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Rammohun Roy and the Fostering of Democratic Ideals in the Nineteenth Century

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Abstract:

The historical inauguration of democracy in a traditional society like India; it's remarkable resilience despite being riddled with a number of anomalies or peculiarities; it's incredible journey and its relative success since 1950s have always been a source of attraction to the academia. Democracy in India, has often been dubbed with phrases like 'a puzzle', 'a historical scandal', 'peculiar process', bears a cultural root of rich thought which began through renaissance or may be termed as post-enlightenment during the early nineteenth century in India, more specifically in Bengal. General presumption is that the concept of democracy is one of the products of Western civilization and has been successfully introduced in India. Contrary to this kind of popular belief some argue that the British did little or almost nothing to promote the growth of democratic institutions in India. They argue that the Indian nationalists from the nineteenth century onwards successfully appropriated liberal democratic principles from the United Kingdom and infused them into the context of Indian politics. It was Rammohun Roy in the early nineteenth century who took significant role in the articulation of liberal and democratic elements, promotion of political consciousness and the ideals like equality and rights in a society which was characterized by gigantic social dominance over individual. In the tradition of modern Indian social and political thought Rammohun had been remained as one of the most debated figures in available literature which have mostly been suffered from certain misapprehensions. Such texts, often hyperbolically from certain predispositions projected him as a staunch supporter of British colonial rule, intoxicated to English language and an advocate of European settlers on the question of trade and commerce. Unlike most of the popular assumptions about Rammohun the present study seeks to rediscover his thoughts, introspections and actions through a contextual study based on post-enlightenment framework of knowledge.

Keywords: Democracy, Rights, Political Consciousness, Nineteenth century.

The basic aim of this paper is to explore Rammohun's perception of rights through his illustrious works, activities and articulation of democratic elements during early nineteenth century. In the tradition of modern Indian social and political thought Rammohun had been remained as one of the most debated figures in available literature which have mostly been suffered from certain misapprehensions. Such texts, often hyperbolically from certain predispositions projected him as a staunch supporter of British colonial rule, intoxicated to English language and an advocate of European settlers on the question of trade and commerce. Without going through original and context-specific study those texts had often hurled slanders and labelled him as 'half liberal' (by Derozians), 'a dwarf' (by Gandhi, which led to the Gandhi-Tagore controversy in early 1920s) and so on by post-colonial and subaltern school of thought. However, some scholars from subaltern school like Ranajit Guha and Partha Chatterjee have maintained a relatively newer approach in projecting the specificity in the then socio-political context to which Rammohun responded. Unlike most of the popular assumptions about Rammohun the present study seeks to rediscover his thoughts, introspections and actions through a contextual study based on post-enlightenment framework of knowledge.

The rigorous social and political activities of Rammohun Roy made him the pioneer of the Renaissance and modernity in Bengal and in India as well. Through his vigorous and radical views and activities almost in all spheres of society, viz. religious and social reformation movements, education, law, tolerance, public opinion, civil liberty, rule of law, separation of power, freedom of press and economic thoughts altogether, it may be argued, he came to be known as the pioneer of liberalism in India. No wonder, some scholars compared him to the position occupied by John Locke in the case of European liberalism and democratic tradition (Tripathi, 1994: 54).

Advocacy of Free Public opinion and Free Press: the Bases of Democracy: Some basic ingredients of modern liberal democracy, viz. existence of free and neutral press, lively public opinion and rule of law, it is significant to note, were present in the thoughts of Rammohun so explicitly. Since his radical mind never shrank from registering a protest against what seemed wrong or unjust on the part of the authority he made vigorous campaigns and agitations for the establishment of truth and justice. This reveals his quest for liberalism or democracy which can be seen in several activities, such as, campaigning against the Press Ordinance of 1823, Jury Act of 1827, views about the significance of strong and active Public opinion and importance of establishing rule of law in the Society. It is pertinent to note here that such radical activities paved the way for the constitutional agitation as a regular weapon in Political movements for reforms within the frame-work of British Administration throughout the 19th century and took enormous role in creating liberal democratic ambience in the contemporary Political society.

One of the remarkable movements that Rammohun made against the authority was his movement for a free press in order to establish a free and vibrant public opinion. Till the beginning of nineteenth century there was hardly any sign of Political consciousness in India as it lacked any sense of integration and the whole society was bifurcated in huge

Socio-cultural and economical cleavages which, it may be argued were significant factors to the foundation and consolidation of the British rule in India. In 1818¹, when Lord Hastings relaxed the censorship on the press imposed by Lord Wellesly in 1799 (Ahmed, 1976: 1), Rammohun founded three journals: *The Brahminical Magazine* (1821), *Sambad Kaumudi* (1821) both are vernacular magazines and the Persian weekly, *Miral-ul-Akbar* (1822) (Bose, 1976: 368). By this time Rammohun had correspondence with Silk Buckingham, the editor of Calcutta Journal, who radically championed the idea of free press and propagated the liberal view of the West through his paper. Since Buckingham was a sharp critic of the faults and corruptions of British Government he was warned and admonished by the Government but that could not stop his liberal and radical activities (Chatterjee, 2013:15-16). No sooner Hasting left India Buckingham was deported and it was John Adam, who succeeded Lord Hasting as Governor General, re-imposed press censorship in March 1823 (Kar, 2009: 10; Singh 1989: 4). In 1823 after the deportation of his personal friend Buckingham and Stanford Arnot (who too was associated with Calcutta Journal), Rammohun started constitutional agitation, one of the significant attributes of liberal democracy (questioning against the authority) against the arbitrary Press ordinance. On 17th March 1823 he submitted a 'memorial' to the Supreme Court requesting it to withdraw the regulation, which went in-vain (Sen, 2012: 143). It is important to note here that the petition was signed by five significant personalities, the close associates of Rammohun, namely Chandra Kumar Tagore, Dwarakanath Tagore, Harachandra Ghosh, Gouri Chandra Bandyopadhyay and Prasanna Kumar Tagore who also took significant role in modern bourgeois awakening in the nineteenth century Bengal (Majumdar, R.C., 1971: 276; Chatterjee, 2013: 17). On the rejection of the petition by the court Rammohun submitted an appeal to the King-in Council which too got the same treatment.

The excuse behind such arbitrary rejection was that, since the government in India was not a representative constitutional democratic system and it lacked effective public opinion, a free press would be functionally redundant. Rammohun, on contrary, argued that, since India was a colony, a free press is more necessary to generate such a public opinion which will help the rulers to estimate and avoid any revolutionary activity (Sen, 2012: 143). "Your Majesty is well aware that a free press had never yet caused a revolution in any part of the world", he claimed in his appeal to the King-in-Council, "because, while men can easily represent their grievances arising from the conduct of their local authorities to the Supreme Government and thus get them redressed, the grounds of discontent that excite the revolutions are removed; whereas, where no freedom of the press existed and grievance consequently remained unrepresented and un-redressed, innumerable revolutions have taken place in all parts of the globe, or if prevented by the armed force of the Government, the people continued ready for insurrection" (Roy, 1947: 22, Part-iv).

Such a comment reveals the extent of his deep introspection about the significant role of free public opinion and free press in a political system. Both of these petitions, to the Supreme Court of Calcutta and to the King-in-Council made by Rammohun and his associates were remarkable as that marked the beginning of distinctly political activity

responsible for the growth of public opinion in the nineteenth century. This daring act was rightly mentioned as “the epoch of constitutional agitation for political rights” by Ramesh Chandra Dutta (1981: 155- 59), one of the pioneers of modernity in Bengal. The next Governors², who made liberal policy towards press to enfranchise it from all restraints took tremendous role in promoting liberal atmosphere in India and relaxed the pre-imposed press regulation. On this occasion in March 1835 a Free Press Dinner was hosted at the Calcutta Town Hall where Prasanna Kumar Tagore, one of the co-petitioners to the Supreme Court against the press regulation, formally acknowledged Rammohun as the ‘Liberator of the Press’ (Sen, 2012: 144).

Rammohun bore a deep respect for the liberal public opinion in England and wanted the government to promulgate good laws for India based on such enlightened public opinion. In this context, he advocated for the freedom of press from three explicit arguments: firstly, on matters affecting the public interest the government should predict the sentiment of the people, which none other than a free press can do properly as it would make laws correspond to the public opinion; secondly, through a free press people of India would enable to appeal to the British parliament against local authority and lastly, by a free press the court of Directors would anticipate the extent whether a regulation prove beneficial or perilous to the subjects and whether the excellent regulations are strictly put in practice or not (Roy, 1947: 21-22, Part- iv).

Thus, Rammohun, in his radical liberal activities paid most importance to liberal public opinion. He firmly believed that it would be convenient to the Indians to derive the advantages of the liberal spirit of British public life if the laws were made by the British Parliament rather than by an Indian legislative council located on Indian soil, as there remained a fear that such council would be arbitrarily controlled by the British Governor Generals. It is necessary to note here that in spite of being a close correspondent of British Governor General, he was conscious of the misuse of power and intended to rely on the liberal public opinion of British people.

Views on Judicial System: Advocacy for Equality: Rammohun’s deep concern and insightful views of equality and justice may be seen in the replies to the queries made by the select committee of British Parliament on the 19th September in 1831 on judicial system of India. In those 78 answers to the queries Rammohun not only vividly revealed the defects and shortcomings of existing judicial system, simultaneously he advocated in favour of the inclusion of native judges in the judicial system and trial by juries. He identified the main impediments to the fair administration of justice. Some of the important shortcomings that Rammohun cited were: the inadequate number of judges as well as courts, lack of a proper code of law and the inadequate qualification of many of the young judges of the company who, to the courtesy of the then existing judicial system established in 1793 by Lord Cornwallis, were appointed and suffered from lack of proper knowledge of the law of the native land. To him the number of courts in comparison to the vast territory of the country was not proportional and this, as a result, made undesirable delay in the judicial process and increased expense of the procedure to such an extent which made the poorer classes

deprived to have proper redress of any injury, particularly those who may be oppressed by their wealthier neighbours, possessing great local influence (Roy, 1977: 8).

Another defect of judicial system, which he gave much importance, was the absence of a common language in the judicial process. Despite the judicial officers of the company possessed enough talent and integrity, their unfamiliarity with the laws of the people over whom they are called to administer justice by these laws, the written proceedings of the court, answer, replies, rejoinders, evidence taken, and document produced being all conducted in a language³ which is foreign to them, they must either rely greatly on the interpretation of their native officers, or be guided by their own conjectures which must be liable to error in most of the cases (Roy, 1977: 9). Rammohun, like Bentham advocated for making of a better code of law, for which the latter formed some movements in England. Both of them intended to reform the judicial system by making it free from corruptions, complications, delay and expensiveness. When he was asked by the select committee about the obstructions caused by lack of better code of law he pointed out the shortcomings of existing regulations of judicial system made by Lord Cornwallis in 1793. He said:

The regulations published from year to year by the Local Government since 1793, which serve as instructions to the courts, are so voluminous, complicated and in many respect either too concise or too exuberant, that they are generally considered not a clear and easy guide...whose conflicting legal opinions have introduced great perplexity into the administration of justice.” (Roy, 1947: 12, Part-III)

Rommohun’s emphatic arguments in favour of inclusion of Indians into the Judicial as well as Revenue system reveal his introspection and deep love for equality. To remove several defects from judicial system Rammohun suggested including natives more effectively into the judicial system. To the select committee he claimed:

As European judges in India are not generally expected to discharge judicial duties satisfactorily, independent of native assistance, for not possessing a thorough knowledge of the languages, manners, customs, habits, and practices of the people, and the natives who possess this knowledge...the only remedy which exists, is to combine the knowledge and experience of the native with the dignity and firmness of the Europeans. (Roy, 1947: 17-18, Part-III)

Rammohun, in order to render fair and efficient judicial system gave most importance to the introduction of jury system. Though he advocated for combining “the knowledge and experience of the natives with the dignity and firmness of the Europeans”, he was aware of the possibility of undue influence which a native assessor might attempt to exercise on the bench under a European judge of insufficient capacity. To get-rid-of such possibility and the contagion of corruption which had become notoriously prevalent in contemporary Indian judicial system, Rammohun championed the idea of trial by jury. According to him the trial by jury is nothing but a modified and new form of Panchayat system which had been existed in India since remote period. But he recognized the shortcomings and defective

plans⁴ of jury system by Panchayat and wanted to introduce trial by Panchayat-jury to remove perjury, forgery and corruption.

Rammohun's ardent support to the Grant's Jury Bill which rendered natives of India 'eligible' to be appointed as 'justice of peace' and to sit on Grant Juries as well as Petit Juries, has revealed his views of equality. In answer to the objections made by the Court of Directors against the introductions of Jury Bill by Mr. Grant, he explained the baseless arguments of the Court of Directors and advocated for the equal status of native jurors in comparison to the British jurors. He declined the arguments of Court of Directors which claimed that the natives would never voluntarily sacrifice the time and expense which would be necessary to acquire adequate knowledge of the English Law books and acts of Parliament (Roy, 1977: 37). Against such predisposition Rammohun claimed:

I regret that the Court of Directors should have overlooked the expressed Language of the Intended Bill, which is to render "Eligible" only, not to make acceptance of office compulsory on them. Persons who choose to qualify themselves by acquiring a competent knowledge of British Law and are willing to incur the responsibility may be appointed by the government and those who might decline the labour or the risk would of course not be appointed. (Roy, 1977: 37)

The second objection of the Court of Directors, which claimed that the natives were defective in many qualities, particularly firmness of character, the essential quality to discharge the duties of justice of peace, was also declined by Rammohun. According to him the natives were remarkably performing various functions like, administering, justice, collecting the revenue and conducting the police and magisterial duties. So, the allegations like deficiency in 'so many qualities' or 'firmness of character' were according to him not acceptable.

Thus, it is needless to say that Rammohun always confronted against any form of inequality. The Court of Director's objection about giving a direct cognizance or power to judge the conduct of Europeans to the natives was also combated firmly by Rammohun. According to the Court this would bring some injurious effect in lowering the estimation of the European character. Contrary to such claim made by the Court of Directors of the company Rammohun argued that such kind of direct cognizance had already existed for many years. As an example, he showed the power of common police officers, the native Thanedars to arrest and apprehend all Europeans high or low in rank, whom they found committing any illegal activity. The objection of the Court of Directors to the trial of Christians by natives as jurors was vehemently opposed by Rammohun. He, in his counter remark argued that apart from Englishmen there were native Portuguese Christians, Syrian Christians and most noteworthy the mixed offspring of European and natives and the converted Christians by the Missionaries. To him the term 'Christian' does not refer only to the Englishmen but all the various races of these men or communities. Even the Court of Directors placed objection to the issue of trialing of Europeans by Hindus and Mussalman jurors. Against such objection Rammohun advocated:

If the Hindus and Mussalmans are to be excluded from acting as jurors on the trial of Christians on account of their want of community of feeling with them the same objections applies to Christian acting as jurors on the trial of Hindus and Mussalmans. (Roy, 1977: 39)

Such an argument reveals his urge for equality, one of the basic ingredients of liberalism. His earnest advocacy in favour of inclusion of Indians into the revenue departments as well as in the judicial department was nothing but his liberal view of equality. Needless to say such activities of Rammohun made a huge influence over his subsequent activists and reformers throughout the nineteenth century.

Championing the Ideas of Rule of law and Separation of Power: He, even in early nineteenth century pre-modern society could visualize the perils of centralization of power without the system of constitutional checks and balances. In this concern he advocated for separation of judicial power from the executive. He firmly believed that Laws are the commands of the Supreme governor and therefore, he emphatically advocated in favour of framing the laws for India by the King-in-parliament and not by the Governor-General as the latter, in spite of his high status was not the Supreme ruler⁵. Regarding laws as ‘the expression of reason without passion’⁶, he desired to be ruled by the laws framed in British Parliament. This desire of Rammohun, too many, made him simply ambivalent as he cordially respected individual liberty but simultaneously, desired to be ruled by laws made by an alien ruler. The reason behind such ambivalence, it may be claimed was nothing but his quest for having laws based on enlightened liberal public opinion. He was too conscious of the principle of rule of law to think of an Indian Legislative Council. Even he opposed the idea of formulating laws by any servant of the East India Company in spite of his high and exalted position. At the same time, it is noteworthy that he was aware of the ‘difficulties involved in making liberal legislation for a distant land’ (Pantham, 1986, 46). For this concern and to have good laws for Indians, apart from emphasizing the role of free press he suggested to appoint ‘commissions of inquiry’ from time to time and ‘to ascertain the opinion of the aristocracy of wealth and intellect in India regarding any proposed law’. He wrote:

“... by appointment of a commission composed of gentlemen of intelligence and respectability, totally unconnected with the governing body in this country, which may, from time to time, investigate on the spot, the condition of your majesty’s faithful subjects, and judge with their own eyes regarding the operation of the system of law and jurisprudence under which they live” (Roy, 1977: 116).

Thus, it may be argued that it was his zeal of liberal democratic ideal that made him advocating for appointing commissions of inquiry in order to scrutinize the uses and abuses of governance in India. What he wanted was to have a responsible and limited government and therefore, he proposed a consultation of public opinion before framing any law for the natives. Being adherent to the rule of law and broadly, of liberal democratic principles he demanded codification of laws and separation of power, which, to him were the cardinal principles of a good government. A sharp impact of Montesquieu can be seen on

Rammohun when he emphatically opposed the unification of magisterial and judicial power with the office of the collector (Roy, 1947: 25, Part- III). Moreover, he opposed the practice of issuing Ordinances or Regulations by Governor Generals or, by any of the civil servants of East India Company. Therefore, he wrote, “In every civilized country rules and codes are found proceeding from one authority and their execution left on another (Majumdar, 1967: 37). Another distinct feature in Rammohun’s political thought was his concern about the misuse of power and therefore, he emphasized the necessity of enforcing responsibility of an officer to his duties.

Rammohun, for his overwhelming admiration to British public opinion and their parliament was criticized by several scholars in time to time. Moreover, to some he was biased to an aristocratic form of government because he desired that only the wealthy and intellectuals should be eligible to criticize a bill or proposed law. Nonetheless, it may be argued that he was too realist to think of any full-fledged representative and responsible democratic government in contemporary India. What he wanted was to be ruled by laws based on enlightened public opinion, which the then society in India did not possess. This, it may be claimed proves his firm faith in democracy. His sympathy and deep quest for constitutional government in every part of West, viz. England, France, America, especially for the first Reform Bill in England are some of the remarkable examples of his strong faith in democracy. He viewed the agitation for Reform Bill as a “Struggle between liberty and tyranny; between justice and injustice, and between right and wrong throughout the world”.

Conclusion: Rammohun and his associates, the early representatives of Indian renaissance and modernity made a significant contribution to the creation of liberal democratic ambience in the nineteenth century. Of course, they admired British rule and considered it as a divine boon. But it is not that they were anti-democratic. Instead, Rammohun, it may be claimed, even in colonial Bengal, rightly anticipated the inherent truth of democracy, i.e. the freedom of mind and free expression of views about social and political matters can never be flourished in a climate of omnipotent social dominance over individual. So, he admired the British rule not for colonization but for the development of modern liberal ideal, which, he firmly believed would help his countrymen to emancipate their minds from age-old bondages of pre-modern society and culture. What he wanted was to build a connection between society and the state which, to a great extent was amorphous in the pre-colonial Mohammedan era. Therefore, by his illustrious activities he tried to prevent the newly founded alien rule from being totally indifferent to the social and cultural needs of the native community (Chakraborti, 1979: 20-21).

But surprisingly, at the moment to make complete break with the past Rammohun and his like-minded associates have emerged with some hesitation and ambivalence, which have already been discussed. Such activities though to some extent, broke the barriers of tradition but often were far from becoming modern. The reason behind such ambiguities is lying in the socio-cultural background of those modernizers. It is because rationality alone cannot be taken over the whole of a human life. In other words, following Ashis Nandi (2011: 61) it

may be argued that to be rational and logical throughout whole life is simply impossible because people live by their feelings, emotions and institutions. That is what happened to those early modernizers. Tradition and modernity are not always strictly opposite to each other, and therefore, even a modern man can often be guided by traditions in responding to social and cultural issues. In spite of these inherent limitations or ambivalences it would be incorrect to ignore or minimize the remarkable contribution made by Rammohun and his associates to the development of a liberal spirit in nineteenth century India.

The multifarious social concerns of Rammohun made him think of socio-cultural, political and economic issues in contemporary India. He was never a man who dwelt in the mere abstract set of ideas but was also a man of action enriched with enormous self-confidence and great optimism. That is why Rabindranath Tagore (1935: 1) in the celebration of his death centenary referred to him as ‘a luminous star in the firmament of Indian history’. He bore such an optimistic revolutionary spirit which neither the animosity of Hindu orthodoxy, nor the hostility of the Christian missionaries, nor the distrust by the British rulers (as evinced in the official reaction to his letter to lord Armherst on Educational Policy) could act as a damper to his illustrious activities (Chaturvedi, 1988: 83-84). His rational introspection made him realize that progress of liberal ideals in India was to be conditioned not by contemplation alone, but by action; not by pessimism, but by self-realization and most importantly, not by isolation from the West but by healthy interaction by imparting the treasures of western knowledge, gift of science and humanistic ideologies. All these, needless to say, gradually created a cultural ambience for democracy and have been providing the cultural root or support to the remarkable resilience of Indian democracy since Independence.

Notes:

1. When the Press Censorship of 1799 (imposed by Lord Wellesly) was abolished in 1818 by Hastings, soon a good number of vernacular journals and papers enriched with the liberal democratic spirit were published which too caused a democratic ambience in nineteenth century. Some of those were *Bangadut*, *Jnananveshan*, *Bengal Spectator*, *Hindu Patriot*, *Tattvabodhini*, *Somprokash* etc. For detail, see Kaviraj, N. 1984: 162-66.
2. The next Governor Generals were Lord Bentinck, Charles Metcalfe, both of whom took liberal policy towards press and enfranchise it from all bondages.
3. The main Language conducted in the proceeding of the Court was Parsi, the Court language of the former Muhammedan rulers.
4. The Jurors of Panchayat were not regular in their meetings, had no power to compel the attendance of witness, had no judge to preside and direct their proceedings etc. Infact they were only the arbitrators appointed by the court with consent of the parties. For detail, see Roy (1977), "Judicial System of India: Questions and Answers" in Selected Works of Raja Rammohun Roy, Publication Division, Ministry of Information and Broadcasting, Govt. of India, Pp. 18-20
5. In the appeal to the King-in Council regarding Press Ordinance Rammohun expressed this view. For detail, see Roy (1977), "Appeal to the King-in-Council", in Selected Works of Raja Rammohun Roy, Publication Division, Ministry of Information and Broadcasting, Govt. of India, P. 113
6. Such an idea of law was nothing but the impact of Plato over Rammohun as the latter was highly moved by the Greek Political Philosophy. See, Majumdar, B., B., 1967: 32.

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