

## **DHARMA, DANDA AND DISSENT**

***Responsible Faculty Instructor:***

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Assistant Professor

Credits: 4

Credits Type:

Cross-registration:

Pre-requisites:

### **COURSE DESCRIPTION (COURSE VISION):**

Europe, in the age of Enlightenment, between the seventeenth and nineteenth centuries, preoccupied with scientific methods and deeply interested in origins and evolution, turned its gaze to the colonies. Missionaries, administrators, and scholars, drawn to Indian religions, struggled to comprehend the constellation of moral, ethical, and legal beliefs prevalent in colonial India. Among these, they were inevitably drawn to the *Vedas*, to which they ascribed the status of 'Ur-religion', the religious worldview from which everything else was thought to originate. Since the *Vedas* were elusive, orally transmitted poetry, they turned instead to legal treatises, primarily the *dharmasāstras*. These, along with the epics, the *Mahabharata* and the *Ramayana*, were relied upon to make sense of Indian religion. While attempting to understand Indian religions, texts, and practices, European scholars mapped them onto a terrain which was legible to them — that of semitic religion, positive law, and modern liberalism. The colonial interpretation of India's past, along with the European ideas that they brought with them, subsequently informed colonial governance and nationalist resistance.

This course introduces the *dharmasāstras*, with a focus on the *Manavadharmaśāstras* (*Manusmṛiti*), to interrogate the ideas of *varna* (caste), *asrama* (stages of life), and the status accorded to women in these legal treatises. Contradicting the colonial view that Indian society was static and lacking in voices that questioned and critiqued the dominant ideas that informed the Brahmanic tradition, this course outlines examples of dissent offered by Draupadī and Yudhiṣṭhīra in the *Mahabharata*.

It goes on to outline the influence of Utilitarians, Orientalist scholars, and missionaries, and the changes they brought about in the ideas of Hinduism, law, and history. This sets the stage to analyse the nationalist reformulations of ideas from classical and colonial India. It argues that while moderates rested their faith in British law and parliament, the extremists drew on texts such as the *Bhagavad Gītā* to articulate an ethics that justified violent resistance against the British. M. K. Gandhi rejected this worldview and placed means at the centre of all ethical action, in turn bringing the language of *ahimsa* (non-violence) to nationalist politics. This course ends by considering B. R. Ambedkar's critique of the nationalist readings of the *Bhagavad Gītā* and his insistence on a republican future.

**TEACHING METHODOLOGY:** Each session will consist of a 100-minute lecture, followed by a 10-minute student presentation and a 10-minute guided discussion. Lectures will introduce key texts, concepts, and historical debates, while presentations will enable students to engage critically with selected readings. Discussions will emphasise close reading of primary sources, comparative analysis, and connections to broader philosophical and political

questions. To prepare for class, students will be required to read the assigned texts and formulate three questions that arose during their reading.

**INTENDED LEARNING OUTCOMES:**

- To understand the idea of law, order, and dissent in classical India.
- To examine the influence of European history and colonial knowledge production on Indian society.
- To analyse nationalist reformulations of European and Indian ideas in the context of resistance to colonialism.
- To explore M. K. Gandhi's divergence from both European and extremist approaches.
- To study the critique of nationalist politics as outlined by B. R. Ambedkar.

**READING LIST (upto 10 select readings):**

1. Lingat, R., & Derrett, J. D. M. (1973). *The classical law of India*. Berkeley: University of California Press.
2. Olivelle, P., & Davis, D. R. (Eds.). (2017). *The Oxford History of Hinduism: Hindu Law: A New History of Dharmaśāstra*. Oxford University Press. Legalism Judith Shklar
3. Olivelle, P. (Ed.). (2004). *The law code of Manu*. Oxford University Press, USA.
4. All Hiltzebeitel, *Dharma: Rethinking the Mahabharata: A Reader's Guide to the Education of the Dharma King*
5. David Shulman & Galit Hasan-Rokem, *Untying the Knot: On Riddles and Other Enigmatic Modes*
6. Guha, R. (1982). A rule of property for Bengal: An essay on the idea of permanent settlement. Orient Blackswan.
7. Stokes, E. (1989). The English Utilitarians and India.
8. Mantena, K. (2004). Alibis of empire: Social theory and the ideologies of late imperial rule. Harvard University. Sumit Sarkar, Modern India
9. Devji, F. (2012). *The impossible Indian: Gandhi and the temptation of violence*. Harvard University Press.
10. Gandhi, M. (1968). *The collected works of Mahatma Gandhi*.

**WEEKLY READING PLAN (WEEKLY OUTLINE):**

A weekly plan is provided below:

MODULES	WEEK(S)
<b>MODULE 1: Introduction to the <i>dharmaśāstras</i></b>	Week 1
<b>Essential Readings</b> Lingat, R., & Derrett, J. D. M. (1973). <i>The classical law of India</i> . Berkeley: University of California Press. (Pp.1-14) Buck, W. (2019). <i>Mahabharata</i> . University of California Press.	
<b>Suggested Readings</b> Ghoshal, U. N. (1966). <i>A history of Indian political ideas: The ancient period and the period of transition to the Middle Ages</i> . Oxford University	

Press.  Rocher, L. (1978). Hindu Conceptions of Law. <i>Philosophical Society</i> , 1283-1305.  Smith, B. K. (1994). Classifying the universe: The ancient Indian varṇa system and the origins of caste.	
<b>MODULE 2: From <i>Dharma</i> to Law</b>	Weeks 2 & 3
<b>Essential Readings:</b>  Lingat, R., & Derrett, J. D. M. (1973). <i>The classical law of India</i> . Berkeley: University of California Press. (pp. 28-52)  Aktor, M. (2018). Social Classes: varṇa. in Olivelle Patrick and Davis Donald R.(eds), Hindu law: a new history of Dharmaśāstra. (pp. 60-77). Oxford University Press.  Jamison, S. W. (2018). Women: strīdharma 'in Olivelle Patrick and Davis Donald R.(eds), Hindu law: a new history of Dharmaśāstra. (pp. 137-150) Oxford University Press.	
<b>Suggested Readings</b>  Sarkar, B. K. (1921). The Hindu theory of the state. <i>Political Science Quarterly</i> , 36(1), 79-90.  Olivelle, P. (2004). Manu's Code of Law: A Critical Edition and Translation of the Manava-Dharmaśāstra. Oxford University Press.  Olivelle, P. (2000). Dharmasutras: The Law Codes of Apastamba, Gautama, Baudhayana and Vasistha. Motilal Banarsiidas.  Hiltebeitel, A. (2010). <i>Dharma</i> . University of Hawaii Press.	
<b>MODULE 3: Dharmaśāstras and Dissent</b>	Week 4
<b>Essential Readings:</b>  Alf Hiltebeitel, (2001) Dharma: Rethinking the Mahabharata: A Reader's Guide to the Education of the Dharma King. The University of Chicago Press  David Shulman & Galit Hasan-Rokem, (1996). Untying the Knot: On Riddles and Other Enigmatic Modes. University of Oxford Press.	
<b>Suggested Readings:</b>  Sharma, J. (2019). A Political Satire for All Times: Reading Hāsyārnava-prahasanam or the Ocean of Mirth of Jagadēśvara Bhattāchārya. <i>Studies in Indian Politics</i> , 7(1), 16-32  Veluthat, K. (2019). The Buffalo Century: Vāñcheśvara Dīksīta's Mahiṣāsatakam: A Political Satire for All Centuries. Taylor & Francis.  Siegel, L. (1989). Laughing matters: Comic tradition in India. Motilal	

Banarsi das.	
<b>MODULE 5: Colonialism and law</b>	Weeks 5 & 6
<b>Essential Readings:</b>  Guha, R. (1982). A rule of property for Bengal: An essay on the idea of permanent settlement. Orient Blackswan.  Stokes, E. (1989). The English Utilitarians and India.  Mantena, K. (2010). Alibis of empire: Henry Maine and the ends of liberal imperialism. In <i>Alibis of Empire</i> . Princeton University Press.	
<b>Suggested Readings:</b>  Francis, G. H. (2015). The Illusion of Permanence: British Imperialism in India. Princeton University Press.  Ehrlich, J. (2023). The East India Company and the Politics of Knowledge. Cambridge University Press.  Pitts, J. (2009). A turn to empire: The rise of imperial liberalism in Britain and France. Princeton University Press.	
<b>MODULE 6: Nationalism: It's genesis, spread and reception in India</b>	Weeks 7 & 8
<b>Essential Readings:</b>  Greenfeld, L. (2019). Nationalism: A short history. Brookings Institution Press.  Berlin, I. (2019). <i>The sense of reality: Studies in ideas and their history</i> . Princeton University  Flora, G. (1992). The Changing Perception of Mazzini within the Indian National Movement.	
<b>Suggested Readings</b>  Kant, Immanuel. 1996. <i>Critique of Pure Reason</i> . Indianapolis: Hackett Publishing Company. Pp. 43-68 and 141-50  Kant, Immanuel. 2015. <i>Critique of Practical Reason</i> . Cambridge University Press. Preface and Book 1, pp. 17-56.  J.G. Herder. 1766/2004. <i>Another Philosophy of History and Selected Political Writings</i> . Indianapolis: Hackett Publishing. Pp. 101-129  Fichte, J.G. (1807) 1979. <i>Addresses to the German Nation</i> . Greenwood Press, CT. Pp. 1-21 and 130-151  Namier, L. (1958). Vanished Supremacies: Essays on European History 1812-1918.	
<b>MODULE 7: What is Hinduism?</b>	Week 9
<b>Essential Readings:</b>	

King, R. (1999). <i>Orientalism and the modern myth of "Hinduism".</i> <i>Numen</i> , 46(2), 146-185.	
<b>Suggested Readings</b>  Lorenzen, D. N. (2006). <i>Who invented Hinduism: Essays on religion in History.</i> Yoda Press  G. Sontheimer & H. Kulke (1991) (Eds.), <i>Hinduism Reconsidered</i> (pp. 11–27). New Delhi: Manohar.  Flood, G. D. (1996). <i>An introduction to Hinduism.</i> Cambridge University Press.  Hardy, F. (2015). <i>Viraha Bhakti: The Early History of Krsna Devotion</i> (No. 2). Motilal Banarsi Dass.	
<b>Module 8: Moderates, Extremists and the Idea of Law in Colonial India</b>	Weeks 10 & 11
<b>Essential Readings:</b>  Ghosh, A. (1996). <i>On Nationalism: Selected Writings and Speeches.</i> Sri Aurobindo Ashram Trust.  Palshikar, S. (2017). <i>Evil and the philosophy of retribution: Modern commentaries on the Bhagavad-Gita.</i> Routledge India.  Sharma, J. (2011). <i>Hindutva: Exploring the idea of Hindu nationalism.</i> Penguin Books India.	
<b>Suggested Readings</b>  Maclean, K. (2016). <i>A revolutionary history of interwar India: Violence, image, voice and text.</i> Penguin UK. Committee, I. H. (1918). <i>Sedition Committee, 1918.: Report.</i> Calcutta Superintendent Government Printing  Sarkar, S. (1989). <i>Modern India 1885–1947.</i> Springer.  Heehs, P. (1993). Terrorism in India during the freedom struggle. <i>The Historian</i> , 55(3), 469-482.	
<b>MODULE 9: Gandhi's Moral Language of Dissent</b>	Week 12
<b>Essential Readings:</b>  Devji, F. (2012). <i>The impossible Indian: Gandhi and the temptation of violence.</i> Harvard University Press.  Gandhi, M. (1997). <i>Gandhi: 'Hind Swaraj' and Other Writings.</i> Cambridge University Press.	
<b>Suggested Readings:</b>  Bondurant, J. V. (1965). <i>Conquest of violence: The Gandhian philosophy of conflict</i> (Vol. 243). University of California Press.	

Sudipta Kaviraj. (2007) (The politics of performance: Gandhi's trial read as theatre in Staging politics: power and performance in Asia and Africa/edited by Julia C. Strauss & Donal Cruise O'Brien. Bloomsbury Publishing.	
Ricoeur, P., & Lingis, A. (1964). The historical presence of non-violence. <i>CrossCurrents</i> , 14(1), 15-23.	
<b>MODULE 10: Ambedkar's Aloneness</b>	<b>Week 13</b>
<b>Essential Readings:</b> Kumar, A. (2010). Ambedkar's inheritances. <i>Modern Intellectual History</i> , 7(2), 391-415.	
<b>Suggested Readings:</b> Ambedkar, "Krishna and his Gita, "Krishna and His Gita". Kumar, A. (2020). <i>Radical equality: Ambedkar, Gandhi, and the risk of democracy</i> . Stanford University Press.	
<b>REVISION</b>	<b>Week 14</b>