

## A Critical Study on Vāda, Jalpa, and Vitandā in the Mahābhārata and Contemporary Legal Discourse

Dr. Jyoti<sup>a</sup>, Dr. Asheesh Kumar<sup>b</sup>, Jyoti Pattanaik<sup>c</sup> and Dr. Manorama Tripathi<sup>d\*</sup>

<sup>a</sup>Assistant Professor, School of Sanskrit and Indic Studies, Jawaharlal Nehru University, Delhi 110067, jyotiraj@mail.jnu.ac.in, jyotiraj.2009@gmail.com

<sup>b</sup>Assistant Professor, Sanskrit Discipline, School of Humanities, IGNOU, New Delhi- 110068, asheeshkr@ignou.ac.in

<sup>c</sup>Research Scholar, School of Sanskrit and Indic Studies, Jawaharlal Nehru University, Delhi 110067, pattanaikj89@gmail.com

<sup>d</sup>\*Corresponding Author, Acting University Librarian, Jawaharlal Nehru University, Delhi 110067, manoramatripathi2@yahoo.com

Received: 04 March 2025; Accepted: 29 April 2025

The *Nyāya Sūtras* of Maharshi Gautama introduced the concept of "Kathātraya," comprising *Vāda* (a debate for truth-seeking without any intention of triumph or defeat), *Jalpa* (a debate aimed at victory with argumentative discourse for establishing one's own viewpoint and vanquishing the opposition, akin to contemporary legal battles), and *Vitandā* (a debate solely for refuting the opponent's argument without presenting an alternative viewpoint), which reflects various aspects of parliamentary discussions and judicial discourse. These forms of dialogue find significant parallels in modern parliamentary debates and legal proceedings. The present study has examined cases like the death penalty debate and Sabarimala judgment through the *Kathātraya* lens by taking incidents described in Mahabharata. In tune with the NEP 2020, it has highlighted the integration of Indian Knowledge Systems (IKS) into contemporary law and education, emphasizing linguistic and cultural preservation. It has connected ancient philosophical doctrines with modern Sustainable Development Goals, illustrating how ancient Indian philosophical doctrines can improve contemporary policy-making debates. It has spotlighted the profound ethical wisdom which is embedded in India's rich intellectual heritage.

**Keywords:** Vāda, Jalpa, Vitanḍā, Kathātraya, Nyāyasūtra, Mahābhārata

### Introduction

Nyāya Darśana is also known by various names such as Nyāya Śāstra, Ānvīkṣikī, Hetuvidyā, Vādavidyā, and Tarkavidyā<sup>5</sup>. Ācārya Cānakya, while emphasizing the significance of Ānvīkṣikī (Nyāya Śāstra), states that this discipline is regarded as the illuminator of all knowledge, the means of accomplishing all tasks, and the eternal refuge of all dharmas:<sup>6</sup> The definition of Nyāya is that which leads to or establishes a desired meaning.<sup>7</sup> Ācārya Vātsyāyana defines Nyāya - the examination of meaning through valid means of knowledge (pramāṇas) is termed Nyāya.<sup>8</sup> The *Nyāya Kośa* describes that Nyāya serves as a tool for determining the meaning of the Vedas<sup>9</sup>

### Methodology of the Study

*Mahābhārata* known as, Ithias granth, history book, is a rich source of dialogue traditions that can be compared to contemporary systems. This paper highlights the prevalence of these traditions in the *Mahābhārata* and compares them with debates surrounding the death penalty and the Sabarimala temple entry case. The study is analytical and is based

on secondary data, which has been collected exclusively from published sources.

### Concept of Kathā in Nyāya Darśana

In Nyāya Darśana, "Kathā" refers to logical discourse or argumentation. Although Maharṣi Gautama, the founder of Nyāya Darśana, does not explicitly mention the term *Kathā* in his Nyāya Sūtras, Ācārya Vātsyāyana, in his *Nyāya Bhāṣya*, has classified *Kathā* into three types *Vāda*, *Jalpa*, and *Vitanḍā*.<sup>10</sup>

Tarkabhāṣākāra Ācārya Keśava Mīśra defines *Kathā* as a series of statements presented by multiple speakers, which includes both the *pūrvapakṣa* (prima facie argument) and *uttarapakṣa* (counterargument): *Kathā* is a sequence of statements expressing arguments and counterarguments made by different speakers<sup>11</sup>

In simple terms, when multiple individuals engage in a discussion—either to determine the truth, to establish their own perspective, or merely to defeat the opposing side—the discussion is called *Kathā*.

### Analysis of Vāda

In ancient times, the practice of *Vāda* was commonly observed in various philosophical traditions. The first systematic definition of *Vāda* appears in Mahārṣi Gautama's *Nyāya Sūtras*, where he states: *Vāda is a discourse between a proponent and opponent, in which both use valid means of knowledge (pramāṇas), reasoning (tarka), and structured arguments (pañcāvayava) while adhering to an accepted philosophical standpoint.*<sup>12</sup>

*Vāda* is a dialogue between an inquirer and a respondent, where the primary goal is the discovery of truth rather than victory or defeat. This form of discussion is common in teacher-student (guru-śiṣya) traditions. Tarkabhāṣākāra defines *Vāda* as: *The discourse aimed at the realization of truth is Vāda.*<sup>13</sup>

The objectives of *Vāda* include: 1. Understanding an unknown truth, 2. Affirming a known truth, 3. Eliminating doubts<sup>14</sup>

The significance of *Vāda* in attaining knowledge is further reinforced in texts like the *Rambhā-Śuka Saṃvāda*, which states: *Through repeated discourse, the knowledge of truth arises.*<sup>15</sup>

### Analysis of Jalpa

In contrast to *Vāda*, where the objective is truth-seeking, *Jalpa* involves argumentation aimed at winning the debate. Mahārṣi Gautama defines *Jalpa* in the *Nyāya Sūtras* as: *Jalpa is a discourse where arguments are presented with the intent of victory, incorporating pramāṇas, reasoning, and debate techniques such as fallacies (chhal), analogies (jāti), and logical refutations (nigrahasthāna)*<sup>16</sup>

Unlike *Vāda*, where truth is the primary focus, *Jalpa* involves deliberate efforts to refute the opponent and establish one's argument. Ācārya Keshava Miśra clarifies *Jalpa* further: *A discourse where both parties engage in argumentation with the desire to win is Jalpa*<sup>17</sup>

Characteristics of Jalpa:

- Both debaters aim for victory rather than truth.
- All possible logical tools, including fallacies, are used to undermine the opponent.
- The debate concludes only when the opponent is defeated, and the proponent's argument prevails.

### Analysis of Vitaṇḍā

The third category of discourse, *Vitaṇḍā*, is recognized as one of the sixteen categories of *Nyāya* philosophy. Mahārṣi Gautama defines it as follows:

*When a disputant merely refutes the opponent's argument without presenting an independent thesis, the debate is called Vitaṇḍā (Sa pratipakṣa sthāpanāhīno Vitaṇḍā).*<sup>18</sup>

Here, the term "Sa" refers to *Jalpa*, meaning that *Vitaṇḍā* is a subtype of *Jalpa*. While *Jalpa* involves both defending one's position and attacking the opponent's, *Vitaṇḍā* is purely destructive, focused solely on refuting the opposing argument without proposing an alternative.

Ācārya Keshava Miśra elaborates: *Vitaṇḍā is the same as Jalpa, but devoid of self-establishment. It is merely an exercise in refuting the opponent's argument, and the Vitaṇḍik does not put forward an independent thesis.*<sup>19</sup>

However, the *Nyāya Bhāṣya* suggests that even a *Vitaṇḍik* (one engaging in *Vitaṇḍā*) has a viewpoint, though he does not explicitly present it. Instead, his refutations indirectly reveal his stance.

### Analysis of the Three Types of Debate in Sabhā and Vana Parva

In the second and third books of the *Mahābhārata* (*Sabhā Parva* and *Vana Parva*), the distinct characteristics of the three types of debate (*kathātraya*) are clearly observed. Primarily, in *Sabhā Parva*, from the beginning of the dice game to the defeat of the Pāṇḍavas, the discussions and deliberations were conducted based on the principles of *nyāya*-approved debate. Similarly, in *Vana Parva*, most of the deliberations align with *vāda-kathā* (a debate for truth-seeking), while there are also several examples of *Jalpa* (a debate aimed at victory) and *Vitaṇḍā* (a debate solely for refutation).

### Analysis of Vāda in Vana Parva

In Chapter 28 of *Vana Parva*, Draupadī narrates a dialogue between Prahāda and Bali to Dharmarāja Yudhiṣṭhira. She recounts:

Dialogue Between Bali and Prahāda

*Once, Bali asked Prahāda: "O father! Between forgiveness (kṣamā) and vigour (tejas), which is superior? I have this doubt. Please explain the truth and resolve my confusion."*<sup>20</sup>

Prahāda responded: *"O son! Neither is vigour always superior nor is forgiveness always the best. Understand that both have their place, and this is my firm conclusion without any doubt."*<sup>21</sup>

He further explained, *"O son! One who always forgives accumulates many faults. His servants, enemies and even indifferent people begin to insult and disregard him."*<sup>22</sup>

"A person consumed by vigour (*tejas*) creates conflicts with his friends and becomes disliked by both ordinary people and his own kin."<sup>23</sup>

"One who is too mild (*mṛdu*) is disregarded by all, while one who is too harsh (*tīkṣṇa*) causes distress to others. The one who understands when to apply both these traits at the right time is a true ruler."<sup>24</sup>

Thus, Prahlāda explains to Bali the proper application of forgiveness and vigour.

### The Nature of the Dialogue (*Vāda*) Between Bali and Prahlāda

The above conversation between Bali and Prahlāda is a clear example of *vāda-kathā* (truth-seeking debate). This is because:

1. The discussion is centred on the pursuit of truth and knowledge.
2. There is no element of competition or an intent to achieve victory or defeat.
3. The dialogue is between a revered teacher (*guru*), Prahlāda, and his disciple (*śiṣya*), Bali, respectfully and affectionately.

It is important to note that in the context of *vāda*, the presence of an opposing party (*pratipakṣa*) is not always necessary. Mahārṣi Gautama states in his *Nyāya Sūtra*: *Even when there is no opposition, if the primary objective is to gain knowledge, it is still considered vāda.*<sup>25</sup>

Thus, among the three types of debate, only *Vāda* can exist without an opposing side, whereas *Jalpa* and *Vitandā* necessarily require an opponent.

### Analysis of *Jalpa* (a debate aimed at victory) in *Sabhā Parva*

Dialogue Between Draupadī and Duryodhana's Court

Draupadī asks: "Go, O gambler! Go to the assembly and ask—did you lose yourself first, or did you lose me?"<sup>26</sup>

Dushāsana, upon bringing Draupadī to the assembly, says: "Come, O Pāñcālī! You have been won, O Kṛṣṇe! Look at Duryodhana without shame. Serve the Kauravas, for we have rightfully won you according to dharma; now go to the assembly."<sup>27</sup>

Draupadī, being dragged forcibly by her hair, protests: "Being dragged forcefully by my hair, I say this: O wicked one! I am menstruating and have only one garment on. It is improper to take me to the assembly in such a state."<sup>28</sup>

Dushāsana dismisses her plea, saying: "Whether you are menstruating, clad in a single garment, or

even unclothed, we have won you in the dice game. You are now our slave, and a slave lives as per the master's will."<sup>29</sup>

Draupadī then turns to the assembly and questions: "O wise men of the assembly, I ask you all—do you consider me won or not won through dharma?"<sup>30</sup>

#### Vikarṇa's Argument Against Draupadī's Defeat

Vikarṇa, a Kaurava prince, challenged the legitimacy of Draupadī's loss: "Draupadī is the common wife of all the Pāṇdavās, not just Yudhiṣṭhira. Yudhiṣṭhira first lost himself and then, on Śakuni's insistence, wagered Draupadī. Hence, I do not consider her legitimately lost."<sup>31</sup>

#### Karṇa's Argument in Favor of Draupadī's Defeat

Karṇa countered Vikarṇa's argument, asserting Draupadī was rightfully won: "O son of Dhṛtarāṣṭra! How do you claim that Draupadī was not won? Yudhiṣṭhira wagered everything in the dice hall, and Draupadī was included in that wager. O scion of Bharata! Draupadī was won according to dharma. How can you deny it?"<sup>32</sup>

He further argued, "Yudhiṣṭhira verbally wagered Draupadī, and the other Pāṇdavās remained silent, thereby consenting. On what grounds do you claim that she was not won?"<sup>33</sup>

#### Karṇa's Justification for Disrobing Draupadī

Karṇa anticipated Vikarṇa's objection that Draupadī was unjustly dragged to the court in a single garment and responded: "If you argue that bringing Draupadī to the court in a single garment was unjust, then listen to my superior reasoning."<sup>34</sup>

"O Kurunandana! The gods have ordained that a woman should have only one husband. However, Draupadī has multiple husbands, making her akin to a prostitute. Hence, her being brought to the assembly is not surprising. Whether she is in a single garment or unclothed, it makes no difference."<sup>35</sup>

"All that belonged to the Pāṇdavās—their wealth, Draupadī, and even themselves—was won fairly by Śakuni."<sup>36</sup>

### Why is this Debate *Jalpa*?

The central debate in the *Sabhā Parva*—whether Draupadī was won lawfully in the dice game—demonstrates the characteristics of *Jalpa* (a debate aimed at victory). This is evident because:

1. **Victory-Seeking Nature** – The arguments made by both Vikarṇa and Karṇa are not purely for truth-seeking but to establish victory for their respective positions.

2. **Mutual Refutation** – Each side actively refutes the arguments of the other instead of engaging in a purely philosophical inquiry.
3. **Emotional and Power-Driven Discourse** – *Karṇa's* statements are derogatory and intended to demean Draupadī, rather than neutrally examining the legitimacy of her wager.

Thus, this debate is a prime example of *Jalpa*, as opposed to *Vāda* (which seeks truth with no intention to seek victory) or *Vitandā* (which is mere refutation without establishing a counter-thesis).

Analysis of *Vitandā* in *Sabhā parva*

In *Sabhā parva*, while opposing gambling, Vidura advises that gambling is inappropriate and urges the players to desist from it:

Vidura argued: "*Gambling is the root cause of conflicts. It breeds enmity among people, leading to terrible crises. At present, Dhritarashtra's son, Duryodhana, is taking refuge in gambling and creating fierce animosity.*"<sup>37</sup>

Further, he warned: "*Gambling leads to downfall, but Shakuni has skillfully presented it in an appealing manner. The decision to gamble has been finalized after secret deliberations in your hearts. However, this game of dice will turn into a dispute with your own kinsman, Yudhishthira, against your will and intention.*"<sup>38</sup>

Vidura also cautioned about the aftermath, "*When Yudhishthira, who is known as Ajātashatru (one who has no enemies), becomes overwhelmed with rage and is unable to restrain himself, and when Bhima, Arjuna, Nakula, and Sahadeva are also infuriated, then, in the ensuing great battle, who will come to your rescue?*"<sup>39</sup>

Lastly, he appealed to reason, "*O King! You already possess as much wealth as you desire even before gambling. If you win over the immensely wealthy Pandavas through gambling, what will you gain from it? The sons of Kunti themselves are the embodiment of wealth; rather than gambling, you should accept them as they are.*"<sup>40</sup>

Refuting Vidura's argument, Duryodhana countered,

"*O Vidura! You always praise the achievements of our enemies while constantly condemning Dhritarashtra's sons. We know well whose side you favor. You always belittle us as if we are mere children.*"<sup>41</sup>

Further, he argued, "*A person who harbors preference for one side is easily recognizable, as he engages in both criticism and praise accordingly. Your tongue reveals the resentment that resides in*

*your heart towards us. Do not allow your heart's antagonism to manifest against those superior to you.*"<sup>42</sup>

Duryodhana also rebuked Vidura,

"*You are like a venomous snake lying in our midst. O Vidura! Do not speak such harsh words to us. You are delighted in associating with our enemies, and repeatedly engage in hostility against us.*"<sup>43</sup>

Lastly, he dismissed Vidura's presence,

"*One should never accommodate a person who harbors enmity, especially one who seeks their downfall. Therefore, O Vidura! Go wherever you wish. Just as an unchaste woman forsakes her husband despite being pacified, you too may leave.*"<sup>44</sup>

#### Analysis as *Vitandā*

Here, Duryodhana's argument is an example of *Vitandā* (a debate solely for refutation) because he merely refutes Vidura's statements but does not establish his own position. He does not explicitly argue that "gambling is not wrong, so we shall definitely gamble." Instead, he solely focused on negating Vidura's stance without presenting a constructive defense of gambling.

However, according to the commentator Vātsyāyana, by refuting Vidura's claim, Duryodhana indirectly established his own position that gambling is acceptable. Hence, though the argument is structured as a *Vitandā*<sup>45</sup>, it implicitly reinforced his stance on gambling.

#### Application of the Three Forms of Just Argumentation in the Modern Lawmaking Process

The three main pillars of a republic—legislature, executive, and judiciary—hold distinct significance, with the legislature being particularly crucial. Among the many important functions of Parliament, lawmaking is a key responsibility. Some methods of lawmaking are explicitly mentioned in the Constitution, while others have been adopted over time through continuous practice.

Several factors must be considered while making laws, such as the resources needed for implementation, the level of support or opposition a bill will receive, and the impact of the proposed law on the electoral prospects of the ruling party. The most democratic and open platform for debate, Parliament, takes these considerations into account while formulating laws.

Throughout the process, from the formulation of a law to its implementation, different forms of discussion play a crucial role. In these discussions, the

three types of just argumentation—Vāda, Jalpa (a debate aimed at victory), and Vitandā (a debate solely for refutation)—hold special importance. These three methods are employed to resolve disputes, frame policies, and administer justice.

The excerpt from the Constituent Assembly debates held on 13th September 1949 provides a rich example of vāda, a form of dialogue in Indian philosophical traditions where the primary goal is the discovery of truth through reasoned debate, rather than victory or defeat.

### 1. Nature of Vāda:

The goal of Vāda is to arrive at the truth through logical reasoning, evidence, and respectful exchange of ideas. It is not about winning an argument but about understanding and resolving differences.

In this debate, Shri R. V. Dhulekar, Pandit Lakshmi Kanta Maitra, and other members engaged in a discussion about the official and national language of India. Each participant presented their arguments with the intention of persuading others based on reason and evidence.

### 2. Key Elements of Vāda in the Debate:

- **Respectful Exchange:** Despite strong differences of opinion, the participants generally maintain a respectful tone. For example, Shri Dhulekar passionately argued for Hindi as the national language, while Pandit Maitra advocated for Sanskrit. Both presented their cases without resorting to personal attacks.
- **Logical Reasoning:** Both sides used logical arguments to support their positions. Shri Dhulekar emphasized the historical and cultural significance of Hindi, citing figures like Swami Dayanand and Mahatma Gandhi. Pandit Maitra, on the other hand, highlighted the universal and ancient heritage of Sanskrit, quoting scholars and emphasizing its role as the "mother of all languages."
- **Evidence and Authority:** The debaters cited historical, cultural, and scholarly evidence to bolster their arguments. For instance, Pandit Maitra alluded to the opinions of renowned orientalist Max Müller and Schopenhauer to establish the global significance of Sanskrit.
- **Focus on Truth:** The debate was not merely about asserting one's position but about finding a solution that is in consonance with the cultural and practical needs of the nation. Shri Dhulekar's

plea for Hindi and Pandit Maitra's advocacy for Sanskrit both aimed to serve the larger interest of national unity and identity.

### 3 Challenges of Vāda:

- **Emotional Appeals:** While the debate largely adhered to the principles of vāda, there were moments where emotions overshadowed reason. For example, Shri Dhulekar's assertion that Hindi is the language of the "Hindu Nation" risked alienating non-Hindi speakers and introducing communal undertones, which detracted from the objective of discovering truth.
- **Interruptions and Relevance:** There were instances where the Chair (Mr. President) had to intervene to remind speakers to stay relevant and avoid digressions. This highlights the difficulty of maintaining a pure Vāda in a heated political debate.
- The debate exemplifies Vāda in its attempt to resolve a contentious issue through reasoned argumentation and mutual respect. However, it also illustrates the challenges of maintaining a purely truth-seeking dialogue in a politically charged environment. The participants tried hard to balance passion with reason, and while they did not fully resolve the issue, they contributed to a deeper understanding of the complexities involved in choosing a national language.

### 4 Reflection:

- This debate serves as a reminder of the importance of Vāda in democratic decision-making. It underscores the need for dialogue that prioritizes truth and mutual understanding over partisan victory. The Constituent Assembly, through such debates, laid the foundation for a democratic India, where diverse voices could be heard and respected.

In summary, the debate on the national language in the Constituent Assembly is a compelling example of vāda, showcasing both its strengths and the challenges of applying it in practice. It reflects the Assembly's commitment to resolving complex issues through reasoned debate, even as it grappled with the emotional and political dimensions of language and identity.

The judiciary primarily employs vāda, where the complainant and the defendant present their arguments before a judge, who then tries to dispense a fair judgment.

In the legislature, debates are usually not focused on finding the best solution but rather on ensuring that one's stance emerges victorious. Consequently, most parliamentary debates take the form of *Jalpa*.

The executive often faces *Vitandā* when implementing laws, as the opposition parties sometimes criticize policies without offering any alternative solutions.

Thus, in the three main branches of the government—legislature, executive, and judiciary—the three forms of just argumentation (*vāda*, *Jalpa*, and *Vitandā*) play a significant role. A notable example of *Jalpa* is as follows:

### 1) Arguments For and Against the Death Penalty

According to the substituted provision of Section 354(5) of the CrPC, now stated in Section 393(5) of the Indian Civil Security Code, it is specified that the death penalty can be granted through consensus following discussions in the public judicial system. The law also directs that when a person is sentenced to death, the execution process must be explicitly stated, and the individual shall be hanged by the neck until death.<sup>46</sup>

In judicial proceedings on this matter, two opposing sides emerge—one in favor of the death penalty and the other against it.

**Arguments in Favor of the Death Penalty:** Supporters argue that the death penalty is necessary to ensure justice for victims, their families, and society (these advocates believe in retributive justice).

**Arguments Against the Death Penalty:** Opponents counter that retribution is unethical and is merely another form of vengeance. They argue that even though the death penalty has been implemented for rape cases since 2013 (as per IPC Section 376A), the number of rape cases has not decreased. In fact, the brutality of such crimes has drastically increased.

**Rebuttal from Death Penalty Supporters:** Proponents further claim that since the Preamble of the Indian Constitution mentions social justice, the death penalty should also be given on this basis. They assert that it is the nation's moral duty to ensure the welfare and security of its citizens.

**Counterargument from Opponents:** Opponents refute this by stating that errors or flaws in the judicial system could lead to the wrongful execution of innocent people in the process of providing social justice.

**Another Argument from Death Penalty Advocates:** Supporters also contend that executing

criminals will prevent the recurrence of crimes in society, arguing that the death penalty serves as a powerful deterrent against heinous crimes. According to them, imprisonment alone is insufficient.

**Opposition Response:** However, the opposing side argues that the death penalty is not an effective crime deterrent. They believe that life imprisonment or long-term incarceration is a more effective method of preventing heinous crimes in society.

### Jalpa – A Case of Structured Debate

The debate between the proponents and opponents of the death penalty is a precise example of *Jalpa*, as both sides aim to win the argument by refuting the other's stance and strongly establishing their own viewpoint.

### Supreme Court's Decision on the Death Penalty

The Supreme Court of India has ruled that the death penalty is a legal form of punishment, to be awarded by the judiciary to individuals convicted of crimes for which the harshest punishment is prescribed by law. In India, the death penalty is given only in the *rarest of rare cases* as per the Indian Penal Code (BNS) and the Indian Civil Security Code (BNSS).

The Supreme Court has also recommended that an accused person should be given a meaningful, real, and effective opportunity to present their defence. The accused must also be provided the chance to present evidence relevant to the sentencing decision. Furthermore, the Court has advised that while pronouncing the death sentence, the judiciary should consider the convict's social background, age, educational level, and mental condition.

### 2). Indian Young Lawyers Association vs. State of Kerala (Sabarimala Temple Entry Case)

**Case Number:** WP(C) 373/2006 **Petitioner:** Indian Young Lawyers Association **Respondents:** State of Kerala, Travancore Devaswom Board

**Judgment:** The Supreme Court declared the practice of restricting the entry of women and girls aged 10 to 50 years into the Sabarimala temple as unconstitutional.

Sabarimala Temple, located on the Sabarimala hills within the Periyar Tiger Reserve in the Pathanamthitta district of Kerala, is one of the world's largest pilgrimage sites, attracting 40 to 50 million devotees annually. This temple is dedicated to Lord Ayyappa. Before 1991, there was no prohibition on women entering the temple. In 1991 the Kerala High Court banned the entry of women between the ages of 10

and 50 years to Sabarimala temple. Only elderly women and young girls were permitted entry because Lord Ayyappa is considered a celibate deity. Therefore, young girls who have not attained puberty and elderly women who are beyond the reproductive age could enter the temple.

In 2006, the Indian Young Law Association filed a public litigation before the Supreme Court of India challenging the Sabarimala temple's prohibition of women aged 10 to 50 from the temple premises. The Association presented that the prohibition violated the women's right to equality under article 14 as the practice was discriminatory and degrading<sup>47</sup>. The Supreme Court in 2018 held that the prohibition at Sabarimala was unconstitutional. On the contrary, the Travancore Devaswom Board, which managed the administration, argued that preventing the entry of women between 10 to 50 years of age was an essential practice because of the celibate nature of the temple deity, Lord Ayyappa. The Board asserted that Sabarimala was a religious denomination protected under Article 26 of the Constitution, which guarantees the temple the right to manage its internal religious affairs<sup>49</sup>.

The YLA mentioned that the prohibition of women between 10 and 50 violated Article 25 of the Constitution, which ensured that all individuals are entitled to freedom of conscience and are free to progress, practice and propagate religion per their preferences<sup>48</sup>.

**Jalpa** (a debate aimed at victory): The debate between the two sides regarding the prohibition on women's entry into the Sabarimala Temple in Kerala is a perfect example of *Jalpa* (a debate aimed at victory). Both parties, driven by the desire to win, strongly counter each other's arguments and establish their viewpoints through logic and evidence.

Examples of *Vitandā* in the Indian Parliament:

1. **Debate on No-Confidence Motions** –In many no-confidence motion debates, the opposition often criticizes the government's policies without necessarily offering concrete alternatives. Instead of constructive suggestions, the debate sometimes revolves around merely discrediting the ruling party's actions. For example, during the 2018 no-confidence motion against the Modi government, opposition leaders strongly criticized the government's handling of issues like unemployment and agrarian distress but did not always propose detailed solutions.

2. **Repeal of Article 370 (Jammu & Kashmir Special Status, 2019)** –. The government revoked the special status of Jammu and Kashmir granted to the state under Article 370 in 2019. The then Home minister mentioned in Parliament that it was a temporary provision and that the president could revoke it. The home minister also mentioned that because of Article 370, the law of the Union of India did not apply to Jammu and Kashmir. As a result, corruption and terrorism had a free run across the state. During the debate on the abrogation of Article 370, many opposition members strongly opposed the move but did not present a clear alternative framework for integrating Jammu & Kashmir with India. The government, on the other hand, justified the decision by citing long-term national interest and economic benefits. The opposition's stand revolved around refuting the government's justifications without necessarily providing a constructive solution, which can be seen as an example of *Vitanda*.

3. **Farm Laws Repeal Debate (2021)** – When the three farm laws were introduced, opposition parties strongly criticized them. The Supreme Court of India stayed the implementation of the farm laws in January 2021. Before the court gave its final verdict, the government in November 2021 decided to repeal all three farm laws. They were repealed after the due procedure was followed and the President's approval was given in November 2021. When the government repealed the laws in 2021, the opposition again attacked the government for initially implementing them, and then repealing them. The debate primarily aimed at negating the government's position rather than suggesting an alternative approach to agricultural policy.

4. **Demonetization Debate (2016-17)** –After the government announced demonetization in 2016, there was extensive discussion in Parliament. Many opposition members continuously attacked the move, highlighting economic distress but failed to suggest alternative measures for tackling black money or digital transactions. This is in tune with *Vitanda*, as the focus was more on discrediting the policy rather than engaging in a solution-oriented discussion.

In the ancient Indian tradition of Shastrarth (scholarly debate), the nature of *Vāda* (a debate for

truth-seeking), Jalpa (a debate aimed at victory), and Vitandā (a debate solely for refutation) was determined at the very beginning of the discussion. This determination not only helped in maintaining discipline during the discourse but also simplified the process of concluding. If a debate was initiated with the intent of *Vāda* and a participant resorted to *Jalpa* or *Vitandā*, the presiding authority or other members of the assembly would immediately intervene and ask them to adhere to the norms of *Vāda*. This ensured that logical reasoning and discipline were upheld throughout the discussion.

In ancient Shastrarth, both the proponent (*Vaadi*) and the opponent (*Prativaadi*) used *Hetu* (logical reasoning) while presenting their arguments. In Nyaya philosophy, the analysis of *Hetu* was considered extremely important. It was ensured that the arguments presented were genuinely based on valid reasoning (*Hetu*) rather than mere fallacies (*Hetvabhasa*). Even in the modern era, this analysis remains equally essential, as false or misleading arguments often divert discussions from their intended purpose.

Today, it has become even more important to draw inspiration from the ancient Shastrarth tradition and establish a well-structured framework for discussions. This framework should adhere to the classical methodologies to ensure that discourse remains logical, effective, and precise. Such a structured approach would not only prevent discussions from deviating in an unproductive direction but also save time and resources.

By reviving this tradition of disciplined debate, we can effectively apply it in modern society. This would not only strengthen decision-making processes but also encourage a culture of intellectual exchange. A Shastrarth-based debate model would prove highly beneficial for contemporary society, providing meaningful direction to discussions and fostering a more rational and informed dialogue.

### Conclusion

The present study attempts to trace the philosophical and legal frameworks rooted in the Indian traditional knowledge systems and their application in social, economic and political life in ancient India and also their relevance to contemporary society. The study analyzed the three types of argumentation - *Vāda*, *Jalpa*, and *Vitandā* that were explained in Nyāya philosophy of Gautama. It also emphasizes on the application of these sutras in the

ancient India especially during the period of *Mahābhārata* (Sabha and Vana Parva) and attempts to show that these principles continue to be relevant to the contemporary Indian society especially to lawmaking processes of modern times. The study analyses the forms of debates around the three types of argumentation and demonstrates that the ancient Indian philosophical traditions provide valuable insights into contemporary legal, legislative, and judicial practices. The study also highlights the enduring relevance of Nyāya's logical frameworks in fostering reasoned discourse, resolving conflicts, and ensuring justice in modern democratic systems.

The study has traced the process of application of three types of sutras of argumentation of Nyaya philosophy to deal with legal, ethical and administrative issues in the epic Mahabharata. The *Mahābhārata* is considered as repository of ethical and legal wisdom. The study of Mahabharata reveals that the three types of argumentation *Vāda* (truth-seeking debate), *Jalpa* (a debate aimed at victory), and *Vitandā* (a debate solely for refutation) were frequently employed in ancient times to deal with complex moral and legal dilemmas. The present study concludes that the forms of debates mentioned here are not merely historical artifacts but are deeply embedded in India's intellectual heritage, offering a robust framework for understanding and improving modern legal and legislative processes.

The National Educational Policy (NEP) 2020 has also highlighted the importance of traditional knowledge systems and emphasized the need to integrate the rich traditions of Indian Knowledge Systems (IKS) into contemporary education system and reinventing of governance in the light of IKS. The NEP has identified that around 220 languages have been lost in India during the last 50 years due to lack of support. Therefore, NEP has underscored the need for preservation and propagation of India's linguistic and cultural heritage to avoid further loss to the Indian Knowledge systems. The NEP has recommended creation of new dictionaries in Indian languages, the publication of ancient manuscripts, and the establishment of translation and interpretation centers to make both written and oral knowledge accessible to all. The present study has attempted to encourage critical thinking, ethical reasoning, and a deeper understanding of India's rich intellectual traditions by reviving the traditional philosophical concepts like *Vāda*, *Jalpa*, and *Vitandā* and incorporating them into modern education system.

The principles of Nyaya philosophy are also relevant to contemporary society in the context of sustainable development perspective. The principles of Nyaya philosophy helps to achieve the United Nations Sustainable Goals (SDGs), particularly Goal 16 (Peace, Justice, and Strong Institutions). The salient features of Nyaya philosophy, especially its emphasis on reasoned debate, truth seeking, and ethical decision making helps to achieve more inclusive, participatory, and transparent governance. By applying the principles of Nyaya philosophy, present day policymakers can address complex socio-economic challenges, such as poverty, inequality, and environmental degradation, holistically and sustainably.

### Recommendations for future research

The study has provided valuable directions for future research and further helps to expand the scope of research in Indian knowledge systems. and its relevance to contemporary society.

- **Comparative studies of Nyāya and Western Legal Philosophies:** the study gives scope for future researchers to explore the similarities and differences between Nyāya's argumentative frameworks and Western legal traditions, such as Socratic dialogue and Aristotelian logic. The comparison between Indian knowledge systems and Western philosophies provide a deeper understanding of how different cultures approach truth-seeking and justice.
- **Application of Nyāya in Alternative Dispute Resolution (ADR):** Future research can be carried out on Nyāya's argumentative techniques to develop training modules for legal practitioners. The principles of Vāda, Jalpa, and Vitandā could be applied to modern ADR mechanisms, such as mediation and arbitration, to enhance their effectiveness and fairness.
- **Integration of Nyāya in Legal Education:** the present study also gives scope for future studies in terms of legal education. Future studies could focus on how the principles of Nyāya philosophy can be integrated into legal education curricula in India. This could involve integration Indian knowledge systems in designing courses for legal studies that teach law students the principles of Nyaya philosophy, art of reasoned debate, ethical reasoning, and critical thinking, drawing from ancient Indian texts like the *Mahābhārata* and the *Nyāya Sūtras*.
- **Role of Nyāya in Environmental Law and Policy:** In the present context of growing importance to the ideas of environmental sustainability, future research could investigate how Nyāya's principles can help to strengthen environmental law and policy. For instance, Vāda could be used to facilitate inclusive and participatory decision-making in environmental governance, while Jalpa and Vitandā could help address contentious issues like climate change and resource allocation.
- **Digital Preservation and Dissemination of Indian Knowledge Systems:** By highlighting the importance of Indian knowledge systems and their relevance to contemporary society, the present study stresses on the need for preservation of Indian knowledge systems and cultural heritage. In line with the NEP 2020's emphasis on preserving India's linguistic and cultural heritage, future research could focus on leveraging digital technologies to preserve and disseminate ancient texts, manuscripts, and oral traditions. This could involve creating online repositories, interactive learning platforms, and multilingual resources to make IKS accessible to a global audience.
- **Nyāya Philosophy and Artificial Intelligence (AI):** There is growing tendency of integration of AI tools into legal and judicial systems. This study suggests that future research could concentrate to explore the possibilities of developing ethical AI algorithms for integration of Nyāya's logical frameworks with AI tools. This could involve designing AI systems that prioritize truth-seeking, fairness, and transparency, in alignment with Nyāya's principles.
- **Cultural and Linguistic Revival through Nyāya:** Future research could also focus on establishing a deeper connection between India's intellectual heritage and its rich linguistic traditions through creation of educational programmes that teach Nyaya philosophy in regional languages. This would further contribute to the preservation and promotion of India's linguistic diversity.
- **Sustainable Development and Indian Knowledge Systems:** Future research could also focus on the integration of Nyāya philosophy into modern education systems and governance with a broader perspective of sustainable development. By fostering critical thinking, ethical reasoning,

and inclusive decision-making, Nyāya can contribute to building just, peaceful, and sustainable societies. The NEP 2020 provides a unique opportunity to revive and sustain India's rich intellectual heritage, ensuring that it continues to inform and inspire future generations.

The present study has highlighted the relevance of Nyāya philosophy in modern context and provided way to new avenues for interdisciplinary research with emphasis on cultural revival and sustainable development. The study has concluded that the three principles of argumentation - Vāda, Jalpa, and Vitandā of Nyaya philosophy offer timeless wisdom which can guide the contemporary world in addressing the complex challenges. The study and application of ancient philosophical traditions in the contemporary legal and educational practices will help us to create a more just, equitable, and sustainable society in future.

## References

- 1 अमरसिंह. *अमरकोशः*. व्याख्याकारः पंडित हरिगोविंद शास्त्री. वाराणसी: चौखम्बा संस्कृत संस्थान, 2018.
- 2 गौतम, महर्षि. *न्यायदर्शनम्*. व्याख्याकारः आचार्य पं. चित्तनारायण पाठक. वाराणसी: चौखम्बा विद्याभवन, 1983.
- 3 मिश्र, केशव. *तर्कभाषा*. व्याख्याकारः अर्कनाथ चौधरी. जयपुर: जगदीश संस्कृत पुस्तकालय, 2015.
- 4 वात्स्यायन, आचार्य. *न्यायभाष्य*. अनुवादकः प्रो. राजाराम. लाहौर: बाम्बे मैथीन प्रेस, 1921.
- 5 व्यास, महर्षि. *महाभारत (सभापर्व)*. सम्पादकः डॉ. श्रीपाद दामोदर सातवलेकर. पारडी (वलसाड): स्वाध्याय मण्डल, 2006.
- 6 व्यास, महर्षि. *महाभारत (वनपर्व)*. अनुवादकः पंडित नारायण शास्त्री पाण्डेय 'राम'. गोरखपुर: गीताप्रेस, 2006.
- 7 भारत सरकार, विधि और न्याय मंत्रालय. *भारतीय नागरिक सुरक्षा संहिता, 2023*. नई दिल्ली: भारत का राजपत्र, 2023.
- 8 Parthasarthy, Malavika. "Court in Review: Death Penalty." *Supreme Court Observer*. Last modified April 25, 2022. Accessed November 10, 2025. <https://www.scobserver.in/journal/court-in-review-the-death-penalty>.
- 9 The Editors of Encyclopaedia Britannica. "Drawing and Quartering." *Encyclopaedia Britannica*. Last modified September 30, 2016. Accessed November 10, 2025. <https://www.britannica.com/topic/drawing-and-quartering>.
- 10 Legal Observer Trust. "Sabarimala Temple Entry." *Supreme Court Observer*. Last modified June 24, 2022. Accessed November 10, 2025. <https://www.scobserver.in/cases/indian-young-lawyers-association-v-state-of-kerala-sabarimala-temple-entry-background>.
- 11 "आन्वीक्षिकी दण्डनीतिस्तर्कविद्यार्थशास्त्रयोः" प्रथमकाण्ड, शब्दादिवर्ग अमरसिंह. *अमरकोशः*. व्याख्याकारः पंडित हरिगोविंद शास्त्री. वाराणसी: चौखम्बा संस्कृत संस्थान, 2018.
- 12 प्रदीपः सर्वविद्यानामुपायः सर्वकर्मणाम् । कौटिल्य. *अर्थशास्त्रम्*. व्याख्याकारः वाचस्पति गैरोला. तृतीय संस्करण. वाराणसी: चौखम्बा विद्याभवन, 2017.
- 13 'नियन्ति अनेनेति न्यायः अथवा नीयन्ते प्राप्यन्ते विवक्षितार्थं येन इति न्यायः' <https://ashtadhyayi.com/kosha?search=%E0%A4%A8%E0%A5%8D%E0%A4%AF%E0%A4%BE%E0%A4%AF>
- 14 'प्रमाणैरर्थपरीक्षणं न्यायः' वात्स्यायन, *न्यायभाष्य*, 1.1.1. वात्स्यायन, आचार्य. *न्यायभाष्य*. अनुवादकः प्रो. राजाराम. लाहौर: बाम्बे मैथीन प्रेस, 1921
- 15 "वेदार्थनिर्णयसाधनमधिकरणात्मकः पदार्थः न्यायः" न्यायकोश, पृ. 349, झलकीकर, भीमाचार्य. *न्यायकोशः*. चौखम्बा सुरभारती प्रकाशन, 2011
- 16 'तिस्रः कथा भवन्ति वादो जल्पो वितण्डा चेति' न्यायभाष्य, 1.2.1, वात्स्यायन, आचार्य. *न्यायभाष्य*. अनुवादकः प्रो. राजाराम. लाहौर: बाम्बे मैथीन प्रेस, 1921
- 17 'कथा तु नानावक्तृकपूर्वोत्तरपक्षप्रतिपादकवाक्यसन्दर्भः' तर्कभाषा, वितण्डा-निरूपण, पृ. 588, मिश्र, केशव. *तर्कभाषा*. व्याख्याकारः अर्कनाथ चौधरी. जयपुर: जगदीश संस्कृत पुस्तकालय, 2015
- 18 'प्रमाणतर्कसाधनोपालम्भः सिद्धान्ताविरुद्धः पञ्चावयवोपपन्नः पक्षप्रतिपक्षपरिग्रहो वादः' न्यायसूत्र, 1.2.1, वात्स्यायन, आचार्य. *न्यायभाष्य*. अनुवादकः प्रो. राजाराम. लाहौर: बाम्बे मैथीन प्रेस, 1921
- 19 'तत्त्वबुभुत्सोः कथा वादः' तर्कभाषा, वाद-निरूपण, पृ. 586, मिश्र, केशव. *तर्कभाषा*. व्याख्याकारः अर्कनाथ चौधरी. जयपुर: जगदीश संस्कृत पुस्तकालय, 2015
- 20 "त्रिविधम् फलमिति- अनधिगततत्त्वावबोधः संशयनिवृत्तिरध्यवसिताभ्यनुज्ञानमिति फलानि त्रीणि।" तात्पर्यटीका, 1.2.1, मिश्र, वाचस्पति. *न्यायवार्तिक तात्पर्यटीका*. चौखम्बा संस्कृत सीरीज, वाराणसी, 1925
- 21 वादे वादे जायते तत्त्वबोधः, बोधे बोधे भासते चन्द्रचूडः" रम्भाशुकसम्वाद, श्लोक-३, *रम्भाशुकसम्वादः* राधाकृष्णसम्वादश्च, प्रकाशकः हरिप्रसाद श्री महावीर जैन आराधना केन्द्र एवं आचार्य श्री कैलस्रगरसुरि ज्ञान मन्दिर, मुंबई, 1825
- 22 "यथोक्तोपपन्नश्छलजातिनिग्रहस्थानसाधनोपालम्भः जल्पः" वात्स्यायन, आचार्य. *न्यायभाष्य*. अनुवादकः प्रो. राजाराम. लाहौर: बाम्बे मैथीन प्रेस, 1921
- 23 उभयसाधनवती विजिगीषुकथा जल्पः । सा च यथासम्भवं सर्वनिग्रहाणामधिकरणम् । परपक्षे दूषिते स्वपक्षस्थापनप्रयोगावसानश्च' तर्कभाषा, जल्प-निरूपण, पृ. 587, मिश्र, केशव. *तर्कभाषा*. व्याख्याकारः अर्कनाथ चौधरी. जयपुर: जगदीश संस्कृत पुस्तकालय, 2015
- 24 'स प्रतिपक्षस्थापनाहीनो वितण्डा', न्यायसूत्र, 1.2.3, वात्स्यायन, आचार्य. *न्यायभाष्य*. अनुवादकः प्रो. राजाराम. लाहौर: बाम्बे मैथीन प्रेस, 1921
- 25 'स एव स्वपक्षस्थापनाहीनो वितण्डा। सा च परपक्षदूषणमात्रपर्यवसाना। नास्य वैतण्डिकस्य स्थाप्यः पक्षः अस्ति, तर्कभाषा, वितण्डा-निरूपण, पृ. 588, मिश्र, केशव. *तर्कभाषा*. व्याख्याकारः अर्कनाथ चौधरी. जयपुर: जगदीश संस्कृत पुस्तकालय, 2015
- 26 क्षमा स्वच्छेयसी तात उताहो तेज इत्युत। एतन्मे संशयं तात यथावद् ब्रूहि पृच्छते॥ व्यास, *महाभारत*, 3.28.3.
- 27 न श्रेयः सततं तेजो न नित्यं श्रेयसी क्षमा । इति तात विजानीहि द्वयमेतदसंशयम् ॥ व्यास, *महाभारत*, 3.28.6
- 28 यो नित्यं क्षमते तात ब्रून् दोषान् स विन्दति । भृत्याः परिभवन्त्येनमुदासीनास्तथारयः ॥ व्यास, *महाभारत*, 3.28.7
- 29 मित्रैः सह विरोधं च प्राप्नुते तेजसाऽवृत्तः । आप्नोति द्वेष्यतां चैव लोकात् स्वजनस्तथा ॥ व्यास, *महाभारत*, 3.28.18

- 30 मृदुर्भवत्यवज्ञातस्तीक्ष्णादुद्विजते जनः । काले प्राप्ते द्वयं चैतद् यो वेद स महीपतिः ॥ व्यास, *महाभारत*, 3.28.36
- 31 'प्रतिपक्षहीनमपि वा प्रयोजनार्थमर्थित्वे' न्यायसूत्र, तत्त्वज्ञानविवृद्धिप्रकरणम्, 4.2.49, वात्स्यायन, आचार्य. *न्यायभाष्य*, अनुवादकः प्रो. राजाराम, लाहौरः बाम्बे मैथीन प्रेस, 1921
- 32 गच्छ त्वं कितवं गत्वा सभायां पृच्छ सूतज । किं नु पूर्वं पराजैषीरात्मानमथवा नु माम् ॥ व्यास, *महाभारत*, 2.68.7
- 33 एह्येहि पाञ्चालि जितासि कृष्णे दुर्योधनं पश्य विमुक्तलज्जा । कुरून् भजस्वायतपत्रनेत्रे धर्मेण लब्धासि सभां परेहि ॥ व्यास, *महाभारत*, 2.67.27
- 34 सा कृष्यमाणा नमिताङ्गयष्टिः शनैरुवाचाथ रजस्वलास्मि । एकं च वासो मम मन्दबुद्धे सभां नेतुं नार्हसि मामनार्य ॥ व्यास, *महाभारत*, 2.67.32.
- 35 रजस्वला वा भव याज्ञसेनि एकाम्बरा वाप्यथवा विवस्त्रा । द्यूते जिता चासि कृतासि दासी दासीषु वासश्च यथोपजोषम् ॥ व्यास, *महाभारत*, 2.67.34
- 36 इमं प्रश्नमिमे ब्रूत सर्व एव सभासदः । जितां वाप्यजितां वा मां मन्यध्वे सर्वभूमिपाः ॥ व्यास, *महाभारत*, 2.67.41
- 37 साधारणी च सर्वेषां पाण्डवानामनिन्दिता । जितेन पूर्वं चानेन पाण्डवेन कृतः पणः ॥ , व्यास, *महाभारत*, 2.68.23, इयं च कीर्तिता कृष्णा सौबलेन पणार्थिना। एतत् सर्वं विचार्याहं मन्ये न विजितामिमाम् ॥ व्यास, *महाभारत*, 2.68.24
- 38 कथं ह्यविजितां कृष्णां मन्यसे धृतराष्ट्रज। यदा सभायां सर्वस्वं न्यस्तवान् पाण्डवाग्रजः ॥ व्यास, *महाभारत*, 2.68.31, अभ्यन्तरा च सर्वस्वे द्रौपदी भरतर्षभ । एवं धर्मजितां कृष्णां मन्यसे न जितां कथम् ॥ व्यास, *महाभारत*, 2.68.32
- 39 कीर्तिता द्रौपदी वाचा अनुज्ञाता च पाण्डवैः। भवत्यविजिता केन हेतुनैषा मता तव ॥ व्यास, *महाभारत*, 2.68.33
- 40 मन्यसे वा सभामेतामानीतामेकवाससम् । अधर्मेण तत्रापि शृणु मे वाक्यमुत्तमम् ॥ व्यास, *महाभारत*, 2.68.34
- 41 एको भर्ता स्त्रिया देवैर्विहितः कुरुनन्दन । इयं त्वनेकवशगा बन्धकीति विनिश्चिता ॥ व्यास, *महाभारत*, 2.68.35
- 42 यञ्चैषां द्रविणं किञ्चिद् या चैषा ये च पाण्डवाः । सौबलेनेह तत् सर्वं धर्मेण विजितं वसु ॥ व्यास, *महाभारत*, 2.68.37
- 43 द्यूतं मूलं कलहस्याभ्युपैति मिथो भेदं महते दारुणाया। यदास्थितोऽयं धृतराष्ट्रस्य पुत्रो दुर्योधनः सुजते वैरमुग्रम् ॥ व्यास, *महाभारत*, 2.63.1
- 44 आकर्षस्तेऽवाक्फलः सुप्रणीतो हृदि प्रौढो मन्त्रपदः समाधिः । युधिष्ठिरेण कलहस्तवायमचिन्तितोऽनभिमतः स्वबन्धुना ॥ व्यास, *महाभारत*, 2.63.6
- 45 यदा मन्युं पाण्डवोऽजातशत्रुर्न संयच्छेदक्षमदाभिभूतः । वृकोदरः सव्यसाची यमौ च कोऽत्र द्वीपः स्यात् तुमुले वस्तदानीम् ॥ व्यास, *महाभारत*, 2.63.8
- 46 महाराज प्रभवस्त्वं धनानां पुरा द्यूतान्मनसा यावदिच्छेः । बहुवित्तान् पाण्डवांश्चेज्यस्त्वं किं ते तत् स्याद् वसु विन्देह पार्थान् ॥ व्यास, *महाभारत*, 2.56.9
- 47 परेषामेव यशसा श्लाघसे त्वं सदा क्षतः कुत्सयन् धार्तराष्ट्रान्। जानीमहे विदुर यत् प्रियस्त्वं बालानिवास्मानवमन्यसे नित्यमेव ॥ व्यास, *महाभारत*, 2.64.1
- 48 स विज्ञेयः पुरुषो अन्यत्रकामो निन्दाप्रशंसे हि तथा युनक्ति । जिह्वा कथं ते हृदयं व्यनक्ति यो न ज्यायसः कृथा मनसः प्रातिकूल्यम् ॥ व्यास, *महाभारत*, 2.64.2
- 49 उत्सङ्गे च ब्याल इवाहितोऽसि मार्जारवत् पोषकं चोपहंसि । भर्तुं त्वां न हि पापीय आहुस्तस्मात् क्षतः किं न बिभेषि पापात् ॥ व्यास, *महाभारत*, 2.64.3
- 50 न वासयेत् पारवर्ग्यं द्विषन्तं विशेषतः क्षत्ररहितं मनुष्यम्। स यत्रेच्छसि विदुर तत्र गच्छ सुसान्त्विता ह्यसती स्त्री जहाति ॥ व्यास, *महाभारत*, 2.64.11
- 51 "यद्वै खलु तत्परप्रतिषेधलक्षणं वाक्यं स वैतण्डिकस्य पक्षः न त्वसौ साध्यं कं चिदर्थं प्रतिज्ञाय स्थापयतीति" न्यायभाष्य, 1.2.3, पृ. 105, वात्स्यायन, आचार्य. *न्यायभाष्य*, अनुवादकः प्रो. राजाराम, लाहौरः बाम्बे मैथीन प्रेस, 1921
- 52 भारतीय नागरिक सुरक्षा संहिता, 2023
- 53 The State shall not deny any person equality before the law or the equal protection of the laws within the territory of India:( Government of India, Constitution of India,Article 14)
- 54 Right to Freedom of Religion: (Government of India, Constitution of India, Article 25)
- 55 Right of Religious Denominations to Manage Their Internal Religious Affairs: (Government of India, Constitution of India, Article 26)