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Dharmaśāstra: Its Role in Regulating Social Order

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Abstract

Dhṛ-dhātu man Pratya the dharma-śabda is perfected. √Dhṛ dhātu means holding, nurturing, maintaining, supporting etc. Religion concept. That is, that which holds is religion. Religion is what holds the individual, society and the world or what the individual, society holds or observes. This form of religion is expressed in the *Mahabharata* -

‘धारणाद्धर्ममित्याहुर्धर्मेण विधृताः प्रजाः।

यः स्याद्धारणसंयुक्तः स धर्म इति निश्चयः॥ (Mahā12.109.11)

That is, the religion that holds, the religion holds all the people. That by which retention and sustenance is accomplished is religion.

The dictionary meaning of the word dharma is precept, code of conduct, duty, virtue, justice, good deeds, ceremony, disposition, character trait, conduct, non-violence etc. Noteworthy, the meaning of religion has changed according to scriptures and context. In various mantras of the Vedas, words like ṛta, satya, vrata, kratu or yajña, punya, karma etc. are found as synonyms of religion or religion. In the *Brahmaṇṇas*—dharma—the word vidhi or niyama, i.e. yagagnadi—is used to mean a precept of action or duty—yāgādireva dharma.' Dharma in the *Upanishads* refers to the realization of truth, or the search for truth. In Śrīmad Bhagavadgīā (6.1.40) it is said that the Vedas are Dharma. And what is forbidden in the Vedas is adharma- वेदप्रणिहितो धर्मो ह्यधर्मस्तद्विपर्ययः।

Keywords: ṛta, satya non-violence, *Dharmaśāstra*, *Manusamhita* Śrautasūtras etc

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Just as the forms of the deities are described through the Veda mantras, their glorification and adoration are done (cognitive), so the method or process of offering those mantras to the deities is prescribed in the Brahmanas of the Vedas (procedural). In *Dharmaśāstra* also all things which are vedavihita (cognitive processes) are called dharma- वेदोऽखिलो धर्ममूलम् (*Manu.2.6*) And since the subjects of the Vedas are also the subject of memory, that which is manifested by śruti-smṛti is called Dharma.

Śruti-. 'श्रुति- स्मृत्युदितं धर्ममनुतिष्ठन् मानवः। (*Manu. 2.9*) Here Anutisthana- this term refers to the observance of individual conduct in different situations of life. In a word, religion is a form of people stabilization, through which people from all walks of life are guided in a certain direction from doing their duty. Spiritual, social, political and cultural values of people are developed. Where blind obedience or religious dogma has no value. The essence and ultimate goal of all religions is the same. In the *Mahabharata* (3.206.74) it is said - 'Benevolence in all, friendship is the eternal religion. Nonviolence is the ultimate religion. This non-violence is based on truth. 'Nonviolence is the supreme religion: established in truth.'

अहिंसा परमो धर्मः स च सत्ये प्रतिष्ठितः।

In the *Yajñabalkyasamhitā*, the giving of materials in a suitable person is called Dharma, judging by the country-time-method. However, introspection is indicated as *Paramadharmā* by yoga among Ijya-āchara-dāna-svādhyāyakarma. Here ātmandarshana means the realization of Brahman or liberation. According to Kullukvatta, the commentator of *Manusamhitā*, the meaning of dharma-sabda is duty, but it is dualistic as *drishtārtha* and *adrishtārtha*. *Drishtārtha* is the *Śāraguṇyādi*, *adrishtārtha* is the *Agnihotra*. In the *Manusamhitā*, there are two types of religion, namely *prbarṭta* and *nibrṭta*, the result of *prbrṭtakarma* is sukho abhyudayādi (pleasure) and the result of *nibrṭtakarma* is mokṣalāva (naishareyasik). (*Manu. 12.88*) This view of *Mahamati Manu* is consistent with the dharmalakshana known as *Vaiśeṣikadarśana* - यतोऽभ्युदयनिःश्रेयससिद्धिः स धर्मः 'Jato bhyudayanisreyassiddhi Sa dharma.' Here 'Abhyudaya' refers to self-improvement or prosperity due to enemy conquest, 'Nishreyas' means liberation or salvation. In short, by which all kinds of spiritual and supernatural aspirations are achieved, that is religion.

In the *Gautamadharmasutra* (1.1) and the *Manusamhita* (2.6) the Vedas are referred to as the root of all religions - 'vedo'khilo dharmamulam.' Vedas to religious scholars. This is the best evidence. Vedas are the combination of *Mantra* and *Brāhmaṇa*. Mantrarāji is - Gāṇakaṇḍa. Brāhman is process or karmakāṇḍa. Therefore, the Brahmins are also one of the sources of the Vedic sacrifice. Properly knowing the Ṛṣi, Chanda, Deity, method of application, clear pronunciation and time of the mantra is necessary for proper performance of Vedic Yajna. Books that help in understanding Vedic knowledge and activities are called *Vedāṅgas*. As the *Vedāṅgas* are helpful in understanding the meaning and process of the Vedas, there is also a

religious element embedded in them. In particular, there are four types of scriptures in the *Kalpabhāga*.

In Śrautasūtras- mainly Śruti or Vedas provide a comprehensive account of Yāgayājñā. *Dharmasutras* contain spiritual, social, political teachings. And in the *Gṛhya Sūtra*, the details of the householder's behavioral and ritual activities are presented in brief. In *Śulvasūtra*- the dimensions of the sacrificial altar are specified. The scattered and extremely complex religious and secular subjects of the Vedas are mainly consolidated in *Dharmasutras* and *Gṛhyasūtras*. The subjects enunciated in the *Dharmasūtras* and *Grihyasutras* are considered to be the initial stage of *Dharmaśāstra*. But in the terminology, *Dharmaśāstra* refers to the scriptures. Another name for Vedas is Shruti. And what is composed by remembering *Vedartha* is Smṛti. (Manu. 2, 10) Dharma itself is revealed by hearing and memory. That is, as

श्रुतिस्तु वेदो विज्ञेयो धर्मशास्त्रन्तु वै स्मृतिः।
ते सर्वार्थेष्वमीमांस्ये ताभ्यं धर्मो हि निर्वभौ।

Vedas are regarded as the source and evidence of religion, if Vedavacana is not available, Vedānuga Smṛtivacana is also the evidence of religion. That is, hearing and memory are both the roots of religion. There is no room for debate about that. But where both Vedas and Smritis are scarce, there is religion as a polite practice. That is, morality is the proof of religion there. Morality is the uncondemned conduct of the scriptures. *Gautamadharmasūtra* points to the Vedas as the root of religion, then Smṛti, Vedas are supposed to know religion from the rituals. - वेदो धर्ममूलम्। तद्विदां च स्मृतिशीले। (*Gau.Dh.Sū.1.1.1-2*)

In the *Manusamhitā*, the Vedas, Smriti, Sadācār and actions that satisfy ātmatuṣṭi (conscience)- these four are said to be signs or proofs of religion.

वेदः स्मृतिः सदाचारः स्वस्य च प्रियमात्मनः।

एतच्चतुर्विधं प्राहुः साक्षाद्धर्मस्य लक्षणम्। (*Manu 2.12*)

Veda here means mantra-Brahmanic vocabulary, and what is composed by memorizing the meaning or *Vedartha* is Smriti. Virtue is the ritual followed or celebrated by Vedavidas or saints. And the actions by which the mind of a saint is pleased or self-satisfied- these four things are indicated as Dharma. Signs of a similar religion are found in the *Yajñabalkyasamhitā* (1.7) –

श्रुतिः स्मृतिः सदाचारः स्वस्य च प्रियमात्मनः।

सम्यक्संल्पजः कामो धर्ममूलमिदं स्मृतम्।

That is, hearing, memory, good conduct, the actions of the saints that please one's own heart, i.e. self-satisfaction and right determination, these are the roots of religion. The root or source of religion is, however, indicated in the *Mitākṣrātikā* as the proof of religion. From the above discussion, it is clear that among the evidences of this religion, the former evidence is stronger than the later evidence. That is, first of all the Vedas, memory in the absence of it, rituals in the absence of hearing-memory or the self-satisfaction of saints and nobles are also considered as evidence of religion.

Five categories of religion are mentioned in the *Gautam Dharmasūtra*- they are *Varṇadharmā*, *Āśramadharmā*, *Varṇāśramadharmā*, *Guṇadharmā*, *Nimittadharmā*. *Medhatithi*, the commentator of *Manusamhitā*, also talks about these five types of religion. The meaning of

the word religion is duty. The above five types of religion are mentioned in the Mitakshara Commentary of Yajñavalkyasamhita (1.1) with reference to common religion. The six types of smart religion indicated by the word dharma are Varnadharmā, Āśramadharmā, Varnāśramadharmā, Gunadharmā, Nimittheadharmā, Sandhadharmā.

Varnadharmā- *Varnadharmā* is a religion which is defined by only caste but does not differentiate for age etc. For example, a Brahmin should always abstain from alcohol.

Āśramadharmā *Āśramadharmā* is a religion which is practiced only around ashrams. For example, fire in brahmacharyasram, collection of fuel, begging etc.

Varnāśramadharmā- *Varnāśramadharmā* is a religion that is specific to caste and ashrama. For example, in the state of celibacy, in celibate ashram, palāś danda is held in case of Brahmins, *vilva danda* in case of Kṣatriyas and *Aśvatta danda* in the case of Vaiśya etc.

Gunadharmā- The religion that harbors gunas is *Gunadharmā*. For example, the supreme dharma is the worship of a Kshatriya king with abhishekadi qualities.

Nimittheadharmā - the practice of religion or duty for a particular purpose or purpos. Either that religion is purposeful religion. Jātyeshti homa for the birth of a son, penance for sins. Referring to the five types of smārtadharmā, finally an example of common dharma is given - non-violence. Common Religion- This religion has been advised for people from all walks of life irrespective of caste and caste. According to Vaiśiṣṭha - non-violence, truth, non-anger and charity can be practiced by all. Kautilya's Arthaśāstra also mentions non-violence, truth, chastity, non-violence, non-violence and forgiveness as common religions of all castes and ashrams.

In the *Manusamhitā* (10.63) it is said about the common religion of the Four Varnas -

अहिंसा सत्यमस्तेयं शौचमिन्द्रियनिग्रहः।

एतं सामासिकं धर्मं चातुर्वर्ण्येऽब्रवीन्मनुः॥¹

Non-violence to other animals, except those animals that are specifically slaughtered for livelihood. Truthfulness, *Asteya* i.e. non-stealing, *Sauca* i.e. bodily cleanliness, speech, chastity, restraint of senses - these four religions are common to all people, i.e. universal. Manu pointed out that it is auspicious.

For every person in the Brahmacharya *Chaturashram*, Manu mentions the ten dharmas to be practiced: *Dhriti*, *Kshama*, *Dama*, *Asteya*, *Shaucha*, *Indriyasanyam*, *Dhi*, *Vidya*, *Satya*, *Angerina* -

धृतिः क्षमा दमोऽस्तेयं शौचमिन्द्रियनिग्रहः।

धीर्विद्या सत्यमक्रोधो दशकं धर्मलक्षणम्॥ (Manu 6.92)

Dhriti (satisfaction or patience), *Kshama* (doing no harm to one who does harm, tolerating another's wrongdoing despite having strength), *Dama* (not being arrogant), *Asteya* (not stealing), *Shaucha* (purity in food-speech-manners), *Indriyanigraha* (control of senses from lust), *Dhi* (knowledge), *Vidya* (Self-Knowledge/Spiritual Knowledge), *Sathya* and *Akrodha* (Non-Wrath)-These are the Ten Signs of Dharma. By possessing or practicing the moral virtues emphasized in Manukta, one's sense of humanity is awakened and one is driven towards good deeds, never straying from the right path. The overall welfare of the society is achieved from the individual level to the collective by individuals with the rise of good will.

Human-to-human relationships develop. Forgetting jealousy and hatred, one jumps at the other's danger. As a result, peace and order prevails in the society.

Smriti Shastra mentions religions such as *Desdharma*, *Jatidharma*, *Kuladharmā*, *Pashandadharmā*, *Ganadharmā*, *Lokdharmā*, *Paramdharmā* etc. According to *Maharshi Gautama-Desdharmā*, *Jatidharma*, *Kuladharmā* etc are not found in the original Vedas but if they are held constantly and are opposed to the Vedas then they will be considered as proof of religion. In that case, *Yajñabandya's* opinion is that even if it is approved by *sruti-smriti*, it is not the pursuit of heaven and it is improper to behave like a *lokagarhi*. *Desdharmā* is the religion practiced in a particular country or region. For example, while *matulkanya* marriage is prohibited among the northern sages, it is considered religious and ritualistic in the Deccan. Caste religion is the ritualistic religion of Brahmanical castes. *Swadharmā* is another name for *Jatidharma*. E.g. Study for Brahmins, *Adhyapanadi*, Battle of *Kshatriyas*, *Prajapalnadi Karma*.

Kuladharmā- The religion prevalent in the famous clan, the conduct held by the fathers and grandfathers is *Kuladharmā*. For example, it has been said in the context of the religion of *Raghuvansh*- men of *Raghuvansh* who adopt education in childhood, *darparigraha* for children, enjoyment of affairs in youth and *Munivritti* in old age. Superstitions- practices without auspicious rituals, such as *Kaulinya* practices prevalent in tribal societies.

Ganadharmā- The religion or system of guilds of merchants, artists, herders etc. For example, carrying out bridge works.

Loka-dharma- Apart from *Varnashram Dharma*, people from all walks of life observe various auspicious or religious ceremonies on various auspicious occasions, *Nakshatra*, *Shubhodin* or *Shubbar* etc. These ceremonies are known as *Lokdharmā*. Behind all these folk religions lies some ancient reformation, traditional thought, religious philosophy, or some secular reformation.

Paramadharmā- Different types of *Dharma* are given in *Smriti Shastra*. Among these religions, the one which is given special importance is called *Paramdharmā*. Differences in form of *Paramdharmā* are observed depending on the scriptures and purpose. In the *Manusamhita* (1.108) mentioned in the *sruti-smriti*, the ancient ritual practice is called *paramdharmā*. Irregular Brahmins cannot fully reap the fruits of Vedic rites. Rituals are considered to be the cause of all austerities as the fruits of religion are obtained through rituals. In politics, the welfare of the people is the king's supreme religion. *Maharshi* commented that self-realization i.e. liberation or salvation through the combination of *Yajñabandhya-Ijya*, ritual, non-violence, charity, study is *Paramdharmā* or *Shresthadharma*. (*Yajna*, 1.8)

Dharmaśāstra is the first published sociology in books, where all aspects of the daily life of social people get a legal form as this triple system of behavior-atonement. All kinds of people in the society are determined by the justice policy, the duties of people, the order of food and drink, the determination of ablution, marriage, the selection of a marriage partner, the production of children, the inheritance of property, justice and injustice (law), the judicial system (court), governance, the determination of guilt and innocence, punishment and atonement.

The role of *Dharmaśāstras* is essential in the history of ancient Indian civilization culture. Because, the ancient Indian social system and social institutions were managed based on the

precepts of sruti-smṛiti. But not only in ancient India, but even today, all matters of social policy, economy, state policy and religion continue to follow the path shown by Dharmaśāstras.

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