



The Village Authorities: Sites of Indigenous Legal Consciousness in Medieval India

Tanisha Sharma

Research Scholar, M. A (History), JRF 2024, Madhya Pradesh Bhoj (open) University, Bhopal

Email: tanisha473222@gmail.com

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Abstract

This article examines village authorities in medieval India as central sites of indigenous legal consciousness, challenging state-centric narratives of law and justice. It argues that legal order in pre-colonial India was not monopolised by royal courts but was primarily constituted through village-level institutions such as panchayats, assemblies, caste councils, and customary tribunals. Drawing upon historical, epigraphic, and socio-legal scholarship, the study situates village justice within a decentralised political framework characterised by legal pluralism, moral legitimacy, and community-based governance.

The paper conceptualises legal consciousness as a lived social experience shaped by custom, ethical norms, and collective practices rather than formal codification. It demonstrates how indigenous legal institutions operated autonomously while remaining symbolically connected to state authority, as reflected in the segmentary nature of medieval polities. The analysis highlights the normative foundations of justice rooted in dharma, customary law, and moral balance, alongside the accommodation of Islamic legal principles during the Sultanate period and the pragmatic synthesis of religious and secular norms under the Vijayanagara Empire.



By examining regional variations and institutional arrangements such as the Ayanagar system, Mahasabhas, *Nadu* assemblies, *watandari* authority in the Maratha polity, and the emergence of intermediary groups like zamindars, the study traces both continuity and transformation in village governance. It argues that while the autonomy of village institutions was reshaped over time, their role in sustaining social order and dispute resolution remained fundamental.

This article fills a critical historiographical gap by foregrounding villages as active legal spaces rather than passive administrative units. In doing so, it contributes to broader debates on indigenous jurisprudence, legal pluralism, and the social foundations of justice in medieval India, offering insights relevant to both historical inquiry and contemporary discussions on community-based legal traditions.

Key Words: *Justice, Law, Medieval India, Panchayat, Villages*

Introduction

Medieval Indian society was characterised by a complex and decentralised structure of governance in which village authorities played a crucial role in regulating social life and administering justice. Long before the formal expansion of state-centred judicial institutions, local bodies such as panchayats, assemblies, caste councils, and customary tribunals functioned as primary sites of legal authority. These institutions governed everyday disputes through customary norms, moral principles, and collective decision-making, thereby shaping what may be described as an indigenous legal consciousness rooted in community practices rather than codified law.



While existing historiography has extensively examined state formation, royal administration, and legal traditions under medieval Indian polities, relatively limited attention has been paid to the village as a lived legal space where justice was experienced and negotiated on a daily basis. Studies often treat village institutions as peripheral or subordinate to royal courts, overlooking their autonomy and normative significance. This study addresses this gap by foregrounding village authorities as central actors in the production and practice of law.

By situating village-level institutions within broader frameworks of legal pluralism and indigenous jurisprudence, the study seeks to demonstrate that medieval justice was neither uniform nor exclusively state-driven. Instead, it was sustained through locally embedded institutions that balanced custom, moral authority, and political power.

Objectives of Study :

1. To examine the structure and functions of village authorities in medieval India as primary institutions of dispute resolution and governance.
2. To analyse how customary norms, moral principles, and religious traditions shaped indigenous legal consciousness at the village level.
3. To assess the relationship between village-based legal practices and state authority, highlighting the operation of legal pluralism in medieval Indian society.

Research Methodology :

This study adopts a qualitative and analytical research methodology grounded in historical and socio-legal inquiry. It employs a descriptive–interpretative approach to examine village authorities as sites of indigenous legal consciousness in medieval India. Primary evidence is drawn from

epigraphic records, administrative descriptions, and normative texts, while secondary sources include works of historians and socio-legal scholars. The study utilises comparative analysis to assess regional variations across South India, the Sultanate, Vijayanagara, Mughal, and Maratha contexts. Conceptual frameworks relating to legal pluralism and community-based justice are applied to interpret the functioning of village institutions. By synthesising institutional, normative, and political dimensions, the methodology enables a contextual understanding of indigenous legal practices beyond state-centric models of law.

Conceptualising Indigenous Legal Consciousness in Medieval India :

Legal consciousness may be understood as the way individuals and communities perceive, interpret, and engage with law in their everyday lives. Rather than referring solely to codified statutes or formal courts, legal consciousness encompasses customary norms, moral expectations, and locally recognised procedures through which justice is experienced and enacted. In medieval India, legal consciousness was shaped predominantly at the community level, where law functioned as a lived social practice rather than an abstract institutional system.

The decentralised nature of political authority in medieval South India provides an important framework for understanding this indigenous legal order. Burton Stein characterises the medieval South Indian state as a “segmentary state,” in which political control was primarily local, territorially defined, and closely tied to dominant social groups within specific regions (Stein, 1980, p. 8). Chiefs often acted as representatives of local ethnic or kin-based groups, while corporate bodies comprising various social interests actively participated in the governance and public affairs of the locality. This structure allowed village institutions and assemblies to exercise substantial autonomy in regulating social relations and resolving disputes.



The functioning of law at the village level further reinforces this understanding of indigenous legal consciousness. Marc Galanter notes that the movement of disputes into formal government courts in India was neither uniform nor clearly charted, as villages often lay beyond the effective reach of centralised legal systems and were instead governed by traditional tribunals operating according to customary rules (Galanter, 1997, p. 20). These tribunals exercised a quasi-legislative role, administering justice through custom rather than statutory authority, although their formal powers remained limited (Galanter, 1997, p. 22).

As Davis Jr. argues, every geographical community—whether medieval villages or modern neighbourhoods—possesses norms that distinguish it as a distinct legal jurisdiction. However, such local customs are rarely isolated; they are embedded within broader legal and moral frameworks shared across larger regions (Davis Jr., 1999, p. 197). Despite their limited jurisdictional scope, village-level tribunals played a crucial role in maintaining social order, mediating conflicts, and sustaining indigenous legal traditions within the broader medieval polity.

Village Authorities and Local Institutions of Justice in Medieval India :

In medieval India, the administration of justice was largely decentralised and embedded within local social institutions rather than monopolised by royal courts. Prior to British intervention, disputes were typically resolved by tribunals operating at the level of the village, caste, or occupational guild, reflecting a legal order grounded in locality and custom (Galanter, 1997, p. 54). These institutions functioned as primary arenas for adjudication, reinforcing the autonomy of village society in matters of law and social regulation.

The village panchayat constituted the most enduring and widespread judicial body in rural India. Composed traditionally of five members, panchayats were authorised to adjudicate both civil and criminal disputes within the village, and their decisions were generally considered final, with no



formal mechanism of appeal (Suresh, 2017, p. 221). Judgements were delivered in accordance with customary law, reinforcing collective norms and ensuring social cohesion rather than strict legal formalism.

In the Vijayanagara Empire, village-level judicial administration acquired a more structured form through Brahmanical institutions. Brahmanas, often granted tax-free land known as *brahmadeya*, were entrusted with judicial responsibilities, particularly in the trial of civil cases. Court proceedings involved formal practices such as the recording of statements by a *lakkha* (bench clerk), indicating a procedural sophistication within local justice systems. These Brahmanical judges collectively formed *Mahasabhas*, which exercised judicial authority over defined localities (Devaraj, 2007, p. 318).

Epigraphic evidence further illustrates the institutional complexity of village governance. The Uttaramerur inscriptions dated CE 919 and CE 921 from the Chola Empire detail rules for the selection and functioning of village committees operating alongside the *Mahasabha*, the general assembly of adult Brahmin males (Dubey, 2025, p. 1037). Similarly, the Nadu assembly, as noted by Nilakanta Sastri and Mahalingam, reflected either representative participation from villages or dominance by influential local elites, underscoring regional variations in institutional composition (Stein, 1980, p. 98).

Normative Foundations of Justice (Dharma, Custom, and Moral Order) :

The operation of justice in medieval India was grounded not merely in institutional authority but in a shared moral and normative framework that defined social order and legitimacy. Concepts such as dharma, custom, and ethical balance shaped indigenous legal consciousness by embedding law within everyday social relations rather than abstract legal codes. Justice was thus understood as a means of sustaining harmony within a socially diverse and stratified society.

During the Sultanate period, the synthesis of dharma and sharia within Indo-Islamic legal traditions facilitated the integration of diverse religious and social groups. Rather than imposing a uniform legal system, medieval rulers accommodated plural normative traditions, allowing local customs and religious principles to coexist within broader structures of governance (Pramanik, 2024, p. 98). This pluralistic approach is further evident in the Vijayanagara Empire, where the legal system incorporated Hindu dharma alongside secular regulations, balancing religious obligations with the practical requirements of administration (Pramanik, 2024, p. 99).

The moral foundations of justice are articulated with particular clarity in the writings of Ziauddin Barani. For Barani, social interactions (*mu'amalat-I yak-digar*) inevitably brought together individuals of differing status, belief, and moral disposition. Justice, conceived as a balance (*tarazu*), evaluated these interactions by weighing rightful and wrongful claims, thereby exposing oppression and legitimising reward and punishment. In Barani's formulation, justice was essential for preventing disorder (*harj wa marj*) and ensuring social stability and prosperity (Haider, 2008, p. 86).

At the village level, customary justice derived its authority from this moral legitimacy rather than formal coercive power. As Galanter observes, both traditional and statutory panchayats faced limitations in enforcing decisions and maintaining independence from personal ties, yet their effectiveness rested on communal acceptance of moral norms and customary authority (Galanter, 1997, p. 44). Thus, medieval justice functioned as an ethical practice rooted in social consensus, reinforcing the centrality of indigenous normative frameworks in sustaining legal order.

Networks, Intermediaries, and the Transformation of Village Authority :

Village-level justice and governance in medieval India did not operate in isolation but were sustained through dense social and political networks extending beyond the immediate locality. As



Stein observes, a web of relationships beginning with peasant households and expanding through kinship groups and wider coalitions constituted a significant source of strength for village society. These networks enabled durable cooperation, collective action, and resource pooling, reinforcing the authority of local institutions and their capacity to regulate social order (Stein, 1980, p. 15). Such interconnectedness anchored indigenous legal consciousness within a broader social fabric rather than confining it to formal tribunals.

At the political level, localised units retained considerable autonomy while remaining symbolically linked to royal authority. Stein notes that village and regional power structures could be loosely connected to kings whose sovereignty was acknowledged selectively and temporarily by local chieftains (Stein, 1980, p. 45). This arrangement allowed village authorities to function as practical centres of governance while recognising the overarching legitimacy of the state, thereby sustaining a plural and flexible political order.

Administrative systems further reinforced the centrality of the village. Under the Mughals, the empire was organised on principles similar to those of Sher Shah Suri, with the village constituting the smallest administrative unit for governance and revenue purposes (Suresh, 2017, p. 219). In South India, the Ayangar system institutionalised village administration by granting office-holding servants distinct shares of land revenue, integrating governance, service, and local justice into a single framework (Kumar, 2024, p. 26).

However, the autonomy of village institutions was not static. The emergence of intermediary classes such as zamindars gradually undermined local self-government by inserting new layers of authority between village communities and rulers (Dubey, 2025, p. 1039). Similarly, in the Maratha polity, *watandars* occupied privileged positions as dominant figures in village administration, compelling the state to rely on them for effective governance (Gholap, 2023, p. 391). These developments reveal how indigenous legal authority was reshaped over time, adapting to changing political and social configurations while retaining its local foundations.



Conclusion :

“*The soul of India lives in its villages,*” Mahatma Gandhi’s assertion resonates strongly with the historical realities of medieval India, where village institutions functioned as vital centres of governance, justice, and social regulation. This study has demonstrated that village authorities were not peripheral to the legal order but constituted primary sites of indigenous legal consciousness. Through panchayats, assemblies, caste councils, and customary tribunals, justice was administered as a lived social practice grounded in custom, moral balance, and communal legitimacy. The coexistence of local institutions with symbolic state authority reveals a plural legal landscape in which law was decentralised, flexible, and socially embedded. Even as intermediary groups and administrative changes reshaped village autonomy over time, the foundational role of local justice remained intact. By foregrounding village-level institutions, this paper fills a critical gap in medieval historiography and underscores the importance of indigenous legal traditions in sustaining social order, integration, and governance in pre-colonial India.

References :

- Davis, D. R., Jr. (1999). Recovering the indigenous legal traditions of India: Classical Hindu law in practice in late medieval Kerala. *Journal of Indian Philosophy*, 27, 159–213.
- Devaraj, G. (2006–2007). Local judicial officers in the Vijayanagara Empire. *Proceedings of the Indian History Congress*, 67, 318–323.
- Dubey, Y. (2025). Reinterpreting the historical evolution of local governance in India. *The Academic: International Journal of Multidisciplinary Research*, 3(6), 1035–1046.



Galanter, M. (1997). *Law and society in modern India* (pp. 13–99). Oxford University Press.

Gholap, R. (2023). Village administration in the medieval period in the Deccan region. *International Journal of Advanced and Applied Research*, 10(3), 390–394.

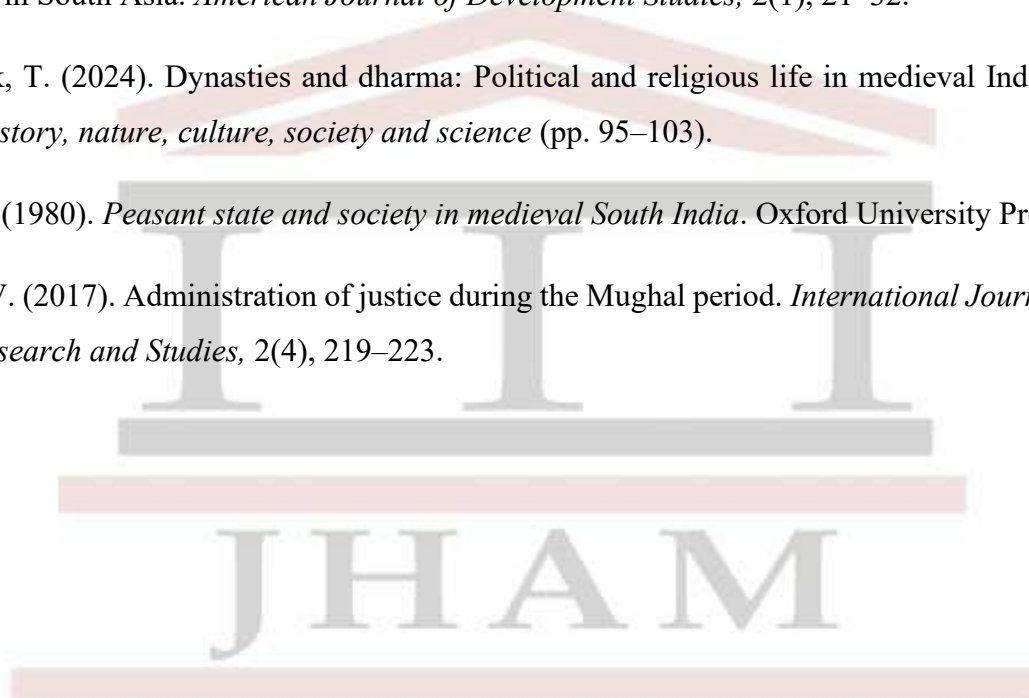
Haider, N. (2008). Justice and political authority in medieval Indian Islam. In *Justice: Political, social, judicial* (pp. 75–93).

Kumar, S. (2024). Theory of origin, administration and decline of the great Vijayanagara kingdom in South Asia. *American Journal of Development Studies*, 2(1), 21–32.

Pramanik, T. (2024). Dynasties and dharma: Political and religious life in medieval India. In *Indian history, nature, culture, society and science* (pp. 95–103).

Stein, B. (1980). *Peasant state and society in medieval South India*. Oxford University Press.

Suresh, V. (2017). Administration of justice during the Mughal period. *International Journal of Legal Research and Studies*, 2(4), 219–223.





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