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Introduction

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Preface

The Indian Journal of Legal Affairs and Research is a testament to our unwavering commitment to excellence in legal scholarship. This volume presents a curated selection of articles that reflect the diverse and dynamic nature of legal studies today. Our contributors, ranging from esteemed legal scholars to emerging academics, bring forward a rich tapestry of insights that address critical legal issues and offer novel contributions to the field. We are grateful to our editorial board, reviewers, and authors for their dedication and hard work, which have made this publication possible. It is our hope that this journal will serve as a valuable resource for researchers, practitioners, and policymakers, and will inspire further inquiry and debate within the legal community.

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Description

The Indian Journal of Legal Affairs and Research is an academic journal that publishes peer-reviewed articles on a wide range of legal topics. Each issue is designed to provide a platform for legal scholars, practitioners, and students to share their research findings, theoretical explorations, and practical insights. Our journal covers various branches of law, including but not limited to constitutional law, international law, criminal law, commercial law, human rights, and environmental law. We are dedicated to ensuring that the articles published in our journal adhere to the highest standards of academic rigor and contribute meaningfully to the understanding and development of legal theories and practices.

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DHARMA AND DIGITAL ETHICS: INDIGENOUS MORAL APPROACHES TO TECHNOLOGICAL GOVERNANCE IN INDIA

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Abstract

As India undergoes rapid digital transformation, driven by government initiatives and a thriving technology sector, questions of ethics and governance in digital systems have become increasingly critical. From data privacy breaches and algorithmic bias to misinformation and surveillance, the moral dilemmas posed by modern technologies demand thoughtful, culturally grounded responses. Dominant ethical models rooted primarily in Western philosophies such as utilitarianism, deontology, and rights-based liberalism often fail to resonate with India's pluralistic social fabric and indigenous knowledge systems.

This chapter examines *Dharma*, the foundational concept of Indian moral philosophy, as a lens for shaping digital ethics in India. Far from being a rigid or religious code, Dharma represents a dynamic, context-sensitive framework that integrates personal responsibility, collective well-being (*Lokasangraha*), non-violence (*Ahimsa*), and truthfulness (*Satya*). The chapter argues that these principles can serve as a robust ethical compass for addressing emerging challenges in digital governance, including artificial intelligence regulation, data justice, algorithmic transparency, and equitable access to technology. Through interdisciplinary engagement with classical Indian texts, modern policy debates, and contemporary digital dilemmas, the paper develops a Dharmic approach to technological governance. It also critiques the limitations of applying Dharma without

modernization, advocating for its reinterpretation in secular, inclusive, and rights-respecting terms. Ultimately, the chapter envisions an ethical paradigm where ancient wisdom aligns with technological modernity guiding India toward a digital future that is not only innovative and inclusive but also just, humane, and morally rooted.

Key Words: Data Privacy Breaches, Artificial Intelligence, Misinformation, Digital Dilemmas, Secular and Surveillance.

1. Introduction

The digital revolution in India has unfolded at a breath-taking pace. With initiatives such as *Digital India*, Aadhaar-based governance, and the rapid expansion of mobile internet connectivity, the country is becoming one of the world's largest and most complex digital ecosystems. From artificial intelligence to blockchain, from digital surveillance to algorithm-driven decision-making, technology is now deeply intertwined with everyday life, economic activity, and public governance. While these advancements have brought undeniable benefits such as increased access to services, empowerment through connectivity, and efficiency in administration they have also introduced pressing ethical challenges. Concerns around privacy, data commodification, algorithmic bias, surveillance, digital misinformation, and techno-authoritarianism have begun to dominate public discourse. At the heart of these issues lies a fundamental question: What values should guide the design, deployment, and governance of digital technologies in India? Much of the global conversation around digital ethics is informed by Western moral philosophies utilitarianism, deontology, and liberal individualism. While these frameworks offer important insights, they often fall short in capturing the complex, collective, and context-sensitive ethical fabric of Indian society.

India's own philosophical and ethical traditions particularly the concept of *Dharma* offer a rich, underexplored resource for navigating the moral dilemmas of the digital age. Far from being a fixed or solely religious doctrine, Dharma is a dynamic and pluralistic principle encompassing duty, righteousness, justice, balance, and contextual appropriateness. It offers a way to harmonize individual action with societal well-being, human intention with environmental impact, and technological progress with moral responsibility. This chapter explores how *Dharma*, interpreted

as a living and evolving moral framework, can inform indigenous approaches to digital ethics and technological governance in India. It seeks to bridge ancient wisdom with contemporary challenges by reimagining *Dharma* not as a relic of the past, but as a forward-looking, integrative ethic that can help shape India's digital future. In doing so, the chapter aims to contribute to the development of a distinctively Indian digital ethics one that is rooted in cultural tradition, attuned to local realities, and open to global dialogue. This endeavour is not merely academic. As India becomes a global technology hub and influencer in digital policy, it faces a pivotal choice: to adopt ethics and governance models built elsewhere, or to cultivate an indigenous moral philosophy of technology that speaks to its own people, values, and vision. By revisiting *Dharma* in the digital context, this chapter argues for the latter a path that is not only more authentic but potentially more humane, sustainable, and just.

Objective

- To explore the concept of Dharma as an indigenous ethical framework.
- To analyze the ethical challenges emerging in India's digital ecosystem.
- To develop a conceptual model integrating Dharmic ethics with modern digital governance structures.
- To compare Dharmic digital ethics with Western ethical paradigms.
- To assess the scope and challenges of institutionalizing Dharmic values.

Research Methodology

This study adopts a qualitative secondary research methodology to explore how the indigenous Indian concept of *Dharma* can inform ethical approaches to technological governance. Relying on interpretive analysis, it draws upon classical Indian texts (such as the *Bhagavad Gita* and *Arthashastra*), scholarly literature, government policy documents, and legal judgments to understand the moral principles underpinning Indian thought. Through thematic and discourse analysis, the research identifies ethical concerns in India's digital landscape such as privacy, surveillance, algorithmic bias, and digital exclusion and interprets them through a Dharmic lens. It further employs comparative analysis to examine similarities and differences between Dharmic ethics and Western ethical frameworks like utilitarianism, deontology, and virtue ethics. This methodology enables the construction of a culturally rooted, normative framework for digital

ethics and supports the conceptual integration of traditional Indian moral philosophy with contemporary digital governance challenges.

Review Literature

- Sharma, A. (2006). *Hinduism and Human Rights: A Conceptual Approach*. Oxford University Press. The author in this article explores how the concept of Dharma can be extended beyond religious and ritual contexts into moral and human rights discourses. The author's work provides foundational insight into how Indian traditions can inform universal ethical frameworks, including digital ethics.
- Matilal, B. K. (2002). *The Collected Essays of Bimal Krishna Matilal: Ethics and Epics*. Oxford University Press. The author in this article presents Dharma as a fluid and context-sensitive concept deeply embedded in Indian philosophical traditions. His writings are crucial for understanding how ethical reasoning in India differs from rigid Western paradigms.
- Srikumar, M. (2020). *India's Approach to AI Ethics*. Carnegie India. The author in this explores the policy-oriented report which critiques the adaptation of global AI ethics models in India and calls for more culturally resonant frameworks. It identifies the gaps in current approaches and hints at the need for indigenous ethical lenses.
- Arora, P. (2019). *The Next Billion Users: Digital Life Beyond the West*. Harvard University Press. The author in this article critiques the Western-centric digital ethics narrative and emphasizes the distinct experiences of internet users in the Global South. Her analysis supports the argument for developing digital ethics rooted in local cultural values like Dharma.

2. Understanding Dharma as an Ethical Framework

To build a meaningful ethical framework for technology governance in India, it is imperative to understand the philosophical underpinnings of *Dharma*, a foundational concept in Indian thought. Often loosely translated as “duty,” “righteousness,” or “moral law,” *Dharma* defies simple definitions. It is at once metaphysical and practical, eternal and adaptive, individual and collective. The concept is deeply embedded in Indian civilizational consciousness, shaping

everything from personal conduct to social order, from jurisprudence to statecraft. In the context of digital ethics, *Dharma* offers a profoundly human-centered and context-sensitive alternative to rigid rule-based systems or purely consequentialist logic.

2.1 The Etymology and Philosophical Scope of Dharma

The Sanskrit term *Dharma* is derived from the root *dhṛ*, meaning “to uphold,” “to support,” or “to sustain.” It refers to that which upholds the cosmic, social, and moral order of the universe. In Indian philosophy, *Dharma* is not confined to religion or ritual; it is a holistic principle of right living, encompassing ethical duties, justice, responsibilities, and the path of righteousness. Unlike Western moral philosophies, which often present universal or absolute ethical norms, *Dharma* is contextual and pluralistic. It acknowledges that moral choices are shaped by time (*kāla*), place (*deśa*), role (*varna-āśrama*), stage of life (*āśrama*), and individual temperament (*svabhāva*). Therefore, *Dharma* is dynamic it changes with context, yet remains anchored in principles that promote harmony, non-violence, and collective welfare.

2.2 The Multilayered Nature of Dharma

Indian tradition conceptualizes Dharma as operating at multiple levels:

- **Sanātana Dharma:** The eternal and universal values such as *Ahimsa* (non-violence), *Satya* (truth), *Karunā* (compassion), and *Dāna* (generosity), applicable to all beings irrespective of time or space.
- **Svadharmā:** The personal duty of an individual based on their role, nature, and responsibilities in society. For instance, the *Dharma* of a teacher differs from that of a ruler or a parent. This concept is particularly valuable in digital ethics where different stakeholders’ developers, regulators, users must act according to their specific ethical obligations.
- **Yuga Dharma:** Ethical prescriptions that change according to the age or era. In the current age of technology, this could mean evolving moral duties in response to digital challenges.
- **Rāja Dharma:** The duties of rulers and political authorities, relevant for digital policymakers, bureaucrats, and state regulators responsible for creating ethical technology laws.

2.3 Scriptural Sources of Dharma

The richness of *Dharma* as an ethical concept is reflected in its wide range of sources:

- **The Vedas and Upanishads:** Emphasize universal order (*ṛta*) and the moral principles that sustain cosmic balance.
- **Smṛti texts like Manusmṛti and Yājñavalkya Smṛti:** Lay down detailed codes of conduct for individuals and communities.
- **Itihāsa (Ramayana and Mahābhārata):** Explore ethical dilemmas through narrative, particularly the *Bhagavad Gītā*, where Krishna advises Arjuna to act according to *Svadharmā*, emphasizing intention, context, and righteous action.
- **Buddhist and Jain Ethics:** Contribute significantly with principles such as *ahiṃsā*, *anekāntavāda* (pluralism of viewpoints), and *aparigraha* (non-possessiveness), all of which are relevant to the ethics of digital minimalism, non-exploitative design, and respectful plurality online.

2.4 Core Ethical Themes within Dharma

Several moral principles within *Dharma* provide a philosophical foundation for ethical behavior in the digital world:

Dharmic Value	Ethical Significance in Digital Context
Ahimsa (non-harm)	Designing technologies that do not harm individuals or communities (e.g., avoiding bias, preventing surveillance abuse)
Satya (truth)	Ensuring transparency in algorithms, countering misinformation
Aparigraha (non-hoarding)	Resisting data monopolies, promoting minimal data collection and privacy
Karunā (compassion)	Creating empathetic AI systems and inclusive platforms
Swadharma (personal duty)	Holding developers, users, and institutions accountable to their specific ethical roles
Lokasangraha (collective welfare)	Promoting technologies that bridge the digital divide and serve the common good

2.5 Dharma vs. Western Ethical Models

Feature	Dharma Ethics	Utilitarianism	Deontology
Orientation	Contextual, Duty-based, Holistic	Outcome-based	Rule-based
Flexibility	High (adaptive to time, place, person)	Moderate	Low
Individual vs. Collective	Both integrated	Primarily collective	Primarily individual
Basis	Duties and righteous conduct	Greatest good	Universal maxims
Limitation	Requires interpretation, may be co-opted traditionally	Ignores minority harms	Can be rigid and impractical

2.6 Why Dharma Matters in Digital Governance

In the complex landscape of digital technologies where laws lag behind innovation and moral certainty is rare the adaptability of *Dharma* makes it particularly powerful. It provides:

- **A living moral compass** for navigating novel ethical situations.
- **A relational approach** that emphasizes responsibilities over mere rights.
- **A collectivist ethic** that considers not only individual freedom but also societal harmony.
- **An inner ethic** that encourages self-regulation (*niyama*) and conscious tech design/use.

3. Ethical Challenges in India's Digital Landscape

India's digital transformation is among the most expansive in the world. The widespread adoption of mobile technology, digital identification (Aadhaar), e-governance, and financial technologies has reshaped the relationship between citizens, the state, and private actors. While these advancements have democratized access to services and bridged infrastructural gaps, they have also generated complex ethical challenges. These issues are often exacerbated by socio-economic disparities, limited digital literacy, and weak regulatory enforcement, demanding ethical frameworks that are both nuanced and grounded in local realities.

3.1 Data Privacy and Consent

One of the most pressing ethical concerns is the issue of data privacy. With the proliferation of digital services government welfare schemes, mobile apps, banking platforms, and health portals an unprecedented amount of personal data is being collected, stored, and analyzed. Much of this occurs with informed consent mechanisms that are inadequate or non-transparent, especially for non-literate and marginalized users. The case of Aadhaar, the world's largest biometric identification program, has drawn international attention. While it facilitates access to subsidies and services, its use for surveillance or denial of benefits due to authentication failures raises serious ethical questions about autonomy, dignity, and informational self-determination.

3.2 Surveillance and State Power

The increasing deployment of facial recognition systems, Internet monitoring tools, and cyber-intelligence units has raised concerns about mass surveillance and potential violations of civil liberties. The lack of robust data protection laws and judicial oversight creates a regulatory vacuum where the state can exercise disproportionate power without accountability. Projects like Centralized Monitoring System (CMS) and NATGRID aim to integrate citizen data across platforms for national security. While public safety is important, the absence of clear ethical guidelines or transparent oversight mechanisms risks fostering a digital panopticon, where surveillance becomes normalized without public consent or debate.

3.3 Algorithmic Bias and AI Discrimination

The use of artificial intelligence (AI) and machine learning in decision-making be it in recruitment, credit scoring, predictive policing, or healthcare is growing. However, these systems often rely on data sets that reflect existing societal biases, leading to algorithmic discrimination along lines of caste, gender, region, or language. For instance, an AI system trained primarily on English-speaking, urban populations may produce biased results when applied to rural or vernacular communities. Such disparities not only reinforce historical injustices but also undermine trust and fairness in technological systems. Moreover, the lack of transparency in how these systems operate (algorithmic opacity) prevents meaningful accountability.

3.4 Misinformation, Hate Speech, and Ethical Speech Regulation

India's digital spaces especially social media platforms are rife with misinformation, disinformation, and hate speech, often weaponized during elections, communal tensions, and public protests. The speed and virality of such content can incite violence and destabilize social harmony. The ethical dilemma arises in balancing freedom of expression with societal responsibility. Content moderation policies by platforms are often opaque, unevenly enforced, or driven by profit motives. Additionally, governmental content takedown requests may sometimes suppress dissent under the guise of curbing fake news, creating a conflict between regulation and democratic freedoms.

3.5 Digital Inequality and the Access Divide

Despite significant strides in connectivity, India's digital divide remains vast. Access to reliable internet, digital devices, and digital literacy is unequally distributed across rural-urban, gender, caste, and income lines. This creates what is termed digital exclusion, where marginalized groups are unable to fully participate in the digital economy or governance processes. For instance, during the COVID-19 lockdowns, students without access to digital devices or connectivity faced significant disruptions to education. Similarly, cashless welfare schemes based on digital payments often exclude elderly, disabled, or low-literate populations. Ethical governance must address these exclusions not merely as logistical challenges but as questions of digital justice and equity.

3.6 Weak Ethical Frameworks and Regulatory Gaps

While India has made strides such as passing the Digital Personal Data Protection Act (DPDP), 2023 the overall ethical and regulatory architecture remains underdeveloped. Existing laws often lag behind technological innovation, and enforcement mechanisms are limited by bureaucratic inefficiency or political influence. Ethical oversight bodies are either absent or toothless. There is a need for proactive, culturally grounded, and forward-looking frameworks that go beyond compliance and aim to cultivate ethical consciousness across all stakeholders: developers, governments, corporations, and users.

3.8 Summary of Ethical Challenges

Domain	Ethical Issue	Moral Concern
Data Privacy	Inadequate consent, excessive collection	Autonomy, dignity, informed participation
State Surveillance	Unchecked monitoring, weak oversight	Civil liberties, democratic accountability
AI and Algorithms	Bias, opacity, lack of accountability	Justice, fairness, discrimination
Social Media	Misinformation, hate speech, censorship	Truth, freedom, social harmony
Digital Access	Rural, gender, and class-based exclusion	Equity, inclusion, digital justice
Corporate Control	Data monopolies, profit-driven platforms	Sovereignty, cultural ethics, economic fairness
Legal and Ethical Frameworks	Gaps in legislation, lack of indigenous ethical guidelines	Legitimacy, trust, moral integrity

4. Dharma and Digital Ethics: A Conceptual Integration

The integration of *Dharma* into digital ethics represents not merely a philosophical exercise but a practical attempt to align technological systems with the ethical and cultural values of Indian society. In contrast to imported models of ethics that prioritize fixed rules or utilitarian outcomes, *Dharma* offers a fluid, contextual, and holistic approach one that balances personal responsibility with social welfare, and spiritual principles with technological pragmatism. This section articulates how the foundational values of *Dharma* can be meaningfully reinterpreted and applied to the digital domain.

4.1 Rationale for Integrating Dharma with Digital Ethics

The digital realm in India exists within a sociocultural ecosystem shaped by diverse traditions, community values, and spiritual worldviews. While modern technologies often transcend borders, their ethical impact is deeply localized. The imposition of a universalist ethical

model, especially one derived from Western norms, risks marginalizing indigenous perspectives and failing to resonate with India's moral psychology.

Dharma, by contrast, is:

- **Culturally embedded** in the Indian ethos.
- **Context-sensitive**, allowing flexibility in moral reasoning.
- **Duty-oriented**, emphasizing responsibilities over entitlements.
- **Collective in vision**, integrating the self, society, and cosmos.

4.2 Dharmic Principles Reimagined for the Digital Age

Below are key dharmic concepts translated into ethical principles relevant for digital governance:

Dharmic Principle	Contemporary Digital Application
Ahimsa (Non-harm)	Avoid designing systems that cause social, psychological, or ecological harm (e.g., AI discrimination, surveillance-induced anxiety).
Satya (Truthfulness)	Promote transparency in algorithms, counter misinformation, and ensure truth in data representation.
Aparigraha (Non-hoarding)	Curb exploitative data collection and unethical data monetization; practice data minimalism.
Swadharma (Personal/Professional Duty)	Encourage each digital actor—developer, user, regulator—to fulfil their ethical roles responsibly.
Lokasangraha (Welfare of All)	Prioritize digital inclusion, equitable access, and socially beneficial innovation.
Niyama (Self-regulation)	Foster internal ethical awareness among tech designers and users, beyond external compliance.

4.3 Dharma-Inspired Ethical Roles in the Digital Ecosystem

In the dharmic worldview, ethical behavior depends on the role and context of the actor. In digital environments, this translates into multi-stakeholder moral responsibilities, as follows:

- **Developers/Engineers:** Must uphold *Swadharma* by designing inclusive, fair, and transparent technologies.

- **Policy Makers/Regulators:** Are guided by *Rāja Dharma*—the duty to protect rights, prevent exploitation, and legislate for the common good.
- **Corporations/Platforms:** Should practice *Aparigraha* by resisting data monopolies and prioritizing ethical over purely financial goals.
- **Users/Citizens:** Are encouraged to exercise *Niyama*—self-regulation, mindful consumption, and critical engagement with technology.

4.4 Dharma in Action: Illustrative Applications

Let us consider three common digital dilemmas and how a dharmic lens reshapes their ethical resolution:

a) AI-Based Decision Systems

- **Challenge:** Algorithms used in credit scoring or recruitment may unintentionally discriminate against marginalized groups.
- **Dharmic Response:** Apply *Ahimsa* and *Satya* design systems with fairness audits, transparent logic, and feedback mechanisms to prevent harm and promote truth.

b) Social Media and Hate Speech

- **Challenge:** Platforms are flooded with hate speech and misinformation.
Dharmic Response: Guided by *Lokasangraha*, platforms must balance free speech with social harmony, implementing context-aware moderation based on societal impact rather than abstract neutrality.

c) Data Sovereignty

- **Challenge:** Indian user data is often stored and processed by foreign tech giants with little local oversight.
- **Dharmic Response:** Invoke *Swatantrata* (autonomy) and *Aparigraha* advocate for decentralized, user-owned data models and ethical data localization.

4.5 Building a Dharmic Digital Code

To institutionalize Dharma in digital governance, India could consider a Dharmic Digital Code, which would function as a normative framework complementing legal statutes. Its core principles might include:

1. **Ethical Intent (Bhāva):** Moral purpose behind technological actions must be prioritized.

2. **Transparency (Satya-vyavahāra):** Systems must be open to scrutiny and understandable to non-experts.
3. **Accountability (Karma-phala):** Consequences must be traceable and reparable by responsible agents.
4. **Context Sensitivity (Desha-Kāla):** Ethical decisions must adapt to the time, place, and social conditions.
5. **Universal Welfare (Sarva-bhūta-hita):** All technologies should serve the broader well-being of people, animals, and ecosystems.

4.6 Dharma Beyond Regulation: Cultivating Inner Ethics

One of the most distinctive features of *Dharma* is its emphasis on internal ethical development, not merely external compliance. Unlike contemporary ethics which often rely on legal enforcement, *Dharma* encourages individuals to develop inner restraint (*niyama*), mindfulness (*smṛti*), and wisdom (*viveka*).

In digital terms, this translates to:

- Ethical design consciousness among developers.
- Mindful digital consumption among users.
- Self-evaluation and accountability among corporate leaders.
- Ethical education integrated into engineering and management curricula.

5. Institutionalizing Dharmic Ethics in Digital Policy

While philosophical reflection provides the normative foundation for digital ethics, these values must also be institutionalized through legal, educational, and technological mechanisms to have a meaningful impact. The integration of *Dharma* into India's digital policy is not about replacing secular governance with religious doctrine, but rather about drawing from India's rich moral traditions to build culturally resonant, context-sensitive, and forward-looking ethical infrastructures. This section explores how dharmic principles can be operationalized across governance, regulation, industry, and education to shape a just and inclusive digital future.

5.1 The Case for an Indigenous Ethical Framework

India's digital policy landscape has long drawn from international models such as the GDPR (EU), OECD Guidelines, and UN principles often without full adaptation to its social and cultural context. These frameworks, while robust in protecting rights and privacy, are typically rooted in Western liberalism and often prioritize individual autonomy over collective responsibility or social harmony. By contrast, *Dharma* offers a relational and integrative model, emphasizing duties alongside rights, social cohesion alongside innovation, and inner ethical development alongside external regulation. Institutionalizing such a model can help bridge the growing gap between technological advancement and ethical preparedness in India.

5.2 Key Strategies for Institutionalization

A. Developing a Dharmic Digital Ethics Charter

India can initiate the creation of a Dharmic Digital Ethics Charter, inspired by indigenous values but articulated in secular, inclusive language. This document could outline normative principles such as non-harm, fairness, transparency, proportionality, inclusivity, and accountability that reflect dharmic values and apply them across domains such as AI, data governance, digital platforms, cybersecurity, and public digital infrastructure.

Such a charter could serve:

- As a soft law instrument for policymakers, technologists, and companies.
- As a moral guideline for public institutions and digital service providers.
- As a framework for impact assessment of new technologies.

B. Establishing a National Council for Digital Ethics (NCDE)

India could institutionalize ethical oversight through a National Council for Digital Ethics, a multidisciplinary body composed of:

- Ethicists and philosophers (including scholars of Dharma traditions)
- Technology experts and data scientists
- Legal scholars and policy-makers
- Civil society representatives
- Industry stakeholders

This council would:

- Review digital policies and legislations from an ethical standpoint.

- Advise on the design of ethical algorithms and platforms.
- Create frameworks for Technology Impact Assessment (TIA).
- Serve as a consultative forum for public deliberation.

C. Incorporating Ethical Design Standards in Tech Development

A dharmic approach to ethics must be reflected in technology design processes. The government, in partnership with standard-setting bodies like the Bureau of Indian Standards (BIS), can:

- Introduce "Dharmic Ethical Design Guidelines" for software, hardware, and AI.
- Mandate ethical risk audits for high-impact technologies (e.g., facial recognition, biometric systems, algorithmic governance).
- Encourage the development of ethical-by-design frameworks that reflect principles such as *ahimsa* (non-harm), *satya* (truth), and *aparigraha* (non-exploitation).

D. Embedding Digital Dharma in Education and Professional Training

To cultivate ethical consciousness, it is essential to educate the next generation of developers, data scientists, and policymakers about indigenous moral frameworks. This can be done by:

- Integrating Indian philosophy and ethics modules in technical and management curricula (e.g., in IITs, NITs, IIMs, law schools).
- Developing interdisciplinary programs in "Ethics and Emerging Technologies."
- Creating online certification courses for industry professionals on dharmic digital ethics.

E. Promoting Public Discourse and Civil Society Participation

A dharmic digital society must be participatory and dialogic. Public forums, academic conferences, and community workshops can play a vital role in:

- Fostering debate on ethical issues in AI, surveillance, and data rights.
- Encouraging grassroots moral reasoning on technology use.
- Ensuring ethical pluralism by including Buddhist, Jain, Sikh, tribal, and folk ethical perspectives in addition to mainstream Hindu thought.

5.3 Alignment with Existing Policies and Legal Instruments

Institutionalizing dharmic ethics need not occur in isolation; it can complement and enrich India's current digital laws and frameworks. For instance:

Legal Framework	Dharmic Alignment
Digital Personal Data Protection Act, 2023	Respects <i>Aparigraha</i> (non-hoarding) and <i>Svatantrata</i> (autonomy) by limiting data use and emphasizing purpose limitation.
National Strategy on AI: AI for All	Reflects <i>Lokasangraha</i> (universal welfare) by aiming for inclusive, equitable AI innovation.
IT Rules and Intermediary Guidelines	Could be made more dharmic by ensuring <i>Satya</i> (truthful content moderation) and <i>Ahimsa</i> (avoiding harm to communities).

5.4 Risks and Limitations

While institutionalizing dharmic ethics offers promise, it also poses certain risks:

- **Essentialization:** Misuse of Dharma to enforce regressive or orthodox moral codes must be avoided.
- **Religious Bias:** Ethical frameworks must remain inclusive and secular, ensuring representation of all traditions and communities.
- **Ambiguity:** Dharma is interpretive; thus, clear principles and procedural safeguards are needed to ensure consistent application.
- **Tokenism:** Symbolic references to Dharma without genuine institutional reforms may result in superficial ethics.

Table: Institutionalizing Dharmic Ethics in Digital Policy — A Conceptual Model

Pillar of Institutionalization	Dharmic Principle(s)	Policy Mechanism/Strategy	Key Implementing Bodies/Stakeholders
1. Normative Ethical Charter	<i>Dharma</i> , <i>Satya</i> , <i>Ahimsa</i> , <i>Lokasangraha</i>	Create a Dharmic Digital Ethics Charter as a soft-law document to guide	MeitY, NITI Aayog, Think Tanks (e.g., NASSCOM Foundation, Vidhi Centre)

		ethical tech policy and practice.	
2. Regulatory Institutional Mechanism	<i>Nyaya</i> (Justice), <i>Viveka</i> (Discernment)	Establish a National Council for Digital Ethics (NCDE) for ethical oversight, consultation, and review.	Government, ethicists, legal experts, civil society, academia
3. Ethical Design & Standards	<i>Ahimsa</i> , <i>Aparigraha</i> , <i>Satya</i>	Develop Ethical-by-Design protocols ; integrate dharmic values in AI, algorithmic systems, and platforms.	BIS, CDAC, industry consortia, AI developers, product designers
4. Education & Professional Training	<i>Svadharma</i> (personal duty), <i>Jnana</i> (knowledge)	Integrate Dharma-based ethics modules in curricula; offer professional certification and cross-disciplinary training.	UGC, AICTE, IITs/IIMs/NITs, Bar Council of India, NPTEL
5. Public Discourse & Civic Participation	<i>Lokasangraha</i> , <i>Sarvodaya</i> (welfare of all)	Facilitate ethical deliberation forums , community workshops, and media literacy on digital moral issues.	NGOs, media, universities, local digital rights groups

6. Comparative Ethical Frameworks: Western Philosophies vs Dharmic Ethics

As digital technologies increasingly shape governance, human behavior, and societal outcomes, ethical guidance becomes paramount. Globally, much of the discourse on digital ethics has been shaped by Western moral traditions, particularly utilitarianism, deontology, and liberal individualism. These frameworks have informed major data protection laws, AI governance policies, and digital rights debates in Europe and North America. However, they emerge from historical, cultural, and philosophical contexts that differ significantly from those of India. In contrast, *Dharma* rooted in Indian civilizational values offers an indigenous ethical approach that is holistic, context-sensitive, and relational. This section offers a comparative analysis between dominant Western ethical paradigms and the Indian dharmic tradition, examining their foundational assumptions, ethical priorities, and applicability to digital governance.

6.1 Utilitarianism vs Dharma: Ends vs Balance

Utilitarianism, primarily associated with thinkers like Jeremy Bentham and John Stuart Mill, emphasizes outcomes: the morally right action is the one that maximizes utility, often defined as happiness or well-being for the greatest number. In digital policy, this often translates into data-driven efficiency, cost-benefit analyses, and technological optimization for economic growth or public service delivery. In contrast, Dharma emphasizes balance (*samatva*) over sheer outcome. It weighs the *rightness* of action within a web of duties to self, family, society, environment, and cosmos. A dharmic analysis does not permit causing harm (*himsa*) even if it benefits the majority. It emphasizes ethical intention (*shraddha*), righteousness (*nyaya*), and the moral process, not just the result.

Example: A facial recognition system might increase efficiency (utilitarian goal), but from a dharmic lens, if it violates dignity or causes fear among marginalized groups, it is *adharmic*.

6.2 Deontology vs Dharma: Rule-Based Duty vs Contextual Duty

Deontological ethics, as proposed by Immanuel Kant, focuses on adherence to universal moral laws or duties e.g., do not lie, do not steal. This informs many Western data protection regimes that rely on rigid consent-based models and legal obligations. Dharma, by contrast,

recognizes contextual and role-based duties (*svadharma*). It accepts moral plurality: what is dharma for a ruler may not be the same for a student or a data scientist. It emphasizes discernment (*viveka*) in applying principles to particular situations rather than following fixed rules.

Example: While a deontologist might argue against data use without explicit consent in any circumstance, a dharmic ethicist may consider whether its use serves public welfare (*lokasangraha*) while still minimizing harm and ensuring fairness.

6.3 Liberal Individualism vs Dharma: Autonomy vs Relational Ethics

Western liberal traditions stress individual rights, freedom, and privacy. Digital ethics rooted in these frameworks focus on user consent, freedom of expression, and protection from state overreach. While Dharma acknowledges the dignity and agency of the individual (*atma-svatantrata*), it views the self as relational and embedded in community. It promotes mutual obligation, not merely individual entitlements. Dharma asks not only “What are my rights?” but also “What are my duties and responsibilities toward others and the ecosystem I inhabit?”

Example: In content moderation, liberalism may prioritize free speech as an absolute right. A dharmic approach would also weigh social cohesion, truthfulness (*satya*), and non-harm (*ahimsa*) as moral boundaries.

6.4 Techno-Ethical Rationalism vs Dharmic Embodied Wisdom

Western ethics often operate within a framework of rational abstraction, privileging codified principles, logical consistency, and policy formalism. This translates into ethics guidelines, checklists, and technical codes for digital behavior. In contrast, Dharma is lived, experiential, and embodied. It emerges from continuous moral reflection (*atma-vichara*), spiritual awareness, and an ecological view of the world. It emphasizes inner purification, moral intention, and harmony with the environment and cosmos.

Example: While Western AI ethics may focus on eliminating algorithmic bias through statistical fairness, a dharmic view would also consider the consciousness behind the design—*what kind of society does this system aim to cultivate?*

6.5 Comparative Table: Key Differences

Dimension	Western Ethical Traditions	Dharmic Ethical Framework
Moral Foundation	Rights, laws, outcomes	Duty, balance, righteousness (<i>dharma, nyaya</i>)
View of the Individual	Autonomous, rational actor	Relational, embedded self (<i>atman</i> in society and cosmos)
Ethical Logic	Universal rules, abstraction	Contextual, dynamic, experiential
Focus in Ethics	Outcomes, rule compliance, personal freedom	Harmony, discernment, moral responsibility
Primary Moral Question	“Is this action right according to law or principle?”	“Is this action <i>dharmic</i> , i.e., righteous, appropriate, just?”
Role of Technology	Tool for efficiency, innovation	Instrument of moral impact and spiritual consequence
Ethical Evaluation	Legal accountability, utilitarian balance	Moral intent, social and ecological harmony

6.6 Synthesis: Toward Plural Ethical Architectures

Rather than positioning Dharmic ethics and Western frameworks as antagonistic, this chapter argues for plural ethical architectures in digital governance. Western legal formalism ensures structure and procedural fairness, while Dharmic ethics offers inner moral depth, contextual sensitivity, and cultural resonance. A hybrid model can foster more humane, inclusive, and spiritually aware digital futures.

7. Challenges and Criticisms of Applying Dharmic Ethics to Digital Governance

While the integration of *Dharma* into digital ethics offers a culturally grounded and morally rich framework for India’s technological future, it is not without complexities and limitations. The effort to translate ancient Indian ethical principles into modern, digital, and often globalized policy ecosystems involves interpretive, institutional, and philosophical challenges. This section critically

examines the key challenges and criticisms of applying Dharmic ethics in the governance of emerging technologies.

7.1 Interpretative Pluralism and Semantic Ambiguity

One of the most persistent challenges in operationalizing *Dharma* is its inherently pluralistic and context-sensitive nature. Unlike codified Western legal frameworks or rigid ethical codes, *Dharma* is interpretive, dynamic, and historically evolved through diverse philosophical schools such as Vedanta, Nyaya, Buddhism, and Jainism. While this fluidity is its strength, it also raises concerns about subjectivity and inconsistency.

- **Criticism:** In a regulatory context, where clarity, uniformity, and enforceability are paramount, *Dharma*'s fluid interpretations may create ambiguity and legal uncertainty.
- **Example:** In AI governance, how can policymakers ensure consistent standards if different stakeholders invoke conflicting notions of *dharmic duties*?

7.2 Potential for Misappropriation and Moral Conservatism

Another concern is the risk of cultural or political appropriation. *Dharma*, as a deeply rooted concept within Hindu, Buddhist, and Jain traditions, can be selectively interpreted or instrumentalized for ideological ends, especially in a socio-political climate marked by identity politics.

- **Criticism:** There is a danger that invoking *Dharma* could reinforce majoritarian narratives or be used to impose culturally conservative or exclusionary norms, potentially marginalizing minority voices or dissenting views.
- **Example:** Debates over “moral content” in digital platforms could slip into censorship or moral policing under the guise of *dharmic propriety*.

7.3 Secularism and Pluralistic Governance

India is a constitutionally secular and plural society, home to multiple religions, worldviews, and moral philosophies. While *Dharma* is often framed in secular ethical terms, its close historical ties to Indian spiritual traditions raise concerns about the blurring of religion and state in digital policymaking.

- **Criticism:** The use of dharmic ethics in state-driven technological governance must avoid violating secular principles or alienating non-Hindu communities.
- **Challenge:** How can Dharma be articulated in a way that is inclusive, non-sectarian, and resonant with India's legal and constitutional frameworks?

7.4 Institutional Translation and Operationalization

The abstract nature of Dharma poses practical difficulties in policy integration. Unlike human rights charters, GDPR regulations, or AI ethics checklists, Dharma does not come with an instruction manual. Translating its principles into actionable norms, compliance standards, or digital codes of conduct is a complex and resource-intensive task.

- **Criticism:** Without robust institutional mechanisms, professional training, and legal grounding, dharmic ethics may remain a symbolic aspiration rather than a usable framework.
- **Example:** How would a Dharmic Code of AI Design be audited, measured, or enforced across sectors?

7.5 Global Compatibility and Interoperability

In an interconnected world, India's digital ecosystem is not insulated. Indian companies operate globally, and foreign technologies permeate domestic markets. Ethical frameworks must therefore be globally interoperable, especially in areas such as data protection, cybersecurity, and AI governance.

- **Criticism:** A framework grounded solely in indigenous values like Dharma might struggle to gain traction in multinational governance forums or align with global corporate compliance cultures.
- **Counterpoint:** However, India's contribution of pluralistic ethics could enrich the global conversation, provided it remains dialogic rather than exceptionalist.

7.6 Risk of Ethical Elitism or Technocratic Co-option

There is a danger that dharmic discourse could be co-opted by elite technocrats, religious scholars, or policy influencers, potentially side-lining grassroots ethical voices, lived experiences, or the concerns of underrepresented communities.

- **Criticism:** Without democratized ethical participation, dharmic frameworks could become abstract, hierarchical, or disconnected from the digital realities of rural India, youth cultures, or informal economies.
- **Recommendation:** Ensure bottom-up consultations, community feedback mechanisms, and civic participation in crafting dharmic digital ethics.

8. Conclusion

As India strides further into the digital age navigating the complexities of artificial intelligence, datafication, cyber governance, and platform capitalism it stands at a moral crossroads. The questions it faces are not solely technical or economic, but deeply ethical: *What kind of society are we building with our technologies? Whose interests are prioritized, whose rights protected, and whose voices heard?*

This chapter has argued that India's indigenous ethical systems particularly the concept of *Dharma* offer a compelling and context-sensitive lens through which these dilemmas can be addressed. Far from being a relic of religious or cultural tradition, Dharma embodies a living, plural, and dynamic moral philosophy that prioritizes harmony, duty, justice, and collective well-being (*lokasangraha*). It offers a morally rich alternative to the often mechanistic and transactional logic that dominates global digital governance paradigms. By revisiting core dharmic principles such as *Satya* (truth), *Ahimsa* (non-harm), *Swadharma* (situational duty), *Aparigraha* (non-possession), and *Lokasangraha* (welfare of the world), the chapter proposes a normative framework that can guide India's engagement with emerging technologies in a more humane and culturally resonant direction. Yet, this integration is not without its challenges. As discussed, the abstract, interpretive, and potentially politicized nature of Dharma raises concerns about operational clarity, secular inclusivity, and global interoperability. There is a need to balance reverence for indigenous moral traditions with the demands of democratic governance, constitutional ethics, and empirical accountability.

To institutionalize a truly dharmic approach to digital ethics, India must:

- Foster inclusive, multi-stakeholder dialogues across sectors and communities;
- Translate ethical principles into actionable digital policies and standards;

- Embed dharmic sensibilities into technology education, design thinking, and regulation;
- Ensure alignment with constitutional values and global human rights frameworks.

In doing so, India does not merely offer an alternative ethical path it contributes to a global reimagining of technology's purpose. A *Dharmic Digital Civilization* would prioritize justice over efficiency, dignity over domination, sustainability over speed, and compassion over control. It is a vision in which ethics are not bolted onto innovation but woven into its very fabric where technology serves humanity, not the other way around. As the world grapples with ethical vacuums in Big Tech, surveillance capitalism, and algorithmic decision-making, India's civilizational wisdom has much to offer. The journey toward a just digital society will demand courage, creativity, and moral imagination and in Dharma, we may find a compass both ancient and urgently contemporary.

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