



LAW AND LEGAL SYSTEM: AN ANALYSIS INTO ITS VARIOUS COMPONENTS ¹

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ABSTRACT

It is being rightly said, “*In counting the trees, one is apt to miss the woods*”.² A simple explanation of this sentence would mean that while going to a forests, we start counting the trees and appreciate the variety of trees. But what we miss out to appreciate is the beauty of the woods. One often forgets that we are capable of appreciating the trees because the forest exists. In the same way we often try to study different branches of law and try to draw a conclusion out of it, but very often we fail to study and appreciate the origin of the entire system as a whole, which will give us actual idea of the basis of any legal system. Legal systems of the world should be studied to bring in more developments, but in the mean time we should also make an effort to understand our own legal system which is undergoing many changes and look into validity of the same.

Introduction

It is being rightly said, “*In counting the trees, one is apt to miss the woods*”.³ A simple explanation of this sentence would mean that while going to a forests, we start counting the trees and appreciate the variety of trees. But what we miss out to appreciate is the beauty of the woods. One often forgets that we are capable of appreciating the trees because the forest exists. In the same way we often try to study different branches of law and try to draw a conclusion out of it, but very often we fail to study and appreciate the origin of the entire system as a whole, which will give us actual idea of the basis of any legal system. Legal systems of the world should be studied to bring in more

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developments, but in the mean time we should also make an effort to understand our own legal system which is undergoing many changes and look into validity of the same.

Today's society comprises of changing notions and concepts. Existing elements have changed, many new things have evolved and many things are yet to come. Change is good because it is due to change that we realize our drawbacks. The concept of change itself engulfs within it all spheres of life and branch of law is not an exception. We study different types of law as such and we also have to study the changes therein. Now to understand the changes in law it is very important the legal system and its validity. The understanding of what is law will ultimately lead us to the understanding of what is a legal system.

At this juncture we also need to understand what a system is. A system connotes a coherent arrangement of various aspects which need to be taken into consideration for a society to run. The uniform combination of all those aspects makes it a system. If we speak up of different legal systems in the world, the corpus remains the same but it has different elements. For instance, we study different schools of law, we study thoughts and philosophies of different thinkers. But the main aspect to understand here is the legal system as a whole but from different angles. So these philosophies act as an amalgam to achieve a harmonious working of all these elements of a legal system.

Background

Every now and then, a question is being asked on the that what is a legal system and how does a law evolve into a legal system. The answer to the question of what is a legal system can be answered by realizing the need of some uniformity in the society. Society comprises of different types of people living in various standards of life, with different aspirations. Yet we can find a desire of collective participation through activities of different people. We could have confined ourselves in our own homes and lead our life. Instead we become a part of the society. The purpose is to realize benefits of the society and get some sort of social security as a whole for which everyone is entitled equally. Also, the society cannot function according to the whims and caprices of every one. If it happens there will be chaos and disorder which will push the society into the times of the past. So there is the need of some rules and principles, according to which people in the society should perform. So here comes the role of a system which prescribes a particular method for protection and security of the people. It is termed a law as it is equal for all and all are entitled to follow it. The implementation of the same is done with the help of rights and duties.

Now another question arises what determines the nature of a legal system and what creates the difference in various legal system in the world. This is because of the changing sociological, economic and political conditions of the society of different countries. The sociopolitical condition of the countries differ on the basis of different cultures and geographical conditions. The goals that a particular legal systems take up evolve from these conditions. The different methods of fulfilling the minimum goals of a society creates difference in the legal systems in the world. Some systems are influenced by the theory of equity and natural justice while others may follow the nature of the society as such and still others may follow religion or the theory of divine origin.

Significance of the study

The study of law and legal system hold good both in national and international aspect. It is well known fact that with the advent of globalization no nation can develop in isolation. There is growing dependency of the nations among themselves and the world has turned into a global village. In this regard even the laws of one country affects another. There are various dimensions of studying law and legal systems.⁴ At an international level, the study of laws and legal systems gives a broader idea of laws that are followed by different countries, which in turn helps in the development of relations between countries.⁵ The signing of treaties, conventions and covenants have helped in the formation and evolution of laws, rules and regulations in different countries. At a domestic level, the study of different legal systems help in formulation of different laws according to the socio-economic needs of a particular country. It provides a different interpretation and elucidation of laws. In a nutshell it can be stated that study of law and legal system is important so that it becomes a scholastic area of research, it helps in bringing appropriate and desirable legal reforms in a particular society and also it follows certain standards of implementation of the same.

Definition of a Legal System

The initial question in an effort to define a legal system would be what is law. There are various definitions in this regard but to obtain a specific idea of what is law it is necessary to eliminate much of what is called as law.⁶ One of the widest definitions of law would be a set of principles or norms which controls the forces of the universe being omnipresent, and which is perennial and spread through everything that can affect people.⁷ The development of laws and practices can be transformed into a legal system only when it becomes perpetual which can be adjusted with every conflict arising in the society. It has been rightly pointed out that "Regulations, the wisdom, necessity and validity of which, as applied to existing conditions, are so apparent that they are not uniformly sustained, a century ago, or even half a century ago, probably would have been rejected as arbitrary and oppressive."⁸ According to Justice Cordozo, the growth of law which is an important part of the legal system depends on various elements namely the concept of philosophy, history, sociology and traditional values along with the subconscious element in the solution of social conflicts.⁹ The definition of law also cannot ignore the element of dynamism. In the case of *Supreme Court Advocates on Record Association Vs. Union of India*¹⁰, J. S.Ratnavel Pandian held that law is not immutable and static. which is the inevitable truth of law and it grows more and change eventually with the passage of time.

The basic components of law which is common to almost all the nations of the world are given as under:

⁴ **Aruna Sri Lakshmi, Legal Systems: A comparison**, Advanced Jurisprudence <https://ebooks.inflibnet.ac.in/lawp01/chapter/32/> accessed on 12/01/2026

⁵ Ibid.

⁶ Simeon S. Willis Kentucky Court of Appeals, *The Evolution of the Law* (1932) Kentucky Law Journal Kentucky Law Journal Volume 21 Issue 1 Article 3

⁷ Ibid.

⁸ *EUCLD v AMBLER REALTY CO.*, 272 U. S. 365

⁹ Ibid.

¹⁰ (1993) 4 SCC 441

- a. Human Values which implies the beliefs which distinguishes between moral and immoral conduct or good or bad behavior and acceptable or non acceptable conduct in the society. The core components of a legal system namely justice, equality and freedom of life and liberty are based on this concept.
- b. Norms which determines the nature of human actions in the society with due regard to the human values. It is generally expected that the individuals should act in a definite manner in the society for the benefit of all. It draws an important component of how a law should be in a particular society.
- c. Customs and traditions: Customs and traditions are said to be an informal way of establishing norms in the society which also determines law and legal systems. They act as a basis of the day to day conduct of the people.

Another interpretation of law would be the determines of a process which looks after a distinctive form of social organization and which in turn determines the legality of law. It is also an established fact that the mindset of the people and the sense of justice, socio-economic condition of the country, language etc also determines the blending of law into legal system. So a combination or assemblage of various components facts, principles and doctrines which is recognizable or enforceable according to the law of the land can be called a legal system. It can also be stated as an unified pattern of various components which can be validated through an institutional structure.¹¹

Law and the notion of a Legal System

The notion of a legal system starts from the very concept of law which is deduced from constructive idea and theory, which is guided by certain principles in the society. Any legal system is a combination of a law, the law and gradually ultimate law. A legal system has its own objective of formation which acts as a guideline to the society. It works with the various processes, institutions, individuals and principles. It is also accompanied with desirable autonomy in the society.

The notion of a legal system implies that that people believe in the legal system and understands its validity and its application. This is more often derived from the basic interpretation of law. So there lies a connection between where and how law is applied. The application refers to the society at large and its various components and the benefit, the common people derive from the same. The validity of the law also has to be understood from the action and the practices it incorporates which varies from society to society.¹² So there is never an exhaustive definition of law. Another understanding of a legal system would be the diversity of laws that co exists within a particular society in one hand and on the other hand the beliefs and social behavior of the people vary. So the already existing customs and traditions also determine the law and its transition into a legal system.

The transformation of laws into legal system involves a complex process as it has to make established practices and customs recognizable, enforceable and valid and which is acceptable by the people on whom it will be applied.

¹¹ Shambhu Prasad Khanal, *Historical Development of Nepalese Legal System: A Study Within the Periphery of Jurisprudential Insight*(2006)NEPAL LAW REVIEW, Vol 19, Number1 and 2, Nepal Law Campus, Faculty of Law, Tribhuvan University, Kathmandu, Nepal.

¹² Saroj Kumar Giri, *The Notion of Legal System* (1998) Nepal Law Review <www.nepjol.info> accessed on 05/01/2026

The key aspects of the transition include institutionalization of the legal system and its perpetual enforceability. It also requires enforcements mechanism to uphold the basic sense of a law for which it is formed . It also includes accessible procedures of action and inaction which reflects the changes in the society.

It has been rightly stated that the legal reality with the application of different laws transforms into a legal system.¹³ When a particular set of laws have a regulatory, organizational and other structural systems and procedures along with adequate enforcement mechanisms, it transforms into a legal system.¹⁴ When a particular legal system is adopted by a particular country, it becomes the national legal system such as following a particular juridical system by a group of countries or a country. The transformation of laws into legal system also includes a sense of responsibility of uplifting the society with the infliction of various values. For instance, our legal system is expected to work for the protection of basic human rights, resolving conflicts, establishing fairness and justice in the society etc. this a broadened view of a legal system.

Autonomy and legal system:

The concept of autonomy are deeply intertwined with each other and autonomy constitutes an important component of law and its transformation into a legal system. On one hand autonomy in majority talks about personal independency of the people , self governance and upliftment of the choice of the individual and on the other hand law tries to strike a balance towards realisation of the individual rights and freedom of people so that societal needs can be preserved. It is being said that law addresses autonomy in the sense that by bringing out various concepts such as protection , empowerment etc, in a way restating the notional impression of autonomy into the society.

According to R.M. Unger, law is autonomous in substantive, procedural, institutional and occupational sense. It means that for a legal system to have validity, it should have autonomy in regards to its institutions and enforcement procedures .The autonomous character of any legal system means that it is not confined to a particular theology, it will have a distinctive character and a distinctive set of institutions. Sometimes the preservice of autonomous character of the legal system is essential to maintain its sanctity and some times breaking the same is also needed to cater to the needs of the society. This signifies the relative component of the autonomy of a legal system.

On the other hand there also exists some limitations of the autonomy of law which can be inclined with Kelsen's Pure theory of law which states that law should be pure science and focus on what law is rather than what law should be. If this view of law and legal system is taken into consideration than some limitations to the applicability of law can be drawn. Another explanation of the limited nature of law would be Savigny's interpretation of what law and legal system would be which is law is dynamic and a legal system is based on changing social behaviour rather than on the fixed norms of the state.

¹³ N.I. Matuzov(ed), *Theory Of State And Law: A Course Of Lectures*, in N.I. Matuzov, A.V. Malko (eds.) 181, 197 (Norma: INFRA-M, Moscow,

¹⁴ V.I. Lafitsky (ed.), *Comparative jurisprudence: national legal systems*, Institute of Legislation and Comparative Law under the Government of the Russian Federation, Moscow, 2012)

The non static nature of the legal system has also been explained by Hebert Spencer's idea of society which is focusing on the inherent changing nature of the society which is backed by the idea of evolution and biology. He states that the progress of the society is like the changes in a living organism which is more or less from a simple to a complex system. He believed that change in a society is quite natural and normal and the law and the legal system should be able to adapt to the system in order to be considered fruitful to the society.

Durkheim also has an explanation to concept that validity of law depends on its adaptability to the changing nature of the society. He states that there should be an egalitarian society where homogeneous nature of the society gives ultimately spans into heterogeneity. The purpose of the law and legal system should be to preserve the sanctity of the idea of the society in times of transition. Legal system has greater links with the form of the society in which it applies and it is congregation of different elements within the society. As Professor Upendra Baxi rightly pointed out that legal system is the collection of legal norms, the effect of regulations and institutions and which forms a greater part of the social control system.

Legal system and establishment of values in the society

One of the purposes of a legal system is to promote traditional and cultural values in the society. Now the question arises why should a legal system give importance to the traditional values. It is because, our traditional and cultural values promote the idea of distinguishing when to do something right and when does it become wrong. It also helps in striking a balance between morality and legality. For instance, killing another person is morally wrong but what if he is given a death sentence, it is not illegal, or lying or breaking the trust of the person is immoral, but it cannot be considered as illegal. So any legal system has to set up various goals so that maximum conflict which arises between law and morality can be resolved. These goals are namely upholding the basic human rights of the individuals, promoting fairness and equality promoting a desirable socio-economic behaviour of the individuals etc. In the case of *R v Dudley and Stephens*¹⁵, it was stated that the persons who took the life of another person was guilty of murder even if it was for the prevention of a greater harm. The court held that *legal principles should not be undermined even in dire circumstances, setting a precedent that the law does not condone the act of killing another person out of necessity*.¹⁶ Various ambiguous concepts were raised in this case such as what is the relationship between law and morality or can an act be legal but immoral and vice versa.

The legal system contributes a lot to the development of society. The societal values are established and followed by the people at large because of a strong legal system. This happens with the change of established beliefs and norms into something which is recognized by law. The promotion of justice and equality happens in the society because of a strong legal system which is expressed in prompt enforcement. It also helps in transformation of human behavior and a sense of obedience in the society. The legal system of a particular country is a reflection of deep societal beliefs such as fairness, transparency and upliftment of human rights. A legal system also gives an

¹⁵ 14 QBD 273, DC,1884

¹⁶ *R v Dudley And Stephens(1884)*, available at <https://www.alec.co.in/judgement-page/r-v-dudley-and-stephens1884>,

adaptability to the dynamic and everchanging socio-economic and political developments in a particular country. A legal system can be said to be a process of legal socialization.

Formation of a legal system and law of the land

The adoption of a particular law into a legal system requires metamorphosis of the same into the law of a country or a state and the receipt of the same by the common masses. This metamorphosis of law into domestic system depends on two important components namely codification of the customary rules and regulations and formal recognition of the same. The age old customs and traditions which were followed by the people would be enforced and recognized in a more formal way. The second aspect would be the consolidation of the application of the practices followed by the people at large according to the changes in the society. All these components also should acknowledge the various global variables such as globalization, digitalization, the ever modifying version of justice, equality, basic human rights etc.

As Oliver Wendell Holmes has rightly said “*the life of law has not been logic: it has been experience*”¹⁷. The basis of any legal system in the world should be such that it engulfs within it, the entire lives of the individuals in the society according to socio-political conditions they live in. The formation of rules and regulation within a system should be such that it will meet the aspirations of the people within a particular domestic system. Though the legal system cannot be a comprehensive code describing very clearly on each and every aspect but it should be able to deal with new exigencies whenever required.

The detection of the metamorphosis of law into a legal system is of grave importance. The dilemma in this regard is can we detect a metamorphosis while being part of it.¹⁸ The answer is yet to be made certain. However, the idea of metamorphosis can be detected by questioning various things such as whether the law from its task to implementation, whether the law is respecting various human values through continuous adaptation and whether the law is welcoming new exigencies. When change is thought to be an integral part of the legal system, sometimes it seems to be mundane and sometimes it seems to accelerate. What draws attention in this regard is the perpetuity of and direction of the change.¹⁹

The general principles of justice and morality should govern a legal system in particular domestic system. This is true for establishing a more of a value based legal order that would confer rights and privileges at an wider range to more people at the same time. This has been interpreted in different ways by different countries. As has been mentioned earlier that law cannot function without rules and regulations. Sometimes it happens that decisions can be taken on what community actually needs. This will differ from country to country. The proper approach is to find out what kind of law actually fits a particular country.

¹⁷ The Common Law 1,1881

¹⁸ Heike Krieger and Andrea Liese, *A Metamorphosis of International Law? Value changes in the international legal order from the perspectives of legal and political science*(2019), KFG Working Paper Series ,No. 27< www.kfg-intlaw.de.>accessed on 31/12/2025

¹⁹ Ibid.

People always question the correct and incorrect approach of metamorphosis of law. There has been several attempts to break this ambiguity. One simple illustration would be the system of slavery which was once prevalent. When an African chieftain named Somerset captured by slave traders on the way to the United States escaped from the ship and landed in England, his captor tried to recapture him. Two English men petitioned for the writ of *habeas corpus* to secure his release. Somerset's captor pleaded that he was doing nothing illegal by slave-trading as there was no statute in England making slavery illegal. Lord Mansfield rejected this plea and observed that the air of England was too pure for a slave to breathe. To the enquiry where was the law prohibiting slavery, Lord Mansfield, in other words, answered that the law was in the "air" of England, i.e., it was in the legal and political climate of England, in which the institution of slavery could just not survive for a moment.

On the contrary, the U. S. Supreme Court approached the question of slavery in *Dred Scott v. Sanford*²⁰ from the opposite standpoint. Instead of raising the presumption that every man is free unless the law is to the contrary, the court held that the liberty of property guaranteed by the Due Process Clause of the Fifth Amendment of the American Constitution disabled the legislature from making slavery illegal in as much as such law violated the right of property of the slave owner. This clears the point that law is made according to the climate which suits a particular country and what is beneficial for aspirations of the people.

Law and Legal System in India

Indian legal system is a mixture of ancient Indian traditions and British Common Law. It can be stated as a hybrid legal system which has within it various elements of democracy, sovereignty and various other values. The context of rule of law is present in the Constitution of India as a law of the land and administrative law.²¹ We can take the name of any law prevalent namely, Indian Contract Act 1872, Indian Penal Code, Code of Civil Procedure, etc.

The entire legal system of our country is based on these basic statutes and we cannot deny the importance of these laws but sometimes we also need to consonance of these laws with our societal conditions and requirements. It is being claimed that the making of the constitution of India, enactment of various legislation and rules and for that matter, the entire legal system is *at par* with our own social principles. But nobody knows the reality of the same. At the time of enacting the laws, our law makers believed that the law enacted at that time would also suit the kind of society which is going to exist after twenty decades. But is it really happening? For example, it is believed that the ecology of the constitution suits the Indian climate. It is held in the case of *Bar Council of Delhi v. Bar Council of India*²² that "the ecology of the Constitution and the statutes, is formed by that part of common law which has been received in India as rules of justice, equity and good conscience' as suited to the genius of this country". But it is very difficult to decide whether the genesis which existed long time ago when the law actually continues to exist in the modern day Indian society.

²⁰ 19 How. 393 (1857).

²¹ Introduction to the Indian Legal System, Study Material, Indira Gandhi National Open University School of Law

²² AIR 1975 Del. 200 at 202

Indian law refers to the system of law which operates in India. If we see historically, the ancient Indian laws were distinct in itself. It did not reflect any other system. It was traditional and unique system of law. It was in the form of *Shrutis* and *Smrtis*. The system was based on a historically independent school of legal theory and practice. The Indian legal system is said to have emerged from the times of Indus Valley Civilization and the contemporary civilizations of that era. The concept of 'Nyaya' is the basis of our law and order which is derived from our ancient scriptures. The Nyayasutras highlighted on the concept of Nyaya as the basis of the Indian Legal System.²³ The concept of Nyaya mainly emphasizes on knowledge, experience, sustenance and reasoning.²⁴ The concept of law in India has been always evolutionary, giving away to the concept of absolute, eternal and rigid law²⁵, which has also been mentioned in our ancient scriptures as stated above. Manu and Parashar has emphasized on the idea that "The laws of kritayuga are different from those of treat and dwapara, and the laws of kali yuga are different from those of all the previous; ages- the laws of each age being according to the distinctive character of each age (*yuga roopanusratah*).²⁶

Important Aspects of Present legal System in India

Rule of Law and the Ancient Legal System: The concept of rule of law was present in the ancient Indian Legal system which is reflected in the ancient Indian Epics like Ramayana and Mahabharata, wherein it was written that the King was bound to look after the welfare of his subjects and he was never above the law. This implies that sovereignty was never absolute and it depended on the societal norms and aspirations. Kautilya in his Arthshastra described that the happiness of a King lies in the happiness of his subjects and the welfare of the people would be his utmost duty.

British Colonialism and Indian Legal System: Indian legal system had different contours in the pre-colonialism period. But with the advent of British, it changed completely and had reflection of the colonialism. Before the British came into India, there were the Mughal rulers, which was a plurality of systems which was completely different from the *Shastras* that were prevalent. There was no uniformity. But one of good impact of the advent of the British colonial system is that they brought some uniformity in the legal system of our country. The British legal system is based on the notion of John Austin, where a single monarch had all power. India is country which has multiple regions and variety of traditions and cultures.

The British legal system discouraged the '*panchayat*' system which prevailed in the villages. The panchayat system was system of trust and people had faith in this system. This element was completely ignored. The idea of an independent judge comes from Anglo-Saxon jurisprudence and it requires that the judge's mind is a *tabula rasa*, a clean slate, with respect to the dispute and he only allows his mind to register that which is 'relevant' to the dispute.

²³ Vanshika Kasturi, *Evolution Of Indian Legal System*(2020)JOURNAL OF LEGAL STUDIES AND RESEARCH Volume 6 Issue 3 – ISSN 2455 2437 < www.thelawbrigade.com>accessed on 20/12/2025

²⁴ Robert Lingat, *The Classical Law of India*. Oxford University Press, USA, 1998.

²⁵ The Indian Judicial System A Historical Survey, By Mr. Justice S. S. Dhavan High Court, Allahabad

²⁶ Ibid.

Whereas in the panchayat, which was held in the open, anybody who had even fringe knowledge could speak. They did not have to go through this filter of 'is this relevant, are you worthy'. Therefore there was a sense of participation and anybody could speak. Nonetheless, the Panchayat system was restored for the good of the country.

Constitution as law of the land: The Constitution is the law of the land of our country. The basis of our constitution is the idea of ideals of justice, social, economic and political, liberty of thought, expression, belief, faith and worship, equality of status and of opportunity and fraternity assuring the dignity of the individual and the unity and integrity of the nation. So ultimate principle on which the law of the land is based is much higher than the ordinary legislation. Under the constitution, the legislature and judiciary had got the power to make law, but they are not defined in water tight compartments. They are not absolute. There are grey areas where both these areas overlap regarding the functioning of the law. Though both these branches have got the power to make law, but it is limited by the constitution of India.

The main purpose constitution was to develop a concrete system of rules which would be adhered by all the branches of law and order in the society and which would protect the dignity an individual. But the founding fathers of ours constitution on the other did not want the document to be rigid, rather adaptable to the changing society. So the amending procedure was enacted itself within the constitution. But the idea was that it should surpass the original principles on which or constitution is based. So is there a way to preserve the original principles if law has to adhere to the changing notions of the society and aims and aspirations of people. Then how do we validate the present system of law? These are some of the questions on which lots of deliberations are required to understand the real nature of law.

Uniform Civil Code and Indian Legal System: The constitution of India clearly states that there should be a uniform civil code for the citizens throughout the country. Many people have been opposing this very concept as it not deemed to be possible in our country because of diverse culture and religion. But what people really fear is the violation of the fundamental rights. When there is uniformity in the code of conduct of the people without violation of their rights and interest it will help in the cause of national integration. The constitution of India itself says that there should not be any distinction based on religion or ethnicity. In the *Mohammed Ahmed Khan v. Shah Bano Begum*,²⁷ Y.V. Chandrachud CJ., observed that "a common civil code will help the cause of national integration by removing disparate loyalties to law which have conflicting ideologies." The right to freedom of religion and cultural and educational rights do not specify that people of different religions should be governed by personal laws. This is because cultural and educational rights are given to everyone and they are the same rights irrespective of any religion. So it can be inferred that the fundamental rights support the idea of uniform legal system in our country which can be implemented by the parliament. More than a mandatory uniform civil code, what is needed is the strengthening

²⁷ AIR 1985 SC 945.

of the existing institutions.²⁸ So its high time that before proposing or opposing a change in law, we ought to know the real cause behind the change and whether it is in the greater interest of the society or not.

Indian Knowledge System and Indian Legal system: The Indian Knowledge system is based on the idea that the formation of law and legal systems is based on systematic transmission of law from one generation to another according to the changing societies rather than considering it a tradition. The important components of IKS is Jnan, Vigyan and Jeevan darshan which implies experience, experimentation and observation. It is based on the reach cultural heritage and traditional knowledge of our country which is blended with universal values. The Indian Knowledge system in the context of the Indian legal system refers to indigenous jurisprudential traditions, principles of law and justice which evolved from the ancient times.²⁹ The Indian Knowledge system is based on the idea of Dharma and Nyaya which is the basis of law in our country. In addition to that IKS do not believe the law and legal system to develop in isolation, rather it believes in the blending of ethics, morality and social structure in the formation of a legal system.³⁰ It also believes that in the development of a legal system for a particular country, the traditions and the local customs of a particular country should be given regard to. It also focuses on various models of governance for the people and society, rights and duties and welfare state principles. So it can be said that present legal system in our country has number of components based on the Indian Knowledge system.

Indian legal system is

Conclusion

The concept of legal system which developed earlier is not the same today. Earlier it was thought law and legal system is only a political concept and vice versa. However, with the evolution of human society, a legal system is much more than that. Today a proper legal system is very essential for a country and people within it. Today's legal system should be able to address various components within it such as globalization, upliftment of women, emerging digitalization, geo-politics, trade and development of the modern era. The traditional concept of a legal system should give way to post modernism which talks about emancipation and freedom not only in black and white but which is really put into practice and which helps in the formation of a self organizing society. Moreover, the notion of a legal system should be guided by jurisprudential philosophy. The formation of a legal system depends on various factors like the sources of law, different mechanism of implementation, the receptivity of the common people towards a particular legal change etc. However, the ultimate aim of a particular legal system should be in reformation and progression of a society at large. By following a particular law, the common people should be able to distinguish between right and wrong. This is how legal system would be hoped to serve right and proper.

²⁸ AJ Jawad," *The Uniform Civil Code Debate – What Is Missing*", Live Law, November 3, 2016

²⁹ Mahendra Subhash Khairnar, *Indian Knowledge System (IKS) with Reference to Legal System in India*(2025)Journal of Emerging Technologies and Innovative Research, Volume 12, Issue 7 < www.jetir.org > accessed on 23/12/2025

³⁰ Ibid.