

Constitutional Framework and Structures of Governance in India: A Historical Perspective

Series of Weekly Lectures by Sri Devendra Swarup

LECTURE VII, Saturday, August 11, 2012

SUMMARY

In his seventh talk in this series, Sri Devendra Swarup dealt with the period between 1803, when the British army entered Delhi, and 1857. It is important to study this period, if we have to form a proper comprehension of the roots of our current governing structures and constitutional framework. It was in this period that British began to evolve and implement the administrative arrangements, judicial structures and various codes and procedures of executive and judicial administration that are still with us today. The institutions and offices created in this period form the core of our Constitution.

Many significant events occurred in this period. In 1814, the British waged war on Nepal; as discussed earlier, instead of keeping a hostile Nepal under them, they entered into a treaty which, among other things, allowed them to use the native military skills of the Gurkhas for their own imperial purposes. The office of the Peshwa was abolished in 1818, thus bringing to an end the glorious period of Maratha ascendancy in India. While recounting this sad event, we should reflect on the causes of Maratha defeat. Marathas were a great military force, endowed with talented and brave Generals. They were known to be invincible in the battlefield. But the Marathas were riven with internal dissensions borne out of personal ambitions, which proved to be fatal for them in the end. We need to remind ourselves that our polity today is even more severely plagued by internal discord and dissensions; India today hardly displays any unity of national purpose. We have not learnt much from history.

Another major event that occurred in this period was the rise of Punjab under Maharaja Ranjit Singh. He extended his domain up to Jammu and Kashmir and reached up to Afghanistan. He recognised the importance of European military techniques and technology, and equipped, trained and deployed his forces accordingly. He even employed a few foreigners to help train his army; at one time, 39 Europeans were working in his army. But after his death, the fine fighting machine that he had built was also riven by internal dissension, which proved to be the only reason for the ultimate defeat of Punjab at the hands of the British.

An equally important event of the period was the ill-fated British attempt during 1838 to 1842 to extend their Empire to Afghanistan. This was perhaps the only war in India, which the British fought with white soldiers; Indian soldiers refused to join them in this adventure. And, it proved extremely costly for them. Of the large army sent to Afghanistan, only a single soldier, Dr. Bryden, is said to have survived. Such large-scale spilling of English blood led to an uproar in England. It is a measure of the character of the British statesmen of the time that the Chairman of the Board of Control for India, Lord Ellenborough, himself decided to come to India as Governor General. The latter position meant a demotion for him, but on his own he chose to accept the demotion and take personal command of the situation. He reorganised his forces and was so sure of their success that he instructed his Generals to bring back the gates adorning the mausoleum of Mahmud of Ghazni, which it was speculated belonged to Somnath Temple and were taken to Afghanistan by Mahmud of Ghazni eight centuries earlier.

The ultimate British failure in Afghanistan offers an eloquent testimony of the character of the Afghans and the hardy terrain of the country. Afghanistan had acted as a great barrier for any forces intending to enter India from the northwest. India remained protected from such incursions as long as Afghanistan remained Hindu. For about three centuries, Afghanistan stopped the progress towards India of the nearly unstoppable great Islamic military wave that had swept through southern Europe, north Africa and west and central Asia. The Islamic forces had to wage war for another two centuries before they could get a foothold in India.

Returning to India of 1803 to 1857, we notice that the growing military and political ascendancy of the British was creating alarm in the Muslim society. It is at this time that the Wahabi movement began spreading in India. Sayyid Ahmad Bareilvi was one of the initiators of the movement. He was a military official under Pindari General Amir Khan, who took shelter in Holkar's state, but was bought over by the British during the third Anglo-Maratha war. Disappointed, Sayyid Ahmad Bareilvi went on a pilgrimage to Mecca and returned to start the Wahabi movement in 1822. He created an all-India network committed to Islamic ideology of Jihad. He identified the British and Sikhs as the principal enemies of the Muslims, but chose to target the Sikhs first. He was killed while fighting Sikh forces at Balakot. The Wahabi movement, however, continued under his successors; it played an important role in 1857.

By 1857, the British had emerged as the paramount power holding sway over much of India, though native Indian kings continued to rule in several small pockets. The British were devising strategies for absorbing these small states also; Dalhousie's Doctrine of Lapse was the most notorious of these. This was making the Indian rulers restive.

This was also the time when some of the modern European technological innovations were reaching India. Steamships had considerably reduced travel time between England and India. By

the early eighteen fifties, a fairly extensive telegraph system had been laid, which greatly facilitated communication between different parts of the country. Some experiments with setting up railways had begun, though its major expansion took place after 1857. All this was making the British more arrogant and less worried about Indian sensitivities.

With the advent of the Industrial Revolution, the British economic objectives in India were also changing. Earlier, the Company was engaged in selling Indian goods in European markets; Indian exports were paid for in bullion. Now, the Company began selling machine-manufactured European goods to India and extracting raw materials from India to run the English factories.

With the British becoming confident of their long-term presence, they began implementing their administrative and judicial structures and institutions in India. Many of the institutions of governance that we have today are of that vintage. Rather early in their rule, the British had begun establishing the institutions of the District Collector and the Sessions Judge, and their subordinate revenue and police structures at different levels in the district, which form the core of the governance system of India today. During 1803-1854, they began codifying the various procedures of judicial and executive governance; some of these were finally implemented soon after 1857. These remain with us till today. In 1853, the British began the system of competitive examination for the civil services, and the ICS was born. The elite administrative service of India today is the same ICS with only a cosmetic change in nomenclature. English education had also expanded sufficiently by that time to allow some Indians to begin dreaming of joining the ICS or otherwise becoming partners of the British in ruling India. Thus, this is the period when the essential core of the Constitution of India was evolved.

The Charter of the Company was also being changed to more accurately reflect its actual business of conquering and administering India on behalf of the British parliament. In 1833, the Company was formally divested of its commercial activities and the mandate to trade was withdrawn. Twenty years later, when the time came to renew the Charter in 1853, it was declared that there would be no further renewal after twenty years. Because of the events of 1857, the Charter had to be withdrawn even before the end of twenty years.

One of the important concerns of the British in this period was to find ways of Christianising India. They felt that Christianization of their subjects would help strengthen the bonds between the rulers and the ruled. That is why, while renewing the Charter in 1813, missionaries were for the first time formally permitted to enter Company territory. The British in this period identified two agencies which were blocking conversions of large numbers. One was the institution of caste, the other that of Brahmins. Various missionary groups were building pressure upon the government to weaken these institutions. It was under missionary pressure that Lord Dalhousie passed the Caste Disabilities Prevention Act in 1851. Under this Act, a convert to Christianity

could not be deprived of his caste and inheritance. Immense scholarship was expended in maligning both the Caste and the Brahmins; we continue to accept the British judgement on these institutions even today.

With the collapse of resistance against the British, this became a period of growing racial arrogance and aggressive evangelization. The Bengal Native Infantry was a particular target of evangelization. This was the largest army in India and was critical to British success. It was argued that if this army was Christianised, the British could hold on to India indefinitely. Therefore, missionaries began to be appointed as army officials.

It is believed that the new cartridges introduced at that time, that were greased with the fat of cow and pig and had to be bitten by mouth before being fired, were intentionally designed to cause loss of caste and religion for both Hindus and Muslims. The first mutiny in fact started when a low-caste worker in the cartridge factory of Dum Dum told-off a haughty Brahman soldier, informing him that the caste that he was so proud of would anyway be lost soon when he would be biting on the new cartridges.

We do not know what would have happened if the struggle of 1857 had succeeded. But it can be certainly said that if 1857 had not occurred, the whole of Indian army would have been Christianised, and it would have probably opened the floodgates for the Christianisation of the rest of Indian society. The evangelists had planned their moves very carefully; the fact of the loss of caste and religion by the soldiery was to be made public only at a stage when there would have been no option before them except to convert.

For almost half a century after 1857, the British views on the mutiny prevailed. Their main thrust was that the events of 1857 were only unplanned and uncoordinated mutinies by certain sections and units of the army; these were triggered by unfounded rumours; the rebellion was confined to the army and there was no popular participation in it; it was not a national movement; in any case, it was confined to the north; and that the Indians fought on both sides. In this the British were right to some extent. If Dinkarrao of Gwalior and Salar Jung of Hyderabad had not rendered assistance to them, the British would have surely met a sorry end. We have to be thankful to Vinayak Damodar Savarkar for bringing the real face of 1857 before the nation.

Savarkar was the first to challenge the British view of the events of 1857. He went to England in 1906. Soon he started a revolutionary group there. The next year, 1907, was the half-centenary of 1857. It was celebrated in England as an event of great British valour and Indian cowardice and perfidy. Savarkar was appalled by such insult to the Indian nation. He felt that 1857 should be a source of inspiration for the ongoing freedom struggle against the British. And therefore, he decided to write about 1857 from the perspective of an Indian freedom-fighter.

He began researching on the history of that period in the British Museum Library. He was able to acquire access to the Library through the good offices of the British wife of the manager of India House. Savarkar was a brilliant student and a gifted writer. Though relying entirely on British writings and memoirs, he was able to present a passionately moving account of 1857 as the First Indian War of Independence. He also established that, far from comprising spontaneous mutinies by isolated units, the movement was meticulously planned over years under the leadership of Nana Peshwa.

While he was in the process of writing and publishing the book, Savarkar circulated a pamphlet entitled, "O! Martyrs", in 1908 on the occasion of the next anniversary of 1857. This gave an inkling of his thinking. The British intelligence soon learnt that Savarkar was engaged in writing a longer nationalist history of 1857. They were greatly perturbed and wanted to stop its entry into India. But they could gather no further knowledge about the book; they did not know what was the language in which it was being written, what was its title, and where and by whom it was to be published. Yet the British issued a vaguely worded ban on the book, even before it was published. This is perhaps the first and only book in the world which has ever been banned before even the manuscript became available. The book was translated and published clandestinely and it became essential reading for the Indian revolutionaries all over the world. The ban on the book was lifted only in 1946 when, bowing to the popular demand, the Congress ministry of Bombay withdrew the ban-order, leading its first open publication in January 1947.

Incidentally, Savarkar, in his book, celebrated the coming together of Hindus and Muslims to fight the British. In this context, he even highly praised Ahmadullah Shah, the Maulvi of Faizabad, as a patriot. All the evidence available now goes to prove that Ahmadullah Shah was an ardent Wahabi, whose sole motivation was to take revenge for the Muslim debacle at Hanumangarhi (Ayodhya) in 1856. He preached jihad and was eventually jailed by the British at Faizabad, only to be released by the mutineers of the Bengal Native Infantry. To properly appreciate the Muslim role, we need to know more about three shadowy individuals – Azimullah, Muhammad Ali of Bareilly and Dr. Wazir Khan of Agra. All three were highly educated, all visited England a few years before 1857, and all three were in touch with each other. The Wahabi role in 1857 has not yet been fully researched.

Wahabis as an ideological group with an all-India network were indeed major players in 1857. In the immediate aftermath of the events, they tried to underplay their role to escape British retribution. Sir Sayyid Ahmad Khan, who proposed an Anglo-Muslim alliance, authored two books to demonstrate that the Muslims had been loyal subjects. The *ulema* temporarily withdrew from politics and concentrated their energies on establishing an Islamic seminary at Deoband.

In the later Indian writings on 1857, the role of Muslims has been given more importance. The centenary of 1857 occurred in the backdrop of the Partition of the country. The emphasis at that time was to emphasise secularism in all history writing. Even at that time, K. M. Ashraf wrote an article highlighting the role of Wahabis in 1857. In 2007, the 150th year of the movement, scholars re-examined that event on the basis of Muslim sources. Of the books then produced, William Dalrymple's work is the most well-known. Muslim scholars like Irfan Habib, Iqtadar Alam Khan and Jafri also wrote articles emphasising the key role of Muslims.

But whatever our understanding of the struggle of 1857, it indeed marks an important milestone in the development of modern Indian polity and its institutional structures.

In his next lecture, Sri Devendra Swarup shall continue examining the story of 1857 and its impact on the subsequent Indian polity.