

DHARAMPAL CLASSICS SERIES

CIVIL DISOBEDIENCE AND INDIAN TRADITION



**DHARAMPAL** (1922-2006) authored several books that sought to present different aspects of the Indian society and polity from an Indian perspective. These rigorously documented books disrupted the scholarly consensus about the backwardness and dis-functionality of pre-British India and presented the picture of a society that in fact was highly sophisticated and advanced in its political ideas and arrangements and in its sciences, technologies and education systems. These works are of abiding interest and importance.

In the *Dharampal Classics Series*, we present his major works in their original authentic version and in an aesthetically rich format. The Series is being brought out by the Centre for Policy Studies, a research institute with which Sri Dharampal was associated for several years, and Rashtrrothana Parishat, an organisation that had the good fortune to host Dharampalji at Bengaluru on several occasions and to introduce him and his work to the Kannada readers.

*Civil Disobedience and Indian Tradition* (1971) is the second of Sri Dharampal's books based on the materials collected in the course of his extensive study in the British archives. It presents documents of an intense civil disobedience struggle that raged in Benaras and several cities of Bihar for nearly two years between 1810 and 1811 against the imposition of a new house tax by the alien British administration. Indians found the tax to be an innovation and therefore obnoxious. The book anchored the Civil Disobedience of Mahatma Gandhi in an older and, till recently, vibrant tradition.



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DHARAMPAL

DHARAMPAL CLASSICS SERIES 3

CIVIL DISOBEDIENCE  
AND  
INDIAN TRADITION

WITH SOME EARLY NINETEENTH CENTURY  
DOCUMENTS

DHARAMPAL





*Dharampal Classics Series*

CIVIL DISOBEDIENCE AND  
INDIAN TRADITION

*With Some Early Nineteenth Century Documents*

DHARAMPAL

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CENTRE FOR POLICY STUDIES

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*With Some Early Nineteenth Century Documents*  
by Dharampal

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## ABOUT DHARAMPAL CLASSICS SERIES

DHARAMPAL (1922-2006) authored several books that sought to present different aspects of the Indian society and polity from an Indian perspective. These rigorously documented books disrupted the scholarly consensus about the backwardness and dis-functionality of pre-British India and presented the picture of a society that in fact was highly sophisticated and advanced in its political ideas and arrangements and in its sciences, technologies and education systems. These works are of abiding interest and importance.

In the *Dharampal Classics Series*, we are reprinting the original editions of the most significant of his works. We have tried to keep the text of the first published editions unaltered except for changing some punctuation mark where it seemed essential or introducing a footnote here or there to explain some reference, word or phrase. Where possible, we have compared the archival documents reproduced in these books with the originals and carried out the necessary corrections when necessary.

In the mid-1960s, Dharampal began an extensive exploration into the British Indian archives, especially the India Office Records collection. This archival research led to three of his major works. The present volume, *Civil Disobedience and Indian Tradition* (1971), is the second of these. It presents documents of an intense civil disobedience struggle, that raged in Benaras and several cities of Bihar for nearly two years between 1810 and 1811, against the imposition of a new house tax by the alien British administration. The people found the tax to be an innovation and therefore obnoxious. The book anchors the Civil Disobedience of Mahatma Gandhi in an older and, till recently, vibrant Indian tradition.

*Indian Science and Technology in the Eighteenth Century* (1971), the first book of Dharampal based on his archival research, compiles several articles by early British observers about the Indian sciences



of astronomy and mathematics and the Indian technological practices in metallurgy, agriculture, architecture and medicine, etc. The book created a new appreciation of the sophistication and efficacy of the pre-British Indian sciences and technologies.

*The Beautiful Tree: Indigenous Indian Education in the Eighteenth Century* (1983) was the third book of Dharampal presenting the British archival records on various aspects of Indian polity. The volume compiles documents of a survey of indigenous education ordered by Thomas Munro, Governor of Madras, in 1822. The details of the indigenous schools and institutions of higher learning—sent by the Collectors of 21 districts of the extensive Madras Presidency—offer a fascinating picture of the extent, inclusiveness and sophistication of the then prevailing system of education in India. The book also includes extracts giving similarly fascinating details of the indigenous education in Bengal and Punjab.

In this *Series*, we are also publishing two of his other books. *Panchayat Raj as the Basis of Indian Polity* (1962), was the first book authored by Dharampal. It presented extracts from the Constituent Assembly Debates on the place of Panchayat Raj in the constitutional polity of Independent India. This passionate debate ultimately led to the mention of Panchayat Raj in the non-enforceable Directive Principles of the Constitution. The book gave an early indication of the deep interest Dharampal was to develop in the understanding of classical Indian polity and its subversion by the British.

*Bhāratīya Chitta Mānas and Kāla* (1993), the fifth book in this *Series*, is in a way the final book of Dharampal, though later he did author another couple of books based on his archival studies. In this small, but seminal book, he reflects on the peculiarities of the Indian consciousness, the Indian sense of time and the civilisational essence of being an Indian. The book thus lays down the philosophical perspective from which the whole of his corpus needs to be read.

CENTRE FOR POLICY STUDIES has been fortunate to have the honour of Sri Dharampal's association from its inception in 1990. Around

that time, Sri Dharampal spent several years in Chennai and, along with several other colleagues, had the opportunity to closely work with him on many subjects. *Bhāratīya Chitta Mānas and Kāla* was written during this time. It was translated into English and published under the auspices of the Centre in 1993.

The historical event of the demolition of Babari structure at Ayodhya happened when Sri Dharampal was residing in Chennai. The Centre, at his initiative and with his blessings, invited several eminent persons of diverse persuasions to speak on the meaning of that momentous event. The lectures and the subsequent discussion on them were published by the Centre under the title *Ayodhya and the Future India*. Sri Dharampal's lecture, "Undamming the Flow", in this compilation remains relevant even today, especially now when the Ayodhya saga is coming to its culmination.

During his stay at Chennai, Sri Dharampal also began looking into the archival records of a survey of the Chengalpattu region that the British had carried out in the 1770s. The Survey disclosed an affluent, equitable and functional polity in which the locality raised its own resources and performed all the functions that we today expect from a provincial or national State. The Centre has continued to compile and analyse the voluminous data of that Survey and carry forward Dharampal's work in many other directions.

The Centre has initiated this *Series* to edit and publish authentic editions of Dharampal's major works as part of the celebrations of his centenary year that begins on February 19, 2021. The five volumes that we present now mark the beginning of the *Series*. We hope to compile and publish several other volumes of his works in the course of the centenary year.

We dedicate this *Series* to Sri Dharampal who taught us to look at India and the world in a new light.



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# FOREWORD

**T**he ancients held that the highest form of knowledge is self-knowledge and that he who achieves that knowledge achieves all. It seems to me that the value of self-knowledge holds good for nations as well. No matter how one defines a nation—and it has not been found easy to do it—its essence seems to lie not in its outward attributes but in the mental world of those who comprise it. Of the ingredients of this inner world, the most important is self-image, that is, the image that the people comprising a nation have of themselves and their forefathers.

During the British period the needs of imperialist rule dictated that Indians be pictured as an inferior people in respect to material, moral and intellectual accomplishments. This deliberate denigration of the Indian nation was furthered by the incapacity of the foreigner to understand properly a civilisation so different from his own. So, in course of time, as our political subjugation became complete, we happened to accept as real the distorted image of ourselves that we saw reflected in the mirror the British held to us.

Not a small part of the psychological impetus that our freedom movement received was from the few expressions of appreciation that happened to fall from the pens or lips of Western scholars about Sanskrit literature, Indian philosophy, art or science. Sometimes these foreign opinions about past Indian achievements were seized upon and inflated out of all proportion so as to feed the slowly emerging national ethos.

After the first few years of euphoria since Independence, a period set in of self-denigration in which educated Indians, particularly those educated in the West, took the lead. Whether in the name of modernisation, science or ideology, they ran down most, if not all,

things Indian. We are not yet out of this period. I am not suggesting that what is wrong and evil in Indian society or history should be glossed over. But breast-beating and self-flagellation are not conducive to the development of those psychological drives that are so essential for nation-building, nor so is slavish imitation of others.

One of the reasons for this state of affairs is lack of sufficient knowledge about our history, particularly of the people's social, political and economic life. One of the faults of our forefathers was their lack of sense of history, and their proneness to present even historical fact in the guise of mythology. As a result, even after long years of modern historical research, in India and abroad, our knowledge happens to be limited—particularly in the field of social history. Also there are long gaps or periods of darkness about which not much of anything is known. One such period was that between the decline of the Mughal power and the arrival of the European trading companies and the ultimate consolidation of British power. That period was undoubtedly one of political disintegration. Yet, the material researched by Shri Dharampal and published herein reveals the survival of amazing powers of resistance to the state in the common people—"the Lohars, the Mistrees, the Jolahirs, the Hujams, the Durzees, the Kahars, the Bearers, every class of workmen", to quote the Acting Magistrate of Benares in 1810—when, in their opinion, it became oppressive or transgressed the limits of its authority.

The behaviour of the five hundred and odd princes towards their people during British rule had created the general impression that the king in Hindu polity was a tyrant and there was no limit to his power as far as it related to his subjects, who were supposed to be traditionally docile and submissive. Foreign and Indian studies of Hindu polity, no doubt, had revealed quite a different type of relationship, which allowed even for the deposition of an unworthy king by his people. But that was considered to be a mere idealistic formulation, true more in theory than in practice. The fact that texts on Hindu polity were agreed that the king was never conceived to



possess absolute power and that he was in practice limited by *dharma*, that is, the system of duties, responsibilities and privileges that had evolved through the ages and come to be accepted by all concerned, was also not taken seriously. Instances of autocratic monarchs who defied the established *dharma* and got away with it were looked upon not as exceptions but as the rule.

The material brought together by Shri Dharampal in this volume throws quite a different light on the subject. The following pages describe, in the words of the then British officers, the *mass movements* of civil disobedience at Benares, Patna, Sarun, Murshedabad and Bhagalpur against the imposition of new taxes on houses and shops. Shri Dharampal is quite right in saying that: "If the dates (1810-12) were just advanced by some 110 to 120 years, the name of the tax altered and a few other verbal changes made, this narrative could be taken as a fair recital of most events in the still remembered civil disobedience campaigns of the 1920s and 1930s." That the events described in the correspondence published here were not exceptions, is borne out by other instances given by Shri Dharampal of similar actions that were either contemporary or of earlier times in other parts of the country.

It would appear from a perusal of the papers reproduced here that there had developed in the course of Indian history an understanding between the ruled and the ruler as to their respective rights and responsibilities. Whenever this traditional pattern of relationship was disturbed by an autocratic ruler, the people were entitled to offer resistance in the customary manner, that is, by peaceful non-cooperation and civil disobedience. It also appears that in the event of such action the response of the ruling authority was not to treat it as unlawful defiance, rebellion or disloyalty that had to be put down at any cost before the issue in dispute could be taken up but as rightful action that called for speedy negotiated settlement.

Such powers, and apparently well-practised methods, of popular resistance as described herein could not have sprung up suddenly from nowhere. They must have come down from the past as part of

a well-established social-political tradition. The fact these powers should have survived until the beginning of the nineteenth century even in areas that had long been under autocratic Muslim rule bears testimony to both the validity and vitality of the ancient tradition.

The saddest part of the story Shri Dharampal unfolds in the following pages tells of the conscious and calculated efforts of the British to destroy every vestige of the old tradition, which they looked upon as a continuing challenge to the very foundations of their rule. Whether it was to assert the “dignity of the State” or for the “maintenance, of the public tranquillity” or for “upholding those sentiments of respect which it appeared so essential that the community should entertain for the public authority” the traditional right of the people of peaceful resistance had to be given no quarter. The reason Shri Dharampal gives, with which I am in agreement, is the feeling the British rulers had of extreme insecurity. They could not feel safe until they had beaten the people into a state of unquestioning obedience. The ultimate sanction they relied upon to achieve this end was military force. Thus was brought about the spiritual death of the people of this country, which the Congress Working Committee must have had in mind when in its Declaration of Independence of 1930 (which used to be reiterated at tens of thousands of public meetings every 26th of January), speaking of the fourfold ruin of India—economic, political, cultural and spiritual—wrought by the British, it pinpointed “compulsory disarmament” of the people and the “presence of an alien army of occupation, employed with deadly effect to crush in us the spirit of resistance” as being the means of the country’s spiritual ruin.

In an interesting and valuable section of his introduction, Shri Dharampal discusses the origins of Gandhiji’s ideas of *satyagraha* and throws some new light on the subject. A point that emerges clearly from the discussion is that the primary source of inspiration behind Gandhiji’s science of *satyagraha* was India’s age-old traditional ruler-ruled relationship of which Gandhiji was well aware. In view of his explicit acknowledgement in the *Hind Swaraj* of his debt

to that tradition, it is rather surprising that none of his biographers or commentators, while they ranged far and wide in search of the origins, gave any attention to Gandhiji's own words. May be the reason has been that no trace having been left of the old tradition except for the observant eyes of one like Gandhiji (think of the case of the small principality in Saurashtra which he mentions in the *Hind Swaraj*), nor there being any historical evidence available of the "nation at large" having "generally used passive resistance in all departments of life" or of our ceasing "to cooperate with our rulers when they displease us", Gandhiji's sweeping remarks were taken as examples of his "usual" idealisation of the past. But, as Shri Dharampal's findings show, Gandhiji, though not a student of History, had a much deeper insight into it than any historian. Undoubtedly it was this intuitive quality that was one of the secrets of his extraordinary success as a leader of the people.

No less interesting and valuable is Shri Dharampal's discussion of the place of *satyagraha* in post-Independence and democratic India. An oft-repeated criticism, which has not lost its point by repetition, of government in free India is that the Congress on coming to power took over intact the bureaucratic machine created by the British for their purposes of undemocratic and exploitative rule. One of the more malignant features of that machine is its continued adherence to the British imperialist theory that it is the duty of the people to obey first and then to protest. In fact, that view has been further strengthened by the convenient plea that the bureaucracy is no longer an instrument of an alien government but that of a democratically established national government. As a result, whenever there is a fast, a stoppage of work, a withdrawal of cooperation, the official reaction is no talk, no settlement until the popular action is withdrawn or put down. The consequence is that more often than not the people concerned are driven to violent action, after which government usually surrenders or makes a compromise. There is no doubt that *satyagraha* has often been resorted to for party-political gains, but had government conceded

the right of the people to disobey and resist peacefully whatever seemed unjust or oppressive to them, a code of conduct would have evolved through the past 25 years that would have set the limits of the people's and party's action on the one hand and of government's action on the other. The plea that in a democracy the people have the ultimate sanction of removing an unpopular government at the next general election has been effectively answered by Acharya Kripalani in the passage Shri Dharampal quotes in the Introduction.

May I hope in conclusion that some institution concerned with the pursuit of knowledge, and not enslaved to rules and regulations, will consider it worth its while to utilise the talent and experience of Shri Dharampal so as to enable him to continue, deepen and enlarge the work he has started? May I also stress that the work is so varied and vast that no one man can do it justice? Therefore, what is really needed is to collect a team of researchers and endow them with the resources needed for this work, much of which has to be done in Britain as well as in the other countries which were involved in that period's history of India, such as France, the Netherlands, Portugal. I commend this thought to the Indian Council of Social Science Research, the University Grants Commission and the premier Indian universities and research institutions.

JAYAPRAKASH NARAYAN



# PREFACE

In the course of a preliminary perusal of late eighteenth and nineteenth century British official material on India in 1965, I happened to read of a boycott and consequent organisational steps taken by some village communities during the “Deccan Riots” of 1874 in the districts of Ahmednagar and Poona. The techniques employed by these village communities primarily against the money-lenders but also against all those who sided with the latter seemed essentially identical to those employed in the non-cooperation and civil disobedience movements of recent decades. Further search led me to several other apparently similar instances of nineteenth century non-cooperation and civil disobedience in different parts of India.

For me this information was wholly unexpected. It not only led to much questioning but also persuaded me to re-read some of the writings of Mahatma Gandhi on the subject. Up to this time, like those I knew, I had taken it for granted that non-cooperation and civil disobedience were of very recent origin in India and owed their practice here to Gandhiji. Again, like many others I had also assumed that while Gandhiji had made them more perfect and effective, he himself had initially derived them from Thoreau, Tolstoy, Ruskin and other Europeans. But re-reading *Hind Swaraj*, I found Gandhiji observing: “In India the nation at large has generally used passive resistance in all departments of life. We cease to cooperate with our rulers when they displease us.”

I shared this passage of Gandhiji with a number of friends several of whom had known Gandhiji personally and had many times participated in his non-cooperation and civil disobedience movements. I found them similarly fascinated with the information I had acquired. The fascination however, to an extent, was tinged with

incredulity. It seemed to many that the above observation of Gandhiji was more symbolic of his idealisation of the past than a confirmation that non-cooperation and civil disobedience had been one of the traditional modes of protest against authority in India. The never ending repetition of statements that the ordinary people of India had from time immemorial been subservient to whoever ruled over them and did not at all care for such mundane things as society or politics seem to have made an effective impact on those who knew Gandhi well and followed him into battle as on those who had been hostile or indifferent. Such incredulity, it seemed, could be met only through a more detailed search and assembling of primary material on the subject.

The documents printed in this book (pages 51-191) are the result of this search and were compiled during 1966 from the relevant judicial and revenue records in the India Office Library, London. The first hint of the events described in them however, came to me from the brief reference to them under the title "Commotion at Benares" in Dr. Sashi Bhusan Chaudhuri's book *Civil Disturbances during the British Rule in India 1765-1857* (Calcutta, 1955).

I am thankful to the authorities and staff of the India Office Library, the West Bengal State Archives and the Gandhi Smarak Sangrahalaya, Delhi for various facilities during this search. Though the compilation of the documents reproduced was completed in 1966 itself, the interpretation and presentation of the whole has been done during the past few months. The latter has been greatly helped by the facilities and support extended by the Gandhi Peace Foundation towards the completion of this book. Unpublished Crown copyright materials in the India Office Library and India Office Records transcribed in this book appear by permission of the Controller of Her Majesty's Stationery Office, London.

Innumerable friends have shown great interest and offered advice as well as criticism on the material and interpretations presented here. I am grateful to all of them. I am specially obliged to Bernie Horowitz, Mohammad Rafiq Khan and Radhakrishna for affording

me much of their time and attention in this regard. I am also thankful to Narendra Goyal for help in the production of this book.

The documents on pages 51-191 have been arranged in the order these would have been placed by the executing authorities in Benares, etc. in relation to correspondence with the Government at Fort William (Calcutta), or the Government of Bengal in its correspondence with London. This, it is hoped, would be helpful in the understanding of the events in Benares and other towns in the order they occurred.

The documents are reproduced here in their original spellings and punctuation. In spite of all possible care, a few typographical errors remain. These, however, do not make any substantial alteration in the meaning of the concerned passages.

July, 1971

DHARAMPAL

# INTRODUCTION

Traditionally, what has been the attitude of the Indian people, collectively as well as individually, towards state power or political authority? The prevalent view seems to be that, with some rare exceptions, people of India have been docile, inert and submissive in the extreme. It is implied that they look up to their governments as children do towards their parents. The text books on Indian history abound with these views.

The past half century or so, however, does not substantiate this image of docility and submissiveness. Many, in fact, regret the supposed transformation. But all, whether they deplore or welcome it, attribute it to the spread of European ideas of disaffection, and most of all to the role of Mahatma Gandhi in the public life of India. According to them, the people of India would have remained inert, docile and submissive if they somehow could have been protected from the European infection and from Gandhi.

The twentieth century Indian people's protest against governmental injustice, callousness and tyranny (actual or supposed) has expressed itself in two forms: one with the aid of some arms, the other unarmed. The protest and resistance with arms has by and large been limited to individuals or very small groups of highly disciplined cadre. Aurobindo, Savarkar, Bhagat Singh, Chandrashekhar Azad (to name some), in their time have been the spectacular symbols of such armed protest. Unarmed protest and resistance is better known under the names of non-cooperation, civil disobedience and *satyagraha*. This latter mode of protest owes its twentieth century origin, organisation and practice to Mahatma Gandhi.

In the main there are two views about the origin of the non-cooperation and civil disobedience initiated by Gandhi firstly in



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South Africa and later in India. According to one group of scholars Gandhi learnt it from Thoreau, Tolstoy, Ruskin, etc. According to the other, non-cooperation and civil disobedience were Gandhi's own unique discovery out of his own creative genius and heightened spirituality. Mahatma Gandhi's own indication of his primary inspiration is provided in *Hind Swaraj*.

The statements about the European or American origin of Gandhi's civil disobedience are many. According to one authority on Thoreau, Thoreau's "essay *Resistance to Civil Government*, a sharp statement of the duty of resistance to governmental authority when it is unjustly exercised, has become the foundation of the Indian civil disobedience movement."<sup>1</sup> According to a recent writer on Gandhi, "Gandhi got non-cooperation from Thoreau, and he agreed with Ruskin on cooperation."<sup>2</sup> According to yet another writer on him, "Gandhi agreed with Seeley only in order to apply the lesson learned from Thoreau, William Lloyd Garrison and Tolstoy. The lesson was that the withdrawal of Indian support from the British would bring on the collapse of their rule."<sup>3</sup>

The protagonists of the second view are equally large, the more scholarly amongst them linking Gandhi's inspiration with Prahalada or other figures of antiquity. According to R. R. Diwakar, taking his inspiration from Prahalada, Socrates etc., Gandhi adapted "a nebulous, semi-religious doctrine to the solution of the problems of day-to-day life and thus gave to humanity a new weapon to fight evil and injustice non-violently." Taking note of the traditional Indian practices of dharna, hartal and desatyaga (leaving the land with all one's belongings), Diwakar comes to the conclusion that "their chief concern was the extramundane life and that too of the individual, not of the group or community," and states "there are no recorded instances in Indian history of long-drawn strikes of the

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<sup>1</sup> *Encyclopaedia of the Social Sciences*, New York, 1963: Article on Thoreau, by Max Lerner.

<sup>2</sup> Atulananda Chakravarti: *The Lonesome Pilgrim*, Bombay, 1969, p.32.

<sup>3</sup> C. D. S. Devanesan: *The Making of the Mahatma*, Madras, 1969, pp.378-379.

nature of the modern ‘general strike’.”<sup>4</sup> According to an analyst of Gandhi’s political philosophy, “the Gandhian method of non-violent resistance was novel in the history of mass actions waged to resist encroachments upon human freedom.”<sup>5</sup> According to another recent student of Gandhi, Gandhian non-cooperation and civil disobedience “was a natural growth and flowering of a practical philosophy implicit in his social milieu.”<sup>6</sup>

These two views are integrated in a recent introduction to Thoreau’s essay, *On the Duty of Civil Disobedience*, referred to above. The writer of this introduction states:

“Thoreau’s essay on civil disobedience marked a significant transition in the development of non-violent action. Before Thoreau, civil disobedience was largely practised by individuals and groups who desired simply to remain true to their beliefs in an evil world. There was little or no thought given to civil disobedience for producing social and political change. Sixty years later, with Gandhi, civil disobedience became, in addition to this, a means of mass action for political ends. Reluctantly, and unrecognised at the time, Thoreau helped make the transition between these two approaches.”<sup>7</sup>

Other writers, like Kaka Kalelkar<sup>8</sup> and R. Payne<sup>9</sup> though visualising some link which Gandhi’s non-cooperation and civil disobedience had with India’s antiquity, nevertheless feel, as Kalelkar does, that it was “a unique contribution of Mahatma Gandhi to the world community.” Kalelkar, however, does visualise the possibility that the practices of *traga*,<sup>10</sup> *dharna*, and *baharvatiya*, prevailing in Gandhi’s home area, Saurashtra, may have “influenced the Mahatma’s mind.”<sup>11</sup>

<sup>4</sup>R. R. Diwakar: *Saga of Satyagraha*, Bombay, 1969, pp.8-11.

<sup>5</sup>Buddhadeva Bhattacharya: *Evolution of the Political Philosophy of Gandhi*, Calcutta, 1969, p.286.

<sup>6</sup>V. V. Ramana Murthi: *Non-Violence in Politics*, New Delhi, 1958, p.148.

<sup>7</sup>Gene Sharp: *Thoreau: On the Duty of Civil Disobedience*, London, 1963, p.1.

<sup>8</sup>Kaka Kalelkar: ‘Evolution of the Philosophy of Satyagraha’, published in Rasheed Talib (ed.), *Gandhi Darshan Souvenir*, New Delhi, 1969.

<sup>9</sup>R. Payne: *The Life and Death of Mahatma Gandhi*, New York, 1969, p.217.

<sup>10</sup>Kaka Kalelkar incidentally appears to be the only modern writer aware of the practice of *traga*.

<sup>11</sup>Kaka Kalelkar, *op. cit.*

#### 4 / Civil Disobedience and Indian Tradition

Recent works on ancient Indian polity, and the rights and duties of kings or other political authorities also seem to be in some conflict with the prevalent view of the traditional submissiveness of the Indian people. According to some the very word 'Raja' meant 'one who pleases' and therefore any right of the king was subject to the fulfilment of duties and was forfeited if such were not performed. Further, an oft quoted verse of the Mahabharata states:

"The people should gird themselves up and kill a cruel king who does not protect his subjects, who extracts taxes and simply robs them of their wealth, who gives no lead. Such a king is *Kali* (evil and strife) incarnate. The king who after declaring 'I shall protect you' does not protect his subjects should be killed (by the people) after forming a confederacy, like a dog that is afflicted with madness."<sup>12</sup>

Whatever may have been the ruler-ruled relationship in ancient times or the few centuries of Turk or Mughal dominance, according to James Mill, "in the ordinary state of things in India, the princes stood in awe of their subjects"<sup>13</sup> in the late seventeenth and eighteenth century. Further, according to Gandhi, "we should obey laws whether good or bad is a new-fangled notion. There was no such thing in former days. The people disregarded those laws they did not like..."<sup>14</sup> Elaborating on the idea of passive resistance, Gandhi stated: "The fact is that, in India, the nation at large has generally used passive resistance in all departments of life. We cease to co-operate with our rulers when they displease us. This is passive resistance."<sup>15</sup>

Giving a personally known instance of such non-cooperation he added: "...in a small principality, the villagers were offended by some command issued by the prince. The former immediately began

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<sup>12</sup> अरक्षितारं हर्तारं विलोप्तामनायकम् । तं वै राजकलिं हन्युः प्रजाः सन्नद्य निर्घृणम् ॥ अहं वो रक्षितेत्युक्त्वा यो न रक्षति भूमिपः । स संहत्य निहन्तव्यः श्वेव सोन्माद आतुरः ॥ अनुशासन ६१.३२-३३ । असत्पापिष्ठसचिवो वध्यो लोकस्य धर्महा । शान्ति १२.१९ ।

*The Mahabharata*, quoted by P. V. Kane, *History of Dharmasastra*, Pune, 1946, Vol.III, p.26.

<sup>13</sup> James Mill: Evidence to House of Commons Committee, in *House of Commons Papers*, 1831-32, Vol. 14, pp.6-7.

<sup>14</sup> *Indian Home Rule*, Phoenix, 1910, p.77.

<sup>15</sup> *Ibid.* p.80.

vacating the village.<sup>16</sup> The prince became nervous, apologised to his subjects and withdrew his command. Many such instances can be found in India.”<sup>17</sup>

It is not necessary to add that Gandhi’s discovery of civil disobedience is not just a borrowing from his own tradition. In a way it came out of his own being. His knowledge of its advocacy or limited practice in Europe and America may have provided him further confirmation. But it is the preceding Indian historical tradition of non-cooperation and civil disobedience which made possible the application of them on the vast scale that happened under his leadership.

It appears that Gandhi as well as Mill had a more correct idea of the ruler-ruled relationship in India than the historians. Even without going far back into Indian history, a systematic search of Indian and British source materials pertaining to the eighteenth and nineteenth centuries should provide ample evidence of the correctness of Gandhi’s and Mill’s view. Further, it would probably also indicate that civil disobedience and non-cooperation were traditionally the key methods used by the Indian people against oppressive and unjust actions of government. Even by a relatively cursory search, a number of instances of civil disobedience and non-cooperation come through. These are recorded primarily in the correspondence maintained within the British ruling apparatus. For example, the Proceedings of the British Governor and Council at Madras, dated November, 1680 record the following response by “the disaffected

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<sup>16</sup> It is possible that such recourse to the vacating of villages, towns, etc., as instanced by Gandhi and as threatened in 1810-11 at Murshedabad etc., was of a much later origin than the various other forms of non-cooperation and civil disobedience described in this volume. Resort to such an extreme step, as the vacating of villages etc., indicates increasing alienation of the rulers from the ruled and further a substantial weakening of the strength of the latter. Such a situation is in glaring contrast to the situation where “the princes stood in awe of their subjects”. Though such an extreme step at times may have still worked in relation to Indian rulers who were not yet completely alienated from the ruled in Gandhi’s young days its potentiality against the completely alien, such as the British, must have become very small indeed.

<sup>17</sup> *Indian Home Rule*, *op. cit.* pp.80-81.



## 6/ *Civil Disobedience and Indian Tradition*

persons” in the town of Madraspatnam to what they considered arbitrary actions on the part of the British rulers: “The painters and others gathered at St. Thoma having sent several letters to the several castes of Gentues in town, and to several in the Company’s service as dubasses, cherucons or chief peons, merchants, washers and others and threatened several to murder them if they came not out to them, now they stopt goods and provisions coming to town throwing the cloth off of the oxen and laying the dury, and in all the towns about us hired by Pedda Yenkatadry, etc: the drum has beaten forbidding all people to carry any provisions or wood to Chenapatnam alias Madraspatnam and the men’s houses that burnt chunam for us are tyed up and they forbid to burn any more, or to gather more shells for that purpose.”<sup>18</sup>

This tussle lasted for quite some time. The British recruited additional force of “Black Portuguese”, played the less protesting groups against the more vehement, arrested the wives and children of those engaged in the protest, and threatened with dire punishment one hundred of the more prominent amongst the protestors. Finally, the incident seems to have ended in some compromise.

At a much later period, reporting on a peasant movement in Canara in 1830-31, the assistant collector of the district wrote: ‘Things are here getting worse. The people were quiet till within a few days, but the assemblies have been daily increasing in number. Nearly 11,000 persons met yesterday at Yenoor. About an hour ago 300 ryots came here, entered the tahsildar’s catcherry, and avowed their determination not to give a single pice, and that they would be contented with nothing but a total remission. The tahsildar told them that the jumabundy was light and their crops good. They said they complained of neither of these, but of the Government generally; that they were oppressed by the court, stamp regulation, salt and tobacco monopolies, and that they must be taken off.’<sup>19</sup>

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<sup>18</sup> Fort St. George: *Diary and Consultations*, November 1680.

<sup>19</sup> India Office Records (I.O.R.): *Board’s Collections*: F/4/ Vol.1415, No. 55844A, Assistant Collector to Principal Collector, Canara, January 17, 1831: pp.158-61.

Referring to the instructions which he gave to the tahsildar, the assistant collector added: "I have also told him, to issue instructions to all persons, to prevent by all means in their power the assemblies which are taking place daily, and if possible to intercept the inflammatory letters which are at present being despatched to the different talooks."<sup>20</sup>

He further stated: "The ryots say that they cannot all be 'punished', and the conspirators have as it were excommunicated one Mogany, who commenced paying their Kists. The ferment has got as far as Baroor and will soon reach Cundapoor. As the dissatisfaction seems to be against the Government generally and not against the heaviness of the jumma bundy, speedy measures should, I think be taken to quench the flame at once. But in this district not a cooley can be procured. The tahsildar arrived here yesterday with the greatest difficulty."<sup>21</sup>

These protests were at times tinged by violence at some point. Most often, however, what is termed as violence was the resort to traga, koor, etc. (which are familiar under other names) inflicted by individuals upon themselves as a means of protest. On the occasions when the people actually resorted to violence it was mostly a reaction to governmental terror, as in the cases of the various 'Bunds' in Maharashtra during the 1820-40s.<sup>22</sup> At what point the people reacted to terror and repression by resorting to violence is a subject for separate study.<sup>23</sup>

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<sup>20</sup> *Ibid.*    <sup>21</sup> *Ibid.*

<sup>22</sup> The Bombay Presidency Political and Judicial Records for the period 1820-40 contain voluminous material on the numerous 'Bunds' organised by the people in Maharashtra against the British. One of these was the 'Poorundhur Bund' organised largely by the *Ramoosees* during 1826-28.

<sup>23</sup> The amount of violence which, at times, is manifested in modern movements of civil-disobedience and its relationship with the violent measures adopted by the authorities may to some extent help in the comprehension of this problem. According to Charles Tilly in 'Collective Violence in European Perspective' [in H. Graham and T. R. Gurr (ed.), *Violence in America*, New York, 1969, p.32]: "A large proportion of the... disturbances we have been surveying turned violent at exactly the moment when the authorities intervened to stop an illegal but non-violent action. ...the great bulk of the killing and wounding ...was done by troops

## 8 / *Civil Disobedience and Indian Tradition*

Overall, the civil disobedience campaigns against the new British rulers, including the one documented in this volume, did not succeed. The reasons for this must be manifold. Partly, the effectiveness of such protests was dependent upon there being a commonality of values between the rulers and the ruled. With the replacement of the indigenous rulers by the British (whether *de jure* or *de facto* is hardly material) such commonality of values disappeared. The British rulers of the eighteenth and nineteenth century did not at all share the same moral and psychological world as their subjects. Over time, what James Mill termed the “general practice” of “insurrection against oppression”<sup>24</sup> which had prevailed up to the period of British rule, was gradually replaced by “unconditional submission to public authority.” In the early 1900s, it seemed to Gopal Krishna Gokhale “as though the people existed simply to obey.”<sup>25</sup>

### II

Before we proceed further it may be useful to make a brief reference to the manner the governance of India was organised in the late eighteenth and the early nineteenth century.

The East India Company from 1784 onwards (if not from an earlier date) had little substantial to do with the making of any decisions about India. The job of decision making and in many instances even the first drafting of the more crucial detailed instructions, from 1784 onwards, became a responsibility of the Board of Commissioners for the Affairs of India, set up by an Act of the British legislature and composed of members of government, and was painstakingly executed by this Board till 1858. The change which 1858 brought was the elimination of the essentially clerical role of the Company and the

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or police rather than by insurgents or demonstrators.” Commenting on this, Michael Walzer believes that “the case is the same... in the United States.” (*Obligations: Essays on Disobedience, War, and Citizenship*, Harvard, 1970, p.32).

<sup>24</sup> J. Mill, *op. cit.*

<sup>25</sup> Gopal Krishna Gokhale: quoted on p.291, in *The Development of Indian Polity* by M. Ramchandra Rao, B.A., B.L., M.L.C., Madras, 1917.

entrusting of this task also to an expanded establishment in the office of the Board and styling the whole thenceforward as the department of the Secretary of State for India.

The supreme head of British administration in the Bengal Presidency was the Governor-General-in-Council, who functioned through the several departments of Government, initially constituted in 1785 on instructions from the Board of Commissioners for the Affairs of India. The Secret, the Political, the Military, the Public, the Revenue, and the Judicial were the major departments, all operating from Fort William (i.e. Calcutta). The Governor-General-in-Council (in the absence of the Governor-General, the Commander-in-Chief acting as president) met on specific days in the week to transact business in the particular department and the decisions and orders made were conveyed to the concerned subordinate bodies or individuals by the secretary of the concerned department who attended the council and maintained its records. Besides these departments, the instructions of 1785 had also established several Boards, subordinate to the Governor-General-in-Council, usually each of these presided over by a member of the Council, to direct and superintend some of the more extensive activities of Government. The Military Board and the Board of Revenue were the two most important amongst these subordinate Boards. (Corresponding arrangements had also been instituted in 1785 in the Madras and Bombay Presidencies.)

At this period, the job of the district 'collector' (in Bengal, Bihar, Benares, etc.) was mainly concerned with matters relating to revenue assessment and collection while the superintendence of the police and the performance of law and order functions were exercised by a separate official termed the 'magistrate' of the particular district. Ordinarily, the collector corresponded with and received his instructions from the Board of Revenue. The magistrate on the other hand corresponded with and received his instructions directly from the Governor-General-in-Council in the Judicial Department. Both the collector and the magistrate were independent and supreme in their

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respective spheres within their jurisdictions. It appears however from the nature of their respective links with the supreme presidency authority that the magistrate at this period had a slight edge over the authority of the collector. Benares, and perhaps many other districts also, further had two other independent, and superior, authorities: the court of appeal and circuit, and the military establishments. Some aspects of their mutual relationships and also differences in approach clearly come through in the documents included in this volume.

The documents in this volume, consisting of the correspondence between the various governmental authorities<sup>26</sup>, describe a now mostly forgotten civil disobedience campaign carried out by the people of Benares, Patna, Sarun, Murshedabad, and Bhagalpur against the British authorities during 1810-11. This is the best documented pre-Gandhian non-cooperation and civil disobedience campaign thus far uncovered. For this reason, it is being treated at some length in the pages that follow.

In 1810, on the instructions of the directing authorities in England, the Government of Bengal (Fort William) decided to levy a new series of taxes in the provinces of Bengal, Bihar, Orissa, Benares and the Ceded and Conquered territories (these latter now constitute part of Uttar Pradesh). One of these, recommended by its Committee of Finance, was a tax on houses and shops. This tax was enacted by Regulation XV, 1810 on October 6, 1810. According to its preamble the Regulation was enacted “with a view to the improvement of the public resources” and to extend “to the several cities and principal towns in the provinces of Bengal, Behar, Orissa and Benares, the tax which for a considerable period, has been levied on houses, situated within the town of Calcutta.”

The Regulation provided for a levy of “five per cent on the annual rent” on all dwelling houses (except the exempted cate-

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<sup>26</sup>These documents however do not include any correspondence on the subject of this narrative, if any such exists, between the court of appeal and circuit or the military authorities in Benares, etc., on the one hand and the Government or the Military Board at the presidency on the other.



gories) built of whatever material, and a levy of “10 per cent on the annual rent” on all shops. Where the houses or shops were not rented but occupied by the proprietors themselves, the tax to be levied was to be determined “from a consideration of the rent actually paid for other houses (and shops) of the same size and description in the neighbourhood.”

The exempted categories included “houses, bungalows, or other buildings” occupied by military personnel; houses and buildings admitted to be “religious edifices”; and any houses or shops which were altogether unoccupied. The tax was to be collected every three months and it was laid down that when it remained unpaid “the personal effects of the occupant shall in the first instance be alone liable to be sold for the recovery of the arrear of tax.” Further if some arrear still remained “the residue shall be recovered by the distress and sale of the goods, and chattels of the proprietor.” Though appeals were admissible against unjust levy, etc., “to discourage litigious appeals, the judges” were “authorised to impose a fine”, the amount depending on the circumstances, etc. of the applicant, on all those whose appeals “may prove on investigation to be evidently groundless and litigious”.

The collector of the district was “allowed a commission of five per cent” on the net receipts. Incidentally, such a commission to the collectors was not unusual at this time. The collectors received similar commissions on net collections of land revenue.

The total additional revenue estimated to arise from this tax was rupees three lakhs in a full year. Comparatively speaking, this was not very large. Of the total expected receipts from the various new or additional levies enacted around this time, the house tax was to contribute around ten per cent. In relation to the total tax revenue of the Bengal Presidency for 1810-11 (Rs.10.68 crores), most of it derived from the rural areas, the house tax amount was insignificant. But taking it along with the other levies imposed about this time, large portions of which fell on the urban areas, this tax became a rallying point of widespread protest.

### EVENTS AT BENARES

The protest begins at Benares. As Benares was then the largest city in northern India and possibly the best preserved in terms of traditional organisation and functioning, this was most natural. Also it may have been due to the Benares governmental authorities being more prompt in taking steps enforcing the house tax.

The main arguments against the levy of the tax, as they emerge from the documented correspondence, and more so from the petition of the inhabitants of Benares rejected by the court of appeal and circuit, partly because its “style and contents” were “disrespectful”, were:<sup>27</sup>

(i) “Former sooltauns never extended the rights of Government (commonly called *malgoozaree*) to the habitations of their subjects acquired by them by descent or transfer. It is on this account that in selling estates the habitations of the proprietors are excepted from the sales. Therefore the operation of this tax infringes upon the rights of the whole community, which is contrary to the first principles of justice.”

(ii) “It is clear that the house tax was enacted only for the purpose of defraying the expenses of the police. In the provinces of Bengal and Behar, the police expenses are defrayed out of the stamp and other duties, and in Benares the police expenses are defrayed from the land revenue (*malgoozaree*). Then on what grounds is this tax instituted?”

(iii) “If the *Shashtra* be consulted it will be found that Benares to within five *coss* round is a place of worship and by Regulation XV 1810 places of worship are exempted from the tax.”

(iv) “There are supposed to be in Benares about 50,000 houses, near three parts of which are composed of places

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<sup>27</sup> West Bengal State Archives: ‘Bengal Judicial Criminal Proceedings’, February 8, 1811, *Original Consultations*, No. 6.

of worship of Hindoos and Mussulman and other sects and houses given in charity by Mussulman and Hindoos. The tax on the rest of the houses will little more than cover the expenses of the Phatuckbundee. Then the institution of a tax which is calculated to vex and distress a number of people is not proper or consistent with the benevolence of Government.”

(v) “There are many householders who are not able to repair or rebuild their houses when they fall to ruin and many who with difficulty subsist on the rent derived therefrom, how is it possible for such people to pay the tax?”

(vi) “Instead of the welfare and happiness of your poor petitioners having been promoted, we have sustained repeated injuries, in being debarred from all advantages and means of profit and in being subject to excessive imposts which have progressively increased.”

(vii) “It is difficult to find means of subsistence and the stamp duties, court fees, transit and town duties which have increased tenfold, afflict and affect everyone rich and poor and this tax like salt scattered on a wound, is a cause of pain and depression to everyone both Hindoo and Mussulman; let it be taken into consideration that as a consequence of these imposts the price of provisions has within these ten years increased sixteenfold. In such case how is it possible for us who have no means of earning a livelihood to subsist?”

The authorities of Benares appear to have been the first in implementing the house-tax regulation. Possibly, this promptness resulted from their being better organised with regard to civil establishment as well as military support. Whatever the reasons for their speedy compliance, merely within seven weeks after the passing of the regulation the collector of Benares, as the authority responsible for levying and collecting the house tax, started to take detailed steps towards the regulation’s enforcement. On November 26, he informed the

acting magistrate of the steps he was taking to determine the assessment on each house and requested him to place copies of the regulation in the several thanas for general information. He further requested the magistrate for police support for his assessors when they began their work in the mohallas. On December 6, the collector gave further details to the magistrate and requested speedy assistance from the thannadars etc. The acting magistrate, replying to the collector on December 11, informed him of the instructions he had issued but stated that for the time being he did not feel that the police should accompany the assessors. He however assured the collector that: "Should any obstacle or impediment on the part of the householders be opposed to your officers in the legal execution of their duties, I shall, of course, upon intimation from you, issue specific instructions to the officers of police to enforce acquiescence." (p.56)<sup>28</sup>

The assessment having started, and meeting with instant opposition, the acting magistrate thus wrote to the Government at Calcutta on December 25: "I should not be justified in withholding from the knowledge of the Right Hon'ble the Governor-General-in-Council, that a very serious situation has been excited among all ranks and descriptions of the inhabitants of the city by the promulgation of Regulation XV, 1810." (p.57)

After giving the background he added: "The people are extremely clamorous; they have shut up their shops, abandoned their usual occupations, and assembled in multitudes with a view to extorting from me an immediate compliance with their demands, and to prevail with me to direct the Collector to withdraw the assessors until I receive the orders of Government. With this demand I have not thought proper to comply. I have signified to the people that their petitions shall be transmitted to the Government, but that until the orders of Government arrive, the Regulation must continue in force, and that I shall oppose every combination to resist it. By conceding to the general clamour I should only have encouraged

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<sup>28</sup> The reference to page numbers here, and in the following pages to the end of this narrative, is to the pages of documents reproduced in this volume.

expectation which must be eventually disappointed, and have multiplied the difficulties which the introduction of the tax has already to contend with.” (p.58)

Three days later, on the 28th, he sent another report:

“The tumultuous mobs which were collected in various places between the city and Secrole on the evening of the 26th instant, and which dispersed on the first appearance of preparations among the troops, did not reassemble on the morning of the 26th and I was induced to hope that the people in general were disposed to return to order and obedience.

“But in the afternoon the agitation was revived. An oath was administered throughout the city both among the Hindoos and the Mahommedans, enjoining all classes to neglect their respective occupations until I should consent to direct the Collector to remove the assessors and give a positive assurance that the tax should be abolished. It was expected that the outcry and distress occasioned by this general conspiracy would extort from me the concession they required. The Lohars, the Mistrees, the Jolahirs, the Hujams, the Durzees, the Kahars, the Bearers, every class of workmen engaged unanimously in this conspiracy, and it was carried to such an extent that during the 26th, the dead bodies were actually cast neglected into the Ganges, because the proper people could not be prevailed upon to administer the customary rites. These several classes of people, attended by multitude of others of all ranks and descriptions, have collected together at a place in the vicinity of the city, from whence they declare nothing but force shall remove them unless I consent to yield the point for which they are contending.” (p.59)

On December 31, the acting magistrate further reported: “Several thousands of people continue day and night collected at a particular spot in the vicinity of the city, where, divided according to their respective classes, they inflict penalties upon those who hesitate to join in the combination. Such appears to be the general repugnance to the operation of the Regulation, that the slightest disposition evinced by any individual to withdraw from the



conspiracy, is marked not only by general opprobrium but even by ejection from his caste.” (p.62)

The ‘conspiracy’ continued despite all efforts of the authorities. In the meantime the acting magistrate had written to the collector, as well as to the senior judge of the court of appeal and circuit who was said to have had much influence on the Rajah of Benares and other ‘principal natives’, to return immediately from their tours. The collector returned on January 1, 1811 and the following day he too reported to the Government at Calcutta. The acting magistrate submitted:

“...the combination formed against the introduction of the house tax becomes daily more extended, and has assumed a very serious appearance. The people continue to desert the city, and collect in increasing numbers at the spot, where they have resolved to remain in expectation of the orders of Government. No assurance on my part or on the part of the civil authorities at this station, has the slightest effect.

“There is too much reason to apprehend that this combination extends throughout the province. The Lohars, who originally assembled for another purpose, soon took a principal part in the conspiracy, and have collected here in great numbers from all parts of the province. The inconvenience suffered in consequence by ryots, threatens serious impediment to cultivation, and multiplies the number of the discontented. At the same time the people are integrated to persevere by the notion which prevails, that the inhabitants of other cities have engaged to conform to the issue of the struggle at Benares.” (pp.63-64)

On the same day, the collector further elaborated on the foregoing. He wrote:

“I am given to understand that considerably above twenty thousand persons are sitting (it may be called dhurna), declaring that they will not separate till the tax shall be abolished. Their numbers are daily increasing from the Moffusil whence each caste has summoned its brethren and adjured them to unite in the cause. If one

party be more obstinate and more determined upon extending the mischief than another, the Lohars, or blacksmiths, may be so charged, for they were not only the first to convoke the assembly of their near brethren, but they have far and wide called upon other Lohars to join them with the intent that no implement of cultivation or of harvest (which is fast approaching) be either made or mended, and thus that the zemindars and ryots may be induced to take part with the malcontents, in short that the whole of the country shall directly or indirectly be urged to insist on the repeal of the tax.

“With these Lohars almost all other castes, sects, and persuasions are in league and I am informed under a most binding oath amongst each other.

“At present open violence does not seem their aim, they seem rather to vaunt their security in being unarmed in that a military force would not use deadly weapons against such inoffensive foes. And in this confidence they collect and increase, knowing that the civil power cannot disperse them, and thinking that the military will not.” (pp.69-70)

Referring to the links which the protest had with other towns he stated: “I have learnt from good authority that the inhabitants of Patna have written to Benares to the effect that they shall be guided by these. That being more numerous, the Benares city is better able to make exertions against the tax and if it shall succeed in procuring abrogation the city of Aminabad would become exempted of course, in like manner, if the Benares city submits that Patna will immediately follow its example.” (pp.71-72)

By January the 4th, the situation seems to have quietened down and the acting magistrate had begun to be pleased with the result of the steps he had taken of exerting his pressure on the landholders to recall the Lohars and by the assistance he had received from a few of the “principal inhabitants”. Yet he felt: “Much dependence however cannot at present be placed upon these favourable circumstances; for the religious orders of the people, and the men of rank and respectability, continue unalterable in their resolution, and encourage

the multitude to persevere by every kind of artifice and persuasion. The principal people of every class are compelled to eject all those who are detected in attempting to withdraw from the combination. They also send forth spies in all parts of the city to seize the delinquent, and I have apprehended many employed upon the service. I have, of course inflicted upon such persons very severe punishment, but it does not deter others from committing similar outrages.” (p.66)

By January the 8th, the situation appeared really to have changed to such an extent that it made the acting magistrate report “with the greatest satisfaction” that the “inhabitants of this city begin to be sensible of the inutility and danger of continuing in a state of insubordination to the authority of Government.” (pp.66-67) Explaining the circumstances of the ‘alarming situation’ which he thought he had overcome, he stated: “The people of all description, collected according to their several classes in the vicinity of the city, had bound themselves by oath never to disperse without extorting the object they were extending for, and they seemed to increase daily in numbers and resolution. They employed emissaries to convey a Dhurm Puttree to every village in the province, summoning one individual of each family to repair to the assembly at Benares. Several thousand Lohars, Koonbees, and Korees, were enticed from their houses, and collected here by this excitement. At the same time, the inhabitants continued to withdraw from the city, and even those who were unwilling were compelled to abandon their pursuits, to avoid the opprobrium and punishment denounced against all and inflicted upon many, who declined joining in the conspiracy. The individuals of every class, contributed each in proportion to his means, to enable them to persevere, and considerable sums of money were thus raised for the support of those, whose families depended for subsistence on their daily labour.” (p.67)

He further explained: “The multitudes, thus assembled, were abundantly supplied with firewood, oil, and provisions, while nothing in the city except grain was procurable. The religious orders exerted all their power over the prejudices of the people to keep

them unanimous, and the combination was so general, that the police were scarcely able to protect the few who had courage to secede, from being plundered and insulted.” (p.67)

Referring to the role of the Mullahs (boatmen) he added: “Much public inconvenience was likely to arise from the Mullahs being drawn into the conspiracy, the communication with the opposite bank of the river was almost interrupted and I was compelled to proclaim, that every boat abandoned by the proprietor, should be forfeited to Government. The Mullahs in consequence soon returned to their duties. At the same time several persons of different classes employed to extend the combination were detected by the police, and punished with exemplary severity. These examples, often repeated, began at length to deter others from incurring the consequence of similar offences.” (p.68)

He ended with a reference to the additional factors of “fatigue and privations which began to be felt seriously by all” and of the effect of his advice that “it is only by dispersing that the people can expect indulgence from the Government.” He concluded his report by stating that he had “little doubt that in the course of a few days this combination, now no longer formidable, will be totally dissolved.” (pp.68-69)

By now the reports of the earlier situation had reached the Government at Calcutta. The event was first noticed by the Governor-General-in-Council on January 5th, when after acknowledging the receipts of the reports up to December 31 as well as the petitions which had been received from Benares, the Government observed that it did not “discern any substantial reasons for the abolition of the tax” and thought “it would be extremely unwise to sacrifice to riot and clamour a tax, the abolition of which is not dictated by any considerations of general policy.” (p.72) After approving the measures taken by the acting magistrate, the letter from Government added:

“You will, of course, take the same opportunity of impressing on their minds the serious evils, which they are liable to bring upon

themselves by further perseverance in resistance to the authority of Government. It may at the same time be expedient to apprise them that, with every disposition to afford to the people every reasonable indulgence and to protect them in the enjoyment of every right, the Governor-General-in-Council never can yield to lawless combinations or to attempts made to enforce a compliance with their applications by tumultuary meetings and proceedings.” (pp.73-74)

The “reasonable indulgence” to be afforded was that the people “should be relieved” from the Phatuckbundee which they contributed, collected and defrayed for the repair of gateways and the payment of chokeydars on their own volition and according to their own arrangements, and that its expenses in future “should be defrayed from the general resources of Government.” (p.73) News of this indulgence was to be conveyed to them, after consultation and appropriate arrangements with the military authorities, simultaneously to the conveying of the sentiments expressed in the foregoing passage.

On the receipt of the report of January 2, which pointed out the seriousness of the situation, the Government sent further instructions on the 7th about the manner of the use of the military force. Feeling “that a proclamation issued by the direct authority of the Government itself, may be of service in reclaiming the people” or in “apprizing them of the evils which they may bring upon themselves by a further perseverance in those lawless measures”, (p.75) it enclosed a proclamation leaving the discretion about the time of its use to the Benares authorities. After declaring that the Government did not “discern any substantial reasons for repealing the provisions of that Regulation”, the proclamation added that orders “have been issued to the officer commanding the troops to support the Magistrate and Collector in the discharge of that duty”, (pp.76-77) and concluded:

“It is with deep concern that the Governor-General-in-Council feels himself obliged to warn the refractory part of the community of the serious evils, which under the foregoing orders, they are liable to bring upon themselves by a further perseverance in their

present seditious conduct. The disposition of the Government to attend to all reasonable applications, and to afford equal protection to all classes of people, is universally acknowledged; but it never can be induced to forego what it has deemed a just and reasonable exercise of its authority in consequence of unlawful combination and tumult.” (p.77)

Between January 7, the date of the proclamation, and January 11 (as reported in their Revenue letter of February 12, 1811 to the directing authorities in England), it appeared to the Governor-General-in-Council “on mature consideration... that the tax was susceptible of some modifications as calculated to obviate any just grounds of complaint on the part of those classes of the people, who from their situation in life, were most liable to be affected by its operation.” (p.168) Consequently, on receipt of the somewhat encouraging report of January the 4th from the magistrate, the Government through their two letters of the 11th drew the attention of the Benares authorities to the section pertaining to religious edifices and further decided to exempt the “houses of the lowest orders of the people” whose “produce from the very inconsiderable value of the buildings could not be an object to Government.” With regard to the conveying of the news of these indulgences to the people it added: “Previously to communicating the present orders to the different classes of the people, who may be benefited by their operation, you will naturally consider in what mode it can be done, without compromising the public authority or weakening the sentiments of respect which it is so essential that the community should feel, especially at the present juncture, for the Government.” (p.79)

The instructions in conclusion added: “...His Lordship-in-Council would hope that the people may have shown themselves deserving of the indulgence proposed to be extended to them by the relinquishment of their late seditious and criminal designs, and by a just submission to public authority.” (p.79)

Government orders of January the 5th, wholly rejecting the petitions, were communicated to the people of Benares on the 13th.



From the 14th “people began again to collect together.” By now the Government proclamation of the 7th had reached Benares and “thinking that it would be of service in reclaiming the people from their unjustifiable proceedings”, the acting magistrate, as he reported to Government on the 18th, “proposed to publish it.” The officer commanding the troops however “did not consider himself in a state to afford” the support required till he had received reinforcements from Lucknow. By now the orders of Government of the 11th (excusing religious edifices, etc. from the payment of the tax) had also reached the Benares authorities, but the acting magistrate felt: “As long as the people persevere in these unjustifiable proceedings, they are totally undeserving of indulgence, and it is impossible to communicate to them the benevolent intentions of the Government.” (pp.81-82)

Two days later, on the 20th, the magistrate reported “little alteration” in the situation and saw “little reason to hope for any very favourable change.” He was anxious for the additional force to arrive, so that he “may carry into effect the orders of Government” particularly as he felt, “...it becomes everyday an object of greater importance to disperse the people, and compel them to put an end to their seditious and unwarrantable proceedings.” He further added: “I can not but feel very forcibly, that such a state of things being permitted to continue in defiance of public authority, has already weakened, and weakens daily still more and more, those sentiments of respect, which it is so essential that the community should entertain for the government of the country.” (p.87)

In the same letter he reported: “Soon after the resolution of Government not to rescind Regulation XV, 1810, was promulgated, inflammatory papers of the most objectionable tendency, appeared placarded about the streets. I have the honour to enclose 7 copies of two of these papers to be laid before the Government. I have offered a reward of 500 Rs. for every man on whom such a paper may be found, and hope that this will not be thought more considerable than the nature and exigency of the case required.” (p.87)

The massive measures taken by the authorities had however begun to erode the unity and confidence of the people and the dependency of the magistrate was rather misplaced. Within a few days of the foregoing report, the impact of the various efforts of the Benares authorities became apparent. As the magistrate reported later, the people had proposed “to proceed in a body to Calcutta, through all the cities subject in common with themselves” to the house tax, and that, “They determined that the proprietor of every house in the city should either go himself, or send a person to represent him, or contribute, in proportion to his means, to defray the expenses of those who might be disposed to go.” But he explained: “When it came to the point, few were found disposed to undertake a journey on which they were likely to be obstructed; nor were they willing to contribute to promote a scheme, the object of which, they were fully convinced, would never be accomplished.” (p.88)

Meanwhile, another petition, presented this time to the court of appeal and circuit, brought the verdict: “...this petition has been presented on the part of the people who are determinately engaged in mobs and assemblies contrary to the Regulations, which is highly improper; also the style and contents of this petition are disrespectful which is an additional reason for not allowing of it.” (p.92)

All these developments according to the magistrate led to dissension, withdrawal of support and consequently to a general breakdown of the people’s morale. In such a situation the services of some “old and faithful public servants” created further embarrassments for the people and ultimately made them to seek, through the medium of the Rajah of Benares, “the indulgence of the Government.” (p.90) Yet though the people had been humbled, the situation was far from normal. The acting magistrate in his report of January the 28th, therefore, suggested “a general pardon”, particularly as “the hearts of every man in this city are united with them” and as “enough perhaps had been already done for the support of the public authority...” (p.91)

Taking note of the report of the acting magistrate, the Govern-

ment on February 4 expressed its 'great satisfaction' at the submission of the people (p.93), gave highest approbation to the conduct of the acting magistrate; decided to bestow khelauts on persons who had supported the Government cause; and agreed to the suggestion of the magistrate that the Phatuckbundee should remain undisturbed and in place of the earlier order of Government, remission of an amount equal to its collection may be allowed from the assessment of the tax on houses and shops to those who contributed to the Phatuckbundee. Disagreeing with the general pardon suggested by the magistrate, the Government stated:

"The Governor General in Council does not discern any substantial grounds for granting a general pardon to the people of Benares for their late unwarrantable and seditious proceedings. On the contrary His Lordship in Council is of opinion, that public justice and obvious expediency of preventing by seasonal examples the recurrence of such evils in future, require that the persons, who have been chiefly instrumental in exciting the late disturbances, should be regularly brought to trial for that offence." (p.94)

At the same time it instructed the acting magistrate that "the prosecutions need not be numerous." Meanwhile, the humbling process, initiated through the Rajah of Benares and the other "loyal" and "faithful public servants" went further and on February 7, the acting magistrate forwarded to Government a petition, presented to him by the Rajah of Benares in the name of the inhabitants. This he described as an "ultimate appeal" (p.95) by means of which the petitioners, in the words of the petition, "present themselves at last before His Lordship-in-Council" and "humbly" represented that disobedience "was never within our imagination." Instead, they added, "in implicit obedience" to the proclamation of the magistrate of January 13 "as to the decree of fate, we got up, and returned to our homes, in full dependence upon the indulgence of the Government."<sup>29</sup>

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<sup>29</sup>J. Mill and H. H. Wilson, *The History of British India*, 4th Ed., Vol. VII, London, 1845, p.594. The full petition is reproduced on pp.592-601.

The Government however still did not “think proper to comply with the application of the inhabitants of Benaras to any greater extent than will be done” by the operation of its orders of January 11. (p.97) This order of Government, along with the information of the earlier modifications, was conveyed a week later, on February 23, to the Rajah and principal inhabitants of Benares by the magistrate, who in his proclamation to the inhabitants of Benares, of the same date, concluded with the view, “that no ground now remains for the complaint or discontent.” (p.101)

The people in general, notwithstanding their having submitted to the orders of Government “as to the decree of fate” as stated in their petition submitted through the Rajah of Benares, did not share the magistrate’s view and exhortation. Nearly a year later, on December 28, 1811, the collector reported:

“...At an early period I directed my native officers to tender to all the householders or tenants whose houses had already been assessed, a note purporting the computed rate of rent of each house and the rate of tax fixed thereby and I issued at the same time a proclamation directing all persons who had objections of any nature to offer to the rates of rent or tax mentioned in such note to attend and make known the same that every necessary enquiry might be made and all consistent redress afforded. In the above mentioned proclamation, I fixed a day in the week for specially hearing such cases and repaired to the city for that purpose. Neither would any householder or tenant receive such note nor did any one attend to present petition or offer objection. The most in sullen silence permitted the assessors to proceed as they pleased rigidly observing the rule to give no information or to answer any questions respecting the tax; in determination that they would not in anywise be consenting to the measure, that the assessors might assess and the executive officers of the tax might realise by distraint of personal or real property; they could not resist but they would not concur.” (p.104)

But, as a consolation for the authorities the collector added: “A few exceptions were found in some of the principal inhabitants of the

city either in the immediate employ of Government or in some degree connected with the concerns of Government or otherwise individually interested in manifesting their obedience and loyalty. These persons waited on me and delivered in a statement of their houses and premises and the actual or computed rent of the same and acknowledged the assessment of tax.” (pp.104-105). Yet such exceptions did not seem to console much and in concluding his report, the collector “strenuously” urged “as an indispensable measure of precaution, that no collection be attempted without the presence of a much larger military force than is now at the station.” (p.105)

Such withholding of concurrence and cooperation was apparent even earlier in February. While forwarding the “ultimate appeal” of the inhabitants, the acting magistrate had stated: “I believe the objection which they entertain against the measure in question, is pointed exclusively at the nature and principle of the tax, and not in the least at the rate of assessment by which it will be realised. The inhabitants of this city appear to consider it as an innovation, which, according to the laws and usages of the country, they imagine no government has the right to introduce; and that unless they protest against it, the tax will speedily be increased, and the principle of it extended so as to affect everything which they call their own. Under the circumstances, I fear, they will not easily reconcile themselves to the measure.” (pp.95-96)

#### EVENTS AT PATNA

Now to turn to the other towns. As stated by the Benares collector in his letter of January 2, the inhabitants of these other towns seemed to have been watching the events at Benares. On January 2nd, the magistrate of Patna forwarded 12 petitions regarding the house tax from the city’s inhabitants, the Government informing him on the 8th of their rejection, but cautioning the magistrate to use “gentle and conciliatory means” in stopping the inhabitants

from convening meetings or petitioning “while the discussion is depending at Benares.” It however instructed him to use the various means he possessed under his general powers and instructed him to report without delay to Government any “tumultuary meetings” or “illegal cabals.” (p.107)

### EVENTS AT SARUN

A week later (January 9) it was the turn of the Sarun magistrate to write to Government; he not only forwarded a petition from the inhabitants but stated: “When the Collector deputed assessors to arrange the assessment a still greater degree of alarm was created; and notwithstanding all I could do, all the shops of every description were actually shut up, and there was every indication of some very serious disturbance taking place.” (p.108)

Explaining his reasons for suspending the making of the assessment, he added: “As there is no military force at this place, and I was apprehensive of acts derogatory to the authority of Government being committed, I was induced to request the Collector to suspend the arrangement of the assessment till I could receive instructions from Government.” (p.108)

The instructions from Government “that no encouragement may be given to the inhabitants of Sarun to expect any general relinquishment of the tax” except what had been determined as modifications on January 11, were sent on January the 18th. The Government further observed: “The Governor General in Council is unwilling to believe that the inhabitants of Sarun will attempt to offer any open resistance to the establishment of the tax...” (p.109)

Notwithstanding such belief it directed: “Should circumstances however render it actually necessary, you will of course apply to the officer commanding the troops at Dinapore for such a military force as may be requisite to support the public officers in giving effect to the Regulation and order of Government.” (p.109)

### EVENTS AT MURSHEDABAD

Similar sentiments and exhortations and instructions were repeated on March 2 in the case of Murshedabad, but the situation here was more serious. On February 25, while enclosing two petitions from the inhabitants the magistrate reported: "Rumours of a combination among the principal merchants to avoid, rather than oppose the tax, by withdrawing from their houses, reached me some days ago. The plan was carried into execution by some of the leading men, and by more of inferior note, but I am happy to add, that I have prevailed on them to return to their houses." (p.110)

Forwarding their petitions he stated that finding "that the disposition to leave the city was gaining ground, I have deemed it my duty, objectionable as the language is, to forward" the petition, and "in return for this concession those Mahajans who had taken up their residence in the fields, promised to return to their homes..." (p.111)

The objectionably worded petition stated: "By the blessing of God, the English Gentlemen know, that no king of the earth had oppressed his subjects, and the Almighty preserves his creatures from harm ...for some years it has been our unhappy fate to suffer both from affliction and oppression. First from the prevalence of sickness for several successive years, the city has been depopulated, so much so, that not one half of the inhabitants remain... The oppression of the Town Duties and Customs is so great, that property of the value of 100 Rs. can not be purchased for 200, the rate of duty is increased twofold and even fourfold, and if any one wish to remove property from the city to its environs, he can not do it without the payment of a fresh duty... Fourth, order has been passed for levying a tax on houses and shops, which is a new oppression... the order of the Government has in truth struck us like a destructive blast..." (p.112)

Concluding his report, the magistrate added: "The discontent caused by the house tax is, I am convinced to add, very deep and very general, for it extends over all ranks and descriptions of



people.” He therefore solicited the Government’s instructions “in the event” of “its breaking out into a ferment.” (p.111)

There seems to have been no actual breakout of the discontent as feared by the magistrate of Murshedabad. But as revealed at the time of the events in Bhagalpur [described below], neither was there any collection of the tax anywhere till seven months later. On October 19, the subject was reopened for another consideration through a letter to Government from a retiring senior member of the Board of Revenue who simultaneously operated as secretary to the Judicial and Revenue Departments and was a party to all the foregoing orders and instructions, they being issued under his signature. Referring to the house tax he wrote: “From the experience hitherto obtained on the subject, it appears clear that the tax cannot be an object to Government except at the city and suburbs of Calcutta. At other places, at least (at the cities) I am led to believe, from all that I have heard on the subject, that a considerable degree of irritation still prevails on account of the tax, and that years must elapse before that irritation will altogether subside.” (p.156)

Consequently, as this implied “the sacrifice of 2 or 3 lacs of rupees” only, he suggested the discontinuation of the tax to “conciliate the affection of the large bodies of people.” (p.156) The suggestion was accepted by the Government on October 22 and it informed the Board of Revenue: “...the Vice-President in Council is satisfied at the expediency of abrogating the tax on houses established by Regulation XV, 1810, and with that view is pleased to direct, that in the first instance the process of assessment at the stations where it may not have been completed be stayed and that the collection of the tax where it may have been commenced be stopped, with exception however of any places at which commotions originating in a resistance to the operation of the tax, may exist at the period of the receipt of the present orders.” (p.157)

It further called for reports from the district collectors on the situation in their districts to be submitted to the Government, “who on the receipt of them will pass orders for the final abrogation of the

tax, unless the existence of any open oppositions should render it necessary either wholly or partially to enforce the collection of it.” (p.158)

#### EVENTS AT BHAGALPUR

Great opposition to the tax was however manifested in Bhagalpur at this time. On October 2, the collector of Bhagalpur reported: “The day before yesterday, being Monday the 30th September, the collection was to have commenced but on the appearance of the Tehseeldar, they one and all shut up shops and houses. Yesterday the officers of Government were unable to make any progress in their business, and in the evening while I was driving out in my carriage, several thousands of the inhabitants were standing on either side of the road. They neither committed nor offered any violence, but poured forth complaints of the hardness of their situation, and clamorously declared their inability to pay the tax.” (p.115)

This was further corroborated by the magistrate, in his letter to Government on the following day. After detailing the facts of the shutting of the shops, the magistrate stated: “I consequently yesterday morning summoned the principal people before me and explained to them the impropriety of their conduct and how useless it was for them to resist the orders of Government. They however declared in a body that they would give up their houses, and leave the town, but never would consent voluntarily to pay the tax, the nature of which had not even been explained to them.” (p.118)

The magistrate, however, added that notwithstanding their opposition, “they were ready to pay it whenever the collections should commence at Moorshedabad” (p.118), or any adjacent zillah and he, therefore, deemed it advisable to ask the collector to suspend the collection for a few days. The collector resenting the interference of the magistrate, and thinking that the magistrate’s setting himself, “against its operation in its very first stage, because a lawless rabble assembles, is striking at the root of that power, which the

Government ought to possess over the subject” (p.116), sought the guidance of the Government. The Government in its deliberations on the subject on October 11, concurred with the collector and expressing its “disapproval” of the conduct of the magistrate felt that the steps he had taken in suspending the collection of the tax was “naturally calculated to excite a combination among the inhabitants of Bhaugulpore, and the inhabitants of Moorshedabad, Patna and other places.” It ordered the magistrate to “withdraw the order forthwith” in “the most public manner possible” and “to afford every aid and support to the Collector” in “regard to the collection of the house tax.” (p.120)

The order reached Bhagalpur around 20th October. At 10 p.m. on the 21st, the collector informed the Government:

“I am sorry to acquaint you that in carrying into execution the collection of the house tax I was this evening most grossly assaulted in my carriage. Bricks, stones and every description of offensive missile was hurled at my head.

“I am most severely cut in my face, and in my head; and had I not affected my escape into Mr. Glass’s house, nothing on earth could have saved my life.” (p.121)

The account of this particular incident as reported by the magistrate and by his assistant, the later acting magistrate, was wholly different. In his letter of November 15, the magistrate stated that he had “every reason to believe (and this is also the opinion of the other Gentlemen of the station), that had he [i.e. the collector] not irritated the mob, by flogging them the assault never could have taken place”, and further that the collector “deviates from the truth” when he stated to Government that “he was assaulted in carrying into execution the collection of the house tax.” (p.142) Such statements at this stage, however, appeared to the Government as taking “advantage of a mere inaccuracy of expression employed in the preparation of a hurried and urgent despatch.” (p.143)

Even the belated recognition of “a mere inaccuracy of expression” did not exist on the day the Government at Calcutta received

the express communication of the collector reporting the assault on himself “in carrying into execution the collection of the house tax.” It immediately adopted a detailed resolution recalling its earlier order of October 11, and suspended the magistrate, as it felt “that the native inhabitants of Bhaugulpore would not have ventured to offer the insults and outrages described in the foregoing letter, to the Collector, and in his person to the Government itself, had the Magistrate” adopted “necessary precautions for the maintenance of the public peace, and for the due support of the Collector” with “regard to the collection of the house tax.” (p.137) It further decided, as it informed the directing authorities in England on October 29, 1811, “to depute an officer of greater firmness and activity to take charge” (p.171) of the magistrate’s office and desired the person so deputed to “make it an object of his particular attention to enforce payment of the tax.” (p.138) This direction, incidentally, as stated previously, had four days earlier been preceded with the Government’s view of the expediency of abrogating the tax. Finally, it requested the military authorities to arrange the sending of additional military force to Bhagalpur “with the view of supporting the Collector and the officers of police in the discharge of their public duty”, if felt necessary by them. (p.138)

The resolution of Government, was of little consequence to the immediate events at Bhagalpur as it did not reach the local authorities before the people’s protests were put down. Yet the overcoming or crumbling of “opposition or resistance” had caused considerable headache and anxiety to the local authorities. Some of it arose from the divergent views held by the collector and the magistrate about how to handle the situation, where the collector stood for effective and “vigorous effort in support of the authority of Government”, and the magistrate, who had actual responsibility for police and military action, tended to follow a quieter and somewhat less violent course.

Regarding the meetings of the people on the 22nd, the magistrate reported on the 24th:

“[I] sent for more troops to meet me at Shahjunghy, whither I

proceeded after waiting a short time to allow them to arrive. We there found about eight thousand persons assembled, but totally unarmed. The principal of them kept in the centre of the crowd so that it was impossible to apprehend them, and as I was informed on the spot were performing funeral ceremonies. They however dispersed after having been repeatedly told that if they remained they would be fired at. They then requested permission to present a petition the next morning which I agreed to receive giving them fully to understand that the collection of the tax would not be suspended, nor the petition received unless presented to me in court in a regular and respectful manner. After the dispersions there remained a numerous rabble consisting partly of weavers and other artificers, the rest old women and children. I spoke to some of them who expressed an apprehension that if they began to disperse those who remained last would be fired upon. But on being assured that this would not be done they agreed to disperse, left the place at the same time we did, and returned respectively to their houses.” (pp.130-131)

Further, the commanding officer of the Hill Rangers stated: “When the principal people retired last evening, the remaining part of the mob, *women* and their *children* seemed to have no dread of the consequence of firing among them, but rather sought it.” He advised the magistrate to have “all the desirable force” present when the people came to present the petition, or “better not to receive them” but “to desire that their arzee may be sent to you when you can act accordingly.” (p.133)

Next day, the magistrate reported to the Government that he “had no account of the petition mentioned the evening before.” (p.131) On the evening of the 23rd, distraint with the support of the military was resorted to and as the collector reported 24 hours later “last night’s transaction has indeed changed the face of things.” (p.128) Meanwhile, the magistrate had also taken other measures and further requested the magistrates of adjacent districts to prevent “people from proceeding from your district to Bhaugulpore in bodies exceeding the number of ten and to intercept all arms which may

be supposed to be intended for Bhaugulpore”, and further “to intercept all native communications of a suspicious tendency and forward the same” to him. (p.134)

Some confusion, however, arose soon after this pacification. Following the resolution of the Government of October 22, regarding its intention of suspending the collection of the house tax, the Board of Revenue had informed the Bhagalpur collector to discontinue the collection. Such instruction to Bhagalpur evoked strong censure from the Government and the collection of the tax was resumed.

In January 1812, it was reported that the European residents of Bhagalpur declined to pay the house tax and, as it was felt by Government that they were in no respect “implicated in the circumstances which rendered the continuance of the house tax necessary at that station”, the collector was instructed not to enforce payment of the house tax from the Europeans residing in that district. (p.165) Still earlier, the European residents from the suburbs of Calcutta had also refused payment of the tax and the advocate-general opined that he was doubtful if it could be enforced on them through distraint of property. Consequently, its operation from the suburbs of Calcutta, where the Government had earlier intended to continue it even after its abrogation in other cities and towns, was also suspended. While communicating this order on 21st January 1812, the Government further informed the Board of Revenue that “the Governor-General-in-Council has it in contemplation to pass a Regulation for abolishing Regulation XV, 1810.” (p.164) The abolishing Regulation was passed on May 8, 1812, as Regulation VII, 1812.

The first intimation of the protests arising from the imposition of the house tax was conveyed to the directing authorities in London by the Bengal Government through its Revenue Letter of February 12, 1811. Its receipt and consideration led to the preparation of Draft No.218 of 1811-12 on May 23, 1812. A passage in the original draft which was expunged by the Board of Commissioners for the Affairs of India in the final stages, only for the reason that it became redundant due to the intended abrogation of the house tax, ran as follows:

“Having most attentively and seriously deliberated upon the whole of the subject as you must be convinced from the present discussion we should have felt inclined to direct the abolition of the house tax. But from an apprehension we entertain that this measure might be mistakenly considered as originating in a disposition on the part of your Government to yield to the influence of popular clamour... we are willing therefore to hope that under the modifications which you had it in contemplation to adopt,... the same has, since the date of your letter... been quietly collected.” (pp.189-190)

This passage further stated: “...but if notwithstanding these modifications, ...[it has] continued to be obnoxious... we think you ought to adopt the most speedy measures for its repeal, and which you think it will be possible for you to carry into execution, without compromising in too conspicuous a manner the authority of Government.” (p.190)

But there was really little need for communicating such sentiments to Calcutta. The Government in Calcutta had a similar view and wholly shared the sentiment that any “repeal” of the tax should only be carried “into execution, without compromising in too conspicuous a manner the authority of Government.” Months before London prepared and considered the relevant dispatch, the Revenue letter from Bengal of December 14, 1811 had stated: “Argument indeed were not wanting for the continuance of the tax, founded on the necessity of supporting the authority of Government and repressing the spirit of resistance which had been manifested to the exercise of its legitimate powers. The inhabitants of Benares however had long ago yielded an unconditional submission to public authority: and exclusively of that consideration it will be observed, that we neither intended to proceed to the immediate abolition of the tax, nor to extend the benefits of that measure to any place at which (to use the terms of our instructions to the Board of Revenue) ‘commotions originating in a resistance to the operation of the tax might exist at the period of the receipt of those orders’.” (pp.172-173)



### III

This story of the 1810-11 protest in Benares and other towns, as it emerges in more vivid detail from the documents, seems not really very different from what has happened during the non-cooperation and civil disobedience movements of the 1920s and 1930s in different parts of India. It may, however, be worthwhile here to recapture the main elements of the 1810-11 happenings at Benares and other places.

The immediate cause of the protest was the levy of the house tax. Yet unhappiness and revulsion had been simmering for a considerable time previous to this levy. These areas by 1810 had been under British domination for about 50 years and the people in general (whether at Benares, Bhagalpur or Murshedabad) had begun to be apprehensive of the doings of Government. As stated by the people of Benares, the levy of the house tax felt “like salt scattered on a wound.” The people of Murshedabad felt it like “a new oppression” and stated that it had “in truth struck us like a destructive blast.”

The main points of the organisation at Benares were:

1. Closing of all shops and activity to the extent that even “the dead bodies were actually cast neglected into the Ganges, because the proper people could not be prevailed upon to administer the customary rites.” (p.59)

2. Continuous assemblage of people in thousands (one estimate<sup>30</sup> puts the number at more than 2,00,000 for many days) sitting in *dhurna*, “declaring that they will not separate till the tax shall be abolished.” (pp.69-70)

3. The close link of the various artisans and craftsmen with the protest through their craft guilds and associations.

4. The *lohars*, who perhaps at that time were a strong and well-knit group being the most forthcoming calling upon other *lohars* in different areas to join them. (p.70)

5. A total close-down by the Mullahs (boatmen). (p.68)

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<sup>30</sup>J. Mill and H. H. Wilson, *op. cit.*, p.467.

6. The assembled people “bound themselves by oath never to disperse” till they had achieved their object. (p.67)

7. Dispatch of emissaries “to convey a Dhurm Puttree to every village in the province, summoning one individual of each family to repair to the assembly at Benares.” (p.67)

8. “The individuals of every class, contributed each in proportion to his means, to enable them to persevere”, and “for the support of those, whose families depended for subsistence on their daily labour.” (p.67)

9. “The religious orders” exerting all their influence to keep the people “unanimous.” (p.67)

10. “The combination was so general, that”, according to the magistrate “the police were scarcely able to protect the few who had courage to secede, from being plundered and insulted.” (p.67)

11. The displaying of protesting posters about the streets of Benares. The magistrate called them “inflammatory papers of the most objectionable tendency” and “offered a reward of 500 Rs. for every man on whom such a paper may be found.” (p.87)

Regarding the people’s own view of the unarmed resistance they had put up, the collector reported: “...open violence does not seem their aim, they seem rather to vaunt their security in being unarmed in that a military force would not use deadly weapons against such inoffensive foes. And in this confidence they collect and increase, knowing that the civil power cannot disperse them, and thinking that the military will not.” (p.70) The taking of such steps seems to have come to them naturally. Further, their protesting in this manner in itself did not imply any enmity between them and state power. It is in this context that the rejected petition quoted some prevalent saying: “to whom can appeal for redress of what I have sustained from you, to whom but to you who have inflicted it.” The concept of ruler-ruled relationship which they seem to have held, and which till then had perhaps been widely accepted, was of continuing interaction between the two. Such a dialogue seems to have been

resorted to whenever required, and its instrumentalities included all that the people of Benares employed in this particular protest.

It was perhaps only belatedly that the people of India began to comprehend the futility of such traditional protests in relation to authorities wholly subscribing to an alien value system and who thus had nothing in common with themselves. Such a realisation on the one hand would have made them turn to violence and on the other reduced them more and more to passivity and inertness.

The happenings at Patna, Saran, Murshedabad (though seemingly of lesser intensity) and at Bhagalpur appear to be of the same nature and similarly conducted as at Benares. Even at Bhagalpur, where the collector, seemingly forgetting where he was, began to mete out summary justice in the manner of contemporary British justices of the peace, the people, though enraged, remained peaceful. They continued assembling in thousands, totally unarmed and even the “*women*, and their *children* seemed to have no dread of the consequences of firing among them, but rather sought it.” (p.133)

If the dates (1810-12) were just advanced by some 110 to 120 years, the name of the tax altered and a few other verbal changes made, this narrative could be taken as a fair recital of most events in the still remembered civil disobedience campaigns of the 1920s and 1930s. The way the people organised themselves, the measures they adopted, the steps they took to sustain their unity and the underlying logic in their minds from which all else flowed are essentially similar in the two periods.<sup>31</sup>

There is one major difference, however. While the people in 1810-11 could still act and move on their own, the people of India a

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<sup>31</sup>It is by no means implied here that there are no differences at all between the non-cooperation and civil disobedience in 1810-11 and what is termed as “*Satyagraha*”. To an extent the concept of *satyagraha*, since this term was coined by Mahatma Gandhi, has become more and more involved. For many, it cannot be resorted to by any who have not been trained to an ashram life etc. But ordinarily *satyagraha* can only mean non-cooperation and civil disobedience of the type resorted to in Benares in 1810-11. And when Gandhi recommended to the Czechs and the Poles to resort to *satyagraha*, it could only have been this Benares type of protest (suitably modified according to their talents) which he had in mind.

century later could not. The century which intervened between the two (or a larger or shorter period for some other areas) wholly sapped their courage and confidence and, at least apparently, made them docile, inert and submissive in the extreme. It is this condition which Gandhi overcame and put the people back on the path of courage and confidence.

A contributory factor leading to the extensive adoption and success of Gandhian non-cooperation and civil disobedience has perhaps been the relative mellowness and a certain reflective quality which the twentieth century British rulers had acquired by the time Mahatma Gandhi came to launch his various movements. His own personality may have further added to this reflective quality inducing many of the British in their more private moments to share his views about the great injury which British rule had done to the Indian people. In contrast, the British rulers of the late eighteenth and the nineteenth century were by and large not only the agents of a most callous and inhuman state system but individually and collectively subscribed to and practised such callousness and inhumanity. What primarily brought about the change and the comparatively mellow attitudes is a matter for a different enquiry.

#### IV

The story of the 1810-11 protests at Benares and other towns does not necessarily include every form of protest resorted to by the Indian people in relation to governmental or other authority. A more systematic exploring of eighteenth and early nineteenth century primary records (as well as records of still earlier periods if such exist) may well disclose several other forms which such protests took and the principles of their organisation. Yet it should establish beyond any doubt that the resort to non-cooperation and civil disobedience against injustice etc. are in the tradition of India. It also confirms Gandhi's observation that "In India the nation at large has generally used passive resistance in all departments of life. We cease to cooperate with our rulers when they displease us." It further sug-

gests that either intuitively or through knowledge of specific instances, Mahatma Gandhi was very much aware of such a tradition.

Does the knowledge that non-cooperation and civil disobedience are in the Indian tradition have any relevance to present day India? It appears to the present writer that there is such a relevance both for the people as well as governments and other authorities. A realisation of it in fact seems crucial in the sphere of people-government relationship and its acceptance imperative for the health and smooth functioning of Indian polity.

Before proceeding further, it is useful to indicate two major characteristics of the present polity which India has inherited from two centuries of British rule. The first pertains to the persistence of eighteenth and nineteenth century British notions and attitudes regarding the place of the people *vis-a-vis* their governments.

As the documents show there is frequent expression by the governmental authorities in 1810-11 of the sentiments that the people must give "unconditional submission to public authority"; that the Government must not seem "to yield to the influence of popular clamour"; that if Government had to yield, it must be "without compromising in too conspicuous a manner the authority of Government." To the Bhagalpur collector, even the postponing of the collection of the tax "because a lawless rabble assembles, is striking at the root of that power, which the Government ought to possess over the subject." (p.116) The magistrate of Benares expressed a similar sentiment with even more anguish when reporting the situation on January 20, 1811. He wrote: "I cannot but feel very forcibly, that such a state of things being permitted to continue in defiance of public authority, has already weakened, and weakens daily still more and more, those sentiments of respect, which it is so essential that the community should entertain for the government of the country." (p.87) Such notions and sentiments are still enshrined in the rules, codes and laws of Indian Governments.

Secondly, in spite of Gandhi, the revival of courage and confidence has not been equally manifest amongst all people of India.

As appearances go, many seem to have hardly been touched by it. Or perhaps, after a flicker of hope, they, like the people of Benares after the latter had been cowed down, have given in to “sullen silence”, feeling that though “they could not resist but they will not concur.”

Since 1947, a controversy has been going on in India about the relevance of non-cooperation and civil disobedience in a free country. It seems to agitate all those concerned with the problems of Indian polity including those who stand for social and political transformation or accelerated change. According to one view, there is no place for non-cooperation and civil disobedience in a free country with representative legislative bodies. According to another, these may still be resorted to in certain situations. The situations which qualify for such resort are also a matter of controversy. According to some, the permissibility applies only when resorted to to enforce accepted norms. Others feel that it is permissible to resort to non-cooperation and civil disobedience for advocating the changing of certain norms themselves.

But this is really no new controversy. It started the same time as the idea of non-cooperation and civil disobedience was revived in India early in this century. Besides men in the governmental apparatus, those who opposed it then included persons like Srinivasa Sastri and Rabindranath Tagore. Sastri felt he could not but be apprehensive of “any movement which has the tendency to overthrow, the tendency to disestablish, the tendency to bring about a stage of anarchy in the country, the tendency which destroys law, the tendency which destroys order and ordered government.”<sup>32</sup> Tagore regarded it as inconsistent with the dignity of India and was fearful of the dangers inherent in its practice.<sup>33</sup>

The most vehement and argued opposition to it, however, was voiced by R. P. Paranjpye in his presidential address at the Indian National Liberal Federation at Lucknow on 26th December 1924. As it is very revealing of the thinking and attitudes opposed to non-

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<sup>32</sup> P. Kodanda Rao: *V. S. Srinivasa Sastri: A Political Biography*, Bombay, 1963, p.195.

<sup>33</sup> D. G. Tendulkar: *The Mahatma*, Bombay, 1951, Vol. II, pp.59-60.

cooperation and civil disobedience, it may be quoted here at some length. Paranjpye stated:

“The idea of civil disobedience as the highest form of patriotism that is being implanted among a large number of semi-educated people is perhaps the most mischievous feature of the present extremist propaganda. Under the names satyagraha, non-cooperation or civil disobedience, it is being sedulously advocated all over. The deleterious effects are already being seen... It inevitably leads to outbursts of violence whether on one side or the other... It may perhaps provide occasionally a suitable handle against Government but the effect on the people is permanent. Respect for law and order disappears once for all and all the criminal elements in the population are led to think that they are becoming patriotic by imitating the so-called patriots in their actions. It must be remembered that this want of respect for law and order on the part of the masses will continue even if all the ideas of the Mahatma, Maulvis, or Desh-bandhus are fully achieved. They will find, when they are responsible for the Government of the country, that these seeds that they have now sown to cause trouble to Government will grow into a pest which they will be unable to get rid of. I cannot think of a policy more short-sighted than this of preparing for infinite trouble for oneself in order to obtain a problematical momentary advantage. The extremist leaders may chuckle at a campaign for the refusal of taxes, ...taxes will have to be levied and paid by the people under all Governments. But once the people are taught to consider that refusal to pay taxes is the highest form of patriotism, the task of future Government will become almost impossible.”<sup>34</sup>

But as time passed and Gandhi became the sole symbol of Indian nationalism, such opposition became less vocal. While individuals still disagreed with particular expressions of it, by the mid-1930s non-cooperation and civil disobedience emerged as the accepted Indian method of dealing with injustice. With the remov-

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<sup>34</sup>R. P. Paranjpye: *Selected Writings and Speeches*, Bombay, 1940, pp.176-177.



al of British power from India, however, the views of Sastri, Tagore, Paranjpye, etc. again came to the forefront. As perhaps should have been expected, the opposition or dissent has mostly been expressed by those associated with the ruling apparatus. The only curious part of it is that many of such dissenting persons, in the earlier period, had themselves been participants in the Gandhian non-cooperation and civil disobedience. But, at the same time, there was no lack of other public men who challenged this new attitude to non-cooperation and civil disobedience. The following by J. B. Kripalani perhaps sums up this challenge. In December 1953, Kripalani said:

“I repudiate the view developed by Congress bosses in the Government that satyagraha can have no place in a democracy. Satyagraha as commended by Gandhiji was not merely a political weapon. It could be used in the economic and social fields and even against friends and family members. Gandhiji commended it as a principle of life. Therefore, it is absurd to say that it has no place in a democracy, specially of the kind that we now have, bureaucratic centralised.” He added: “All questions cannot await the next elections nor can a government be over-thrown on the basis of local grievances, which for sections of the people may be questions of life and death. The denial of the right of satyagraha would mean unre-sisting submission to tyranny for long stretches of time.”<sup>35</sup>

The new opposition and dissent has however been more complex and somewhat less vehement. Most of it has not rejected non-cooperation and civil disobedience completely. Only it finds it irrelevant and injurious in what K. Santhanam calls “democratic government”.<sup>36</sup> According to him, subject to some marginal cases “general satyagraha against a democratic government cannot be justified.”<sup>37</sup> According to U. N. Dhebar in 1955 (President of the Indian National Congress at the time): “In the context of democracy or democratically run institutions, there is, generally speaking, very

<sup>35</sup> *Janata* (Weekly): January 26, 1954: J. B. Kripalani’s speech quoted in leading article; also text on January 17, 1954, p.3.

<sup>36</sup> K. Santhanam: *Satyagraha and the State*, Bombay, 1960, p.62.

<sup>37</sup> *Ibid.*

little occasion for satyagraha.”<sup>38</sup> But even persons like Santhanam visualise the need of individuals resorting to it in particular situations requiring the defence of fundamental rights. A former Chief Justice of India, P. B. Gajendragadkar, also seems to share such views and, as recently as March 1967, stated that: “Satyagraha or non-cooperation can also be regarded as a legitimate weapon in democracy, provided of course it is adopted as a last resort, after all other remedies have been exhausted.”<sup>39</sup>

Thus, compared to the 1920s, the present opposition is substantially different. While persons in authority and positions of responsibility do not still much cherish the prospect of non-cooperation and civil disobedience, there has begun to be a general acceptance in India that instead of being destructive, these are complementary to democracy. Few would today contest Santhanam’s view that “It is essential for democratic rulers to realise that true satyagraha is complementary to true democracy.”<sup>40</sup> Yet such a view has still to sink into the consciousness of those who manage the ruling apparatus or other centres of authority. It is largely because of this dichotomy, strange though it may appear, that present day non-cooperation and civil disobedience has got more and more involved with the trivial.

Without perhaps fully comprehending the implications of their observations, both U. N. Dhebar and K. Santhanam have pointed to the central issue. According to Dhebar: “The question of satyagraha [in the context of democracy] can only arise from the perpetuation of an act or undertaking an activity which destroys the very foundation of the state or its constitution.”<sup>41</sup> For Santhanam, “satyagraha may be the quickest means of defending”<sup>42</sup> the fundamental rights of the people. Where they, along with many others, have erred is in taking a mechanical view of what acts destroy “the very

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<sup>38</sup> *Times of India*: September 22, 1955: U. N. Dhebar’s article on ‘The Rationale of Satyagraha’.

<sup>39</sup> *Free Press Journal*: March 3, 1967: Press Report of Lecture.

<sup>40</sup> Santhanam, *op. cit.*, p.67. <sup>41</sup> *Times of India*, *op. cit.* <sup>42</sup> Santhanam, *op. cit.*, p.67.

foundation of the state or its constitution” or what constituted “fundamental rights”.

What acts of state destroy a state, or what constitutes denial of fundamental rights, cannot be determined by recourse to mere legality. To take one glaring example: large scale hunger and insecurity are both fast corroding the foundations of the Indian state and its constitution, as well as constituting a denial of the most fundamental human right. Hunger, impossible living conditions and insecurity amongst about 40 per cent of the people of India, of course, is not a creation of the present Indian state and its constitution. It is a product of the past two centuries. Nevertheless, the inability or insensitivity of the state in eliminating them, if by no other means, by a distribution of some poverty amongst all, is fast leading India to a subversion of the constitution and state structure. The practice of non-cooperation and civil disobedience for eliminating hunger and insecurity (by demanding “effective provision for securing the right of work” and “public assistance in cases of unemployment, old age, sickness and disablement, and in other cases of undeserved want” as provided in the constitution itself)<sup>43</sup> could have, and may yet if initiated in time, made such subversion much more difficult, if not impossible.<sup>44</sup>

The reasons why the British would not attend to any protests, and a habit which at least apparently the present governments in India which succeeded them continue to cherish, are closely linked with the lack of assurance which the British had till the very end about the legitimacy of their rule in India. In contrast, most Indian political authorities previous to the British had much greater assur-

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<sup>43</sup> *The Constitution of India*: Article 41.

<sup>44</sup> Even according to someone as responsible and law-abiding as Vinoba Bhave: “In the situation where an act is advocated by law and favoured by public opinion and yet it is not being put into practice, satyagraha for its implementation should be deemed appropriate.” (*Satyagraha Vichar*, Varanasi, 1969, p.65) There is nothing less controversial in India than the immediate elimination of widespread hunger and insecurity. Its legal approval and advocacy arises from the Constitution of the Republic itself.

ance about such legitimacy. Hence their surrendering to the protests of the people and altering or abandoning the decisions or enactments concerned did not in any material sense challenge the legitimacy of their rule. Rather, the willingness to listen and the ability to retract unpopular acts and decisions further confirmed such habit and legitimacy both in their own view and that of the people. Only a legitimate ruler, i.e., one who was accepted to be such by the populace, could in fact make such surrender and retraction.

The British in India, on the other hand, even when in certain areas they might have been temporarily conceded some legitimacy by some or all of the ruled, never seem to have felt that their right to rule had any other sanction and legitimacy than of conquest and an occupying armed force. It is true that their conquests were achieved by a relatively most adroit and economical use of force. Still these forces were not all that small.<sup>45</sup>

This feeling about the lack of legitimacy prevailed throughout British rule and was shared by men as different and separate in time as Robert Clive, Thomas Munro, John Malcolm and Charles Metcalfe. 1857 made it even more apparent. The fundamental maxim for British rule in India, according to Clive, was “that as our influence and possessions were acquired, so they must be maintained by force; and that the princes of the country are only to be kept in order by fear.”<sup>46</sup>

Fifty seven years later, Charles Metcalfe did not feel any differently; in fact he was more explicit. In a minute in 1829, he remarked: “We are in appearance more powerful in India now than ever were. Nevertheless, our downfall may be short work. When it commences

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<sup>45</sup> Till 1857, the European component of British occupying forces in India was as one European to four Indians and at times dropped to one European to six Indians. After 1857, when the British became completely panicky and frightened, the composition was altered to one European to two Indians and stayed at that till after 1900. The number of European troops in India was 45,104 in 1856; 92,866 in 1860; and 75,702 in 1908. While the number of Indian troops in 1856 was 2,35,221; it was 1,48,996 in 1908. (*British Parliamentary Papers*, 1908, Vol.74)

<sup>46</sup> I.O.R: *Francis Papers*: MSS Eur E. 12, p.37: *Hints of a Political System for the Government of India* (cir. 1772).

it will probably be rapid: and the world will wonder more at the suddenness with which our immense Indian Empire may vanish than it has done at the surprising conquest that we have achieved.”<sup>47</sup>

Metcalf continued: “The cause of this precariousness is, that our power does not rest on actual strength, but on impression. Our whole real strength consists in the European regiments, speaking comparatively, that are scattered singly over the vast space of subjugated India. That is the only portion of our soldiery whose hearts are with us, and whose constancy can be relied on in the hour of trial. All our native establishments, military or civil, are the followers of fortune. They serve us for their livelihood and generally serve us well. From a sense of what is due to the hand that feeds them, which is one of the virtues that they most extol, they may often display fidelity under trying circumstances, but in their inward feelings they partake more or less of the universal disaffection, which prevails against us, not from bad government, but from natural and irresistible antipathy; and were the wind to change to use a native expression, and set in steadily against us, we could not expect that their sense of honour, although there might be splendid instances of devotion, would keep the men on our side, in opposition to the common feeling, which, with one view, might for a time unite all India, from one end to the other.”<sup>48</sup>

Metcalf further added: “Our greatest danger is not from a Russian invasion, but from the fading of the impression of an invincibility from the minds of the native inhabitants of India. The disaffection, which would willingly root us out, exists abundantly. The concurrence of circumstances sufficient to call it into general action may at any time happen.”<sup>49</sup>

A few months earlier, Metcalf had advised: “I am further convinced that our possession must always be precarious, unless we take root by having an influential portion of the population attached to our government by common interests and sympathies” and

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<sup>47</sup> London, Public Record Office: *Ellenborough Papers*: PRO/30/9/4/Part II/2, Minute dated October 11, 1829 by C. J. Metcalf.

<sup>48</sup> *Ibid.*

<sup>49</sup> *Ibid.*

advocated the taking of every measure which was “calculated to facilitate the settlement of our countrymen in India.”<sup>50</sup>

Such an assessment of the situation was universally shared by the British in India and reflected in government policy and enactments. Consequently, devoid of any other sanction and legitimacy, except the “European regiments” and the “impression of invincibility”, the British could not afford to make any concessions, much less surrender to popular protests. Concession of any sort, in their view, implied (as in the case of the protests against the house tax during 1810-11), the “exciting in the minds of the natives an expectation of still further concessions” which eventually (they felt) led to the erosion of every principle of their government. Therefore, in situations when tactical concessions or surrender could not be avoided, these were to be carried “into execution, without compromising in too conspicuous a manner the authority of government.” (pp.189-190)

This principle of infallibility of state structure (and consequently of other units of power and authority) established by the British continues to survive in India even after the elimination of British power. It is true that finding itself very vulnerable, the state structure occasionally condescends to consider the complaints of the protesting after they agree to suspend or abandon their protests. Thus, while the reality of the principle of infallibility has been more or less abandoned, the rules, the codes and the laws which enshrine it, stay. And it is these latter that appear to provide the state system its real legitimacy and sanctity. Such a state of affairs has led to a most dangerous situation. It not only keeps intact the distrustful, hostile and alien stances of the state system *vis-a-vis* the people, but also makes the latter feel that it is violence alone which enables them to be heard. The happenings of the past twenty years in no way belie such a feeling.

The opposition to non-cooperation and civil disobedience or the denial of even their theoretical relevance as expressed by the

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<sup>50</sup> Durham, Department of Paleography and Diplomatic: *Earl Grey Papers*: Box 36/File 1, Minute dated February 19, 1829 by C. J. Metcalfe.

wielders of the state apparatus from time to time, or by men like Srinivas Sastri, Tagore, Paranjpye before 1947, is the outcome of the British nurtured doctrine of the infallibility of the state system. Though now feeble and wholly ridiculous, this doctrine is not yet dead and buried. Its roots, while shaky, still remain. And many amongst the wielders of the state structure and the theoreticians of the present Indian state system devote much of their talent and attention in nurturing them.

It is partly as a result of attachment to such a doctrine that while it is admitted that non-cooperation and civil disobedience are legitimate and valid when used against foreign rule, they are treated as illegitimate and invalid when used against indigenous governments and authorities. It is in this context that various leaders of India (not to mention teachers of history, political theory, etc.), while in general standing for an eventually classless and egalitarian society and a welfare state, have in effect allowed themselves to become the new exponents of the infallibility of the present state system. Such a doctrine and more so, support for it, not only goes against all that Gandhi advocated and did during his long public life, but is also contrary to the psyche of the Indian people which primarily gives rise to and sustains the practice of non-cooperation and civil disobedience.

The above is not to imply that non-cooperation and civil disobedience are to be waged perpetually, as is advocated of 'revolution' by certain current doctrines. They are used when there is such a need. The more the ruling apparatus and other centres of authority are in tune with the ruled or those affected, the less the resort to them.

It must also be admitted that non-cooperation and civil disobedience, like everything else, do not solve everything. There are social and political situations when they may not at all be applicable. As said earlier, to be successful non-cooperation and civil disobedience seem to require a certain commonality of values between the opposed parties. Such parties must share, even if temporarily, certain common socio-political or religious values. This however



does not seem to happen in all situations. The late eighteenth and nineteenth century India provides one such instance when the rulers and the ruled had little in common. Similar situations seem to have obtained when most of Europe faced Hitler's power, or Northern India faced Timur centuries ago.

It was Mahatma Gandhi's genius, indomitable courage and unmatched organisational capacity that he could visualise and make effective use of instrumentalities originally fashioned for internal situations, to face alien power. Circumstances (the British having become relatively mellowed by the early twentieth century being one such), and much more his personality, enabled him to make the British see at least at certain moments, the rightness and justice of the Indian stand. And step by step (from the issue of land revenue to boycott of foreign goods to abrogation of salt tax to banning of liquor shops to protests against India being forced into war), he led to the ultimate demand that the British "Quit India". He even recommended these methods to the Czechs and to the Poles against Hitler. But such use or its advocacy against alien power in no way implied the irrelevance of non-cooperation and civil disobedience against rulers or authorities who get elected or appointed by the ruled themselves.

It is suggested that non-cooperation and civil disobedience are integral to the healthy functioning and even to the security of a free and democratic society. In a way, they are even more crucial than stratified courts of law, the present form of periodic local, state-level or national elections, or the rather stilted and constrained debates and considerations within such elected bodies. Instead of being hostile and inimical, those who resort to non-cooperation and civil disobedience against callousness, authoritarianism and injustice are the protectors of their state and societies. Without them a society will end up at best in some mechanical ritual or more often in tyranny leading to anarchy and armed insurrection.