CHAPTER IV

LAI PAT RAI'S IDEAS ON STATE, SOCIETY AND INDIVIDUAL.
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State, Society and Individual.

Lajpat Rai was no system builder and one does not find in his writings a coherent philosophy of politics. Nevertheless he was a staunch nationalist and in popular imagination his name was associated with Tilak, B.C. Pal and Aurobindo Ghosh, who were considered extremists of Indian politics of the period. Tilak, who was considered as an exponent of extremism, observed that 'extremist' is a relative term and has relation to time. ¹ This was true as much of Lajpat Rai as of any other extremist leader. Consequently their political ideas have to be evaluated in the context of the times in which they lived. Local element is, moreover, invariably present along with the universal and to ascertain the latter, one has to piece together the ideas from the whole range of writings spread over the life span of the thinker.

Lajpat Rai's ideas on state, society and their relation to the individual have, therefore, to be gleaned from his writings and speeches on various occasions. His

¹. The words "moderates" and "extremists" have according to Tilak "a specific relation to time. The Extremists of today will be Moderates tomorrow just as the Moderates of today were Extremists yesterday." Tahmankar D.V., Lokmanya Tilak (London, 1956), p. 130.
association with the Arya Samaj, his personal background of Hinduism and the impact of Western ideas on his mind, to a great extent, shaped his political thinking. This point is highlighted by Morris-Jones when he says that the extremists "while intending to reject all of the West, they in fact rejected only liberal values." But a careful analysis of the ideas of Lajpat Rai on the State, Society and the place of the Individual in them will show that such was not the case so far as he was concerned. But what Morris-Jones suggests as a third way could aptly be applicable to Lajpat Rai:

"It might in principle have been found in a mid-way position of a radical reform programme employing vigorous but lawful methods and backed by some eclectic compromise between wholesale acceptance and outright rejection of Westernization." 3

Lajpat Rai struck 'a mid-way position' between the moderates and the extremists. He subscribed to the ideas of individual liberty, social reform and representative institutions which the moderate liberals had accepted. He, however, advocated 'Swadeshi,' boycott, national education and passive resistance, the political methods of the extremists. Liberalism stood for

3. Ibid., p. 30
constitutional methods for achieving political goals. It also implied the existence of a constitutional machinery in the state for the redress of the grievances of the citizens. Absence of constitutional government in India would have even made Locke, the father of liberal philosophy appeal to "heaven" for redress. It was with some justification that Lajpat Rai remarked:

"Law and order are only means to an end; there have been times when in the interest and for the good of the nation as well as the protection of the fundamental liberties of the individual and the community, they have been disregarded even by the citizens of a sovereign state." 4

He strongly felt that British laws whether judged from the point of view of ethics or from the latest juristic theory were not binding on Indians. To the question, what were the Indians striving for? Lajpat Rai's answer was: "The freedom of our country." 5 The extent to which the British laws helped Indians in the attainment of their objective was the measure of their loyalty to them. In short, whenever they felt that loyalty to British laws was a hindrance in expressing the national will, they could disregard them and suffer the consequences of such disobedience. He viewed civil disobedience more as a means to an end to be used so long as it served their purpose.

and to be discarded the moment it became useless to the ultimate goal of 'Svara.' Lajpat Rai regretted that Indian lawyers and jurists were being fed on the exploded and outdated theories of Austin and Hegel for getting that the laws for which their loyalty was being claimed were never made by them nor by the state which British government represented. In fact, those laws were made by the British government for the perpetuation of their rule. The Indian people were no party to their making. Consequently, these laws had no moral claim on them. These laws did not recognise the right of the people to alter them. Even the Reforms did not concede their right to national sovereignty or to their existence as an independent conscious political entity. In a country governed by foreigners, the rulers and the ruled were not one. The aim of all political endeavour ought to be to bring about this unity. The only way to bridge the gulf between the subject and their rulers was to raise the former up to the level of the latter in education, culture, moral qualities, capacity for self-sacrifice and subordination of self to the high ideals. Lajpat Rai believed that in a perfect commonwealth the real sovereignty rested with the people. The state existed for them and then ruled on their behalf. Real political progress implied people taking up duties.

presently performed by the ruling class. In regard to the nature of law, Lajpat Rai held that government was but the 'embodiment of laws.' It possessed the power of changing the law, but only after observing a certain procedure. But otherwise the law was binding both on the government and the people. To Lajpat Rai, loyalty to law was loyalty to government. But the individual could resist it in case the government exceeded its powers:

"It is, therefore, the highest loyalty to protest whenever the people find that the executive is inclined to break the law and to assume a power which the law does not give them."  

Lajpat Rai supported the right of the individual to carry on a constitutional agitation against the Government and

7. Ibid., Vol. I, p. 90, Lajpat Rai's speech at protest meeting held at Lahore on December 9, 1905 under the auspices of the Indian Association.

8. Ibid., p. 90

the government had no right to repress them so long as they remained within the bounds of law. Nevertheless he desired that the law should be so comprehensive as to enable the government to punish all breaches of the same and all defiance to the constituted authority. But once it had been promulgated and enforced, it had to be uniformly applied to both the government and the people.

Discussing the fundamental implications of India's political position, the conclusions at which Lajpat Rai arrived, were summarised by him as follows:

That being a subject people and not a sovereign nation, we have no power to make laws.

That the laws in force in British India have been made by the British nation and, therefore, are not morally binding on us.

That such a Government is not subject to any changes by will, as long as we do not evolve and assert our irresistible national will.

That our first and foremost duty is to evolve and assert such a will.

That it is futile to think of reforming a foreign government and meaningless to talk of constitutional means for attaining it.

That the Reform Act of 1919 has made no change in our political status. In fact, it has brought into bold relief the fact of our subjugation.
That we owe no co-operation to such a government, because it would not in any way improve our political situation.

That our co-operation with such a government for maintaining law and order and to repressing those who are engaged in the task of forming a national will is an act of disloyalty to our own people and to our country.

That both modern theory and practice deny the absolute omni-competence of the state which coerces every one into bending his or her will under all circumstances and that a government can only derive its authority from the nation it governs and so must be responsible to it.  

However, Lajpat Rai's 'extremism' did not affect his faith in liberal values. Liberalism primarily stands for individual liberty and representative institutions. At this stage it would, therefore, be imperative to examine Lajpat Rai's ideas on individual liberty. Liberty necessarily centres round rights and duties which provide the basic conditions for the realisation of individual's liberty to ensure the progress of the society as a whole. But without a sovereign state a system of rights and duties cannot function. These concepts are interrelated. In other words, an understanding of Lajpat Rai's concept of liberty provides the key to such other concepts as the sphere of state activity, basis of political obligation, role and function of the state and rights and duties of

the individual.

To Lajpat Rai 'duty' and 'dharma' were interchangeable. The idea of 'Dharma' was not so much derived from the scriptures as from his association with the Arya Samaj. Historically, the idea of 'Dharma' appeared quite late in his writings. In general, he subscribed to the parliamentary form of government and 'Dharma' was a synonym for 'Duty.' By 'Dharma' Lajpat Rai meant a system or a social order in which individual does not harm the society and society does not swallow the individual.

In the ordering of social relations, Lajpat Rai discussed at length the relative importance of rights and duties to achieve the ideal of national unity. Tracing the history of absolute rights, Lajpat Rai remarked:

"There was a time in the History of Europe when great emphasis was laid on the rights of man. Within less than fifty years it was found that the theory was entirely fallacious and pernicious. Mazzini's 'Duties of Man' was a complete and convincing reply to Paine's 'Rights of Man.' The French Revolution was based on the Rights of Man. The American Constitution makes the same attempt. In actual practice, however, the rights are subject to great limitations in both."

He asserted that even the French and the American Governments curtailed the freedom of expression of speech and of the press whenever the national interest so warranted. 12

Lajpat Rai contended that an individual might have an absolute right to think what he wished but the moment it came to the expression of the "thought in speech and action, his right is hedged round by conditions and limitations." 13 Regarding the ethical aspect, he declared that it was noble to emphasise duties rather than rights. That was the teaching of almost all great religions of the world. It was certainly productive of infinitely greater good in a community if its members were inspired by the idea of doing nothing which may be painful to other members, even if this meant denial of some of their rights.

No member of a society could be allowed to exercise his rights in a manner inconsistent with the rights of others. "The two rights must be so adjusted and correlated that they might be exercised without doing injury to each other." 14 He warned that unless

12. Ibid., p. 176.
13. Ibid., p. 177.
the Indian people freed themselves from the obsession with this pernicious doctrine of rights, there was no hope for unity in India.15

It was impossible for any government to guarantee to all these religions, sects and sub-sects, full and complete freedom in the matter of the observance of their rituals and ceremonials, especially when they were in conflict with one another. Dismissing the theory of absolute rights, Lajpat Rai claimed that there was no such thing as absolute right vested in any individual or in any community forming part of a nation; that all rights were relative; that no society could remain intact on the basis of absolute rights, that the idea of absolute rights was exploded long ago, because it was found to be not only wrong in theory, but pernicious in practice.

All organic relations, Lajpat Rai asserted, depended upon the mutual obligations of the members composing the organism. No part of the organism had absolute rights.

In a well ordered social organism no one had a right to

15. To quote Lajpat Rai: "We must always remember that we are a sort of polyglot nation, much less homogeneous than any of those European or Western nations. Such a country can never win its freedom, or, having won freedom, can never maintain it, unless the various communities composing its people are inspired more by the idea of duties than of rights. No unity is possible if every one insists on his pound of flesh." (Ibid., pp. 177-78.)
of the virtuous and the approval of the enlightened.
Of course, there were situations when the individual
could question 'Dharma', but only after rigorous ethical
discipline. Hence the need for cultivating moral values.
For achieving national independence, Lajpat Rai stressed
the importance of moral values and purity of means:

"We have been a righteous nation in all our
history and we shall continue to be righteous
and to win on the basis of righteousness. I
want you to be true to your (Indian) civilization.
Seek truth, speak truth and act truth and I
promise you shall win."16

Further, he pointed out that constant, unending vigil,
controlled only by self-discipline and righteousness was
the price of liberty.17 Spiritual and moral ideal was the
highest goal of life which could be realised not through
the mortification of the flesh but through its balanced
fulfilment. He strongly deplored the negative approach
to life which was responsible for many political ills of
Indian society.

Lajpat Rai underlined the dynamic character of
the content of 'Dharma.' It was relative to time, place,

he delivered at Bombay on February 20, 1920 on his
return from abroad.

17. Ibid., p.7.
circumstances, sex, age, temperament and vocation. It left enough scope for a reformer not only to see that 'Dharma' was followed, but also to modify the content of 'Dharma' itself if the change of circumstances demanded it. Lajpat Rai said:

"Samaj Dharma is always regulated by 'Desh and 'Kal' (i.e. place and time). The Hindus have from time to time changed it, according to the altered needs and circumstances; and this has given them stability and permanence." 

Thus the content of 'Dharma' (including 'Raj Dharma' and 'Samaj Dharma') was prone to change. The spheres of state (involving sanctions of physical force) and of society (involving social and voluntary sanctions), though distinct were fixed and immutable.

'Raj Dharma' was that system of duties which embodied law in its perfection. Such a law was above the authority of the state; the latter was the instrument of the former. The state should only indirectly help the citizens in their moral quest. In a way this curtailed the sphere of state action. Lajpat Rai quoted with approval the French jurist Duquitt, according to whom the rights of the individual were natural, inalienable and imprescribable. They belonged to the individual by virtue of his humanity. How were the principles of 'Raj Dharma' to operate in real life? In his view,

'Raj Dharma' envisaged a political machinery for its realisation. In modern times, representative government was the appropriate machinery for translating the ideal of 'Raj Dharma.' He agreed with Duguit that the state was not a sovereign power issuing commands. The idea of public service was at the root of the theory of the modern state.

Nature of the State.

Lajpat Rai, following Herbert Spencer, believed that the social efficiency of an organism depended upon the sense of social responsibility among the members of such an organism. Greater and intenser the sense of responsibility amongst the individual members, regarding the safety and the welfare of the whole, the greater and stronger was the efficiency of the organism. Both individual and national welfare were interchangeable and man as a social animal had duties and obligations towards the nation, since the welfare of the body politic depended upon the physical, moral and intellectual

20. To quote Lajpat Rai: "A government can only derive its authority from the nation it governs and so must be responsible to it for all its acts." (Ibid., p. 111).

21. Ibid., p. 111.
According to Lajpat Rai in a self-governed country, or in a healthy body politic the government and its subjects were one and interchangeable. Their rifts and duties were correlative. To Lajpat Rai, the nation was not a congeries of individuals, but an organism. The efficiency of the organism depended upon sacrifice of individual good in case it clashed with or was inconsistent with the good of the whole.

Its realisation necessitated not only a constitutional government, but also a statesman able to determine at a particular point of time what constituted public good. His statesmanship would lie not in suggesting ideal solutions, but in so adjusting various claims as to evolve what in fact was possible in the circumstances. His practical wisdom would so regulate the political forces as to achieve the goal. The strategy of the statesman could not be directly deduced from the ethical ideal itself: it would depend largely on the environment he had to work in. It did not in any way compromise his moral position but implied the

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22. Ibid., Vol. I, p. 29.
recognition of the kinks in human conduct and behaviour. A statesman should be concerned not only with real fears of the groups involved, but even with the imaginary ones. Lajpat Rai's approach to political problems was rational and pragmatic at the same time. He tried to establish logical connection between moral ideal and the actual practice of politics. He judged facts in the light of a value structure which deeply influenced his views on politics. Without ignoring the facts and taking them for whatever they were worth, whether they were based on imaginary or actual fears, Lajpat Rai tried to harmonise the opposing trends and forces. In the reconciliation that was sought to be achieved there was nothing of a practical politician, who compromised his moral theory for practical politics. The difficulty with the common rationalists' approach was that they did not even recognize the problem much less solve it. In this respect Lajpat Rai's contribution was unique. His analysis of the Hindu-Muslim problem during the nationalist struggle was both pragmatic and rational. As early as 1924, he was willing to concede the Muslims separate provinces 'wherever they formed compact Muslim communities' — something very similar to what in fact happened in 1947 when India was partitioned. It implied in a way the acceptance of the two nation theory which culminated in the eventual partition of India. But
such a concession to Muslim standpoint might have induced in them second thoughts about the whole thing, since the demand for partition was based primarily on prejudice and fear. In any case it would have been realistic to concede partition without bloodshed, as was suggested by Lajpat Rai. At that stage, perhaps, such a concession might have led to a reaction against the demand for partition itself. The partition of the country as it came about, Lajpat Rai would have opposed tooth and nail. It was only to avert the communal riots and avoid bloodshed that he agreed to having separate provinces within the framework of the united India. It was not a communal appeasement, but only a concession to national unity.

**Role and Functions of the State.**

Describing the role and functions of the State, Lajpat Rai pointed out that physical and moral welfare of the individuals was not their concern alone, but also of the State. If the individual had duties towards society, so had the society towards the individual. Accordingly, the state had duties and obligations towards the individual as great and binding as those that the individual owed to the society and the State. Enumerating social reform measures on the continent and in America,
Lajpat Rai complained that since in India people and state (Indians and the British Government of India) were not one and the same, the Government did not recognise the responsibility of the state to provide the people with free elementary education, housing for the poor, old age pensions, and wider diffusion of wealth. Among the welfare functions of the State he included the following:

"The supply of cheap, unadulterated and wholesome food, including the supply of pure milk for infants and children.

The providing of sanitary and well-ventilated houses for the poor.

The regulation of public health both on preventive and curative lines, the former by providing public parks, common baths, gymnasia, etc.; and by the supply of good water and good light; the latter by establishing public hospitals, dispensaries, infirmaries, sanitoriums, etc.

The protection of children from the vagaries and cruelties of parents as well as others.

The bettering of women's position in society.

The reform of marriage-laws.

Factory legislation to protect those who by presence of want or by mental imbecility are unable to take care of themselves in their relation towards their employers - the factory owners.

The recognition of the community's liability to provide for the wants of old age by establishing the system of oldage pensions.

Last, but not the least, the wider diffusion and fair distribution of wealth among the different classes of people that contribute to its production or accumulation."24

Lajpat Rai emphasised the importance of universal education as a national asset. To Lajpat Rai, education was a national obligation which no state could trifle with impunity. Education was both compulsory and free. It was dictated by the idea of corporate social responsibility and social efficiency. Notwithstanding his condemnation of western materialism, Lajpat Rai, at the same time, sought the benefits of the European welfare state. In fact, he endeavoured to combine the principles of the Arya Samaj with western ideals of liberty, social welfare and social justice. He expressed the view that it was possible to benefit from western technological experience and yet remain immune to its moral shortcomings.

To sum up, Lajpat Rai's ideas on state, society and the individual represent a blend of Western liberalism and the socio-religious tradition of Indian political thought. The individual is a part and parcel of society and contributes to its solidarity without losing his entity at the same time. While he has social and political obligations to fulfil, he is not to barter his conscience for it. What is 'Dharma,' is determined by the society and the individual at a particular time for the well-being of both the state functions as an instrument for

giving it a concrete and practical shape. The spheres of state and society are distinct, but not immutable. A statesman, however, has a significant role to perform in building a social and political order based on 'Dharma.'