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Federalism, Representation, and Direct Democracy in 1920s India

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This article reconstructs an overlooked tradition of direct democracy within early twentieth-century Indian political thought. It focuses on four political thinkers—Radhakumud Mookerji (1884–1964), Brajendranath Seal (1864–1938), Radhakamal Mukerjee (1889–1968), and Beni Prasad (1900–1945)—all of whom were central figures in a genre of federalist historiography of premodern Indian politics which emerged in the 1910s. The article interprets these thinkers as critics of the Indian nationalist movement's embrace of electoral government in the late nineteenth and early twentieth centuries. Through a contextual reading of their major written works in the late 1910s and the 1920s, the article traces the rise of a distinct theory of federalist constitutionalism, modelled on premodern state structures and oriented towards the legislative empowerment of local citizens' assemblies.

> Pure representative government is to-day an object of almost universal distrust. Political philosophers reject it outright or seek to introduce changes which would deeply modify its basic principle.
> Beni Prasad, *A Few Suggestions on the Problem of the Indian Constitution* (1928)

Introduction

The philosopher Brajendranath Seal found himself at the centre of political attention on 15 March 1923. Seal had recently been approached by Albion Rajkumar Banerjee, the *dewan* (prime minister) of the princely state of Mysore in southern India, to draft a constitution for the state. Mysore was one of India's largest native-ruled princely states; since 1881, it had been governed by a highly technocratic administrative bureaucracy and an absolutist royal dynasty.[1] In October 1922, Albion Banerjee asked Seal, then serving as vice chancellor of the University of Mysore, to formulate a program of democratic reforms in response to growing

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[1] See James Manor, *Political Change in an Indian State: Mysore, 1917–1955* (Canberra, 1977), 8–27; Caroline Keen, *Princely India and the British: Political Development and the Operation of Empire* (London, 2012), 156–61; and Janaki Nair, *Mysore Modern: Rethinking the Region under Princely Rule* (Minneapolis, 2011), 197–243.

popular discontent.[2] The constitution Seal prepared for Banerjee in March 1923 caught many in Mysore by surprise.[3] Rather than outlining a constitutional monarchy on the British model, Seal's draft departed sharply from what it derisively referred to as "political machinery of the orthodox Parliamentary pattern."[4] It proposed a network of local citizens' assemblies under an overarching central authority, a "federal" state "suited to the genius (and the socio-economic condition) of the Indian people."[5] His guiding philosophy, Seal declared, was that "the people must be put *en rapport* with the Government in various ways, other than the mere machinery of constitutional representation in the Legislature."[6]

The Mysorean historian M. Shama Rao noted in 1936 that between March 1923 and December 1924 Seal's constitutional draft "was widely discussed by public bodies and also at various conferences."[7] Looking back on the document after nearly a century, how might we understand its political language? What accounts for Seal's simultaneous references to Indian national history, to federalism, and to the limitations of legislative representation? The present article situates Seal's constitutional draft within an intellectual discourse about direct democracy in colonial India in the 1920s. Between 1919 and 1928, I show, a closely knit group of historians, philosophers, and political scientists began to argue that the predominant form of the state in premodern India had been federal, and, relatedly, that popular government had been exercised through participatory citizens' councils at the local level. Based on this narrative, the group held up a historic Indian constitution as an alternative to representative government. The intellectual roots of the federalists lay in three early twentieth-century contexts: the rise of a movement led by the Indian National Congress demanding political reform in the British Empire (a movement to which the federalists saw themselves as giving a direct response); the politics of the revolutionary *swadeshi* movement in Bengal between 1905 and 1912, when a preoccupation with nationalist uses of the Indian past arose with particular zeal and urgency; and the proliferation of a genre of historical writing about the premodern Indian state at universities in Calcutta, Madras, Mysore, Bombay, and Allahabad in the 1910s. By the early 1920s, writers such as Brajendranath Seal were using investigations into Indian history to formulate attacks on nationalist demands for self-determination (*swaraj*) through elected government.

This essay tracks the writings of four federalist historians over a nine-year period from 1919 to 1928: Radhakumud Mookerji, Brajendranath Seal, Radhakamal Mukerjee, and Beni Prasad. Where these writers have been studied at all, it has been in terms of their critiques of the modern state. They are seen as political pluralists, oriented, like European pluralists of the early twentieth century, towards the disaggregation of lawmaking power between semi-autonomous associational

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[2]M. Shama Rao, *Modern Mysore: From 1868 to the Present*, vol. 2 (Bangalore, 1936), 315.

[3]E.g. untitled note on Mysore, *Andhra patrika*, 21 April 1923, reprinted in G. S. Halappa, ed., *History of Freedom Movement in Karnataka*, 2 vols. (Mysore, 1964), 2: 761.

[4]"Mysore Constitutional Developments (Seal) Committee 1922–23: Report. Bangalore, 1923," IOR/V/26/272/9, India Office Records (IOR), British Library, London, 9.

[5]Ibid., 11.

[6]Ibid., 18.

[7]Shama Rao, *Modern Mysore*, 316.

groups.[8] Ronald Inden, for instance, has highlighted how Radhakumud Mookerji and Beni Prasad sought to "deny the validity of the monist or absolutist state for India."[9] I foreground an additional, overlooked aspect of federalist political pluralism in 1920s India: its critique of representative democracy.[10] I show how all four of the writers analysed here linked their criticisms of unitary state structures to a more general repudiation of democratic representation—the premise that popular sovereignty could be reconciled with an elected assembly authorized as the primary site of lawmaking. Unitary sovereign states were seen as inherently representative; the pluralist move to resurrect sites of lawmaking beyond the state was an attempt to find arrangements of sovereignty more participatory than representative institutions could ever be.

I make two interwoven arguments about the significance of the federalist historiography. First, revisiting authors such as Radhakumud Mookerji and Radhakamal Mukerjee illustrates the existence of direct democracy as an ideal within twentieth-century Indian political thought—or, at the very least, a much more prevalent ideal than has been acknowledged by political theorists. Studies of Indian nationalism generally tend to identify the critique of representative, parliamentary democracy with M. K. Gandhi, both with the seminal pamphlet *Hind Swaraj* (1909) and with the escalation of Gandhian mass mobilization after 1919.[11] Significantly less attention has been paid to other movements—whether intellectual or more avowedly political—trying to break out of the tangled web of electoral politics, parliamentarism, and representation in the first quarter of the twentieth century, even within intellectual histories of popular sovereignty in Indian constitutional discourse.[12] While scholars working on the socialist leader M. N. Roy have occasionally remarked on the appeal of institutions like citizens' assemblies for one strand of Indian socialism in the mid-1940s,[13] there is little cognizance of an earlier, and more pervasive, moment of direct democracy in the 1920s.

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[8]On "political pluralism" as a category in the history of political thought see Mark Bevir, "A History of Modern Pluralism," in Bevir, ed., *Modern Pluralism: Anglo-American Debates since 1880* (Cambridge, 2012), 1–20.

[9]Ronald Inden, *Imagining India* (Oxford, 1990), 194–5. For similar interpretations see Karuna Mantena, "On Gandhi's Critique of the State: Sources, Contexts, Conjunctures," *Modern Intellectual History* 9/3 (2012), 535–63; Mantena, "Popular Sovereignty and Anti-colonialism," in Richard Bourke and Quentin Skinner, eds., *Popular Sovereignty in Historical Perspective* (Cambridge, 2016), 297–319, at 311–13; C. A. Bayly, *Recovering Liberties: Indian Thought in the Age of Liberalism and Empire* (Cambridge, 2012), 283–90; and Madhav Khosla, *India's Founding Moment: The Constitution of a Most Surprising Democracy* (Cambridge, MA, 2020), 81–9.

[10]I build on brief comments made by Mantena, who has noted Radhakamal Mukerjee's concerns about "elite-driven and constrictive systems of territorial representation." Mantena, "On Gandhi's Critique of the State," 546. The essay further contextualizes and expands upon this aspect of pluralist federalism.

[11]See Partha Chatterjee, *Nationalist Thought and the Colonial World: A Derivative Discourse* (Minneapolis, 1993), 85–130; Uday Singh Mehta, "Gandhi on Democracy, Politics, and the Ethics of Everyday Life," *Modern Intellectual History* 7/2 (2010), 355–71; and Ajay Skaria, "Relinquishing Republican Democracy: Gandhi's Ramarajya," *Postcolonial Studies* 14/2 (2011), 203–29.

[12]See e.g. Sarbani Sen, *The Constitution of India: Popular Sovereignty and Democratic Transformations* (Oxford, 2007).

[13]On M. N. Roy and direct democracy in the mid-1940s see Kris Manjapra, *M. N. Roy: Marxism and Colonial Cosmopolitanism* (London, 2010), 132–3.

Second, I argue that figures advocating direct democracy in opposition to the Indian National Congress after 1919 articulated a unique vision of anticolonial federalism. They used federalism as a strategy to overcome the structural dilemmas of popular representation. A layered system of government with legislative independence for individual lawmaking assemblies allowed sovereignty to be direct and unmediated at one level, while being subject to the authority of a coordinating representative body at another. This genre of federalist thinking has entirely escaped the attention of historians. Over the past decade, federalism has provided a powerful interpretive framework for examining twentieth-century anticolonial movements. Historians have documented both how a range of actors in the colonial world worked *within* the multilayered, supranational structures of European empires to demand political rights and how they imagined regionalist configurations of political and economic control.[14] As Michael Collins has argued, it is possible to identify a mid-century "decolonizing federal moment" from the 1930s to the 1960s, when territorial nationhood was not the only viable alternative to imperial rule.[15] The literature on anticolonial imperial federalism has been especially influential in the historiography of modern Africa, but has also more recently come to inform the history of twentieth-century South Asia.[16] New studies have unearthed proposals for federation in colonial India demanding territorial autonomy for Muslim-majority provinces and for monarchical princely states.[17] The tradition examined here both pre-dated the mid-century anticolonial federal moment and deployed federalist ideas as part of a radically different agenda: to resist collapsing the sovereignty of the people into the sovereignty of their deputies. The goal was not just about securing the jurisdictional independence of subnational imperial polities but, more ambitiously, about overcoming a dominant representative theory of anticolonial self-rule. If, as David Armitage has noted, modern federalism should be seen as a flexible system able to provide "the answer to many

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[14]On imperial federalism see Frederick Cooper, *Citizenship between Empire and Nation: Remaking France and French Africa, 1945–1960* (Princeton, 2014); and Gary Wilder, *Freedom Time: Negritude, Decolonization, and the Future of the World* (Durham, NC, 2015). On regional federations see Adom Getachew, *Worldmaking after Empire: The Rise and Fall of Self-Determination* (Princeton, 2019), 107–41; and Ismay Milford, "Federation, Partnership, and the Chronologies of Space in 1950s East and Central Africa," *Historical Journal* 63/5 (2020), 1325–48.

[15]Michael Collins, "Decolonization and the 'Federal Moment'," *Diplomacy and Statecraft* 24/1 (2013), 21–40, at 36.

[16]Merve Fejzula, "Historiographical Review: The Cosmopolitan Historiography of Twentieth-Century Federalism," *Historical Journal* (Firstview) (2020), 1–24.

[17]On provincial territorial autonomy along religious lines see Iqbal Singh Sevea, *The Political Philosophy of Muhammad Iqbal: Islam and Nationalism in Late Colonial India* (Cambridge, 2012), 185–98; and Sunil Purushotham, "Federating the Raj: Hyderabad, Sovereign Kingship, and Partition," *Modern Asian Studies* 54/1 (2020), 157–98, at 180–88. On the federalism of the princely states see Purushotham, "Federating the Raj," 168–79; Eric Lewis Beverley, *Hyderabad, British India, and the World: Muslim Networks and Minor Sovereignty, c.1850–1950* (Cambridge, 2015), 54–70; Sarath Pillai, "Fragmenting the Nation: Divisible Sovereignty and Travancore's Quest for Federal Independence," *Law and History Review* 34/3 (2016), 743–82; and Rama Sundari Mantena, "Anticolonialism and Federation in Colonial India," *Ab Imperio* 3 (2018), 36–62.

different questions," then, I want to suggest, one body of Indian political thought in the 1920s marshaled it to create a novel doctrine of direct popular rule.[18]

Political representation and the Indian National Congress, 1885–1918

The concept of representation became central to Indian nationalism after the 1880s in opposition to the *un*representative nature of British imperial rule. Through the 1860s and 1870s, Crown territories in British India were administered by three successive Indian Councils Acts (1861, 1871, 1874) and the Government of India Act (1870). The Acts divided legislative and executive powers between two levels of government—the governor general and his council, with jurisdiction over all of British India, and separate provincial councils headed by lieutenant governors in five provinces: Bombay, Madras, Bengal, Punjab, and the North-West. The provincial councils were legislative bodies with authority to pass laws subject to approval and veto from the governor general. At least 50 per cent of their membership had to be drawn from the civil or military service; the others, generally ranging between six and twelve members, could be nonofficial persons nominated by the governor general or lieutenant governors.[19] There was also a complex network of subsidiary jurisdictions involving local municipal boards and village councils, tasked with varying degrees of administrative function. This structure began to change slightly from 1880, as the government of India was swept up in the reformist wave of Gladstonian Britain prior to the Third Reform (Representation of the People) Act of 1884. On 18 May 1882, the Liberal viceroy Lord Ripon introduced his Resolution on Local Self-Government for India. Ripon's resolution encouraged the establishment of municipal councils with substantive powers in large cities and towns of British India, consisting of members elected on the basis of a (very) qualified franchise.[20]

While the resolution carried no statutory force, it had the rhetorical effect of presenting the introduction of elected representation as an important pillar of a reformist imperial liberalism. During the three years between May 1882 and the formal establishment of the Indian National Congress in December 1885, voluntary reformist groups such as the Poona Sarvajanik Sabha, the Bombay Presidency Association, the Madras Mahajan Sabha, the Calcutta-based Indian Association, and the London-based East India Association repeatedly invoked the resolution to lobby for Indian participation in municipal bodies. In the final months of 1882, for example, a group calling itself the Central Committee for Promoting Local Self-Government in Gujarat drew on Ripon to argue for the need to have local representatives chosen through election within the Bombay city government.[21]

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[18]David Armitage, "We Have Always Been Federal," in Robert Schütze and Stephen Tierney, eds., *The United Kingdom and the Federal Idea* (Oxford, 2018), 277–84, at 282.

[19]The Government of India Act, 1870 (33 Vict., c.3).

[20]"Resolution by the Government of India: Local Self-Government—Dated 18th May 1882 (No. 17/747–759)," in *Speeches and Political Resolutions of Lord Ripon (Viceroy of India), from June 1880 to May 1882*, ed. Ram Chandra Lalit, vol. 2 (Calcutta, 1882), 35–51.

[21]Jhaverilala Umiyasankara Yajnika, *Note on Local Self-Government in the Bombay Presidency. By Javerilál Umiáshankar Yájnik [Written for the Central Committee for Promoting Local Self-Government in Gujarát]* (Bombay, 1882).

An article in the *Quarterly Journal of the Poona Sarvajanik Sabha* in October 1883 demanded an extension of Ripon's resolution to allow electoral representation in bodies beyond just urban and rural local boards, proposing a franchise limited to all those earning at least Rs 20 of land revenue.[22] Ripon himself viewed the May 1882 resolution as a way of educating more Indians in the practices of modern representative government and of gradually training people in electoral processes.[23]

The inaugural Bombay session of the Indian National Congress in December 1885 therefore took place during a decade marked by tentative steps towards imperial reform. Through its first fifteen years, the Indian National Congress concentrated on three issues: administrative reform (gaining Indian admission into the civil services), economic reform (addressing the drain of wealth from India to England), and political reform (allowing for the election of Indian subjects into colonial assemblies). Of these, political reform usually took precedence, though in the late nineteenth century it never went so far as to question the fact of imperial rule itself. Congress leaders of the 1880s and 1890s such as W. C. Bonnerji, Surendranath Banerjea, A. O. Hume, Kashinath Telang, Badruddin Tyabji, Pherozeshah Mehta, and Dadabhai Naoroji all took Ripon at his word and sought to extend electoral access beyond municipal institutions into local and provincial assemblies, while accepting Ripon's proposal for a franchise defined by educational and property qualifications.

Dadabhai Naoroji provided the classic articulation of this view in his address to the Congress at the Calcutta Town Hall on 27 December 1886. Naoroji's immediate target was the 1870 Government of India Act, and his speech was based on an important conceptual distinction between "nomination" and "representation." Naoroji acknowledged that the 1870 Act allowed the presence of non-British assembly members. But because nonofficial members were nominated by central authorities, there was no guarantee they would legislate on behalf of those they governed: "it is true that we have some of our own people in the Councils. But we have no right to demand any explanation even from them; they are not our representatives, and the Government cannot relieve themselves from any dissatisfaction we may feel against any law we don't like."[24] On the other hand, elected representation allowed lawmakers to be vetted by their constituents, making it more likely that a law would be passed in the interest of the people themselves: "if you have therefore your representatives to represent your feelings, you will then have an opportunity of getting something which is congenial and satisfactory to yourselves."[25] Supporting Ripon's reformist gestures and expressing a hope that they would be continued under his successor Lord Dufferin, Naoroji pushed the Congress to lobby for Indian representation in the provincial councils and in the British parliament itself:

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[22]"Local Self-Government in the Bombay Presidency," *Quarterly Journal of the Poona Sarvajanik Sabha* 2 (1883), 27–76.

[23]On Ripon's pedagogical understanding of the 1882 Resolution, see Benjamin Weinstein, "Liberalism, Local Government Reform, and Political Education in Great Britain and British India, 1880–1886," *Historical Journal* 61/1 (2018), 181–203.

[24]Dadabhai Naoroji, "Second Indian National Congress: Inaugural Address of the Hon. Dadabhai Naoroji, President of the Congress," in *Essays, Speeches, Addresses and Writings (On Indian Politics) of the Hon'ble Dadabhai Naoroji*, ed. Chunilal Lallubhai Parekh (Bombay, 1887), 331–45, at 341.

[25]Ibid.

"our resolution is the improvement and enlargement of the Legislative Councils, and the introduction into them of an elective element."[26]

But Naoroji also characterized "educated native classes of the country" as uniquely fit for the legislative councils.[27] Just lawmaking required knowledge of "political rights" and constitutional means. The interests of India's rural poor could best be secured when an educated, mostly urban elite governed on their behalf. Naoroji insisted,

> If a proper system of representation in the Councils be conceded, our representatives will then be able to make clear to these Councils and to our rulers those causes which are operating to undermine our wealth and prosperity, and guide the Government to the proper remedies for the greatest of all evils—the poverty of the masses. All the benefits we have derived from British rule, all the noble projects of our British rulers, will go for nothing if after all the country is to continue sinking deeper and deeper into the abyss of destitution.[28]

While political representation was a more "popular" form of government than the existing system of central nomination, it could only be carried out by certain sections of Indian society. Representatives would legislate on behalf of those considered unfit to hold office.

Naoroji's view of representative institutions was amplified by other Congress leaders of the time. The same year as Naoroji's Calcutta Town Hall speech, the pamphlet *Must Social Reform Precede Political Reform in India?* (1886) authored by Kashinath Trimbak Telang argued that the election of educated Indians into legislative councils was a precondition for any further social and economic transformation in the country.[29] In his presidential address to the sixth Congress meeting four years later in December 1890, Pherozeshah Mehta challenged the "disdainful attitude" of some British officials towards "our capacity for representative institutions."[30] Following Naoroji, Mehta urged the introduction of elected legislative councils with wide-ranging powers over taxation and local administrative affairs, as a way of controlling the potentially arbitrary nature of unelected rule: "it is high time that we should raise our united voice to demand local Councils possessing some guarantees for energy and efficiency."[31] At the same time, a government responsive to popular needs and sentiments could only be secured through the election of educated elites into colonial assemblies. Although the "masses" of India lacked knowledge of constitutional politics, their concerns nevertheless needed to be voiced in legislative councils. This could be done by those with adequate education and political training, chosen through election. Since the masses themselves were still incapable of "giving articulate expression to definite political demands,"

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[26]Ibid., 340.

[27]Ibid., 338.

[28]Ibid., 342–3.

[29]Kashinath Trimbak Telang, *Must Social Reform Precede Political Reform in India?*, in Telang, *Selected Writings and Speeches* (Bombay, 1912), 269–99.

[30]Pherozeshah Mehta, "Congress Presidential Address," in *Speeches and Writings of the Honorable Sir Pherozeshah Merwariji Mehta, K.C.I.E.*, ed. C. Y. Chintamani (Allahabad, 1905), 292–312, at 302.

[31]Mehta, "Congress Presidential Address," 309.

Mehta argued, it fell on elites to ensure that their voice was heard within lawmaking bodies—"the function and the duty devolve upon their educated and enlightened compatriots to feel, to understand, and to interpret their grievances and requirements, and to suggest and indicate how these best be redressed and met."[32]

In 1895, Surendranath Banerjea similarly had no reservations about the limitations on office holding in the Congress program: "we should be satisfied if we obtain representative institutions of a modified character for the educated community who by reason of their culture and enlightenment might be presumed to be qualified for such a boon."[33] Such assessments continued into the first decade of the twentieth century. In March 1908, Gopal Krishna Gokhale was invited to testify in front of the Royal Commission on Decentralization headed by Charles Edward Hobhouse, under-secretary of state for India.[34] Gokhale's evidence to the Royal Commission submitted in Bombay on Saturday March 7 argued for a broadly federal division of powers with elected positions at the village, district, and provincial levels. A program of decentralization, Gokhale argued, would urgently expand the scope of Indian self-government. But self-government also needed to be combined with educational and property qualifications for office. Through representative institutions, the "educated classes" would lead the country as a whole:

> The educated classes are only critics of the Administration today because the Government does not realize the wisdom of enlisting their co-operation. Some people imagine an antagonism between the interests of the educated classes and those of the masses and they hope to fortify themselves by winning the gratitude of the latter as against their unpopularity with the former. This, however, is a delusion of which the sooner they get rid the better. The educated classes are the brain of the country, and what they think today, the rest of the people will think tomorrow. The problem of bringing the Administration into closer relations with the people is essentially a problem of associating the educated classes with the actual work of the Administration.[35]

Gokhale's report for the Royal Commission on Decentralization in March 1908 reproduced a key political argument developing within Indian National Congress circles from 1885: self-government for India's rural poor would best be achieved through the leadership of an educated elite. Representative government was the primary mechanism to enable such leadership. As Niraja Jayal has observed, in the self-understanding of Indian liberals "the middle class was the obvious custodian of democracy" and needed to have political rights "to represent the masses."[36]

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[32]Ibid., 310.

[33]Surendranath Banerjea, "Congress Presidential Address, Poona, 1895," in *Speeches and Writings of Hon. Surendranath Banerjea, Selected by Himself* (Madras, 1917), 11–99, at 13.

[34]"The Hon'ble Mr. G. K. Gokhale—Saturday, 7th March, 1908," in *Minutes of Evidence Taken before the Royal Commission upon Decentralization in Bombay: Presented to both Houses of Parliament by Command of His Majesty*, vol. 8 (London, 1908), 57–69.

[35]Gopal Krishna Gokhale, "Decentralization Commission: Written Evidence," in *Speeches and Writings of Gopal Krishna Gokhale*, ed. D. G. Karve and D. V. Ambekar, 2 vols. (Bombay, 1966), 2: 252–63, at 263.

[36]Niraja Gopal Jayal, *Citizenship and Its Discontents: An Indian History* (Cambridge, MA, 2013), 41.

The gradual unraveling by 1910 of the liberal consensus created by Naoroji, Banerjea, Mehta, and Gokhale is one of the most striking and well-studied chapters of Indian nationalism. Historians have documented how dissatisfaction with the anglicized discourse and conciliatory constitutional methods of the Congress elite between 1885 and 1905 created a backlash of more militant, culturally revivalist anticolonial movements, concentrated in early twentieth-century Bengal, Bombay, and Punjab.[37] Yet obvious differences belied deeper continuities between the new revolutionary (or "extremist") and the earlier liberal (or "moderate") phases of anticolonial politics. Many of the revolutionaries who engaged seriously with state politics continued to equate self-government with representative government. The Indian people would become self-ruling by electing party elites to rule on their behalf.

For Bal Gangadhar Tilak, the most prominent revolutionary leader of the period, political representation was the core institution through which *swaraj* (self-rule) could be given a concrete, "visible" shape. Tilak's remarks to the 1908 Royal Commission on Decentralization showed some striking parallels with those of the consummate "Moderate," Gopal Krishna Gokhale. Addressing Hobhouse's royal commission just two days after Gokhale—on the morning of Monday 9 March— Tilak proposed a similar federal system with Indian representation at each level of government, under an overarching central authority.[38] Representation, whether at the district or the provincial level, entailed the election of party members through a broad franchise.[39] After his release from political prison in Burma in 1914, Tilak embarked on a series of speeches across western India about his understanding of *swaraj*. The ideal of representative government permeated every one of his more political speeches. At a rally in Akola (Bombay Presidency) in mid-January 1917, for instance, Tilak defined "self-government" as a political system wherein elected officials had sufficient power to directly (as lawmakers) or indirectly (as advisers to an unelected imperial executive) dictate the terms of political life:

> Self-government, as I told you, means Representative Government in which the wishes of the people will be respected and acted upon and not disregarded as now, in the interests of a small minority of Civil Servants. Let there be a Viceroy and let him be an Englishman if you like, but let him act according to the advice of the representatives of the people. Let our money be spent upon us and with our consent. Let public servants be really servants of the public and not their masters as they at present are. The question as to how many members will sit in this Council is immaterial. The material question is, will the greater majority of them represent the Indian public or not, will they be able to dictate the policy of Government or not? This then is what Home Rule really means.[40]

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[37]See especially Sumit Sarkar, *The Swadeshi Movement in Bengal, 1903–1908* (New Delhi, 1973).

[38]Bal Gangadhar Tilak, "The Decentralization Commission," in *Bal Gangadhar Tilak: His Writings and Speeches* (Madras, 1918), 90–99. Also see "Bal Gangadhar Tilak—Monday, 9th March, 1908," in *Minutes of Evidence Taken before the Royal Commission upon Decentralization in Bombay*, 83–8.

[39]Tilak, "The Decentralization Commission," 95–6.

[40]Bal Gangadhar Tilak, "Home Rule [Jan. 1917]," in *Bal Gangadhar Tilak: His Writings and Speeches*, 210–15, at 213.

"Self-government" for the Indian people could be measured according to the degree of political power their chosen representatives possessed within legislative assemblies. Tilak certainly had a much wider conception of the franchise than Pherozeshah Mehta or Gokhale. In an essay written for the *Quarterly Journal of the Poona Sarvajanik Sabha* in July 1917, six months after the Akola rally, he argued against having literacy qualifications for voting.[41] But self-government in his view, as in the view of his opponents in the liberal wing of Congress, amounted to appropriately qualified members of political parties being elected into lawmaking bodies from the local to, eventually, the central level.

Tilak's close associate in the Congress, Pandit Madan Mohan Malaviya, repeated his understanding of *swaraj* the following year. Responding to the constitutional reforms proposed by Edwin Montagu and Lord Chelmsford, Malaviya insisted in a pamphlet published from Allahabad in 1918 that the Congress demand for access to representative institutions was necessary because elected party leaders, unlike appointed colonial officials, would speak for the people, and especially for the rural poor, as a whole: "the educated Indian can safely claim that he has proved that he is in sympathy with and capable of representing the illiterate masses."[42]

Over an approximately thirty-year period from the founding of the Indian National Congress in December 1885 to the writings and speeches of Bal Gangadhar Tilak and Madan Mohan Malaviya in the late 1910s, then, there was a general consensus regarding the value of elected representation. Even as some Congress leaders pushed for an expansion of the limited colonial franchise, they continued to define *swaraj* as a representative form of popular sovereignty. The mass of the Indian population would achieve self-rule when they chose qualified members of political parties to legislate on their behalf. The Congress's program between 1885 and 1918 was based on the premise that elected officials could "represent" in a very literal sense the needs of the people. It embodied the hierarchical dynamic that Partha Chatterjee has identified more generally within anticolonial nationalist movements, the dynamic through which these movements were simultaneously "popular"—mobilizing a language of the "we the people"—and exclusionary, marked by a "distancing of those [popular] elements from the structure of the state."[43] Insofar as a theory of self-government was central to the political imagination of the early Congress, it was a theory aimed resolutely towards a ventriloquizing of the voice of the masses, anchored in the indirect, electoral institutions of government which made legislators the primary agents of popular will.

"A vast subterranean democracy": the federalist turn

Just as a link between *swaraj* and elected representation came to be accepted in the Indian National Congress by 1918, a counterdiscourse of self-rule began to emerge in response within Indian academic circles. The rise of this alternate vision was

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[41]Bal Gangadhar Tilak, "Karma-Yoga and Swaraj," *Quarterly Journal of the Poona Sarvajanik Sabha* 2/2 (1917), 1–3, at 3.

[42]Pandit Madan Mohan Malaviya, *A Criticism of the Montagu Chelmsford Proposals of Indian Constitutional Reform* (Allahabad, 1918), 25–6.

[43]Chatterjee, *Nationalist Thought*, 51.

prompted by a development far removed from the mass rallies and crowded town-hall meetings of nationalist politics. The immediate motivation was a historiographical debate unfolding in the 1910s about the appropriate method of studying ancient Indian politics. In the first two decades of the twentieth century, a striking number of practitioners of the burgeoning academic field of professional history in India were fixated on whether recent discoveries—archival and archaeological—could reveal something about precolonial conceptions of government, constitutional type, and citizenship. In 1905, a palm-leaf manuscript of the *Arthasastra*—a Sanskrit treatise on statecraft said to date from the Mauryan period (*c*.322–187 BCE) and presumed to have been lost for more than eight centuries—was fortuitously donated to the Government Oriental Library of Mysore State by a *pandit* (priest) visiting from a village in Madras. The Oriental Library's archivist Rudrapatna Shamasastry immediately published an extract, with English translation and commentary, in the Bombay journal *Indian Antiquary*, and then spent several years editing the manuscript.[44] A Sanskrit version was published from Mysore in 1909, having been serialized in the *Mysore Review* between 1906 and 1908, and an English translation of the full treatise (done by Shamasastry) was published from Bangalore in 1915.[45] The availability of these two editions spurred a flurry of debate amongst Indologists in India, Britain, and Germany about the nature of the manuscript and, more importantly, about the contours of the state and political life in India in the second and third centuries BCE. Over a fifteen-year period between 1910 and 1925, over twenty books and articles on various aspects of political institutions in ancient India were put out by publishing houses in Calcutta, Pune, Bombay, Madras, and Mysore. They ranged from relatively short lectures, such as K. V. Rangaswami Aiyangar's *Considerations on Some Aspects of Ancient Indian Polity* (1916), to lengthy *longue durée* works like Upendranath Ghoshal's *A History of Hindu Political Theories: From the Earliest Times to the End of the First Quarter of the Seventeenth Century A.D.* (1923). Scholarship on the ancient Indian polity mined Shamasastry's 1909 and 1915 editions of the *Arthasastra*, along with recently unearthed Sanskrit legal texts, the Buddhist Pali canon, and temple and numismatic inscriptions compiled by the Archaeological Survey of India under its director, John Marshall (1902–28), in order to try and reconstruct a coherent understanding of the ancient Indian constitution. The shared goal, as one of the historiography's early proponents Narendra Nath Law described it in 1914, was to excavate "the features and activities of civil government," distinct from theories "spiritual and intellectual, which latter are more widely studied and appreciated."[46]

From 1910 to 1918, work on the ancient Indian constitution remained resolutely historicist, even proudly antiquarian. Commentators such as Narendra Nath Law spurned any hint of an underlying political motivation to their studies. In a lecture

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[44]R. Shamasastry, "Chanakya's Land and Revenue Policy (4th century B.C.)," *Indian Antiquary: A Journal of Oriental Research* 34 (1905), 5–10. On the authorship and compositional history of the manuscript received by Shamasastry in 1905 see Mark McClish, *The History of the Arthaśāstra: Sovereignty and Sacred Law in Ancient India* (Cambridge, 2019), 28–51.

[45]R. Shama Sastri, ed., *The Arthasastra of Kautilya (Kautiliyam arthashastram)* (Mysore, 1909).

[46]Narendra Nath Law, *Studies in Ancient Hindu Polity (Based on the Arthaśâstra of Kautilya)*, 2 vols. (Calcutta, 1914), 1: v.

delivered at Pachaiyappa's College, Madras, on 18 March 1914, Rangaswami Aiyangar went so far as to reject the temptation "to look into the armoury of our ancient polity for weapons to be used in the arena of modern political controversies."[47] For Aiyangar, the political commitments created by "resurgent national feeling" were an impediment to a truly objective "scientific study of ancient polities."[48] In *Public Administration in Ancient India* (1916), Pramathanath Banerjea similarly insisted that studies of the classical Indian state should limit themselves to collating, examining, and presenting as much primary-source material as possible.[49] An intellectual shift away from such Rankean assessments of historical method occurred after January 1919, with the publication of *Local Government in Ancient India* (1919) by the Bengali historian Radhakumud Mookerji. *Local Government* was the first work of premodern Indian constitutional history to challenge Aiyangar's mode of historiography and to seek instead to "place an ideological weapon in the hands of Indian nationalists."[50]

The author of this politically ambitious text, Radhakumud Mookerji (1884–1963), was a product of the revolutionary upsurge of the *swadeshi* movement in early twentieth-century Bengal.[51] Upon moving to Calcutta from the town of Berhampore in 1897 for his secondary and then post-secondary education, Radhakumud came under the spell of the charismatic *swadeshi* educationist Satischandra Mukherjee, a man he later described as his "much-needed guide and guardian in strange surroundings."[52] Under Satischandra's encouragement, Radhakumud began to focus his studies at the University of Calcutta on ancient Indian history and to write historical essays for the nationalist periodical *Dawn*.[53] In the second week of August 1906, Satischandra persuaded the twenty-two-year-old Radhakumud to forgo an academic career as a historian at British-run institutions and to instead join the National Council of Education (*Jatiya Shiksha Parishad*), a network of schools and universities outside the formal control of the colonial government established by *swadeshi* activists. The National Council's flagship institution, Bengal National College, on 191/1 Bowbazar Street in Calcutta, was intended by its founder Gurudas Banerjee to provide nationalist

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[47]K. V. Rangaswami Aiyangar, *Considerations on Some Aspects of Ancient Indian Polity: Sir Subrahmanya Aiyar Lecture, 1914* (Madras, 1916), 3.

[48]Ibid.

[49]Pramathanath Banerjea, *Public Administration in Ancient India* (London, 1916), 1–14.

[50]R. S. Sharma, "Historiography of Ancient Indian Polity up to 1930," in Sharma, *Aspects of Political Ideas and Institutions in Ancient India* (New Delhi, 1959), 1–13, at 9.

[51]The *swadeshi* movement began as a protest against Curzon's decision to partition Bengal along Hindu–Muslim lines in June 1905, and quickly snowballed into political militancy and a far-reaching program of economic boycott and cultural revivalism. See Sarkar, *The Swadeshi Movement in Bengal*; Ranajit Guha, *Dominance without Hegemony: History and Power in Colonial India* (Cambridge, MA, 1997), 108–21; Andrew Sartori, "The Categorial Logic of a Colonial Nationalism: Swadeshi Bengal, 1904–1908," *Comparative Studies of South Asia, Africa, and the Middle East* 23/1–2 (2003), 271–85; and Manu Goswami, *Producing India: From Colonial Economy to National Space* (Chicago, 2004), 242–76.

[52]Radhakumud Mookerji, "Foreword," in Haridas Mukherjee and Uma Mukherjee, *The Origins of the National Education Movement (1905–1910)* (Calcutta, 1957), vii–xi, at viii.

[53]E.g. "Part I: Indiana," *Dawn and Dawn Society's Magazine* 1/2 (1904), 29–60. For a firsthand account of Radhakumud's involvement with *Dawn* between 1902 and 1906 see Benoy Kumar Sarkar, *Creative India: From Mohenjo-Daro to the Age of Ramkrsna-Vivekānanda* (Lahore, 1937), 663.

interpretations of "oriental ideals of life and thought" and to train a cadre of *swadeshi* activists.[54] Radhakumud was recruited as Hemchandra Basu Malik Professor of Indian History at Bengal National College and was tasked with creating textbooks about the uses of Indian history for anticolonial nationalism. His first two books, *Indian Shipping* (1912) and *The Fundamental Unity of India* (1914), grew out of his attempt to design curricula for Bengal National College according to Satischandra Mukherjee and Gurudas Banerjee's directives.[55] In *Indian Shipping*, for instance, Radhakumud surveyed premodern India's maritime networks from the early Mauryan to the late Mughal period and insisted on "the importance and necessity of reviving and restoring on modern lines a lost industry."[56] The story of a distant past, in other words, was written with an eye trained on a possible political future.

In *Local Government*, Radhakumud sought to bring the presentist historical approach he adopted at Bengal National College to the study of ancient political institutions. Aligning himself with *swadeshi* revolutionaries' commitment to pedagogical, nationalist uses of the past, Radhakumud broke with the aspiration to apolitical objectivity held by Rangaswami Aiyangar. In the Introduction to *Local Government*, Radhakumud declared that his investigations into Indian history were motivated by "an eminently practical interest."[57] His professed goal was to distil from the reconstructed ancient polity possible regime types for twentieth-century politics. The purpose of the treatise was to highlight the "educative value" of constitutional history and to suggest specific republican institutions to those seeking political reform in the late 1910s.[58] Robert Crewe-Milnes, the 1st Marquess of Crewe and Secretary of State for India from 1911 to 1915, was invited to write a foreword to the book, and remarked on precisely this point about historical method. Crewe noted that Radhakumud's "comparative study of past annals" was driven by "a moral, not to be ignored by ourselves," about the shape self-government should take in British India.[59]

A presentist political orientation was immediately evident in the opening sections of *Local Government*, wherein Radhakumud attacked the Indian National Congress's preoccupation with representative government. The dominant nationalist "school of political thought" of the 1910s, he argued in a thinly veiled reference to the Congress, was seeking to "introduce self-government from above."[60] By defining *swaraj* as the selection of qualified members of political parties by an enfranchised citizenry, the Indian National Congress was precluding "the major

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[54]"National Council of Education Bengal: Statement of Objects and Plan of Work," in *Reminiscences, Speeches and Writings of Sir Gooroo Dass Banerjee Kt.*, ed. Upendra Chandra Banerjee, vol. 2 (Calcutta, 1927), 207–28, at 208.

[55]Mukherjee and Mukherjee, *The Origins of the National Education Movement*, 87.

[56]Radhakumud Mookerji, *Indian Shipping: A History of the Sea-Borne Trade and Maritime Activity of the Indians from the Earliest Times* (Calcutta, 1912), 256. The first edition of *Indian Shipping* carried an introductory foreword by Brajendranath Seal.

[57]Radhakumud Mookerji, *Local Government in Ancient India*, 1st edn (Oxford, 1919), 20.

[58]Ibid., 21.

[59]Marquess of Crewe, "Foreword," in Mookerji, *Local Government*, 1st edn, vii–ix, at vii.

[60]Mookerji, *Local Government*, 1st edn, 20.

part of the people" from political office.[61] The various schemes put forward after 1885 by leaders like Naoroji, Gokhale, and Tilak all limited substantive political power to a small minority of social and economic elites. Their schemes compelled most of the Indian people—those who could not join parties or be adequately trained in constitutional politics—to rely on the judgment of elites. Representation created one class of persons allowed to access government and to formulate laws, and another class of citizens whose primary political act was the minimal one of periodically selecting their lawmakers: "the masses living in the villages cannot take part in the provincial or the central government except through their few representatives."[62] Embedding a critique of the Congress program of the 1910s into a more general critique of representative government, Radhakumud insisted that the equation of *swaraj* with elected legislative assemblies was insufficiently democratic. The Indian people could not be considered "essentially self-governing or enjoying the blessings of free institutions" if they were unable to "themselves" shape their collective will into law.[63]

The criticism of Congress was outlined in Section Two of the introductory essay of *Local Government*. It functioned as a sort of rhetorical framing device for the rest of the volume. Given that the lack of widespread political participation was a problem created by nationalist politics, then, Radhakumud suggested, a study of India's past constitutional forms might reveal more genuinely popular models of government. Adopting a deliberate political motivation in his research, Radhakumud spent the remaining ten chapters of *Local Government in Ancient India* unearthing alternatives to the representative vision of *swaraj*. In Chapter 1 ("Preliminary Considerations"), he argued that a characteristic political body in the history of Indian government was the local citizens' assembly, known by various terms in Sanskrit and Pali literature: *sabha*, *gana*, *pūga*, *vrāta*, *śrenī*, *sangha*, *samudaya*, *samūha*, *sambhūya-samutthāna*, *parisat*, and *charana*.[64] All these terms described directly participatory units of administration, with authority over legislative, executive, and judicial matters in their respective jurisdictions. There were three broad categories of assemblies: caste- and kinship-based (*samudaya*), occupation-based (*śrenī*), and territorial (*sabha*). The third type—territorial assemblies or *sabha*—occupied most of Radhakumud's attention. They were the topic of six of the ten chapters of *Local Government*. According to Radhakumud, territorial assemblies were cross-caste, cross-occupational bodies which individually governed towns and villages. From Chapter 4, Section Two ("Administrative Machinery") onwards, Radhakumud reconstructed their internal constitution and range of functions, drawing on legal texts from the early centuries CE, the *Arthasastra* manuscript, and temple inscriptions from Telugu and Tamil-speaking regions of southern India.

He highlighted two key features of the ancient *sabha*. First, the *sabha* was a legislative, administrative, and judicial body combined into one. It held paramount authority over its territory and did not alienate to higher bodies any powers related

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[61]Ibid.
[62]Ibid., 21.
[63]Ibid.
[64]Ibid., 29.

to governance of the territory. The primary unit in each territory was the *sabha* itself, the body of the assembled citizenry. The *sabha* was open to all adult residents of a locality; it convened regularly in the public hall (*nigam-sabha*) for meetings which could include over 1,500 persons at once.[65] Once a year, the *sabha* selected subcommittees of between six and twelve members to deal with particular spheres of government: "the assemblies of ancient India developed a considerable differentiation of functions and also different organs for the exercise of each function."[66] Chapter 6 of *Local Government* listed ten such subcommittees, focused on public infrastructure, education, maintenance of temples and shrines, poor relief, agriculture, irrigation, finances, taxation, trade, and judicial arbitration.[67] At its meetings, the *sabha* collectively formulated laws to be implemented by the subcommittees. Individual subcommittees also provided regular reports of their activities in front of the entire assembly, with the assembly maintaining power to recall, override, or dissolve any of the subcommittees. "The superiority of the general assembly," Radhakumud wrote, was consolidated "by the fact that every member of the committees was bound to render an account of his stewardship" throughout his tenure.[68] The general assembly was thus supreme, with sole power to fashion law and supervise its execution.

The second significant feature of the *sabha* was its method of selecting political deputies. In the more democratic of India's many *sabhas*, committees were drawn from the ranks of the citizenry through the casting of lots. The paradigmatic example of a sortition-based assembly was detailed in two inscriptions found on a wall of the tenth-century Vaikuntha Perumal temple in Uthiramerur, Madras Presidency.[69] Relying on the Archaeological Survey of India's reconstruction of the two Tamil inscriptions in its 1913 *Madras Epigraphy Report*, Radhakumud described how the formation of subcommittees at Uthiramerur occurred through a complex ticketing system. The village was first divided into thirty separate "wards" or "electoral units."[70] Residents of each ward marked their nominations for a given subcommittee on a palm leaf ticket. The ticket collections of each ward were then brought in front of the *sabha* assembled as a whole, compiled together into a single vessel and shuffled, and counted out one by one by an "arbitrator" (*madhyastha*).[71] Each subcommittee had a tenure of 360 days, during which it was required to participate in (and report to) the wider community *sabha*.[72] After 360 days, the *sabha* selected a new set of committees from within itself; selection happened more frequently in cases of emergency or if a committee member was recalled. In the second edition of *Local Government* published in June 1920, Radhakumud praised a further aspect of the Uthiramerur selection process. The entire system, he argued, was designed to ensure equal access to office for all adult citizens: "the change of office-bearers opened out opportunities to every qualified man in the

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[65]Ibid., 171–3.
[66]Ibid., 147.
[67]Ibid., 132–44.
[68]Ibid., 174.
[69]Ibid., 150.
[70]Ibid., 154.
[71]Ibid., 154–5.
[72]Ibid., 156–7.

village of being associated with its administration and acquainted with all its details and facts."[73] Sortition also meant that Uthiramerur lacked anything resembling a modern political party or a class of professional politicians. Due to "the method of casting lots," there was "no scope for canvassing or other electioneering methods" characteristic of modern representative republics.[74]

In both the 1919 and the 1920 editions of his text, then, Radhakumud depicted ancient and medieval India as a landscape dotted with participatory, self-ruling assemblies through which laws were made and affairs administered "by all the inhabitants collectively."[75] His view of the Indian polity was distinctive. Its closest approximation was an essay written by the historian Kashi Prasad Jayaswal seven years earlier. Addressing the *Hindi Sahitya Sammelan* (Hindi Literary Conference) in Calcutta in December 1912, Kashi Prasad Jayaswal argued that in classical republics (*gana*) ruled by citizens' assemblies (*sabha*) "the principle of representation was not operative."[76] The talk was translated into English by a writer named Mukundi Lal and published by the nationalist monthly *Modern Review* in early 1913. Radhakumud encountered Jayaswal's study in the pages of the *Modern Review* and, referring to it as a "brilliant essay," cited it in the first footnote to Chapter 7 of the 1919 edition of *Local Government*.[77] Yet, crucially, the practice of sortition and powers of recall and absolute sovereignty were nowhere present in Jayaswal's account of the *sabha*. While Radhakumud was certainly influenced by Jayaswal, the direct democracy he identified in Indian history was far more institutionally robust.

If past republics allowed citizens to control public affairs more fully than electoral representation ever could, then what would it mean for their democratic arrangements to become the bases of modern political reform? How could a forgotten constitution like that of tenth-century Uthiramerur become a realistic alternative to the Indian National Congress program? It was here that Radhakumud turned to the topic of federalism. In his interpretation, direct democracy had survived through the centuries in premodern India because of the internally fragmented nature of the country's successive regimes. The central government of Indian dynasties had always been weak; rule occurred through the delegation of legislative and administrative powers to subsidiary jurisdictions. A citizens' assembly in any one village or town could control its local affairs and rotate offices through sortition, even as the central government of the state remained a hereditary monarchy. The state was a coordinating body at best, addressing conflicts of jurisdiction, drawing taxes, and managing military and trade relations with neighboring powers. Its authority did not entail legislating for each political community within its borders. The state instead gave "utmost latitude to the operations of local government."[78]

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[73]Radhakumud Mookerji, *Local Government in Ancient India*, 2nd edn (Oxford, 1920), 180–81. This sentence (in Ch. 7, Section Two) was absent from the 1919 edition of the text and appears to have been added in only for the 2nd edition.

[74]Ibid., 173.

[75]Mookerji, *Local Government*, 1st ed., 210.

[76]Kashi Prasad Jayaswal, "An Introduction to Hindu Polity," *Modern Review* 13/1–6 (1913), 535–41, at 536.

[77]Mookerji, *Local Government*, 1st edn, 164 n. 1.

[78]Ibid., 9.

Radhakumud deemed "an elastic system of federalism" to be the reason behind the proliferation of mini-republics centred on the *sabha* within large monarchical empires like the Mauryas (third century BCE) and the Cholas (tenth century CE):

> [The imperial state] did not cherish the ambition of setting up a centralized government consciously legislating for and controlling the life of every part of that vast whole, but aimed only at an elastic system of federalism or confederation in which were incorporated, along with the central government at the metropolis, as parts of the same system, the indigenous local administrations. The essence of this imperial system was thus a recognition of local autonomy at the expense of the authority of the central government, which was physically unfit to assert itself except by its enforced affiliation to the pre-existing system of local government.[79]

In such a system, the directly democratic politics of Uthiramerur could flourish under the imperial rule of Parantaka Chola I (*c.*907–55 CE), whose dominions extended from southern India into the Deccan.

On one hand, Radhakumud's federalist depiction of Indian empires challenged the historians who immediately preceded him, many of whom took premodern empires to be powerful, autocratic monarchies.[80] But Radhakumud went further. He insisted that the premodern federal structure was instructive for modern politics: it was the only way for direct democracy to exist on an expansive geographical scale. Unitary states were *necessarily* representative. If a large territory was administered by legislating for all jurisdictions from a single site of power—a monarch, a council of ministers, or an elected national assembly—then only those who had access to this single legislating body could transform the public will into law. In republican governments, the people might elect members of the national legislature. But if the state's constitution gave the national legislature sole authority to dictate matters to each territory, then it was elected assembly members, and not the electing citizenry, who were engaging in the formulation of law. In unitary republics, Radhakumud argued, "the state, beginning as agent of society, becomes its master and representative; society is merged in the state to which it surrenders its functions, dropping its independent life."[81] The scope and content of law were wholly "determined by the national legislature."[82] In contrast, the combination of weak central government and the devolution of legislative and administrative powers

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[79]Ibid., 10.

[80]All three studies of the ancient Indian polity published between 1914 and 1918—by Rangaswami Aiyangar, Narendra Nath Law, and Pramathanath Banerjea—saw premodern empires as sovereign monarchical orders, bound by duty (*dharma*) but centralized in political form and fully in command of subordinate jurisdictions. For Aiyangar, these empires were marked "by intense centralization of the Government which aims at uniformity of administration throughout the kingdom." For Law, imperial constitutions revolved around states with far-reaching powers of regulation and punishment (*dandaniti*) and unitary legislation. Finally, for Banerjea, Indian politics after the second century BCE saw a steady growth in "centralized administration," after which local political power "lost much of its power and prestige." See, respectively, Aiyangar, *Considerations on Some Aspects of Ancient Indian Polity*, 35; Law, *Studies in Ancient Hindu Polity*, 1: 88–135; and Banerjea, *Public Administration in Ancient India*, 291.

[81]Mookerji, *Local Government*, 1st edn, 4.

[82]Ibid., 6.

to local assemblies within premodern federal empires allowed direct political participation to occur in each jurisdiction separately. By the concluding Chapter 10 of *Local Government in Ancient India*, Radhakumud maintained that a federalist constitution of powerful, independent assemblies coordinated by a limited state was the only way for the maximum number of common citizens to exercise popular sovereignty in the context of a large modern nation. Federalism modelled on early empires provided constitutional conditions for the revival of classical republican practices, practices more attentive to the value of comprehensive political participation than any of the schemes of *swaraj* put forward by the Indian National Congress.

   Local Government left its initial readers in both India and England puzzled. The *Times of India* on 15 October 1919 praised Radhakumud's "masterly" grasp of ancient and medieval history, but discerned a conspicuous lack of concrete detail about how the text's imagined federal constitution would be designed or enacted: "how, if at all, the extinct democratic faith can be revived are questions which the author does not attempt to enlarge upon."[83] Historians and Indologists found even less to admire. E. J. Rapson, professor of Sanskrit at St John's College, Cambridge, criticized Radhakumud for selectively discussing those aspects of the Indian past which seemed obviously different from dominant modes of twentieth-century nationalist politics. "Many students of Indian history," he wrote in the *English Historical Review*, "may be unable to accept some of Dr Mookerji's conclusions."[84] For an anonymous essayist in the *Times Literary Supplement* on 14 August 1919, *Local Government* was only acceptable as a work of history; its call to resurrect a network of citizen assemblies from the medieval Chola Empire was laughably impractical: "the elaborate institutions described by Dr Mookerji perished long ago … Nobody claims that the local institutions which worked vigorously at the time of the Norman Conquest should be revived. They are dead and buried beyond the possibility of resurrection."[85] The most polemical review was published in the *Journal of the Royal Asiatic Society* in January 1920. The orientalist Frederick Eden Pargiter objected to Radhakumud's presentation of ancient Indian polities as directly democratic. Pargiter was skeptical that political power would have been distributed in an egalitarian fashion in a society bound by strict hierarchical codes: "[the author] speaks of the *popular assemblies* or councils as 'democratic', but the constitutions do not warrant that description. It is highly improbable that the lower classes ever had elective power along with the upper classes."[86] Radhakumud's orientation towards Indian history was, in Pargiter's estimation, little more than a politically motivated romantic fantasy. The review compared *Local Government* unfavourably with Ramesh Chandra Majumdar's *Corporate Life in Ancient India* (1918), describing the latter as "written more sanely and with no political flavour."[87]

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[83]"Local Government," *Times of India*, 15 Oct. 1919, 11.

[84]E. J. Rapson, "Book Review: *Local Government in Ancient India* by Radhakumud Mookerji," *English Historical Review* 35/138 (1920), 260–61, at 261.

[85]"Guilds and Village Councils in Hindu India," *Times Literary Supplement*, 14 Aug. 1919, 433.

[86]F.E.P., "Reviewed Works: Corporate Life in Ancient India by Ramesh Chandra Majumdar and Local Government in Ancient India by Radhakumud Mookerji," *Journal of the Royal Asiatic Society of Great Britain and Ireland* 1 (1920), 114–18, at 116.

[87]Ibid., 118.

Critical evaluations notwithstanding, *Local Government in Ancient India* achieved Radhakumud's intended goal of informing political debate in the 1920s. Brajendranath Seal's reform proposals for the constitution of Mysore in 1923 were directly inspired by the book. As noted earlier, Brajendranath Seal wrote a foreword for Radhakumud's 1912 book *Indian Shipping*.[88] Seal also made substantial editorial suggestions for the preparation of the second edition of *Local Government* during the first six months of 1920; in June of that year, Radhakumud wrote that Seal "has laid me under great obligations."[89] When Albion Banerjee invited Seal to lead the Mysore Constitutional Developments Committee in October 1922, the philosopher took it as an opportunity to translate Radhakumud's ideas into tangible politics. Reproducing some of the language from the Introduction of *Local Government in Ancient India*, Seal contended in his constitutional plan that electoral republics constrained the active participation of the people as a whole. Only elected deputies regularly engaged in government. The mass of the people were pushed into extra-institutional channels of "direct action":

> A vital political need is strongly felt in most countries under representative Government to-day. The constituted central legislatures in such Governments (taking both Houses together) are filled in great part by representatives who come in by a secondary or a tertiary election, or who are thrice removed from the spheres and interests of life they legislate upon, or whose composition does not even fairly reflect the actual balance of social forces in the country. Owing to these inherent disadvantages of representative Government by majorities (which can hardly be redressed by any scheme of proportional representation) it happens that direct action by primary groups in various spheres of life comes into the arena.[90]

The Indian National Congress stood accused, in Seal's eyes, of fealty to such representative institutions, with all their attendant structural exclusions. Moderate and extremist factions of anticolonialism in the 1910s converged on securing "responsible government in one way," on the basis of empowering "the elected representatives."[91] Preoccupied with gaining access to elected legislative assemblies and then rendering the assemblies free from imperial oversight, Indian nationalists were seeking to route popular sovereignty through "the constitutional media of Houses or Electorates."[92] The result would be the bifurcation of the citizenry into active lawmakers and passive electors which Radhakumud had diagnosed in 1919.

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[88]Brajendranath Seal, "An Introductory Note," in Mookerji, *Indian Shipping*, xiii–xvi. Sumit Sarkar has shown that Seal's name was listed as an adviser for the National Council of Education in August 1906. In all likelihood, Radhakumud first met Seal when he was employed by the Council's Bengal National College during this time. See Sarkar, *The Swadeshi Movement*, 142.

[89]Radhakumud Mookerji, "Preface to the Second Edition," in *Local Government*, 2nd edn, xix–xxv, at xxv.

[90]"Mysore Constitutional Developments (Seal) Committee 1922–23: Report," 8.

[91]Ibid., 9.

[92]Ibid., 17.

"Correctives to the machinery of formal constitutional representation" could be excavated from Indian political history.[93] In Section Three ("The Problem in Brief") of his report, Seal argued that southern India in the medieval period was a patchwork of self-ruling territories. Individual villages, towns, and other constituencies governed themselves through local assemblies, or "primary assemblies." While primary assemblies were subject to the final dictates of monarchs in the Chola, Vijaynagara, and other empires, in daily affairs they possessed considerable independence of legislation. Seal wrote, "we have always had intermediary groups between the State and the individual … These assemblies had an independent origin and sanction; and the State, even when it came to incorporate them, and grant them charters, did not and could not wholly suppress their quasi-independent character or usurp their jurisdiction or functions."[94] Despite their considerable power, successive monarchs allowed individual local jurisdictions to remain self-governing. In their internal constitution, moreover, primary assemblies were not elected bodies. They were widely participatory, with offices rotating amongst different adult inhabitants of a town or village.[95]

In Section Six ("Decentralization: Local Self-Government"), Seal endorsed the medieval system of primary assemblies over twentieth-century Congress politics. Seal's plan to revive the system had two aspects. First, every individual jurisdiction within the state of Mysore would contain an assembly open to all its adult citizens. While local assemblies had historically been prominent in the region's politics, Seal argued, by the early twentieth century many had become corrupted and had lost their original functions. He underlined that these assemblies were to be revived and then reconstituted "on modern liberal lines"—with an eye, that is, to removing barriers to participation based on caste, wealth, and gender.[96] As Seal imagined them, primary assemblies were to be politically egalitarian spaces comprising any and all citizens from a village or township. The assemblies would be directly accessible to the citizenry, rather than being deliberative fora for members of political parties chosen through election.

Primary assemblies "revised and brought up-to-date" on suitably egalitarian lines were then given three main powers in Seal's constitution: (1) to be sovereign in their respective territorial jurisdictions, (2) to put laws passed by the monarch of Mysore to a referendum, and (3) to initiate legislation through submissions to the central government. On the first point, each assembly had a right of lawmaking over its area and its population. The right was certainly qualified in various ways—the ruler continued to have veto power and the authority to control foreign affairs, for instance. But Seal had as his goal a federalist state with a monarchical central government coordinating self-ruling citizens' assemblies in each jurisdiction. He described it as a "national polity of a federal character," with independent local assemblies "which this Central Association, this constitutional co-partnership, the State, only co-ordinates, harmonizes, and fulfils."[97]

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[93]Ibid., 9.

[94]Ibid., 5.

[95]Ibid.

[96]Ibid., 22.

[97]Ibid.

The second and third points of Seal's plan deepened the democratic nature of his federal polity. By giving rights of referendum and initiation to appropriately reconstructed assemblies, Seal sought to give citizens direct control over laws made by the unelected office of the monarch. Each local assembly could request a referendum amongst its citizens on laws passed by the central government and, additionally, could approach central government agencies with bills to submit as draft legislation.[98] Again, the exercise of referenda was qualified—all assemblies had to work within the existing framework of monarchy, and an individual assembly could not vote to alter the basic structure of the state. In spite of these limitations, Seal viewed local referenda and legislative initiation as a way to widen popular political participation. The mechanisms of federalist decentralization, referenda, and initiation working together, he declared, prevented "the will of the people" from being collapsed into the "derivative formations" of representative politics: "the will of the people is dissolved into the *disjecta membra*, the original primary units, and not organized into secondary groups or other derivative formations."[99]

In its forceful opposition to Indian nationalists' embrace of parliamentarism, its historiography of India as directly democratic at the local level, and its federalist vision, Brajendranath Seal's proposal for Mysore closely tracked Radhakumud Mookerji's *Local Government*. But there were important differences. Seal's constitution was written for a princely state, and its author never questioned the legitimacy of hereditary monarchical rule (a premise which arguably circumscribed the articulation of popular sovereignty in a very *un*democratic way).[100] Indeed, Seal's turn to federalism can be seen as a way to keep direct democracy at the local level, under the auspices of an administratively weak but still unelected monarchy. Sortition was also nowhere as significant for Seal as for Radhakumud. Neither "sortition" nor the phrase "voting by lot" were ever used in the Mysore plan. While Seal was adamant that primary assemblies should allocate offices in an "egalitarian" fashion, he left details unspecified. Finally—and most critically for the constitution's legacy, as we will see shortly—Brajendranath Seal introduced referenda and legislative initiation into Radhakumud's somewhat vague program of direct mass democracy. The two powers gave citizen assemblies—already sovereign within their particular jurisdictions—a means to regularly shape the actions of the central coordinating government.

Seal's draft constitution received laudatory commentary in the Calcutta monthly *Modern Review* five months after it was finalized. The journal ran a six-page special feature on the constitution in its August 1923 issue, praising Seal's scheme of direct governance through primary assemblies as more of a "real democracy" than constitutions premised on electoral representation:

> Whether we consider the population, size, or traditions and conditions of the Indian States, their future becomes hopeful only if they have this constitution

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[98]Ibid., 26–7.

[99]Ibid., 10.

[100]On monarchy in Seal's constitution see Bjørn Hettne, *The Political Economy of Indirect Rule: Mysore 1881–1947* (London, 1978), 101–4; and Nigel H. Chancellor, "Mysore: The Making and Unmaking of a Model State," *South Asian Studies* 13/1 (1997), 109–26, at 109–11.

with a Referendum and Initiative in the hands of the real body of the people (the primary assemblies in the country comprising all adult citizens). This is real democracy. Otherwise that kind of representative government which consists in a mere parliament of intermediaries or middlemen, "representing" the people because they manage to get themselves elected, is only a disguised oligarchy. There the representatives soon grow into a bourgeoisie or bosses or a group of labour *sardars* [lords], they form rings and caucuses, with vested interests. The real people—the millions in the fields, factories, and workshops—are deprived of all share and voice in the government—even universal adult suffrage cannot prevent this, for the middlemen or intermediary representatives manage the whole show in their own interests.[101]

The journal juxtaposed the direct democracy of the Mysore plan with parliamentary theories of *swaraj*, decrying the latter as rule by "intermediaries or middlemen." It concluded by positing Seal's plan as an "ideal" federal constitution for the provinces of British India.[102]

And then, traveling like a boomerang over the next five years, a constitution whose intellectual roots lay in *Local Government in Ancient India* came back to influence Radhakumud Mookerji. In *Asoka* (1928), putatively a study of the Mauryan emperor, Radhakumud continued his long-standing critique of representative democracy, which, "in even the most democratically advanced countries of the west," could secure the rule of the people "only partially, in different degrees."[103] "The defects of democracy," he wrote, "show that the problem of government cannot be solved by representative or electoral methods."[104] A more popular constitution could be identified in Indian empires, where a weak central state governed "a vast subterranean democracy, so to speak, a complete system of local self-government."[105] What would a modern constitution modeled on the premodern Indian state look like? Radhakumud specified in a footnote, like the "*Report on Constitutional Reform* by Sir B. N. Seal, Vice-Chancellor, Mysore University."[106]

Democracies of the East (1923) and its legacy

By the early months of 1923, a strand of historiography engendered by the *swadeshi* revolutionary movement was thus trying to challenge the consensus which had emerged around political representation in the Indian National Congress from the 1880s. After Radhakumud Mookerji and Brajendranath Seal, the key proponent of the *swadeshi* discourse about ancient democracy was Radhakumud's younger brother, Radhakamal Mukerjee (1889–1968). Radhakamal followed the same general trajectory as his elder sibling, moving from Berhampore to Calcutta for further education in his late teens. He was quickly drawn into the circle around Radhakumud, Satischandra Mukherjee, and the *Dawn* journal. Between 1906 and

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[101]"The Mysore Report," *Modern Review* 34/1–6 (1923), 231–6, at 232.
[102]Ibid.
[103]Radhakumud Mookerji, *Asoka (Gaekwad Lectures)* (London, 1928), 49.
[104]Ibid.
[105]Ibid., 50.
[106]Ibid., 49 n. 1.

1908, Radhakamal shared a large house on Cornwallis Street with his brother, Satischandra, Benoy Kumar Sarkar, and Rabindra Narayan Ghose which became a meeting ground for many of the *swadeshi* movement's leading intellectual figures.[107] After four years in Calcutta, Radhakamal also began to view Brajendranath Seal as his mentor. He was a regular visitor to the philosopher's *baithak-khana* (salon) on Ram Mohan Shah Lane and was largely responsible for preparing the manuscript of Seal's *The Positive Sciences of the Ancient Hindus* for publication in 1915.[108] In September 1923, Radhakamal published a book entitled *Democracies of the East: A Study in Comparative Politics*, his own contribution to the corpus of writings on Indian models of popular rule. The book was in the direct lineage of *Local Government in Ancient India* and Seal's Mysore constitution, prepared six months earlier. In the first footnote to the Preface, Radhakamal affirmed that "the present work" followed Radhakumud's efforts in 1919 to recover "ancient Eastern political theory."[109] In Chapter 21, he cited Seal's Mysore plan as the inspiration for his own constructive program.[110]

Like these two works, *Democracies of the East* was framed as a riposte to the constitutional philosophy of the Indian National Congress. Radhakamal made an emphatic case that the Congress's advocacy of electoral government rendered its politics an elite enterprise that evoked "little feeling among the masses."[111] An impoverished definition of *swaraj* as the ability of elected deputies to legislate in the interests of the citizenry led to a hierarchy of sovereignty, limiting political power to "a certain small and well-defined class which packs and directs the assembly, and speaks in the name of the people."[112] The metaphor of ventriloquizing the popular will through representative government (the act of "speaking in the name of the people"), deployed by figures like Naoroji, Tilak, and Malaviya to indicate their republican ethos, was transformed by Radhakamal into a sign of anticolonial nationalism's stifling of mass politics. Though the Congress had begun as a protest movement against a lack of political participation, he pointed out, the party's understanding of self-rule as elite representation had ironically made it hostile to fully participatory government—to allowing the people to speak for themselves. Complaints about the "inertia of the masses" initially directed by nationalists at the British government in the 1880s had come to be "perpetuated and encouraged" by party leaders themselves.[113]

The source of the problem was in the very attempt to try and represent popular sovereignty, a process Radhakamal traced back to the evolution of democracy in Western Europe and the United States after the second half of the eighteenth century. In Chapter 9, Radhakamal linked representative democracy to the growth of

[107]Radhakamal Mukerjee, *India: The Dawn of a New Era (An Autobiography)* (New Delhi, 1997), 63–4; and Sarkar, *Creative India*, 663. Also see Mukherjee and Mukherjee, *The Origins of the National Education Movement*, 232.

[108]Mukerjee, *India: The Dawn of a New Era*, 87–9.

[109]Radhakamal Mukerjee, *Democracies of the East: A Study in Comparative Politics* (London, 1923), viii n. 1.

[110]Ibid., 356 n. 1.

[111]Ibid.

[112]Ibid.

[113]Ibid.

the modern state. As a central organ of government began to monopolize an increasingly large range of social and economic functions within a territory, it became the primary site of legislative authority. The result was a "monistic" polity, where one institution—the state—was "regarded as most vital, and hence most authoritative, exercising the sovereign power over the entire body politic."[114] Democracy under monistic states invariably imposed limits on who could exercise political power, and where. Since the state was recognized as the sole legitimate source of lawmaking, only those involved in its central legislative branch had the right to formulate and administer law, even if they were doing so as delegates of their respective constituencies. Locating "the undivided will of the community" within "the organs of representative government" buttressed the state and created a fundamental disparity in legislative power, marking off members of the state assembly from their electors. In effect, Radhakamal argued, unitary democratic states became representative republics, compelling those who did not themselves engage in lawmaking to abide by the directives of an elected political class "which represents the original, unlimited, and central ratifying will or fiat imposed upon all persons, associations, and things within its jurisdiction."[115]

Radhakamal identified monistic representative states as the dominant type of Western European democracy from the late eighteenth through the nineteenth century, culminating most obviously for him in the tradition of British parliamentarism. The development of representative states undermined a foundational aspect of popular sovereignty which, in Chapter 9, he drew from a reading of Rousseau—that there was normative value in a people being able to shape the laws that governed them: "Rousseau's postulate that the individual is at once the subject and the sovereign expresses a profound truth, but is fundamentally at variance with the general trend of political evolution in the West."[116] In fighting for the authority of elected legislatures, then, the Indian National Congress was accepting "the diseases of the present system of representative government" and was throwing its weight behind a political practice which had emerged in European states to subject the people as a whole to the will of a minority of public officials.[117] The Congress was criticized for seeking to transpose the diluted popular rule characteristic of the monistic states of modern Europe: "representative institutions have been considered as coming only from the West as a result of the British connection with India."[118]

Radhakamal's view was that, in sharp contrast to modern European states, democracy in ancient and medieval India had never coalesced into a representative regime. The account of Indian political history given in *Democracies of the East* drew on several sections of *Local Government*, going so far as to use the same source material: Sanskrit and Pali texts for north India, and temple inscriptions from the Chola period for south India. The important addition Radhakamal made to his brother's historiography was to locate the Indian political tradition within a wider Asian or "Eastern" tradition encompassing China, the Malay peninsula,

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[114]Ibid., 119.
[115]Ibid., 146.
[116]Ibid., 147.
[117]Ibid., 152.
[118]Ibid., 162.

and Japan. "Asia" was an important geographic and civilizational category for Radhakamal, whereas the term was not used even once in either of the two editions of *Local Government*. The Asianist orientation of *Democracies of the East* was a product of Radhakamal's *swadeshi* years, a period when Bengali and English translations of Japanese pan-Asianist pamphlets produced in the wake of the 1904 war with Russia were circulated within revolutionary circles in both Calcutta and the *mofussil* (countryside).[119]

Though with a more ambitious historical goal of comparing the Mauryan and Chola empires to premodern states in China and Japan, Radhakamal continued Radhakumud's central argument: self-rule in premodern India occurred through mixed-occupation territorial assemblies (*sabha*) at the level of the village and town. The assemblies were "of heterogenous composition" and open to all persons and functional groups within a territory; offices and subcommittees were chosen from within the assemblies at regular intervals.[120] As citizen bodies, the assemblies held power over all internal administrative and judicial matters. They paid taxes to a central monarchical regime responsible for maintaining infrastructure between jurisdictions and for overseeing trade and military affairs with other states. The limited legislative reach of the monarchy enabled "a large autonomy enjoyed by local groups" and rendered the assemblies the state's main lawmaking bodies.[121] "Among peoples in the East," Radhakamal claimed, "the problem of uniting large areas and great populations on the basis of common citizenship was solved not by the principle of representation," but by "the principle of federalism."[122]

Juxtaposing India's republican federalism with the European "principle of representation," Radhakamal delineated a political program opposed to the Congress understanding of *swaraj*, intended to "make possible the realization of the older ideals of direct democracy in spite of the complexities of modern politics."[123] His alternative constitutional arrangement was described at length in Chapter 10 ("The Coming Polity") and was predicated on a dual system of government. The first tier contained a multitude of local assemblies, fully sovereign over their territories. The assemblies carried out "by far the greatest part of legislative and administrative work in the State."[124] The assemblies functioned not on the basis of election and "the old machinery of delegation-cum-responsibility evolved by the system of representative government" but through "direct action"—a phrase Radhakamal adopted from Seal's Mysore constitution, to mean anti-representative, mass decision-making procedures.[125] To solve the logistical problem of coordinating between independent legislative bodies dispersed over a large area, the assemblies were under the authority of an overarching federal state: "those affairs the want

[119]Sarkar, *The Swadeshi Movement*, 24–5; Carolien Stolte and Harald Fischer-Tiné, "Imagining Asia in India: Nationalism and Internationalism (ca. 1905–1940)," *Comparative Studies in Society and History* 54/1 (2012), 65–92; and Cemil Aydin, *The Politics of Anti-Westernism in Asia: Visions of World Order in Pan-Islamic and Pan-Asian Thought* (New York, 2007), 111–14.

[120]Mukerjee, *Democracies of the East*, 90.

[121]Ibid., 89.

[122]Ibid., 83.

[123]Ibid., xvii.

[124]Ibid., 156.

[125]Ibid.

of correlation or co-ordination in which brings about the inefficiency of the nation as a whole will be left to the organs of the central authority."[126] Radhakamal conceded that some degree of electoral representation was necessary to allow assemblies to send delegates to the central government. His plan then proceeded to vest in each assembly the right to hold a referendum on legislation passed by the elected federal government.[127] The referendum could only be exercised locally; an individual assembly could not demand a national vote on federal legislation. But the very possibility of a local referendum served to make the actions of a national assembly subject to the majority will of every *sabha* under its jurisdiction. As it had been for Brajendranath Seal, the referendum for Radhakamal was a check wielded by citizens over representative bodies. It allowed the unmediated popular decision-making characteristic of local politics to be applied to the actions of an elected tier of government: "a referendum implies the same direct primary and immediate choice, as is the basis of the procedure of all local groups."[128]

Democracies of the East was a synthesis of the perspectives of Radhakamal Mukerjee's two mentors from the *swadeshi* movement. Radhakamal adhered to his elder brother's reading of Indian history through the lens of federalist direct democracy and formulated a program of political revival using elements of Seal's 1923 constitution for Mysore (while dropping Seal's monarchism): legislative autonomy for local assemblies, combined with the power to demand referenda. He shared with Radhakumud and Seal two important arguments. Like them, he viewed the Indian National Congress's constitutional schemes for representation as deeply hierarchical, incompletely democratic when evaluated against a Rousseauian standard of inalienable popular sovereignty. And like them, he proposed a federal combination of direct democracy and a coordinating central government—in his case an elected central government. The affinities between *Democracies of the East* and *Local Government in Ancient India* were clear to Radhakamal's academic contemporaries. Pratapgiri Ramamurti from Wilson College, Bombay, criticized the brothers for "reading their modern theories" of federalism and popular rule back into history.[129] Radhakamal's presentation of his federalist program in the language of an ancient constitution was fanciful at best and bad history at worst. "Dr Radhakamal Mukerjee, it seems to us," Ramamurti remarked wryly, "is trying to identify what he wished the Polity to have been with what it actually was."[130]

Democracies of the East also had its vocal supporters. Following the book's publication in September 1923, Radhakamal's recovery of historic alternatives to representative government was defended in the writings of the political scientist Beni Prasad (1900–45). Prasad was initially trained as a historian of the Mughal Empire at Muir Central College, Allahabad—his first publication was titled *History of Jahangir* (1922)—and then traveled to England in 1923 for graduate studies in sociology and political science. He received a doctorate from the University of

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[126]Ibid., 155.
[127]Ibid.
[128]Ibid.
[129]Pratapgiri Ramamurti, *The Problem of the Indian Polity* (Bombay, 1935), 290.
[130]Ibid., 203.

London in 1927, where he was tutored by Harold Laski, Arthur Berriedale Keith, Lionel Barnett, and Alfred Zimmern. Prasad's thesis under Laski, published the following year as *The State in Ancient India: A Study in the Structure and Practical Working of Political Institutions in North India in Ancient Times* (1928), drew heavily on *Local Government in Ancient India* and *Democracies of the East.* Quoting from both works, Prasad argued in his dissertation that the state in ancient India existed to coordinate between local assemblies. Sovereignty was "saturated through and through with the principles of what for convenience may be called federalism," rooted in the "ultimate unit" of the local *sabha*.[131]

In 1927, Beni Prasad returned to India from London to take up a lectureship in the newly established Department of Civics and Political Science at the University of Allahabad, becoming full professor in 1929. He quickly drew close to Radhakamal Mukerjee, who was then based at the nearby University of Lucknow.[132] Under Radhakamal's influence, Prasad prepared *A Few Suggestions on the Problem of the Indian Constitution* (1928), a book-length response to the demands for an elected national parliament, legislative representation, and imperial dominion status outlined by the Congress under Motilal Nehru, Tej Bahadur Sapru, and others on 10 August 1928, in what had come to be known as the "Nehru report."[133] Prasad charged the Congress with uncritically accepting election into a national legislature modeled on parliaments in the British Dominions of Canada, Australia, and New Zealand as the only means of self-government. The distinction between modern representative government and the "despotic monarchy and close oligarchy" of imperial rule, a central trope in the vocabulary of the Nehru report, was for Prasad quite exaggerated.[134] Representative parliamentary systems just as easily concentrated power in the hands of a political class as monarchies or oligarchies, leaving "the mass of voters … too apathetic, too indolent."[135]

Prasad viewed theories of mass democracy articulated by writers like Radhakamal Mukerjee in the early 1920s as correctives to the democratic blind spots of Congress nationalism. As proposals to transfer both lawmaking and administrative power "from legislatures to the people for direct exercise," these theories were part of a new intellectual "movement,"

> a movement which strikes at the root of representative government and tends to reproduce, *mutatis mutandis* in the altered geographical circumstances, the features of the direct democracy of classical history. Modern statesmanship has reverted to the ideal of Rousseau who declared sovereignty to be inalienable and unrepresentable. Thus, proposals for constitutional amendment and other important measures may be referred to the people and directly voted upon.[136]

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[131]Beni Prasad, *The State in Ancient India: A Study in the Structure and Practical Working of Political Institutions in North India in Ancient Times* (Allahabad, 1928), 504–5.

[132]See Heramb Chaturvedi, "Professor Beni Prasad," in Chaturvedi, *Allahabad School of History (1915–1955)* (New Delhi, 2016), 146–74.

[133]Beni Prasad, *A Few Suggestions on the Problem of the Indian Constitution* (Allahabad, 1928), ii.

[134]Ibid., 8.

[135]Ibid., 9.

[136]Ibid., 33.

This passage was deeply informed by Chapters 9 and 10 of *Democracies of the East*. Beni Prasad repeated Radhakamal's reading of Rousseau in Chapter 9 of *Democracies* as a philosopher of "unrepresentable" sovereignty. He similarly regarded Rousseauian direct democracy not as the introduction of a radically new political concept for India but as a reversion to "classical history." The "altered geographical circumstances" of large modern states meant that the participatory local democracy of premodern India could only be recovered on a systematic federal basis and would have to be combined with the power of local referendum, as detailed in Chapter 10 of *Democracies of the East*. The critical point, Prasad asserted in Chapter 7 of *A Few Suggestions*, was that such a turn away from the constitutional paradigms of the Congress should be seen as a return to an older tradition of "direct or primary democracy, as distinct from representative democracy."[137]

The federalist moment of the 1920s

Between the mid-1880s and the mid-1920s, attitudes toward the constitutional mechanism of electoral representation underwent a considerable shift in Indian political discourse. From being accepted uncritically as the means of attaining *swaraj*, it came be to be seen as the primary institutional obstacle to the rule of the people. In response to nationalist thinking on the need to filter sovereignty through representatives, a circle of historians and social scientists emerging initially out of the *swadeshi* movement tried to identify and rehabilitate premodern Indian practices of participatory democracy. They adopted the *swadeshi* movement's politically motivated approach to national history and contributed to a growing literature in the 1910s about the ancient Indian state. Out of this scholarship, the federalist writers simultaneously generated a portrait of ancient and medieval Indian constitutions as governed by republican citizens' assemblies (*sabha*) and outlined schemes to make these assemblies the foundational bodies of a future democratic state. A republican interpretation of national history and a move to resurrect the distinctive institutions of an invented national republican tradition were produced out of frustration with the limits on political participation embedded within popular regimes premised on the election of lawmakers, what Bernard Manin has described as "the delegation of government to a limited number of citizens that differentiates representation from government by the people."[138]

Direct democracy never cohered into a tangible political program in the late 1910s or the 1920s. In spite of their obvious polemics against the Congress, Indian pluralists were averse to making their own ideas the bases of any kind of organized opposition movement. M. D. Joshi, one of Radhakamal Mukerjee's students at the University of Lucknow, noted that the author of *Democracies of the East* "never indulged in politics."[139] Similar observations were made about Beni Prasad at the University of Allahabad—particularly striking, given that *A Few Suggestions on the Problem of the Indian Constitution* was published two months after the Nehru report and engaged with it directly.[140] Brajendranath Seal's constitution

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[137]Ibid., 222.

[138]Bernard Manin, *The Principles of Representative Government* (Cambridge, 1997), 165–6.

[139]M. D. Joshi, "Professor Radhakamal Mukerjee: As I Knew Him," in Mukerjee, *India: The Dawn of a New Era*, 215–17, at 217.

[140]Chaturvedi, "Professor Beni Prasad," 151.

for Mysore was the closest that pluralist federalism came to the world of *realpolitik* in the 1920s. Yet Seal's constitution remained a draft; after March 1923, no party or movement, in Mysore or elsewhere, took it up as a manifesto. There were certainly resonances between the discourse of radical democracy and other political movements of the time. The most obvious connection was with Gandhi, whose *Hind Swaraj* contained a similar denunciation of "parliamentary *swaraj*" and party politics in its Chapter 5.[141] Radhakamal Mukerjee appears to have met Gandhi once, during a lecture on agrarian economics at St Stephen's College, Delhi, on 28 November 1917.[142] Beyond this passing encounter, however, there is nothing to indicate that Radhakamal or other federalist writers ever engaged with Gandhi or saw themselves as Gandhians. Indeed, Gandhian politics as a whole was a curious omission from their texts. Even as Radhakumud and Radhakamal decried the Indian National Congress as an elite-driven organization, they never discussed Gandhi's efforts to turn the party into a genuine mass movement after 1919.

The debate on reviving premodern forms of democracy remained a largely academic one, a decade-long back-and-forth between historians like Radhakumud Mookerji, philosophers like Brajendranath Seal, and social scientists like Radhakamal Mukerjee and Beni Prasad. It was a debate, above all, about the possibilities of federal government. Federalism provided an answer for the twin problems of scale and coordination thrown up by a project of assembly-based mass democracy. If direct collective law making and the rotation of executive offices through lot could be fully participatory and accessible to a maximum number of citizens only within small, self-contained republican communities—such as individual villages and towns—then how could such a political system ever exist over a large area? How could one possibly conceive of a directly democratic *state*? For Radhakamud, Radhakamal, Seal, and Prasad, the solution was to construct a federal state with limited legislative powers at the central level coordinating between citizens' assemblies able to individually govern their jurisdictions. Such a two-tiered constitutional structure was modeled on premodern Indian empires, seen as directly governed by citizens at the local level and indirectly ruled through the figure of the monarch at the centre. Proponents of the system were divided over how, precisely, the federal government would be constituted. While Seal accepted a limited monarchy, Radhakamal Mukerjee advocated an elected central body subject to the right of local general assemblies to hold referenda on its legislation. Despite important differences between them, the four writers examined in this essay converged on the need for a limited central government and the transfer of legislative functions to individual assemblies. To give sovereignty over local affairs to a powerful national legislature would be to hand greater power to a group of representatives than to a wide body of citizens. The revival of premodern federalism was thus understood as a way to forestall the consolidation of electoral democracy and to realize its participatory alternative at the scales of region and nation.

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[141]M. K. Gandhi, *"Hind Swaraj" and Other Writings*, ed. Anthony Parel (Cambridge, 1997), 29–32.
[142]Mukerjee, *India: The Dawn of a New Era*, 123.