

## **Ethics in Formation of Social System**

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The rapid pace of modernization instead of giving rise to opportunity for the people for better living conditions has increased uncertainty and insecure feeling in their minds. AS a result the people are relying and falling back on their identities in their religion for support. The root cause of the problem is neither the individual nor any particular religious group but the complete social system which lacks stability. The institutions of every nation are the conditions of its very existence and the proper understanding of its formation and utility will help to make the social system a strong one. Religion is the origin in one way or the other of all social organizations. Also, traditionally the bonds of religion have proved stronger than race of climate of decent.

A brief perusal of the origin of religion is a prerequisite to the study of the position of religion in the ancient Vedic society in India. It had a highly developed moral consciousness adequately reflected in the hymns of Rigvedsmhita. The moral consciousness was not segregated from religious consciousness and was integrally bound with it. The base for this being the philosophy that man has to act as the god's act, while the gods always act by a fixed eternal law called Rta. Hence the concept of natural law which was both moral as well as cosmic was reached early. The virtues which were regarded supreme were Rta and Satya, and law and truth. Rta was the motivating factor guiding each individual to maintain the social order.<sup>1</sup> The position of king arose out of the necessity to regulate this thus his chief task was the maintenance of dharma and not personal enjoyment. Thus the concept of dharma encompassed religion, and simultaneously prescribed the established systems through the instrument of varnavyavastha, hence maintaining social order. Every individual be king or a normal citizen, has his own dharma to fulfill and the Gita preaches preference even to death in the line of observing one's dharma. In other words one should adhere to one's prescribed dharma regardless of its nature and quality, as even thieves have their own dharma. Thus dharma is the instrument which main contains social systems, provides material prosperity in this world to each individual according to his position in society. Simultaneously, it aims for the final upliftment or salvation of individual through Ashrama dharma.

When examine the position of morality in ancient India, the Rig-Veda attitude morality is heroic. Life was viewed as a struggle between forces of light and darkness by the ancient Indians, the idea being more than a mystical conception. Here myth simply expresses the idea of the moral struggle, with life being a constant hard choice between right and wrong. Scrupulous and strenuous exercise of the will is a measure of goodness. Thus, good life is defined as a life of action and the Goodman must aspire to be heroic. This characterisation of moral life in mystical form to be a struggle between the gods and demons became the distinguishing feature of the Indian tradition.<sup>2</sup>

Continuing on the same lines, generosity is found to be another great virtue in the Rigveda. Goodness is in giving, while one who does not give is evil. As god give to man, he must reciprocate the gesture by giving to god as well as to the needy. The virtue of charity is extolled in a complete hymn.<sup>3</sup>

In this scenario of moral and religious conditions, family and the state formed the principal institutions of social cohesion, the two being linked together by village community.<sup>4</sup>

These early Vedic social and moral ideas persisted and formed a tradition. The idea of natural law, truth as the supreme virtue, the importance of charity, the ideas of studentship, loyalty to the family, the ideal of the strong, wise and popular ruler, form the substance of the tradition, significantly, in the early Vedic period, it was held that the good man had to will by law, the gods setting the ideal by doing the same. Thus right willing was equated with morality and its paradigm was illustrated in myth and ritual.

The scene changed during later Vedic period with moral ideas becoming more internalised and spiritualised, the concept of Gods and sacrifice also being modified. A single universal spiritual entity was visualised, directly accessible in the hearts of men, of which the Gods were seen as a projection. Philosophical understanding and tradition now occupied a higher rung of religion than the symbolic nature of sacrifice and worship. Morality was internalised, being associated directly with the heart. The behavioral rules and ancient rituals were now viewed from a different perspective, their understanding underwent a sea change though they themselves were maintained- Morality, instead of signifying mere external conformity came about to convey are a subjective state of feeling, knowledge and choice. The distinction between right and wrong was held to be a rational distinction a matter of objective knowledge. The purity of heart enabled a person to exercise this facility of discrimination properly. Further moral reason besides being intellectual, involved a substantive element of intuition also. The element of willing as choice was still held to be important stress again was on the thought that although moral life was knowledge

based/ it was significantly different from a simply speculative or intellectual life. The ends were moral values - being the objectives of choice in accordance with intuitive reason.<sup>5</sup>

Further, these moral values were distinguished into two, first comprising ideal dispositions and qualities of the soul, also called virtues. Second being duties and obligations in the context of social life. In order to realise one's real nature, virtues are the values one must realize. In this case, moral life is a stage towards development of spiritual life. Here man acts under a universal and absolute obligation as it arises out of his spiritual nature. The higher self of man places this obligation on this lower self, the obligation which man must universally feel as a spiritual being. Still membership of society places certain obligations on man corresponding to his situation, largely concerned with the functions and relations of classes and essentially sub serve social values, like common security, prosperity and justice, It is thus evident that moral values arise out of spiritual as well as social needs. However in effect they impinge on the individual as obligations of personal character and social conduct sanctioned by revelation and tradition.<sup>6</sup>

It can be seen that the concept of varnas rather than being a passive entity is an organic unity and there exists a functional correlation to the relationship of different varnas. Further, since the ends or values to which the functions relate form a hierarchy, the values too form a hierarchy. Four chief social functions recognised were spiritual authority, temporal power, production wealth and labour. Of these, the first two, were accorded pre-eminency while the other two were deemed necessities rather than values.<sup>7</sup>

In this form, society was engendered by a primordial sacrifice which was regulated by the first laws, alternatively called dharmas. The varnas were created for the sake of work that work called dharma regulates every one as duty and is the means of obtaining human ends or values.<sup>8</sup> Dharma is the law that governs the created world in-its dynamic inter relationship. It is the law that underlies Nature as well as society. Although society consists of four orders, it is held together and flourishes by the principle of dharma. Thus dharma came to be defined as a system of rules deriving their authority from the Vedic tradition and regulating personal conduct as well as social relations and business.<sup>9</sup>

A careful perusal of the concept reveals that the structure of Varna - ashram dharma presupposes a stable social order, and that implies the state. The reason simply being that an absence of a firm and just political authority would mean absence of order and the prevalence of anarchy. There would be no security, no justice no property and no hierarchy. The function of the ruler becomes analogous to the gods, his authority or danda being a divine blessing. King is

divinity in human shape, deserving respect and obedience. Rajadharma is the duty of the king and the ethos of the state.<sup>10</sup>

Unfortunately, the same Hindu religion has deteriorated to the extent that it became static from medieval period onwards, consisting of nothing but baseless faiths, traditions and dogmatic rituals and the concept of fate which became supreme and the feeling that men could do very little about them.<sup>11</sup>

The word Ethics is being defined in the oxford English reference Dictionary. 'Ethics' is the study of morals in human conduct: moral philosophy. There has been debate as to whether moral action can be justified or demonstrated to be rational discussion has also centered on whether such a thing as objective moral truths exists. Schools of ethics in western philosophy can be divided that very roughly into three sorts. The first drawing on the work of Aristotle, holds the virtues (such as justice, charity and generosity) are dispositions to act in ways that benefit both the person possessing them and that persons society. The second defined particularly by kant, makes the concept of duty central to morality; humans are bound, from a knowledge of their duty as rational beings to obey the categorical imperative to respect other rational things. Thirdly, utilitarianism asserts that the guiding principle of conduct should be the greatest happiness or benefit of the greatest numbers."<sup>12</sup>

In Indian context the word 'dharma' taken as synonym to Ethics has a broad frame work and more clarity.

Dharma as a word has its origin in the Sanskrit 'dhri', or to hold, which signifies that which sustains the existence of anything. Thus everything in this universe has its dharma for sustenance simply because existence is the fundamental characteristic of everything. Put in other words the essence of essential nature of a thing is its dharma, as in the case of fire, it can be said that its dharma is the power of burning.<sup>13</sup>

This philosophy of dharma does not manifest itself solely in a theoretical dimension, but also has an intense practical bearing. The concept of dharma has a bearing on the life of ordinary man in the form of an illiterate peasant, and the effect is no less on that of a learned man or a person in power. It is concretized in rules and institutions, and illustrated by popular character types from epic stories, puranic myths, legends and folk tales.<sup>14</sup>

The vedic concept of 'Rta' preceded dharma in time, which differed from it only in that 'Rta' emphasized the physical and regulating aspects of the cosmic order, the laws which

govern the world as well as the God. 'Rta' was subsequently superseded by the concept of dharma. There is another term of significance of this period which in many ways has connotations similar to those of Rta, 'Dharma'. In this period, the Brahman literature starts to emphasize the significance of the development of dharma, which by this time had come to surpass the established moral and cosmic ideas of rta and dharman. Together with the past connotations, dharma improved upon the principles by setting forth more correctly the frame work of the social system.<sup>15</sup>

If examined at the grass roots level dharma is nothing but a set or collection of duties which are a must for the society to remain properly organized. However, the concept is of such an all encompassing magnitude that it can never be confined to be equated just with a set or a code of duties- It is also interpreted as a mystic force capable of rewarding and punishing human beings through its mysterious workings.

The concept is further elaborated by the renowned Sanskrit grammarian of the 5th century B.C., Panini, as an act of religious merit and customs or usage, while the Dharma shastras claim it to be the sum total of the distinctive duties of the constituent units of the social systems comprising the four castes (Varnas) and four orders (ashramas). It is thus given a social basis in the endeavor of establishing the basic principle of a cohesive social order. Soon a point was reached after which it was necessary only to apply the concept to the totality of human actions which would bring it about to become a comprehensive philosophy of life. Thus it came to mean morally proper ethical duty, religious virtue, good works, religious ' duty, ideal, absolute truth, universal law or principle, divine justice and code of customs, etc. It is thus seen that dharma besides serving as an ethical norm, religious duty, mystical entity or an ideal, also contained within its folds the concepts of economic, political, racial rules of conduct as a result of which it became both the process as well as the instrument of integration that underlies all modes of association. The Mahabharata holds that it was propounded with the sole aim of advancement and growth of all creatures. It cannot be claimed to be simple and unitary but rather is manifold and complex and relates to the behaviour of state and its subjects, castes, families, groups and orders of life. Salvation and duties of human beings in general.<sup>16</sup>

The renowned thinker with a monumental contribution in the form of a law treatise, Manu, describes the Vedas, Smritis, character and virtuous people as the source of dharma. His implication also being that dharma needs to be discovered not only through tradition but also through conscience in determining what is right and what is wrong. Simultaneously, he

stresses that tradition should not be disregarded merely on the basis of rational philosophy. To delve a little deeper into his propounding, it is seen that he begins with an account of creation in a succession of four human ages Kreta, Treta, Dvapara and Kali, which together take up a total of twelve thousand years and of which Kretayuga was a golden age with dharma in full swing. However, in each succeeding age a quarter of dharma was lost. In the Krtayuga, tapas was the principle dharma while Treta, Dvapara and Kali it was jnana, yajna and dana respectively. Also described are the duties of the four varnas, with the Brahmans supposed to study, sacrifice and give alms in common. Thus the duties expected of a Brahman are to teach, officiate at sacrifices and receive alms. Similarly, the Kshatriya is supposed to be the one to protect the people and avoid addiction to pleasures. Engagement in agriculture, keeping cattle, trade and money lending etc are within the gambit of the vaishya. Lastly it is expected of a shudra to serve the upper castes without envy. The varna ashrama dharma is a structure presupposing a stable social order which obviously has the state implicitly included in it.<sup>17</sup>

It is Kautilya's contention that harmlessness, truthfulness, purity, forgiveness are essential components of the dharma of all human beings. Mahabharata propounds non-violence as the supreme dharma. An alternative interpretation arises while defining custom as the 'transcendental dharma', besides being called the social or ritual duty. All in all if dharma is considered in its universal aspects, it will be found to bear embodiment of truth and non-violence, self restraint and compassion in everyday life, besides being the instrument for redefining, restructuring and remoulding our nature and sublimating our instincts.<sup>18</sup>

Both Manu and Mahabharata lay emphasis on Svadharma, proclaiming that one's own duty however deficient is always superior to another duty howsoever perfectly done. While other's duty is dangerous to perform, even death is preferable in the line of one's own duty with God being pleased when one's duty is properly discharged. The thing of prime importance is the renunciation of the dharma of another.

Svadharma is akin to Plato's justice, the principle which governs and regulates the state and community, simultaneously allowing enough latitude by varying from individual so as to enable everyone to his 'business' and justice. Ordered social mobility is signified by svadharma, implying the openness of social order thus making room for the growth of cultural and ethico-social diversities. It would seem as though Indian soil ethics made an attempt to reconcile the ideal of liberty and equality through the concept of svadharma.<sup>19</sup>

It is thus seen that there are duties and obligations associated with each individual member of the society-One has to do one's own work in the best possible way without interfering with that of another. Nevertheless, while the duties are to be non-interfering they are inter dependent and as everyone promotes his own dharma, he promotes the dharma of his caste and ultimately that of the society. If people demand things like freedoms and liberty etc. which cut across caste lines and are likely to endanger the social and economic security of the whole society then it is the job of the king to restrain them. The king also had to enforce the concept of svadharma and varnashrama dharma, and regardless of the proximity of a person to the king by way of relationship or friendship, the fulfillment of duties had to be insisted upon. He had to punish those who rejected their dharma, this being a part of the requirements for the fulfillment of his own dharma.<sup>20</sup>

A text attributes the creation of dharma as arising out of the need to give stability to the four classes. In the first of the four Hindu time cycles, the Krta age however delusion, greed and lust threatened man's idyllic life to such an extent that the very existence of dharma was threatened. In order to ensure that such an eventuality did not materialise, Brahman composed a work comprising 10,000 chapters on the four goals of life namely Dharma, Artha, Kama and Moksha. Later on abridgement was produced, so as to render it fit for the use of the common man, thus manifesting the divine law. It will be seen that these two are inter related. In order that the universal dharma be sustained, there have to be laws governing human conduct. The origin of these laws was attributed during the vedic times to Varuna, the God predominantly dealing with morality to the king, thus being the lord of law. In this scenario the king was beyond the scope of the general judicial punishment, though he was subject to varna and dharma. In the event of his violating his dharma, it was required of him to cast money into the waters or donate among the Brahmins an amount equal to the prevailing judicial fine. The sacrifice which the king was required to make also atoned for his wrongs to some extent.<sup>21</sup>

The Indian concept of dharma finds a parallel in the concept of Tao found in the Chinese philosophy. 'Man is ruled by the earth, the earth is ruled by Heaven, heaven is ruled by Tao and Tao is ruled by itself. Tao is without limitation its depth is the source of what so ever is. It makes sharp things round. It brings order out of chaos, it obscures the brilliant, and it is wholly without attachment. I know not who gave it birth. It is more ancient than God. The philosophy of the Brhadaranjaka Upanishad that a weak man rules the strong with the help of dharma is also echoed in the concept of Tao. If a ruler or a king could hold it (Tao) all things would of their own accord assume the desired shape. 'The man who aides the king by the use

of Tao forces the people into submission without resort to the use of arms'. However, the Indian political philosophy did not see eye to eye with the Taoist doctrine of inaction as the proper response to Tao. Significantly, even the Confucianists and Taoists were not in agreement over the exact meaning and force of Tao. Probing a little further, one finds similar philosophy prevailing in Egypt .where though the king was regarded as a God and was the sole source of authority, his powers were curtailed by the obligation to maintain 'Maat' a term akin to Dharma and Tao, signifying the right order which is a universal law.<sup>22</sup>

A casual glance at the European concept of natural law reveals it as being full of contradictions and confusion. Despite this concept which most closely resembles that of dharma is only the western idea, where God was taken to be the ultimate case of the process of natural law. The law thus, was binding on all human agencies, coming as it were, from a superior source. Some saw it as a 'communal proceeding from the will of God.' A view also widely held was that its being the inherent eternal reason in God, besides being God's will, made it binding upon one and all. The realists held the view that it was an intellectual act where instead of being a law giver- God was seen as a teacher manifesting law through reason himself unable to alter the law. As such, the existence of law preceded the state, and served a foundation on which government came to be established. Thus, natural law assumed the supreme position, so that if a human law happened to clash with it , it (the human law) was rendered null and void. It was beyond the scope of the human society to revoke, even one principle of natural law. However, the natural law had to manifest itself through human agencies, whose interpretations always ran the risk of being erroneous. Though the human and natural laws were not to be confused, the former could rule in the meaning of the latter. In light of the above, the civil law was subject to the sovereign power. The doctrine of positive law, claiming that the civil law was created by the state, could thus be altered as and when needed. Since the sovereign was the creator of law, it was held that he was above it and not bound by it.<sup>23</sup>

Evidently, need was also felt in India for a concept in a concretized form rather than the plain philosophical concept of dharma, to meet the requirements of governance. However, even the European positive law was not within its limits to violate the principles of natural law considered by some as being its interpretation itself, so that correspondingly, in India it was expected of a king or a judge to decide law according to the rules of dharmashastra. However, the human creation of law was not recognized by the Hindu theory, which assumed the law to be perfect, supreme and divine. While it would be acknowledged that man might have to



interpret, codify or clarify this law but in no case was it accepted as having a human source or moment of creation. Therefore, a formal legislative promulgation of laws could not freely take place for want of the acceptance by the Indian political theory in the field of law. Indeed, Europe was no exception to this phenomenon, and there is no disputing the fact that a law without being recognized as a human creation cannot ever become a democratic law.<sup>24</sup>

Various theories, conjectures and speculations about 'origins' as the origin of the universe, man, society, law, etc. are conspicuous by their absence insofar as the Indian culture is concerned. There indeed are ethico-political theories which conceive the origin of justice, law and civil society features more common to the western thought. However, when - compared with them, the significance of the doctrine of ahimsa as paramo dharma is brought out more evidently. A very significant feature of the Republic of Plato is reverence to theory speculating about the 'origins' of justice. The idea contained is that justice arose as a means or compromise between the so called 'best of all' and 'Worst of all'. The former here signifies to do injustice and not to suffer it, while the latter means to suffer without the power of retaliation. Those individual, who do not wish to experience neither of these, resolve to come into 'convenants', this being the 'origin' of justice. The inherent absurdity of this theory becomes evident when it is noted that justice is defined indirectly by implying it as being the inability to do injustice; as well as claiming that security will be absent in the presence of freedom. If this concept is applied to the doctrine of ahimsa, some amusing results will follow, as will be seen. According to this concept, 'Ahimsa' or non-injury would come to mean the inability to do injury. Similarly, if the origin of ahimsa is assumed to be analogous to that of justice, then it would be a compromise between the best of all, i.e. to do injury without suffering it, and the worst of all to suffer injury and being unable to fight back. In this sense then, ahimsa no longer remains the highest law or good but becomes a 'lesser evil', thus ceasing to be a paramo-dharma.<sup>25</sup>

Generally the origin of dharma is attributed to the vedas (Sruti), sacred tradition and smriti, the virtuous conduct of those who have knowledge of the vedas and customs, holymen or good convention.<sup>26</sup>

Undoubtedly, it is not possible to place in exact chronological order the various interpretations of dharma, it is definite that the interpretation widened. Significantly during the ancient period this aspect stands out clearly when considering the principle of tradition being one of the sources of dharma. If the contention of Gautama that the administration of justice ought to be regulated by the veda, the institutes of sacred dharma and the puranas. He

continues, 'the laws of countries, castes and families which are not opposed to the sacred records also have authority'. Manu speaks for the moral facet of dharma, asking the king to consider properly the various dharmas, as of castes, countries, guilds and families, and if they do not clash with the vedas or other sacred laws, to uphold them as binding.<sup>27</sup>

The king was to rule within the provisions of dharma contained within the righteous usages and custom of his kingdom. This principle remained valid down to the last emperor of India.

Kautilya claims that in the event of a conflict between the dharmashastra and current practices or affairs of state, the king must rely solely on dharma for deciding the matters. Similarly in case of contradictions between two arms of state law, dharmashastra and arthashastra, the former will be binding.<sup>28</sup>

Life is always in need of a security which is provided by dharma, its need arising out of the necessity of proper satiation of desires, which are ever present together with human life. Dharma is a governing principle, regulating the indulgence in artha and kama. Dharma has two constituentsj Pravriti and hivriti, the former being the stage when one properly acquires and possesses, while the latter refers to the stage when one detaches from the very activities leading to pravriti. This is the stage when one retires and renounces , and gives up freely everything that was acquired and possessed . Indian culture treats dharma as a 'sadhya' i.e. What is to be realised, thus encompassing the entire gamut of the moral transformation, progress and perfection of man.<sup>29</sup>

Dharma taken as an end in it leads itself to an analogy with Kant's theory proclaiming 'what is good is the good itself. However, this assumption will reduce the Indian philosophy to a threefold level, rather than being four fold. There is no doubt that Hindu religion is fourfold. Its evolution is from one truth to another and not from false to truth, so that dharma is a means to achieve the ultimate absolute truth i.e. 'Moksha' or liberation.<sup>30</sup>

While conceiving of dharma as an instrumental value, a seemingly inexplicable feature encountered is that Indian ethics accept aspect. Its argument goes that the motive of all action is the pursuit of pleasures together with the avoidance of pain, thus claiming that the pursuit of dharma ought to be consistent with this motive- However dharma is not simply a means to a single end, rather it serves as a guide to two aims: a-means to Kama, the right enjoyment and to liberation, Moksha. It would seem that Indian ethics passes from psychological hedonism to an ethical hedonism in its conception of dharma as an instrumental value. Psychological hedonism advocates that one pursues pleasure and avoids pain matter of factly. Asubtle

difference arises when ethical hedonism is considered. It strengthens the human motive by Indian thought the factor that constitutes the image of man, is this very possibility and ultimate actuality. The significance of moksha in theistic vedanta is sharing presence with the divine, after obtaining his grace. To use the language of theistic mysticism, the man's 'I am'<sup>1</sup> perishes through self surrender. and remaining in the 'I am' of God. In case of the non-dualist vedanta, moksha signifies the achievement of the identity, 'That thou art, tat tvam asi'. To describe the concept of moksha, innumerable analogies and similies have been used in the upanishads. Of these, the analogy to the river entering the ocean, and the one signifying the ultimate return of being to the source, return to nowhere else but there alone where lies the source of the being, are examples of these-However moksha is that condition of realization wherein .the knower becomes what he knows. 'Brahma vid brahmaiva bhavati'. The knower of Brahman becomes Brahman. This is the realization of the ultimate truth. ..When the one who knows or the knower, knows that in his real nature, he is Brahman. In such a scenario the claim 'that thou art' a proposition which in essence is simply the passive subject of instruction is transformed to an affirmation of self realized experience, 'I am Brahman', (Aham Brahmasmi).<sup>31</sup>

Thus the range of thought encompassed by dharma is most comprehensive. If there is any single concept that has permeated the Indian thinking through the ages and created a consistent pattern of thought and behaviour for the large majority of the people that is dharma- The term is of such wide implication that it is applied with few restrictions to a determination and evaluations of all forms of human activity. According to S. Radhakrishnan, " under the concept of dharma, the Hindu brings the forms and activities which shape and sustain human life- We have diverse interests, various desires, conflicting needs, which grow and change in the growing - To round them off into a whole is the purpose of dharma. The principles of dharma rouses us to a recognition of spiritual realities not by abstention from the world, but by bringing to its life, its business (artha) and its pleasures (Kama), the controlling power of spiritual faith. Life is one and in it there is no distinction of sacred and secular. Bhakti and mukti are not opposed. Dharma, artha and kama go together."<sup>32</sup>

It is this concept that gives unity to the diversity of human life. Thus dharma is a comprehensive doctrine of duties and rights of individuals in an ideal society.

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