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FROM SAMADARSHANA TO CONSTITUTIONAL EQUALITY: TRACING THE PHILOSOPHICAL ROOTS OF ARTICLE 14 IN INDIAN VEDANTIC JURISPRUDENCE

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Abstract

Article 14 of the Constitution of India guarantees equality before the law and equal protection of the laws. Predominantly, modern constitutional discourse contextualizes this guarantee within Western Anglo-American jurisprudential paradigms—such as Diceyan rule of law, formal egalitarianism, and John Rawls's distributive justice. While these conceptual matrices provide useful analytical scaffolding, they tend to divorce constitutional principles from the organic philosophical soil of the Indian subcontinent. This paper undertakes a doctrinal and ontological inquiry into the indigenous conceptual roots of equality by synthesizing Vedantic philosophy with constitutional jurisprudence. Central to this inquiry is the metaphysical tenet of Advaita Vedanta and the epistemological virtue of Samadarshana (the disposition of equal vision), as enunciated in the Bhagavad Gita and the Upanishads. By examining the fundamental proposition of divine immanence—wherein consciousness (Brahman/Atman) permeates both the sentient and insentient (sarvabhuta-stham atmanam)—this research establishes that Indian civilizational ethos conceptualized equality not as a transactional civic concession granted by a sovereign state, but as an ontological truth inherent in cosmic reality. The study critically analyzes the journey of Article 14 through its two foundational doctrinal axes: the traditional doctrine of reasonable classification (State of West Bengal v. Anwar Ali Sarkar) and the dynamic doctrine of non-arbitrariness (E.P. Royappa v. State of Tamil Nadu; Maneka Gandhi v. Union of India). It juxtaposes these judicial formulations against classical Vedantic maxims: Atmavata Sarvabhuteshu (treating all beings as oneself), Sarvabhuta-hite ratah (rejoicing in the welfare of all beings), and Vasudhaiva Kutumbakam. In doing so, the paper deconstructs the dichotomy between secular constitutionalism and civilizational jurisprudence, proposing a transformative synthesis wherein Samadarshana enriches constitutional morality, substantive equality, and the transformative mandate of modern Indian public law

Keywords: ***Article 14, Samadarshana, Advaita Vedanta, Constitutional Morality, Indic Jurisprudence, Non-Arbitrariness, Transformative Constitutionalism, Equality Before Law.***

1. INTRODUCTION: THE POST-COLONIAL CONSTITUTIONAL DILEMMA

The drafting of the Constitution of India in 1950 marked a seminal moment in modern constitutional history. It inaugurated a sovereign democratic republic rooted in the ideals of justice, liberty, equality, and fraternity. Within Part III, Article 14 functions as the foundational bedrock of fundamental rights, enjoining that "The State shall not deny to any person equality before the law or the equal protection of the laws within the territory of India." Historically, mainstream judicial interpretation and legal academia have sought the philosophical genesis of Article 14 in Western political theory. "Equality before the law" has been habitually traced to A.V. Dicey's classic formulation of the Rule of Law in the English legal tradition, while "equal protection of the laws" has been attributed to the Fourteenth Amendment of the United States Constitution.

While these comparative connections are undeniable in text and structure, the uncritical reliance on Western individualistic liberalism has created a significant epistemological void. It has fostered a perception that constitutionalism in India is an exotic plant transplanted into alien soil, lacking organic roots in the native intellectual tradition. Legal theorists often overlook that Indian civilization has possessed an ancient, highly sophisticated jurisprudential and metaphysical tradition spanning several millennia. This paper argues that the conceptual core of Article 14—the recognition of an inviolable, universal worth inherent in every person that proscribes arbitrary distinctions—is not solely an imported artifact of the European Enlightenment. Rather, it finds an ontological counterpart in Indian Vedantic philosophy, particularly in the doctrine of Samadarshana (equal vision) grounded in the non-dual metaphysics of Advaita. By engaging in a cross-traditional jurisprudential dialogue, this paper bridges ancient metaphysical wisdom and contemporary constitutional doctrine, demonstrating how Vedantic egalitarianism provides a moral and philosophical justification for modern transformative constitutionalism.

2. THE METAPHYSICAL FOUNDATIONS OF EQUALITY IN VEDANTIC JURISPRUDENCE

Western liberal egalitarianism, rooted in thinkers such as Thomas Hobbes, John Locke, Jean-Jacques Rousseau, and later Immanuel Kant and John Rawls, derives equality largely from social contract theory or the capacity for rational agency. In this framework, individuals in a hypothetical state of nature or behind a "veil of ignorance" surrender absolute natural liberties in exchange for legal equality guaranteed by a sovereign leviathan or constitutional state. Equality is thus inherently legalistic, transactional, and civic; it is an attribute conferred upon individuals by virtue of their civic citizenship or contractual association.

In sharp contrast, classical Indian philosophy—predominantly found in the Prasthanatrayi (the Upanishads, the Brahma Sutras, and the Bhagavad Gita)—conceptualizes equality not as a socio-political contract, but as an ontological and metaphysical truth. In Vedantic thought, particularly in Advaita (non-dualism) systematically formulated by Adi Shankaracharya, ultimate reality is non-dual consciousness (Brahman). Every living entity possesses the Atman, which is identical in essence with Brahman: "Ayam Atma Brahma" (This Self is Brahman) and "Tat Tvam Asi" (That Thou Art).

Because the singular, universal consciousness animates all existence, distinctions based on external attributes—whether bodily appearance, lineage (jati/varna), social status, gender, or wealth—are relegated to the realm of Maya (phenomenal empirical reality, Vyavaharika

Satya) and Upadhis (limiting adjuncts). At the level of ultimate truth (Paramarthika Satya), there exists no metaphysical hierarchy.

This cosmic vision of equality is explicitly articulated in the Bhagavad Gita (Chapter 5, Verse 18):

> *"vidya-vinaya-sampanne brahmane gavi hastini / suni chaiva sva-pake ca panditah sama-darsinah"*

(The truly wise, endowed with knowledge and humility, see with an equal vision [sama-darsinah] a learned and gentle Brahmana, a cow, an elephant, a dog, and an outcaste.)

Here, the term "Sama-darsinah" is neither an exercise in intellectual indifference nor a denial of empirical functional differences. It denotes an epistemological lens that perceives the identical divine spark and inherent dignity within all beings, regardless of their social hierarchy or physical embodiment. Vedantic metaphysics goes beyond the human-centric boundary of Western liberalism, positing that all creation—sentient and insentient (sarvam khalvidam brahma)—is an expression of the same cosmic ground. Consequently, when an individual or a legal system acts with bias, cruelty, or unwarranted differentiation, it commits not merely a civic violation, but a rupture in the cosmic order of truth (Satya) and righteousness (Dharma).

3. THE PRINCIPLE OF SAMADARSHANA: FROM SPIRITUAL INSIGHT TO LEGAL ETHOS

To translate metaphysical monism into normative jurisprudence, Indian philosophy articulated actionable principles governing interpersonal and social conduct. The primary ethical manifestation of this non-dual ontology is found in the maxim "Atmavata Sarvabhuteshu"—to treat all beings as oneself. When the Self in the other is recognized as identical to the Self within, harm inflicted upon another is inherently harm inflicted upon oneself.

The Bhagavad Gita further elaborates this ethos in Chapter 6, Verses 29 and 32:

> *"sarva-bhuta-stham atmanam sarva-bhutani catmani / iksate yoga-yuktatma sarvatra sama-darsanah"*

(The person integrated in Yoga sees the Self residing in all beings, and all beings in the Self; everywhere they behold with an equal vision.)

> *"atmaupamyena sarvatra samam pasyati yo'rjuna / sukham va yadi va duhkham sa yogi paramo matah"*

(One who, by comparison with oneself, sees the same everywhere, whether in pleasure or in pain, is regarded as the highest yogi.)

In this ethical paradigm, equality is animated by empathy, shared vulnerability, and mutual identification. A person who practices Samadarshana cannot act arbitrarily or tyrannically because there is no fundamental "other" against whom malice or capricious power can be exercised.

Furthermore, the classical texts link this spiritual vision to governance and collective well-being through the ideal of "Sarvabhuta-hite ratah"—being constantly engaged in the welfare of all beings. Ancient treatises on governance, such as the Arthashastra of Kautilya, the Shantiparva of the Mahabharata, and the Sukraniti, echo this requirement in the duties of the ruler (Raja Dharma). The king was not above Dharma; rather, the sovereign was a servant of Dharma entrusted with maintaining equal protection (Rakshana and Palana) for every subject without arbitrary favoritism:

> *"Prajasukhe sukham rajnah prajanam cha hite hitam / Natmapriyam hitam rajnah prajanam tu priyam hitam"*

(In the happiness of the subjects lies the happiness of the king; in their welfare, his welfare. What pleases himself the king shall not consider as good, but whatever pleases his subjects he shall consider as good.)

Thus, well before modern administrative law developed safeguards against arbitrariness, Indic jurisprudence asserted that the exercise of sovereign power is inherently conditional upon public welfare, equality, and the elimination of caprice.

4. THE TWO PILLARS OF ARTICLE 14: DOCTRINAL EVOLUTION AND INDIC PARALLELS

In contemporary Indian constitutional law, the guarantee of Article 14 operates along two major doctrinal axes:

1. The Traditional Doctrine of Reasonable Classification

2. The Modern Doctrine of Non-Arbitrariness and Anti-Caprice

An analytical examination reveals deep philosophical resonances between these judicial tests and the principles of Samadarshana.

A. The Doctrine of Reasonable Classification vs. Empirical Diversity

Early post-independence jurisprudence, heavily influenced by American Fourteenth Amendment precedents, established that Article 14 does not prohibit classification per se, but only class legislation. The Supreme Court in landmark cases such as Chiranjit Lal Chowdhuri v. Union of India (1951) and State of West Bengal v. Anwar Ali Sarkar (1952) formulated the classic "nexus test." To survive constitutional scrutiny, a classification must satisfy two cumulative conditions:

(i) It must be founded on an intelligible differentia which distinguishes persons or things that are grouped together from others left out of the group; and

(ii) The differentia must have a rational nexus to the object sought to be achieved by the statute.

This legal mechanism recognizes that absolute, mathematical uniformity is impossible in a complex human society. Treating unequals equally is just as destructive of true equality as treating equals unequally.

Interestingly, this closely mirrors the Vedantic reconciliation between Vyavahara (practical/empirical reality) and Paramartha (ultimate spiritual reality). In Vyavaharika reality, Vedanta acknowledges empirical diversity (Guna and Karma variations, occupational roles, physical vulnerabilities). The Bhagavad Gita does not claim that a cow, an elephant, and a human being possess identical physiological capacities or social functions; it asserts that their underlying consciousness and essential worth are equal. Thus, Samadarshana does not mean treating different entities blindly with uniform empirical standards. Rather, it demands that any differential treatment at the functional level must be grounded in rational, just, and morally justifiable principles, rather than superficial prejudice or arbitrary bias. The "intelligible differentia" requirement of constitutional law is essentially the legal codification of ensuring that distinctions are rooted in real, relevant criteria rather than unfounded distinctions.

B. The Doctrine of Non-Arbitrariness: The Modern Renaissance

While the reasonable classification test dominated the first two decades of the Supreme Court, it was increasingly critiqued as being mechanical, formalistic, and restrictive. A major doctrinal shift occurred in the mid-1970s. In the landmark case of E.P. Royappa v. State of Tamil Nadu (1974), Justice P.N. Bhagwati propounded a radical, dynamic concept of equality:

> *"Equality is a dynamic concept with many aspects and dimensions and it cannot be 'cribbed, cabined and confined' within traditional and doctrinaire limits. From a positivistic point of view, equality is antithetic to arbitrariness. In fact, equality and arbitrariness are sworn enemies; one belongs to the rule of law in a republic while the other, to the whim and caprice of an absolute monarch. Where an act is arbitrary, it is implicit in it that it is unequal both according to political logic and constitutional law and is therefore violative of Art. 14."*

This anti-arbitrariness doctrine was reaffirmed and expanded in Maneka Gandhi v. Union of India (1978), Ajay Hasia v. Khalid Mujib Sehravardi (1981), and Ramana Dayaram Shetty v. International Airport Authority of India (1979). Equality ceased to be merely a test of

classification; it became a pervasive constitutional guarantee against unfairness, unreasonableness, and the abuse of discretionary power.

The Royappa doctrine of non-arbitrariness represents a profound transition from formalistic equality to substantive, moral equality. When Justice Bhagwati declares that equality and arbitrariness are "sworn enemies," his formulation mirrors the Vedantic critique of ego-driven caprice (Ahamkara and Raga-Dvesha). In Vedantic epistemology, arbitrariness arises when an actor acts out of personal attachment (Raga), aversion (Dvesha), or delusional ego (Ahamkara), thereby ignoring the universal Atman in others. Conversely, a state action is non-arbitrary when it is guided by Buddhi (discriminating intellect), Satya (truth), and Samatvam (equanimity). The modern judicial requirement that state power must be exercised fairly, reasonably, and in good faith is the modern constitutional embodiment of the principle that governance must operate free from the subjective whims of the ruler—an exact parallel to Raja Dharma anchored in Samadarshana.

5. SAMADARSHANA AND SUBSTANTIVE EQUALITY: AFFIRMATIVE ACTION AS DHARMIC JUSTICE

A crucial dimension of Article 14, when read alongside Articles 15 and 16, is the mandate for affirmative action and protective discrimination. Critics wedded to Western formal libertarianism have frequently argued that reservation policies and special provisions for historically disadvantaged classes violate the pure principle of merit and individual equality.

However, the Indian Supreme Court, particularly in State of Kerala v. N.M. Thomas (1976) and Indra Sawhney v. Union of India (1992), established that Articles 15(4) and 16(4) are not exceptions to the rule of equality, but are empathetic facets of equality itself. Substantive equality recognizes that deep-seated historical inequalities cannot be eliminated merely by proclaiming neutral rules. Formal neutrality in an unequal society perpetuates injustice.

This transformative, substantive approach resonates with the Vedantic ideal of "Sarvabhuta-hita" and the ethic of compassion (Karuna). In traditional Indian jurisprudence, justice is not blindfolded; it is all-seeing. When the Brihadaranyaka Upanishad and the Mahabharata speak of Dharma protecting the weak against the strong (the eradication of Matsya Nyaya—the law of the big fish eating the small fish), they provide an ethical basis for protective discrimination:

> *"Dharmad dharmo balavan bhavati... kshatriyasya kshatram dharmah"*

(Dharma is the sovereign of sovereigns; through Dharma, the weak prevail over the strong.)

Protective discrimination under Articles 14, 15, and 16 is precisely designed to counteract the social manifestation of Matsya Nyaya. Vedantic Samadarshana demands that those who have been marginalized and denied their inherent dignity must be actively uplifted. Equality is not achieved by leaving unequals to compete in an unlevel playing field; it is achieved by restoring harmony and rectifying the historical distortions that concealed the divine equality of human beings.

6. BRIDGING ANCIENT METAPHYSICS AND CONSTITUTIONAL MORALITY

In recent years, the Supreme Court of India has placed significant emphasis on the concept of "Constitutional Morality"—most notably in Navtej Singh Johar v. Union of India (2018), Joseph Shine v. Union of India (2018), and the Sabarimala case (Indian Young Lawyers Association v. State of Kerala, 2018). While Constitutional Morality is often conceptualized through B.R. Ambedkar's reliance on George Grote's constitutionalism, its domestic acceptance in Indian society requires a cultural bridge.

A society's commitment to constitutional values cannot endure if citizens perceive those values as foreign impositions disconnected from their cultural consciousness. When Dr. B.R. Ambedkar addressed the Constituent Assembly, he famously

noted that the principles of liberty, equality, and fraternity were not borrowed from the French Revolution alone, but were rooted in the teachings of the Buddha. Extending this insight, we find that the roots of equality span the broader Indic philosophical spectrum—from the Shramanic traditions to Upanishadic Advaita.

By grounding Article 14 in the philosophy of Samadarshana:

1. Constitutional Morality gains civilizational legitimacy: It demonstrates that respecting the dignity of every individual, transcending caste, creed, gender, and status, is deeply resonant with India's highest intellectual traditions.

2. Duties complement Rights: While Western constitutionalism is largely rights-centric, Indic philosophy embeds equality within a framework of duty (Kartavya/Dharma). When equality is conceived as a spiritual duty to see the divine in others, the obligation to respect equality shifts from mere fear of judicial sanction to an internal ethical imperative.

3. Transformative Constitutionalism is strengthened: Transformative constitutionalism seeks to dismantle entrenched social hierarchies and caste-based discrimination. Vedantic non-dualism provides an internal theological and philosophical weapon against hierarchical distortions such as casteism, demonstrating that social discrimination is an empirical perversion contrary to the foundational core of Indian metaphysics.

7. CRITICAL CHALLENGES AND COUNTER-ARGUMENTS

Engaging in a synthesis of ancient metaphysical doctrines and modern secular constitutionalism inevitably raises critical doctrinal concerns that must be addressed:

A. The Reality of Historical Social Stratification

A major critique of using Vedantic thought to explain constitutional equality is that historical Indian society was characterized by rigid caste stratification, untouchability, and gender subjugation. How can a civilization that practiced hierarchical discrimination claim to be the fountainhead of equality?

The response lies in drawing a clear distinction between ontological philosophy and historical socio-cultural practices. Just as Western liberal democracies practiced slavery, colonialism, and the disenfranchisement of women while simultaneously proclaiming the "self-evident truth that all men are created equal," Indian history witnessed a tragic divergence between its non-dual spiritual philosophy and its social structures. Reformers throughout Indian history—from Adi Shankara (as reflected in his Manisha Panchakam, where he bows to an outcaste as his Guru upon realizing their shared consciousness), to Ramanuja, Kabir, Ravidas, Sri Ramakrishna, Swami Vivekananda, and modern thinkers like Sri Aurobindo and Dr. S. Radhakrishnan—consistently utilized Advaitic metaphysics to challenge and condemn social inequalities. Vedantic egalitarianism is the self-correcting ethical core of Indian civilization.

B. The Principle of Secular Constitutionalism

Another objection is that introducing religious or philosophical concepts into constitutional interpretation risks breaching the secular framework of the Indian State.

However, recognizing the philosophical roots of a constitutional norm does not equate to establishing a theocracy. Just as Western constitutional jurisprudence freely examines Judeo-Christian concepts of dignity and natural law without compromising secularism, Indian jurisprudence can draw upon its civilizational concepts like Samadarshana, Dharma, and Ahimsa. The Supreme Court has repeatedly observed (e.g., in S.R. Bommai v. Union of India and Aruna Roy v. Union of India) that Indian secularism is not an anti-religious hostility (as in French laïcité), but Sarva Dharma Sambhava—equal respect and the accommodation of universal humanistic values inherent in all traditions. Samadarshana, in its purest Vedantic sense, is non-sectarian, universal, and fundamentally humanistic.

8. CONCLUSION: TOWARDS AN ENRICHED JURISPRUDENCE OF EQUALITY

The journey of Article 14 of the Constitution of India—from the mechanical tests of reasonable classification to the expansive, dynamic doctrine of non-arbitrariness and substantive justice—represents an evolution toward a more humane and dignitarian legal order. Tracing this trajectory back to the ancient Indian concept of Samadarshana reveals that the quest for equality is not an alien adoption, but the constitutional fulfillment of a civilizational aspiration.

Vedantic jurisprudence teaches that true equality is rooted in the recognition of universal consciousness: that every individual possesses an inviolable sacredness, and that arbitrary, capricious, or discriminatory actions by the State violate the cosmic and moral order. When the Supreme Court of India strikes down arbitrary laws, expands affirmative action for the historically oppressed, or recognizes the fundamental dignity of marginalized communities, it fulfills the constitutional mandate of Article 14 while simultaneously realizing the timeless wisdom of the Gita: to look upon all beings with equal vision (Sama-darsinah).

By integrating the ontological depth of Samadarshana with the institutional mechanisms of modern public law, Indian jurisprudence can transcend the limitations of formalistic Western liberalism. This synthesis produces an authentic, robust, and transformative constitutionalism—one where legal equality is recognized not merely as a negative restraint upon sovereign power, but as a positive, sacred commitment to the universal dignity and welfare of all.

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