

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

**Series of Weekly Lectures by Sri Devendra Swarup**

**LECTURE XIII, Saturday, September 29, 2012**

## **SUMMARY**

In his thirteenth talk of this series, Sri Devendra Swarup analysed the role and significance of leaders like Bipin Chandra Pal and Lala Lajpat Rai in the development of Indian nationalism and the evolution of British policy concerning various interest groups in India.

We have earlier seen that 1893 marked a resurgence of national awakening. This awakening manifested itself in the Swadeshi Movement. Swadeshi provided a new direction and vision to the national movement. It brought the English-educated Indian classes on the streets. Till then they used to only pass resolutions and draft petitions. Partition of Bengal agitated these classes so deeply that they mustered the courage to directly oppose the British. That movement soon became nationwide. The call of Vande Matram became the call of the nation.

Bipin Chander Pal gave the most lucid expression to this new idea of Indian nationalism. In January 1912, he wrote a long essay “Hindu Nationalism, What it Stands For”. In this essay he underlined the difference between Hindu and Western nationalism. He explained that western nationalism is political, Indian nationalism is cultural; western nationalism divides humanity, it is anti-human; Indian nationalism leads man to higher expressions of humanity. He agreed that until a few decades ago, the educated Indians were deeply impressed by Europe and her institutions. They took Europe to be their ideal. But now India was looking for a way of her own. Maharshi Arvind, in fact, defined this search for Indian nationalism as a divine call.

Bipin Chandra Pal, in his analysis, said that there was a time when we felt hurt when the Europeans told us that their institutions were unsuited for, we felt hurt. But their institutions are indeed inappropriate for India. Our institutions have evolved here in India, through her long history. We were not aware of Indian history. We did not know that Indian rulers were not despotic; they were not free to act as they wished. The kings were under the control of the society. Till a few decades ago, we were not aware of the superiority of Indian institutions, but today we know and we are in a position to tell the British that we do not need their parliamentary system. We want the institutions that India has evolved according to her own situation and genius.

Pal also is one of the under-estimated geniuses of India. He was a far-sighted thinker and analyst. As early as in 1908, he warned India of the emergence of China as a great power. He prophesied that the world shall be ultimately divided into three trans-national civilisational streams, Pan-European or Christian stream, Pan-Islamic and Pan-Mongol or Chinese stream,

and that India would face challenge from both Pan-Islamic and Pan-Mongol formations. The next year, Sri Arvind referred to him as the “Prophet of Indian Nationalism” in his Uttarpara lecture. In 1914, while analyzing the so-called Reforms of 1909, Pal said that these British institutions are inappropriate for India. India will have to find her own way by looking into her past. He even criticized the then emerging industrialism and the industrial life-styles.

Bipin Chander Pal had the perspicacity to see through such expressions of loyalty and patriotism on behalf of the Indian Muslims. Analysing the situation in 1913, Pal said that Indian Muslims at that time were under the spell of pan-Islamism. The Muslim society was not led by men like Rahimatulla. The real leadership of the League was with Muhammad Ali, and the extra-territorial loyalties of the latter were well known. In a letter to Gokhale in 1908, he had clearly stated that he was a pan-Islamist first and in Indian later.

Notwithstanding such warnings, Indian Congress leadership was obliged to compromise with Muslim demands. Even Tilak and Annie Besant could not resist that pressure. In 1916, they signed the Lucknow Pact accepting separate electorate for the Muslims. They were convinced by Jinnah that it was essential to accept such Muslim demands to get Muslim support in the national movement.

When Mahatma Gandhi adopted Khilafat movement as a part of the national movement, to break the Anglo-Muslim alliance in India, then most of the Hindu leaders were not in agreement with him. Lala Lajpat Rai agreed with him though with some reservations. He presided over the 1920 Special Congress Session of Congress at Calcutta. But he was to be soon disillusioned. Immediately after the formal end of Khilafat in Turkey the Indian Muslims began to lose interest not only in Khilafat but also in the national movement. This was followed by a wave of Muslim-Hindu rioting from Kohat to Dacca, initiated and led mostly by Muslims.

Lala Lajpat Rai was in a jail at that time. He was deeply disturbed. He knew Persian, and he spent nearly six months studying Islamic ideology. On the basis of his study, he wrote a series of 13 articles in the Tribune. In one of these articles, he says that it would be difficult to find a better human being than Hakim Ajmal Khan. But, if a situation arises when he were forced to choose between Islam and humanity, then even Hakim Sahib would chose Islam.

Incidentally, Muslim separatism had begun to acquire great strength already in the early 1920s. In 1921, at the Muslim league session of Ahmedabad, Hasrat Mohani had for the first time mentioned the possibility of the division of India. And, Aga Khan had written about it in the Times of London. Already at that time, Muslims had begun thinking about separating the Muslim-dominated regions of India.

To properly appreciate the Muslim view-point on Hindu-Muslims issues, we should study what is written about the Hindu-Muslim issues by Pakistani and Bangladeshi scholars. They are under no obligation to hide their thoughts. In Pakistani text-books, Akbar is presented as a renegade and Aurangzeb as a great Islamic ruler. In India, we of course present Akbar as a great secular ruler. About Aurangzeb, we are somewhat ambivalent, though we manage to find some secular acts and intentions even in him.

Rafi-ud-din-Ahmad in his book on Muslim of Bengal (1871-1906) gives some insight into the process of Muslim separatism. He says that the Ashraf of Bengal were keen to establish Urdu as the language of Bengal. They thought of themselves not as Bengalis but as the descendants of the foreign invaders of India. Ahmed proves that the split between Hindus and Muslims in Bengal was entirely the creation of Ashraf. Similarly, Farzana Sheikh in her “Community and Conscience in Islam” clearly establishes that the Muslim League deputation that met Lord Minto in 1906, which is said to be engineered by the private secretary to the viceroy, was in fact fully representative of the then Muslim thinking.

In the early years of national movement, the Muslims were against elective principle. The British were not keen on granting elective democracy for their own reasons. The British statesmen seemed to genuinely believe that this form of governance was not suited to the Indian situation. From at least 1892 onwards, there had been discussions on whether it would be appropriate to create territorial constituencies in India. Most of the British statesmen who had dealt with India were convinced that India needed constituencies that represented the varied castes, communities and regions.

In the Parliamentary Debate on the Act of 1892, all British parliamentarians associated with India were of the unanimous opinion that territorial constituencies would not suit India. They felt that caste and community would determine voting behaviour in India. It is interesting to note that even today no elections in India are held or can be analysed on the basis of territory or issues; the voting is determined by caste and community. The British understood this reality. The English-educated Indians were not happy with this British understanding; they felt insulted that the British did not believe that we were ready for their kind of democracy. There were also younger elements within the British society who wanted that Indians should be given the democracy they want. Therefore, in spite of their better judgements and reservations, the British kept slowly moving India towards electoral polity.

The debate of 1892 is also important for understanding how much significance Muslim separatism had already acquired by then. Many speakers referred to Muslims as the most important interest group in India, and they were clear that the Muslims had no sympathy for the Congress. Richard Temple, who was once Governor of Bombay and had spent several years in India, said that from his vast experience he could say with certainty that not one Muslim was with the Congress and that Muslims did not want constitutional reform.

British themselves had no interest in such reforms. They had a low opinion of the English-educated Indians who were the most vocal supporters of such reform. The British felt that such Indians represented almost no significant section of India. For them the Muslims, the Princes and the landed aristocracy were the most important interest groups. These three, in their judgement, represented a much larger section of India than the English-educated Indians.

The British, it seems, were only making a show of moving India towards electoral democracy through the extended process of constitutional reform. Till almost the end, they had no intention of transferring actual power to English-educated Indians. They knew that the

bureaucracy and the army held real power in India. Throughout the reform process, they ensured that control over these two shall not pass to Indians. Even in 1939, Lord Linlithgow writes to Zetland that the 1935 Act is not meant to transfer power to Indians but to further our control over India. Up to 1944, the British were not thinking about leaving India. Their political and military ascendance in the world depended upon their control of India, and they had no intention of relinquishing such power. It has to be found out at what point, they decided to leave India. But all their efforts were directed towards keeping their rule over India intact.

However, through the half-hearted constitutional reform process that the British kept playing with, India finally got saddled with a system that neither the perceptive British nor the Indians thought was appropriate for India. We needed a polity that would ensure harmony among castes, communities and regions. The electoral polity on the other hand was sure to set all of these in competition against each other.

Bipin Chander Pal had said that only the village communities can be the basis of democracy in India. He felt that India should concentrate on internal autonomy of the village communities rather than Independence from the British. Maharshi Arvind insisted that the development of India did not depend merely on political development; it depended much more upon moral development. Shri Arvind even talked about non-cooperation with the British. Thus, it seems that all the ideological and tactical basis of Gandhian movement had been established even before he came on the scene. Yet none of those ideas found any expression in the constitutional framework that we ultimately adopted after Independence.