted with judging disputes, imposing punishments, and prosecuting crimes, all in the pursuit of truth and the protection of society. Furthermore, he bore responsibility for unpunished offenses and unjust rulings. By seating himself on the throne of *dharma*, the king not only submits to its authority but also assumes the responsibility of upholding it through his rulings. The king, in this capacity, becomes the earthly agent of *dharma*, entrusted with safeguarding the moral fabric of both society and cosmos.

THE KING'S DIGNIFIED APPEARANCE AND INNER COMPOSURE

The next phrase *samvitāngah*, “[with] his body covered”, referring to the king appearance, suggests more than modest attire. In this ritual context of ancient Indian jurisprudence, proper dress signifies ritual purity, dignity, and readiness to perform a sacred function. The king's physical appearance becomes an outward manifestation of his inner state. To be properly clothed is not merely to be decent; it is to be ritually prepared, to bear the symbolic vestments of one entering liminal space where worldly affairs intersect with divine order. The robe becomes a mark of transformation, indicating that the king steps out of the mundane and into a sacred role. The proper attire of the king held more than mere symbolic significance; it was an essential expression of dignity, restrained, and adherence to ritual *decorum*. The king's dress and comportment were expected to reflect solemnity and propriety, avoiding ostentation or excess. Upon taking his seat, the king traditionally uncovered his right arm – a ritual gesture observed during all formal and ceremonial occasions³². Similarly, the conduct of a judge, including the king when acting in judicial capacity, was subject to strict expectations. He was required to maintain a composed and pleasant demeanor, even in the presence of the most egregious offenders³³. A smile was to precede his words, and under no circumstances was he permitted to lose patience or display intemperance³⁴. Such

³¹ A.L. Basham, *Indie. Od początków dziejów...*, p. 149.

³² K.P. Jayaswal, *Manu and Yājñavalkya: A Comparison and a Contrast – A Treatise on Basic Hindu Law*, Delhi 2004, p. 118.

³³ *Ibidem*.

³⁴ *Ibidem*.

standards underscored the moral and ritual discipline inherent in the performance of royal and judicial duties within the framework of *dharma*.

BOWING TO THE LOKAPĀLAS

Before commencing the act of judgment, the king must bow to the *lokapālas*, “the guardians of the worlds,” “regents of the directions /quarters of the world”³⁵. This act of reverence places royal authority in a hierarchical and theological context. The act of bowing to the *lokapālas* not only highlights the importance of religion but also underscores the central role of ritual within the Hindu tradition³⁶. This gesture exemplifies the profound interconnection between law and religion, both of which are unified under the overarching concept of *dharma*. In the Hindu worldview, *dharma* transcends the boundaries between secular law and sacred duty, integrating ethical, legal, social, and spiritual obligations into a single, cohesive framework. Ritual acts such as the king’s homage to the guardians of the directions affirm that legal authority is not autonomous but is deeply rooted in cosmic order and is of divine origin³⁷. Justice, governance, and religious devotion are thus not separate spheres; rather, they coalesce within the king’s person and duties, embodying the holistic vision of order that *dharma* represents. Throughout ritual submission to the divine guardians, the king acknowledges that his rule must align with the moral and cosmic principles that sustain both the society and the universe.

The *lokapālas* represent divine forces that uphold the universal order, and the king, by bowing to them, affirms that his power is not ultimate. Before engaging in judgment, the king acknowledges his subordination to divine cosmic powers. Though he is the sovereign on Earth, he is still under the rule of *dharma* and the gods. This gesture situates royal justice within a cosmic hierarchy. Interestingly, the term *lokapāla* can also denote a king or ruler, adding a layer of symbolic depth: the king bows to the archetype of rulership itself, to an ideal that transcends any individual sovereign. In doing so, he recognizes that his authority is derivative, not self-originating.

³⁵ According to Hindu mythology, the universe is protected and governed by eight divine guardians (*lokapālas*), each presiding over one of the eight cardinal and intercardinal directions. *Kumāra* governs the north, *Soma* (or *Īśāna*) stands in the northeast, *Indra* (or *Dhṛtarāṣṭra*) rules the east, *Agni* governs the southeast, *Yama* (or *Virūdhaka*) stands in the south, *Sūrya* (or *Nirṛti*) is positioned in the southwest, *Varuṇa* (or *Virūpākṣa*) watches over the west, and *Vāyu* governs the northwest. In some traditions, this framework expands to include two additional directions, forming a tenfold cosmic order. The *Zenith* (above) is governed by *Brahmā*, while the *Nadir* (below) is ruled by *Viṣṇu*. See, for instance L. Frédéric, *Dictionary of Indian Civilization*, vol. 1, translated by a team under the direction of Przemysław Piekarski, Katowice 1998, p. 483-484.

³⁶ On the central role of ritual in the Hindu tradition, see for instance: M. Kudelska, *Hinduizm*, Kraków 2009.

³⁷ A.L. Basham, *Indie. Od początków dziejów...*, p. 111.

EXAMINATION OF DISPUTES

The final part of the verse, *kāryadarśanam ārabhet*, “[the king] should commence the examination of lawsuits” uses the optative mode, which in Sanskrit expresses not only possibility but also obligation or normative action. This subtle grammatical choice reinforces the prescriptive nature of the verse. The king is not simply described as judging; he is enjoined to judge in a specific way, within a specific ethical and ritual framework. The term *darśanam*, often translated as “seeing” or “perception”, suggests a deeper process than merely hearing a case. It evokes an act of insight, discernment, and even sacred vision. Judging is not procedural; it is contemplative. It is a moral act that aligns the human social order with the divine law.

As articulated in *Manusmṛti* 8.8³⁸, the king must judge the people in alignment with the principles of *dharma*. Judicial decisions rendered by the king must be grounded in *dharma*, as *dharma* constitutes not only the source of law but its very foundation³⁹. In the classical Hindu legal tradition, *dharma* is not merely one legal category among others; rather, it is the ultimate normative framework that governs all aspects of legal reasoning, interpretation, and adjudication. All rulings and legal interpretations must therefore be consistent with *dharma*, which is conceived as eternal, impersonal, and divinely ordained. To deviate from *dharma* is not simply to err in law, but to disrupt the moral and cosmic order itself. Consequently, *dharma* is not only the guiding principle of justice – it is, in essence, the law. The king, as the earthly agent of this sacred order, must ensure that every legal judgment is a reflection of *dharma*, thereby affirming the inseparability of law, morality, and cosmology in the Hindu conception of justice.

Taken together, the verse constructs an ideal image of the king as a judge: ritually pure, mentally disciplined, humble before the divine, and grounded in the sacred order of *dharma*. His judgments do not merely resolve disputes – they restore harmony and reaffirm the alignment between the human realm and the cosmic structure. Thus, the *Manusmṛti* envisions a model of kingship that is both deeply ethical and profoundly sacred, in which sovereignty finds its true meaning not in power, but in service to the eternal law.

³⁸ eṣu sthāneṣu bhūyiṣṭhaṃ vivādaṃ caratāṃ nṛṇāṃ |
dharmam śāśvatam āśṛitya kuryāt kāryavinirṇayam || MS 8.8

In these matters, where disputes among people are most frequent, having relied upon the eternal *dharma*, [the king] should render decisions on the cases.

³⁹ According to classical Indian legal thought, *dharma* was considered the highest source of law, yet other sources – such as contracts, customs, and royal edicts – also came to be recognized over time. Early legal-religious texts gave these lesser emphasis, but their importance gradually increased as it was believed that, due to the decline of ages, *dharma* was no longer fully known in its original form. *Dharma* remained superior to all other legal foundations, although texts such as Kautilya's *Arthashastra* – an ancient Indian treatise on statecraft, economic policy, and military strategy – assigned greater weight to royal decrees in practical governance. See A.L. Basham, *Indie. Od początków dziejów...*, p. 146-147.

CONCLUSION: KINGSHIP, JUSTICE, AND THE SACRED ORDER

The verse from *Manusmṛti* examined in this article presents a paradigmatic vision of the king as the ideal judge – a sovereign whose power is not self-legitimizing but derived from, and ultimately subordinate to, the transcendent order of *dharma*. Unlike the secular legal traditions, where authority may stem from social contract or institutional law, in the Hindu worldview justice is conceived as a sacred function, inextricably bound to cosmic principles. The king does not legislate justice from personal will; rather, he serves as a vessel through which *dharma* is enacted on earth. The performance of justice is thus more than a legal act – it is the ritual practice. The king must be ritually pure, emotionally composed, and spiritually attuned to the divine forces that uphold universal order. Equally essential is his mental state: the king must remain focused (*samāhitah*) and fully present, embodying restrained, clarity, and inner discipline. His demeanor must reflect dignity and self-control, regardless of the nature of the case or the persons involved. Such presence is not only a sign of personal virtue but a ritual requirement that enables him to act in harmony with *dharma*. His seating on the throne of *dharma*, and his bow to the *lokapālas*, the divine guardians of directions, signal his conscious alignment with the sacred and his recognition of his limited, though critical, role. The *lokapālas* embody the ever-watchful custodians of cosmic balance, and by invoking them before engaging in judgment, the king reaffirms that he is not the source of law but its earthly executor. He mirrors, but does not rival, these divine forces. His legitimacy, therefore, depends not on conquest or charisma, but on fidelity to *dharma*, which is eternal, impersonal, and of divine origin.

At the heart of this vision lies a foundational claim: *dharma* is not merely a spiritual or moral guideline – it is the very ground of the legal order. All legal norms, judgments and interpretations must be traceable to *dharma*, which proceeds and transcends any human or institutional authority. Law in Hindu tradition does not exist apart from *dharma*. It derives its form, purpose, and legitimacy entirely from it. In this sense, *dharma* is not only the source of law – it is law itself, encompassing its ethical, ritual, social and metaphysical dimensions. The king, as judge, must therefore ensure that his every decision is not just procedurally sound but ontologically rooted in *dharma*, reaffirming that justice in this framework is fundamentally sacred and cosmologically anchored.

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