CHAPTER-V

SWARAJ: CONNOTATION

Political emancipation—Freedom—as is well-known, lay topmost on Tilak’s scale of values. For the very purposeful existence of any human society, he maintained, Freedom was a necessary precondition.

Yet, it must be re-emphasized that Tilak’s approach to Swaraj was basically rational, and, not emotional nor nostalgic. Neither was it a product of Romantic nationalism nor of Spiritual nationalism. It is revealing, in this context, that even while advocating the cause of Swaraj, Tilak did not appeal merely to people’s patriotic sentiments. The major thrust of his argument was on enlightening the masses on their rights as Praja (the Subjects) vis-a-vis the rulers and on making them aware of their very political existence. In a way, Tilak had chosen to explain to the people, firstly, the issue of proper relationship between the Raja (the Rulers, the Government) and the Praja (the Ruled, the Subjects) and, secondly, the issue of people’s obligations towards the ruling authority. This explanation, as would follow later, gives one a clear glimpse of Tilak’s thoughts on these vital issues. That Tilak selected the method of, to use his own words, ‘taking the people by their hands’ and educating and explaining to them the duties that any rightful government is expected to perform, is in itself a proof that he looked upon people not as cannon fodder but as components of a truly free nation. He hoped, thus, to penetrate political apathy of the common people and generate among them political awareness. He entreated the educated to look upon the function of thus
awakening the masses as the bounden duty of the former. He elaborated, “The illiterates are our brethren. They have the same rights and are actuated by the same aspirations."\(^2\)

Tilak’s justification of Swaraj—in the sense freedom from foreign yoke—had evolved as a result of his thorough grasp of the phenomenon of political power and a deep understanding of its working. This knowledge had helped him identify, correctly, the contradiction of interests, inherent and inevitable, in any imperial set-up. Tilak took up the cause of Swaraj because he had realized that under no circumstances could a foreign imperial government fulfill the due obligations expected of a rightful government. Freedom, therefore, has emerged in Tilak’s thinking as a moral imperative for regaining the essential human qualities and attributes which make social and individual living meaningful.

The main point of Tilak’s criticism against foreign domination was that it deprives the subject people of their natural right of prospering both materially and spiritually. The purpose of Swaraj, namely, the replacement of the foreign government by a native one, for Tilak, was to restore this right to the people. Failure to serve this fundamental purpose would, therefore, make Swaraj meaningless. Just to be free from the foreign yoke, to him, was thus not the logical end of Swaraj. Hence, as Tilak saw it, Self-Rule was a pre-condition and not a guarantee. Though a necessary pre-requisite, substitution of foreign rule by native rule, in itself, according to him, ‘constituted only a foundation and not the height of our future prosperity.'\(^3\) As he observed, for those who have
taken up ‘working for the public cause’ as the mission of their life, achievement of freedom is not the ultimate objective. He insisted, “Our efforts will not end by achieving freedom. We would continue with equal vigour to mobilize public opinion to pressurize even the Swadeshi (Native) Government to rectify the administrative wrongs or to take corrective measures to assuage people’s woes.” In passing, it may be mentioned here that Tilak was also aware of the truth that “for a correct assessment of the overall conditions of the people of any country, one has to take into account the living conditions of the lowest strata of the population—the poor peasants and the workers.” It is thus clear that Tilak held that benefits of Swaraj should reach down to the lowest stratum.

It was Tilak’s full perception and grasp of the phenomenon of political power that had led to his correct understanding of the raison and entire of Swaraj. The same was to convince him of the necessity of ensuring that the Swadeshi government does not turn irresponsible, tyrannical and power-hungry, and thus becomes non-responsive to people’s distress and demands. Tilak, therefore, felt the need of exploring the forces that would make Swaraj meaningful in the true sense of the term.

During this process of explanation, Tilak touched upon many an important issues which are basic to Political Science, issues such as purpose of the State, proper relationship between the State (the ultimate governing authority) and the People and, most important of all, the issue of Political Obligation (when would a State be in a position to moral claims to political
It must be remembered. These issues were of no immediate relevance for a subject country. Yet, not only did Tilak think it fit to investigate and explore these but also wrote special articles to systematically explain his views a thing that he normally did not do. Tilak's explanation throws light on his views as a political thinker.

To begin with, it would be relevant to have a look at Tilak's views on State, in the sense of some ultimate governing authority. It is true that he did not elaborate the concept of State. But one does get a clear impression that he was not against the institution of 'State', and believed that 'State' plays a positive role. He, clearly, stated that a 'Stateless society' is a chimerical idea. This position is consistent with Tilak's understanding of Human nature. He observed, "(It is told) there was a time when people did not feel the necessity of (the institution of) Raja. In all their actions and interactions people used to take into consideration mutual interests and welfare. Our (Hindu) mythology suggests that at one time, such situation did exist. However, one can say, with certainty, that such a situation never did exist is history. Human experience demands that there should be somebody, having the proper authority, to regulate and govern." He further added, "It is an abiding principle that there should be a Raja, some definite system of governance. The Mahabharata mentions that a wise man should not live in a country where there is no Raja, where there is no regulating authority." Tilak's discussion about Lokasangraha in his Gita-Rahasya bears out that he believed that the institution of State does play a positive role.
Tilak, also, felt it necessary to enunciate some of the functions that he expected a government to perform. It is clear that he was not in favour of a government that governs least, a negative government, and approved of assigning positive functions to government. He believed, “A government’s responsibility does not end with the maintenance of law and order in the country. It is obligatory on its part to see that under its rule all the people would be happier, and would be better fed. It is also the duty of the government to see, the Praja imbibes the virtues of self-confidence and resoluteness. A government that neglects these duties should be taken as just a mercenary and selfish government. Such a government can be said to be immindful of its responsibilities.”

The issue of functions expected of a government, naturally, led to the issue of relationship between the ‘Raja and the Praja’ the rulers and the ruled. One has to bear in mind that here, Tilak was not addressing and reminding the Government of its duties or just making theoretical statements but was directly addressing the people.

As has been observed earlier, Tilak has reckoned it as the duty of the educated to enlighten the masses on political issues. As was to be expected, he himself made such efforts. His related observations convincingly bring out Tilak’s opinions in this respect. It may, thus, be noted that Tilak exerted to make the people understand that every people as Praja were entitled to certain rights; and have as Praja certain claims on the Government. He further explained that the people should understand that since, as Praja they, have their
duties and obligations towards the Raja so does the Raja (the ruler-the government) has his reciprocal obligations and duties towards the Praja. It is a mutual, a reciprocal obligation.10 Elaborating his point further, Tilak emphasized that the Raja and the Praja (the people) have a relationship of mutual interdependence and that government should strive for the good of the people (Praja-hi) and the people, in reciprocation, should extend allegiance to the government. In other words, Tilak was propagating that the people as Praja have the right to expect that the government also fulfils its obligation.11

It is quite clear that Tilak was suggesting, through these observations, that Indians should realize that they, too, as Praja, were entitled to assess the performance of the British Government on the criterion of Praja-hit. By this, he implied that it was on the basis of Praja-hit that Indian people should decide whether it was worthwhile extending their support to the British rulers. Tilak added, “The foreign rulers in India have not fulfilled their obligations towards the people, which are expected of any rightful government. As a result, what the Japanese could achieve during a span of thirty years, the unfortunate Indians could not experience under sixty years of British rule”.12

It is worth noting that Tilak laid the responsibility of containing the rulers if they choose to misuse their powers on the people. Thus, he not only stated that “He who fails to look after the interests of the Praja cannot really be called a Raja” but also reminded that “The people who allow the Raja to trample upon their interests cannot claim to be ‘Praja’ in the real sense of the term.13 In other words, the people are not fulfilling the rightful functions
expected of them as Praja. Tilak was, thereby, clearly suggesting that nobody should be allowed to come in the way of people’s welfare; if the people do so, they would be faltering in their duty. In a traditional society in which people were expected to submit unquestioningly to the vagaries of the king as those of the nature, Tilak’s approach was certainly distinct. Tilak, further, observed that the norms have changed with times. “There was a time when it was believed that whatever the Raja i.e., the Government does, is ‘just’; but, now, it is accepted that only he who rules justly can legitimately be called a Raja.¹⁴ (In other words, can legitimately claim people’s allegiance).

Tilak was thus asserting that a government that fails to fulfil these functions also fails to fulfil its primary duty and, thereby, forfeits its moral claim to people’s allegiance. As would be discussed more elaborately at a later stage, Tilak was aware that this type of an approach to the relations between the government and the people was a thing of the modern times. Yet, he sought to explain this point to the people in his own peculiar way. He preferred to use the traditional idiom for he felt this to be the easier means of conveying the message. He insisted that people should know how to interpret the old saying ‘Na Vishnuh Prithivipati’ properly and correctly, Tilak exclaimed, “Yes, the king is God. But with the same logic, Praja also is God. And as such, Praja should not be asked to suffer injustice at the hands of the rulers.¹⁵ He argued, “Even if it is accepted for argument’s sake that the king is God, it can in no way become justification for perpetrating injustice.¹⁶ Pointing out that “the Dharmashastras never approve of unjust and arbitrary behaviour on the part of
the Raja,” Tilak reminded, “Manu who had glorified the King as God Incarnate has, on the same count, laid down King’s duties as well.\textsuperscript{17} He further elaborated, “We should know how to interpret the logic of this principle, correctly. If the king is held as Brahma by the same logic we-the people-also are Brahma”.\textsuperscript{18}

Going a step further, Tilak stated that the people should understand that “An unjust king loses his divinity and becomes a demon\textsuperscript{19} and thereby loses his moral claim to kingship. Tilak further elaborated, “When a king fails to discharge his duties and obligations and loses the Divine element in him some one else with a rightful claim to such an element takes his place.\textsuperscript{20}

In modern political terms, Tilak was suggesting that such a government loses the moral justification for its existence and as a result, forfeits its legitimacy among the people and, hence, its very existence comes into jeopardy. To bring out the problem more clearly, Tilak, in his own style, referred again to Hindu mythology “When a Raja, held as a God, starts behaving unjustly, another Raja emerges and replaces the former, by engaging him in a sustained struggle. Both Lord Parshurama and Lord Rama were incarnations of Lord Vishnu. Parashurama, however, had to surrender to Ram. At that moment, it is said, a luminous flame, symbolic of Divinity, left Parshurama’s and entered the mouth of Rama\textsuperscript{21} Admittedly, the idiom used was traditional but the message it car-ied was definitely modern. Tilak was clearly explaining, through this, how political power is transferred from one group of power-holders that had lost legitimacy, to another group having better claims.
The foregoing discussion, thus, brings out clearly that Tilak was in a way discussing the basic issue of political science: When would the State—the ultimate governing authority—be in a position to lay moral claims to political power and justifiably demand allegiance from the people?

This led Tilak to highlight the issue of reciprocity of relationship between the governing authority and the people. He unequivocally declared that the Raja and the Praja have reciprocal duties towards each other. To elaborate this mutual relationship, he put forth the concept Praja-droha-Betryal of the people by the Ruler (the Government).

It may be recalled, here, that during this period, the British rulers had extensively invoked the provisions of the Sedition Act in order to suppress the national upsurge. To implicate Tilak, Judge Strachy, in 1897, had thought it necessary to redefine the term ‘Sedition’. As a result, the people had become familiar with the term Raj-droha (Marathi equivalent of the term sedition). It is apparent that Tilak believed that the concept of Praja-droha would make the common people appreciate the reciprocity of relationship between the Raja (the Government) and the Praja (the governed), as also the people’s right to evaluate the Government’s performance.

In explaining this concept, Tilak argued that just as a Raja-government—has a right to demand allegiance from the people as also the authority to punish a person who commits the offence of Rajdroha, the Praja also has the moral authority to punish the Raja for committing the offence of Praja-droha. He hoped that people would easily understand and appreciate this new term. It is
evident that Tilak was hereby assuring the people of the moral justness of their cause. I-Ic, thus, asserted, “If a king fails to fulfill his obligations towards the Praja, it means he has committed the offence of ‘Prajadroha’. He added “under such a situation it is the moral duty, and not only a right, of the people-who themselves possess elements of Divinity-to prevent their rulers from committing a moral sin.”

In emphasizing the essentials of this concept, Tilak stated, “The existing Penal Code might not have incorporated any section on Praja-droha, but the ultimate-the Divine-court (Court of God) must have prescribed due punishment for the offence of Prajadrohan.”

It should, however, be understood that Tilak was not hereby suggesting that the King who is guilty of dereliction of his duties and obligations towards his Praja, would be punished in his after-life. Tilak, instead, was propagating that people are morally justified in inflicting a proper punishment on the ruler for the offence of Prajadroha, in this world, when he is living. For strengthening his point, Tilak referred to the instance of King Wen, from Hindu mythology, who was killed by his subjects when he turned atrocious to them? He continued that such instances have taken place even in modern times. Tilak reminded that “historically there are plenty of instances, when enraged and irritate, the people are provoked to punish the king.” He added, “in extreme cases or getting pushed to the brink at the hands of the ruler, the infuriated people might devour the former like a fire destroying a moth.” Referring to the incidence of the beheading of King Charles, Tilak pointed out that English
history itself bears out one such extreme case. Similarly, he referred to the circumstances in which King John was compelled to sign the Magna Charta.

At times, Tilak chose to use the modern idiom as well. When he said, “The Raja is not fallen from the Heavans; he emerges from out of mutual consent,” he clearly indicated that Kingship (Governing Agency) is a creation of the people and has the moral authority to govern only till it enjoys the consent of the people. He added, “If the Raja is guilty of Praja-droha he has no right to grumble about non-allegiance (Raj-droha) on the part of the people.”

It may be suggested that Tilak’s explanation about mutual obligations on the part of the Raja and the Praja is somewhat akin to the Lockean Contract Theory which held that both the ruler and the ruled are products of a ‘contract’ with mutual obligations. Like Locke, Tilak also conceded that in extreme cases, the people have a moral right to revolt.

It should be mentioned, at this stage, that Tilak advocated the cause of Political Freedom (Swaraj) because he had realized that under no circumstances could a foreign government fulfil the due obligations expected of a government. Tilak’s treatment of the issue of mutual obligations, of the duty of the government to undertake the task of ‘Praja-hit’--welfare of the people, his elaboration of the concept of ‘Praja-droha’--all these indicate that he had a clear perception of political power and the significance of mutual obligations therein. He was, therefore, under no illusion that attainment of Swaraj-establishment of a native government-by itself, would mean an end of all problems—that a Swadeshi government would be fulfilling the expected
obligations and duties by the mere fact that the government was being run by natives. Tilak had, definitely, perceived the possibility of a native government turning tyrannical and power-hungry, the possibility of a native government running amuck.\textsuperscript{30} He, accordingly, thought it necessary to elaborate what he and the people like him meant by ‘Swaraj.

It was against this background that Tilak, knowingly and deliberately, discussed the implications of the concept of ‘Swaraj Explaining the literal meaning of Swaraj-rule by the natives of the country, Tliak hastened to add that an inquisitive mind would not be satisfied with this explanation.\textsuperscript{31} To identify true Swaraj, it is necessary to properly understand the meaning of ‘Swa’ (Self). To Tilak, the prefix ‘Swa’ (Self) in Swaraj could only mean ‘Praja’ the People, the ruled. And hence, according to him, Swaraj meant (the People and the Ruled), People’s rule\textsuperscript{32} to him, Swaraj was, thus, equivalent to ‘The right of the people to conduct the administration of the country according to what they consider to be their good; Swaraj, thus, essentially means a democratic, i.e., constitutional, self- government.

To further elaborate his point, Tilak proceeded to analyse the concept of Swaraj in its three different forms, namely:

1. Swaraj: When improperly run by the rulers belonging to the same country: Here, government is run by the natives. Though desirable in itself, this-rule by the native people-was the least important aspect of Swaraj. As has already been observed, Tilak was aware that even a native government might at times be
mismanaged and be tyrannical. This can lay claim to the nomenclature Swaraj only in the negative sense, in that it was not governed by foreigners.

2. Swaraj: Under a native ruler, comparatively better organized and better managed, at times working in the larger interests of the nation: Here, however, the people do not have a say in the decision-making process. The people do not enjoy the freedom to decide for themselves what they really want.

3. Swaraj: A democratic constitutional government that runs, according to the wishes of the people, through their representatives. Citing these patterns, Tilak asked, “Which one of these could be identified as ‘Swaraj’ in the true sense of the term?”

To substantiate his point, Tilak, elaborately, discussed all the three patterns:

Under the first pattern, Tilak observed, Praja-hit is totally ignored. The Raja, totally intoxicated with power, turns tyrannical and completely ignores his duty of realizing Praja-hit. Under such conditions, the people, naturally, start resenting such a capricious and authoritarian regime. Not only do they feel that they are not enjoying Swaraj, but might not also mind even if they lose political independence. In order to explain his point, Tilak referred to the fall of Bajirao II and the subsequent end of the Peshwa Rule, and observed that this was scarcely lamented by the people.

Tilak’s analysis of the latter two patterns of Swaraj gives one an insight into his thinking. He maintained that, according to the above-mentioned criterion—‘Swa’ is Praja, neither Russia under the Czar, nor Germany under
the Kaiser, could boast of enjoying real Swaraj, though both of these were politically independent, and the rulers therein had established order and discipline within their respective countries, and at times, even governed in the larger national interest. It is true that Tilak, elsewhere, had referred to the same States in order to show how the rulers of a free nation strive to bring their nations on par with the advanced nations. That was, however, done essentially to contrast it with the Indian conditions under foreign rule. This did not prevent Tilak from taking an objective view of these regimes. He had expected the rulers under real Swaraj to be enlightened and responsible to people’s wishes. He pointed out, in this connection, that though the Russian political set-up was comparatively well-disciplined, the Russian people were dissatisfied with it, because, this political set-up was not responsive and responsible to the people’s wishes, and also because they did not have any say in its functioning and in the decision-making process. These regimes are, rather authoritarian in character. The people thus do not feel that they are enjoying real Swaraj. The Russians were, therefore, agitating for the essence of Swaraj, i.e., a constitutional political set-up. Tilak tried to further explain this urge on the part of the Russian people. To start with, he pointed out that all people, at least the knowledgeable ones, realize the importance of Liberty and cherish it above everything else. Life, in such authoritarian regimes, is comparable to prison life, which though well-disciplined and well-protected, fails to bring happiness to its inmates. Like-wise, “a people could not be happy in a political regime howsoever well-disciplined it otherwise might be, wherein they are denied
liberty.” The people, suffering under such authoritarian regime, Tilak added, would, naturally strive to attain real Swaraj, a democratic constitutional political set-up. He, further stated that the socialist movement in Germany against the Kaiser regime could only be understood in this context. The efforts of the Russian revolutionaries also should be understood and appreciated in the same light Tilak not only explained the rationale behind these movements, but also advocated that Indians should learn from the experience of others that “the mere fact that the Raja (Government) is Swádeshi cannot guarantee the solution of all the problems and issues.

Similarly, Tilak advocated that people should not be complacent only because they have a well-disciplined state. The people, as Praja, should examine whether and how far they are being consulted while deciding the governmental policies. And, in case the Praja does not have such a control over the functioning of the government, they should earnestly strive to achieve such power. In other words, Tilak was clearly observing that in real Swaraj the people are entitled to participate in the decision-making process. In Tilak’s opinion, “extent of participation by the people thus emerges as the crux of the problems.”

To achieve the expected aims and objectives, a Swadeshi Government has to be adequately enlightened and responsive to the people’s wishes. To put it in other words, ‘Swaraj,’ to Tilak, means nothing less that a democratic self-government.
Tilak, however, did not claim that a democratic political set-up would necessarily be more efficient or better-managed. He even conceded that such a democratic political set-up, at times, could prove to be less efficient and less disciplined than an authoritarian regime. He, however, asserted that discipline cannot be considered more important than liberty.\textsuperscript{42} Tilak was, clearly, suggesting thereby that this lack of discipline should not be compensated for by authoritative measures. Liberty is too valuable to be, thus, compensated for.

What is more important but, sadly, very little recognized, is Tilak’s efforts to interpret, anew, the famous adage, ‘Self-government is better than good government’, in this light. Asserting the need of understanding Swaraj as democratic self-government instead of merely as a government run by the natives, as is normally done, Tilak maintained that the above adage should be taken to mean that such a Swaraj cannot be substituted by a dictatorial or disciplanarian regime, even a positive one, however efficient otherwise it be.\textsuperscript{43} Tilak, further, emphasized that whenever the Indian nationalists like him declared that ‘they stand by Swaraj and want to have it, they mean by Swaraj nothing else but democratic self-rule.’\textsuperscript{44} He reaffirmed and elaborated that “whenever one speaks about Swaraj and Suraj (good government) one must ever bear in mind these distinctive implications of the terms.”\textsuperscript{45}

It is thus evident that Tilak had a clear notion of Swaraj and did not have any illusions regarding the nature of Swaraj. To him, Swaraj was equivalent to democratic self-rule. Tilak’s observation clearly refutes a point of criticism levelled against him by some, that Tilak’s eyes were revetted to the mediaeval
type of Swaraj, lost by the people of India. In the tumult of the freedom struggle when the immediate aim was removal of the foreign yoke, naturally, little attention was paid to Tilak’s explanation as to what, according to him, was real Swaraj. It is really unfortunate that even in the post-independence era, due acknowledgment of Tilak’s views has not been made.

Tilak expected that with growing political consciousness, the demand for democratic self-government would become ‘more intense.’ People, no more, would be satisfied merely with a native government. He explained that “people everywhere would come to identify the idea of self-rule with that of constitutional democratic self-rule. They would come to believe that real Swaraj would be impossible in the absence of democratic self-rule and that Suraj-good government-would not emerge in the absence of such Swaraj. Ultimately, ‘Good Government’ and ‘Self-Government’ would coincide in such a political set-up.

Tilak accepted that this idea-no good government would be possible in the absence of a democratic political set-up-was a new phenomenon. He explained that this idea was based upon a totally new approach to the relationship between the rulers and the ruled. He observed, in this connection, that “This approach constituted the major difference, a dividing line, between the ‘old’ and the ‘new’, political theories.” (emphasis added) It is important to note that Tilak thought it proper to elaborate this point further. He pointed out that in the past also, people had thought over the issue of good government. But the old concept of a good government, Tilak pointed out, revolved around the
existence of a good king; in the past, the king was expected to fulfil his obligations and duties judiciously; he was expected to be just and considerate towards the Praja. The modern concept of good government, however, asserted Tilak, revolved around the people the phenomenon of their participation. The modern political theory, on its part, maintained, therefore, that in order to ensure people’s welfare and happiness, a Government should conduct its affairs as per people’s wishes and in their interest only.50

Tilak further explained, “It was in order to ensure that kings do not go awry and turn authoritarian, the modern European nations have controlled, through certain regulations, the power of their respective kings (rulers)”.51 Through these observations, Tilak was indicating that instead of depending on the individual personal good wishes of the Raja (Ruler), the modern political thinkers of the West have recognised the need of introducing a formal mechanism and this mechanism, according to him, was a major significant shift.

It is interesting to note here, another argument made by Tilak in favour of democratic representative government. He observed, “It is possible to have one single able and benevolent ruler. In no dynasty, however, do we trace a good number of able persons through every successive generation. Therefore, in order to assure the stability of the political system and a smooth and integrated political rule, political power must not be the treasure of a single dynasty; it must rest with the popular leaders. This principle of representative government was absent in India and hence, we could discern the weakening of
the dynasties within a period of just three or four generations.” Tilak explained: “We Indians have learned at our own cost the lesson of the importance of popular and representative government and this is exactly the reason why our aspirations seem to be divergent from the patent oriental ideal (i.e., monarchy).”

Tilak’s statement that a government, run according to the wishes of the people; always works for ensuring people’s welfare’s should be evaluated against the background that he had conceded the possibility of a democratic regime being, at times, less efficient than an authoritarian regime. This observation is quite significant as, many a times, people, even educated ones, have a latent attraction for the apparent efficiency of an authoritarian government.

Tilak hoped that with the spread of modern education and with increasing awareness of the modern concept of a good government, aspiration for ‘Praja-sattak Raj’ would emerge, all the world, over as a universal phenomenon. In support of this view, he cited the political agitations in various other countries like China, Japan and Iran. He observed that these agitations represented the new world-trends: all these were initiated with a view to ensure the control of the Praja over the working of the government. Tilak claimed that in promoting the ideal of Swaraj, he and his compatriots wished to achieve the same goal i.e., democratic self-rule. He was, thereby, indicating that to him, India’s freedom struggle as well, was an additional front
in the said universal struggle for democracy-a ripple in the general trends in the
direction of this goal.

Tilak, at times, had pointed at the nti princely states as an evidence of
the capacity of the Indians to govern themselves. Some critics suggest, in this
regard, that Tilak was not very much enthusiastic about promoting the liberal
democratic values and that he even overlooked the fact that individual citizens
enjoyed considerably greater civil liberties and political rights in British India
than in the native princey states.\(^{57}\) In this connection, one need not forget that
in doing so, Tilak wanted only to argue that the Indians were capable of
handling responsible positions. He did appreciate that in British India, the
people enjoyed more civil rights.\(^{58}\) However he thought it better to let the
sleeping dogs lie, for, all the energy of nationalists like himself was being
utilized in the fight against the British rulers. “Once we attain Swaraj, it would
not be difficult to pressurize the princes for liberalizing their autocratic
regimes.\(^{59}\) Tilak was thus, only, suggesting that it was wisdom to concentrate
on one front at a time.

The most important part of Tilak’s argument about the concept of
Swaraj is its third stage wherein he set and prescribed the guidelines for action
in order to achieve real Swaraj in an undemocratic political set-up. The
argument that Tilak developed, mainly, in his famous articles entitled ‘Na.
Gokhale Yancha Ghotala’, ‘Sanadsheer Va Kayadesheer’, supplemented by his
observations elsewhere, needs to be studied more carefully. Thus far, scholars
have taken into consideration only its incidental relevance.
Believing themselves to be ‘British citizens’, the Moderates had insisted that the national efforts of Indians should run on constitutional lines only and that adoption of un-constitutional means would be improper. Tilak felt that this insistence on ‘constitutional means’ was based upon wrong understanding of the concept, ‘constitutional’. He, therefore, thought it necessary to counter-argue that in the then Indian context, it was meaningless to raise the issue of constitutionality while referring to the Indian national efforts-its political movement.60

Tilak explained that he did not make this argument only for the sake of argument. Much more was involved in this than mere exchange of words.

It is, thus, worth noting that while discussing the immediate issue, Tilak thought it necessary to go to the very root of the problem and discuss the real meaning of the concept, ‘constitutional, as against ‘legal’ and its validity in an undemocratic political set-up.

It is worth mentioning, here, that Tilak devoted a full-length article in his newspaper, to this issue, wherein he chose to give a scientific treatment to the whole argument.

To start with, Tilak raised the question, ‘What is Constitutional?’ In doing so, he explained, in quite simple words, the gist of the concept ‘Constitutionalism’. Referring to the formal definition of Constitution, namely, Constitution as a set of fundamental rules regarding the functioning of the Government, Tilak observed that, if literally interpreted, any regime, even an authoritarian, arbitrary one, could be classified as ‘Constitutional’. But such
literal interpretation goes against the very core-meaning of the concept of ‘Constitutional Government’ as is generally accepted in Political Science. A Constitutional Government is necessarily, equivalent to ‘Limited Government’ the very purpose and function of the Constitution being restraining powers of the Government. A Constitutional political setup pre-supposes that the people are granted a charter of rights by which the position of the Praja, vis-a-vis the Government, is defined. In fact, the Government derives its political authority from the people to whom it ultimately belongs. Hence, a political system wherein its rulers enjoy unbridled power, is not treated as ‘Constitutional’ in character. “Whenever it is said”, Tilak further asserted, “that a particular nation is enjoying a ‘Constitutional political system, it is definitely suggested that the sphere of the political power of the Government involved, is considerably narrowed as a result of the people acquiring such rights. Tilak thought it necessary to clarify the real meaning of ‘Constitutional Government’ with a special reference to England. The English political system, he said, based as it is on Constitutional, i.e., democratic functioning, implies that the Government is responsible and accountable to the people. Therefore, the political authorities are supposed to reflect the will of the people. In case, Government’s decisions go against the wishes of the majority, the Constitution recognizes the right of the people to get reversed the decision and/or action on the part of the Government.

Tilak further clarified that such a Government recognizes the right of the individual to full liberty and provides an opportunity to him for political
participation. The liberties that the people enjoy include the liberty of forming associations or conducting movements, subject to overall constitutional restrictions and within the democratic frame-work. These liberties, therefore, provide an opportunity to influence the public policies by mobilizing public opinion through democratic and peaceful efforts. The Government of England depends totally on the backing of the opinion of the majority. Once they succeed in tilting the public opinion in their favour, objectives of those who want to bring a change, are achieved. An agitation aimed at winning over the support of public opinion is known as a constitutional agitation. In India, however, the Government was, in no way, responsible to the people. Pointing this fundamental difference, Tilak observed that the leaders and the organizations in India have, therefore, to perform twin functions: (a) mobilizing the public opinion in favour of the just demands; and (b) using this enlightened public opinion as a leverage to pressurize the authorities for conceding their demands. Under the English system, the latter is not necessary because, in a democratic constitutional set-up, it automatically follows from the former.65 In the absence of a constitution, it was meaningless to suggest that Indians should stick to constitutional methods only. In fact, according to Tilak, one should not forget, that this legitimate right of constitutional protest, enjoyed by the English people, is the culmination of a hard struggle on their part, at the cost of much sacrifice.66

The purpose of constitution-making, according to Tilak, was to avoid the danger of authoritarian, dictatorial rule. Explaining the necessity of such a
political arrangement, he observed, “It is an inherent characteristic of a position of power that those who occupy it are inclined to perpetuate themselves in power. The fault lies with the power-position and not with the individual power-holder. And, it is to regulate this tendency that the authorities are made accountable to the people in the countries which have progressed.”

Tilak, further, stated that once this aspiration for true Swaraj, i.e., constitutional democratic government, is aroused in people’s minds, no amount of suppression or oppression would be enough for extinguishing their urge for democratic self-rule. The Russian experience, he claimed, was a living example of this.

It may be reiterated, at this stage, that Tilak was aware that a democratic political set-up might, at times, be lacking in the discipline, vigour and efficacy of an authoritarian regime. He was, however, convinced that the people would be happier under a democratic self-government that grants them ‘liberty’. As he explained, on the scale of human values, ‘liberty’ holds the top-most position. Nothing else is as dear to a human being as liberty. Hence, it is the natural right of the people to have a Government of and by their consent.

Tilak was aware that this was not an easy procedure. If the people want to secure their rightful claims, “these will have to be secured on the strength of their own valiant efforts through self reliance. The power holders would not be inclined to give up their rights and powers through sweet persuasion and logical argument. At times, the people might even have to adopt obstructive
measures. Tilak emphasized that people in other countries who have acquired their rights, had put in fearless efforts.

It is, here that, Tilak raised the basic question of the ‘constitutionality’ of the methods of political agitation in an unconstitutional political set-up. The question, he posed, was: whether people, undertaking a political agitation under an unconstitutional political set-up, can claim, with any validity, that their agitation is being carried within the bounds of constitution. As has been observed earlier, to Tilak, such a claim was meaningless. He pointed out that such a claim cannot be put up on the plea that it is a struggle for ushering in a constitutional set-up.70 Replying to the Moderates who were claiming that their methods of agitation were constitutional, Tilak observed that under the then prevailing circumstances, the only valid claim could be that their efforts were ‘legal’. “The term ‘Constitutional’ being thus irrelevant, the only consideration that is left, is to find out whether our efforts are legal or illegal.”71 But, here again, to claim that we are operating within the legal limits has, really speaking, very little propriety. In an arbitrary political set-up, “the Government alone has the unqualified absolute power to decide whether any particular agitation is ‘legal’ or otherwise. Therefore, even our justifiable efforts-efforts which are in tune with the historical progression and with the normal operative rule of the society as also with the natural rights of the people and, hence, in accordance with their ethical code-may, in the government’s eyes, be construed as illegal.”72 Although dealing with a specific situation, Tilak had posed a very fundamental question of general relevance:
Should the people, under an unconstitutional political set-up, care for the ‘legality’ of their agitations? Here, Tilak suggested that at times, there might be discrepancy between what is ‘moral’ and what is ‘legal’. As he remarked, “The command of a King (a Government) could, in the technical sense of the term, always be described as ‘legal’ but would not necessarily be ethical.” The people, therefore, “have no other go than to resist the arbitrary oppressive law even at the peril of sufferance. The people, under such circumstances, need only inquire whether their efforts have the support of justice, ethics, historical legacy or progression, and need not whether their efforts are branded as illegal or otherwise. Evidently, in the event of law-breaking, there is no escape from punishment. If, however, the law happens to be oppressive, it must be opposed even at the cost of undergoing such punishment. This is bound to happen whenever there arises discrepancy between ‘law’ and ‘morality’.

For Tilak, the discussion about the legality of methods adopted, thus, assumed a moral stature. As he explained, “In the event of law proving oppressive and unjust, it becomes one’s moral duty to break it. To follow the dictum of inner conscience is an inherent attribute of a human being.” Tilak, unequivocally, declared that according to the basic implications of the concept of Justice, “The efforts at reforming an unjust political set-up cannot be treated as sedition.”

This indicates that Tilak was providing a moral foundation and, ethical basis to people’s struggles-efforts against an authoritarian regime. To call such an effort, an act of sedition amounted to saying “that the ruler need not be
concerned with justice and morality; and hence, there is no need of resisting oppression nor of granting the people their rights.\textsuperscript{77} He further asserted, “If it is accepted that the real aim of any political regime is to realize the welfare or well-being of the people and that it itself is its real strength, to resist and remove any act of injustice or oppression, emerges as its obvious corollary. This is a duty on the part of the people and is commensurate with the real spirit of Raj-satta-Political Power.”\textsuperscript{78}

It is creditable that while elaborating the concept of ‘True Swaraj’ Tilak felt it necessary to analyse the issue of the relationship between the Government and the Governed in total depth. Tilak did not stop at merely declaring that, by Swaraj, he meant democratic self-rule. He also sought to inquire, “What gives a government the moral right to claim allegiance of the people?” He advocated that “Consent and not Force, is the rightful basis of a State.” In a way, he was seeking an answer to the fundamental question, “Why should one obey the State?” He clearly differentiated between a ‘just’ law and an ‘arbitrary’ law and declared that if the people feel that the law is unjust, it is their moral duty to oppose it.

Tilak, who fully understood that authoritarian rulers would not respond to mere expression of displeasure over governmental decisions, observed that certain measures are necessary to convince the rulers that people consider the former’s actions and/or decisions as arbitrary and oppressive. An authoritarian regime does not feel any compunction in extending the stamp of legality even to its acts of arbitrary and unjust behaviour, by resorting to the technicalities of
due procedure of law. Under such circumstances, Tilak added, the people should resort to their natural right of passing a moral judgement that the government’s action and/or decision is arbitrary. And they should perform their duty of resisting injustice shrouded in the garb of legality.

Of course, Tilak added that the course would not be a smooth one and this could not be achieved by merely passing resolutions in mass meetings. There should be a clear demonstration on the part of the people, of their willingness to undergo hardships and sufferings in resisting an unjust act on the part of the rulers. It is the effective proof of the fact that the act and/or policy is ‘arbitrary and oppressive.’ There is no other better criterion for declaring that oppression is being perpetrated.

He cautioned that “Those who decry the oppressive character of a governmental action, must themselves be prepared to face Government’s wrath and undergo consequent punishment.” Referring to the practice on the part of the authoritarian rulers to follow certain procedures or technicalities for declaring their wrongful actions as legal, Tilak ironically observed that the people also, on their part, have to adopt certain due procedures.

Although Tilak was elaborating his point in the context of the anti-Bengal-partition agitation, his treatment of the subject clearly shows that he was transcending the immediate issue and taking a wider perspective. While dealing, in this connection, with a contemporary issue, he went to the very root of the problem and sought a philosophical answer to the question: what should one do if there is a conflict between the so called ‘legal’ and ‘moral’ especially...
when the Praja is denied all legitimate outlets to its grievances as also all the means to rectify injustice? Tilak was not enamoured of the hollow claims of the propriety and rightness of ‘legality’ and ‘constitutionality’ whenever these were made by the rulers who were not ready to bind themselves with moral considerations, and were not ready to accept the philosophy of Coastitutionalism.

Tilak was, thus, concerned not merely with the political compulsions in a subject country like India. He took, within his purview, the political situation and its demands in any undemocratic political set-up. In this context, he did observe, “In an autocratic regime, incidences of popular upsurge are bound to take place. In their determined bid to resist the atrocious rule of the Czar, the Russian people—especially the young students—willingly faced arrest, making the jails over flow....The Russian experience proves that an atrocious autocratic regime can be brought to its senses by the unified efforts on the part of self-respecting people.83 Tilak’s argument, thus, had much more than just incidental significance. In a way, Tilak was providing the theoretical basis for Passive Resistance.

It is, at times, suggested that when the extremist leaders were expounding the theme of ‘passive resistance’ and ‘non-co-operation’, they were, perhaps, only thinking of the tactics and strategy, and not about the fundamental political issues concerning the duties and rights of citizens under any political set-up.84
The foregoing discussion would amply prove that from among the Extremists, at least Tilak had given a deep thought to the rights and obligations of the citizens under a political set-up. It must be remembered that to prove his point, Tilak cited instances from the British history, i.e., a politically-independent country, implying that he was viewing things in a broader perspective. As has been mentioned earlier, Tilak evolved the concept of Prajadroha and expounded that if the rulers were committing the offence of ‘Prajadroha’, the ‘Praja’ is entitled to the moral right of opposing, at times replacing, such a regime. Moreover, this was their inalienable right. The ultimate aim of any people was to secure ‘Swaraj’, in the true sense of the term. Tilak’s statement that ultimately ‘Swaraj’, and Suraj, would merge, needs to be assessed against this background.

It need, again, be mentioned here that Tilak hoped that with growing political consciousness among any people, they would definitely aspire for a constitutional political set-up. He felt that once this aspiration for true Swaraj is kindled, no amount of suppression- or repression would succeed in quenching the desire.\textsuperscript{85}

One is highly impressed to note that while discussing the issue of the relationship between the rulers and the ruled, Tilak thought it necessary to consider one additional dimension, viz., the relationship of a class of people with vested interests in the established set-up on the one hand, and the weaker, deprived, sections, on the other. Although Tilak did not elaborate, the point, he made, is worth considering. Well-entrenched in the established social system...
and blindfolded by their vested interests, a group of people, holding higher positions in a society, chooses to turn a blind eye towards the basic norms of justice and fairness, and wish to continue with its age-old pattern of behaviour. This would mean that some sort of oppression of the weaker sections of the society would prevail. What is more important, here, is Tilak’s penetrating analysis that “The rulers who are expected to rectify injustice, are fully aware that, if they directly try to set the things right by proscribing unjust acts, it would antagonize the upper echelons of society who, with their acquired prestige, are at once obstinate and selfish and invoke their wrath. This is bound to disrupt the established pattern of the set-up.” “Under such circumstances, the rulers are reluctant (though they are expected, as a decision-making body, to play a positive and impartial role) to take, on their own, any positive steps unless the oppressed sections put in determined efforts to get their grievances redressed and make smooth running of the government impossible.” Tilak who had a clear understanding of the character of political power, further observed, “The reluctance on the part of the Government was only to be expected. It is human nature that no ruler would like to take the risk of disrupting the existing set-up. ... They would take corrective steps to undo the injustice only if they are convinced of the serious repercussions of their inaction.” Tilak did not unfold the full implications of this argument. Hence, it is rather difficult to say what course he did expect the downtrodden people to follow for mitigating their grievances. One is, however, impressed to note that
Tilak took into consideration the relationship not only between the rulers and the ruled but also between different sections of a society.

Tilak’s remark that Swaraj, in the sense of a Native Raj, would not provide an ultimate answer to people’s problems, should be understood against this background. His various observations throw light on Tilak’s understanding of the nature of political power and his awareness that even in Swaraj, the leaders would have to take people’s cause.

Several remarks of Tilak make evident his conviction that ultimately, the political power would percolate to the common masses. He expected that “Political power, in the natural course of events, is bound to pass from the ruler-King to the common People, the praja.”

The foregoing discussion would make it clear that Tilak did not want to utilize common people as mere cannon-fodder. He looked upon them as constituents of democratic constitutional self-rule which, according to him, was the ultimate objective of any society. As has been observed, he laid great stress on people’s liberty. He hoped that ultimately, such ‘Swaraj’ and ‘Suraj’ would merge with each other.

In short, one may say with conviction that Tilak’s approach to Swaraj was not static; it was dynamic and future-oriented. It is also worth noting that Tilak not only equated Swaraj with democratic self-rule but also tried to bring this message to the common man, in his own language and idiom.

To conclude, while assessing Tilak’s political thought, it must be kept in mind that he not only convincingly established the rationale of or justification
for Swaraj but also thought it necessary to investigate as to when would ‘Swaraj’ be really meaningful. To quote Tilak’s own words, only a constitutional democratic political set-up could be ascribed the status of true Swaraj.

Tilak was not bent upon writing an academic treatise. And yet, one finds that his inquiry in this field led him to touch certain very basic and fundamental issues relating to Political theory, namely, the purpose of the State, relationship between the Rulers and the Ruled, the basis of the State, Political Obligations, etc. It is also interesting to note that he wrote special articles to elaborate his point (though the whole of his argument is not confined to these), a thing that he normally did not do.

To put it as summarization, Tilak accepted the existence of the institution of State-some regulating authority-as being necessary for the smooth working of a society. The idea that there ever existed a State-less society was, to him, some sort of Chimera. In a State-less society, life would be unbearable. Yet, Tilak refused to grant the ‘State’ a position of being a law unto itself. The State, to him, was a creation of the people and need be treated as such.

It may, as well, be stated here that Tilak had a positive approach towards the role of ‘State’ and favoured a Welfare State.

The next issue that Tilak explored was that of relationship between the rulers and the ruled. Tilak who valued, highly, people’s liberty, was prompt in pointing out that the relationship was mutual, involving reciprocal obligations.
According to Tilak, consent and not force, was to be the basis of State. A Government could only lay claim on people’s allegiance if it works for the welfare of the people-Praja-hit-and that also according to the wishes of the people.

Tilak, accordingly, welcomed the experiment of Constitutional Government in the West as a step in the right direction and the doctrine of Constitutionalism as a major contribution of modern Western Political theory. As he believed, this had set in motion new trends which an enlightened people would accept eagerly.

Tilak advocated that in certain extreme situations, the Praja has, as a last resort, the right to revolt. One might re-emphasize, here, that according to Tilak, to protest against an unjust political regime is not only the right but the duty of the Praja. It was in this context that Tilak introduced a new phrase, Praja-droha, that was surcharged with so much meaning. This concept of ‘Praja-droha’ may be regarded as one of the major contributions of Tilak as a political thinker. It renders a moral justification to people’s right to punish wrongful rulers.

Most important of all, while spelling out his concept of true Swaraj, Tilak provided a moral criterion for judging a political authority in any political set-up. This criterion is equally applicable, to this day, even in independent India.
NOTES AND REFERENCES

1. This expression appears, repeatedly, in Tilak’s articles.

2. B.G. Tilak: His Speeches and Writings, p. 245-248.


6. Please refer to the Chapter: Social Philosophy.


29. Tilak Suktisangraha; p. 214
34. Samagra Tilak. Vol. IV p. 60.
42. Samagra Tilak. Vol. IV, p. 64.
44. Samagra Tilak. Vol. IV, p. 63-64.
53. B.G. Tilak. His Writings and Speeches, p. 80.
57. K.P. Karunakaran: Indian Politics From Naoroji to Gandhi, Gitanjali Prakashan, New Delhi, 1975, p. 97.


69A. Samagra Tilak. Vol. III, p. 934


84. K.P. Karunkaran: Indian Politics from Naoroji to Gandhi, p. 95.


90. Tilak Sukiti Sangraha; p. 218.