

# TEMPLE-ENTRY BILL

AND

## CROWN'S OBLIGATION

*With The Compliments of  
his Kontra Sampu arayan Row*

BY

**K. VYASA RAO,**

Author of "The Future Government of India" etc.

*Issued by*

**The Swadharma Swarajya Sangha, Ltd.,**

**(Orthodox National League, Ltd.)**

**Beehive Buildings,**


**95, BROADWAY, MADRAS.**

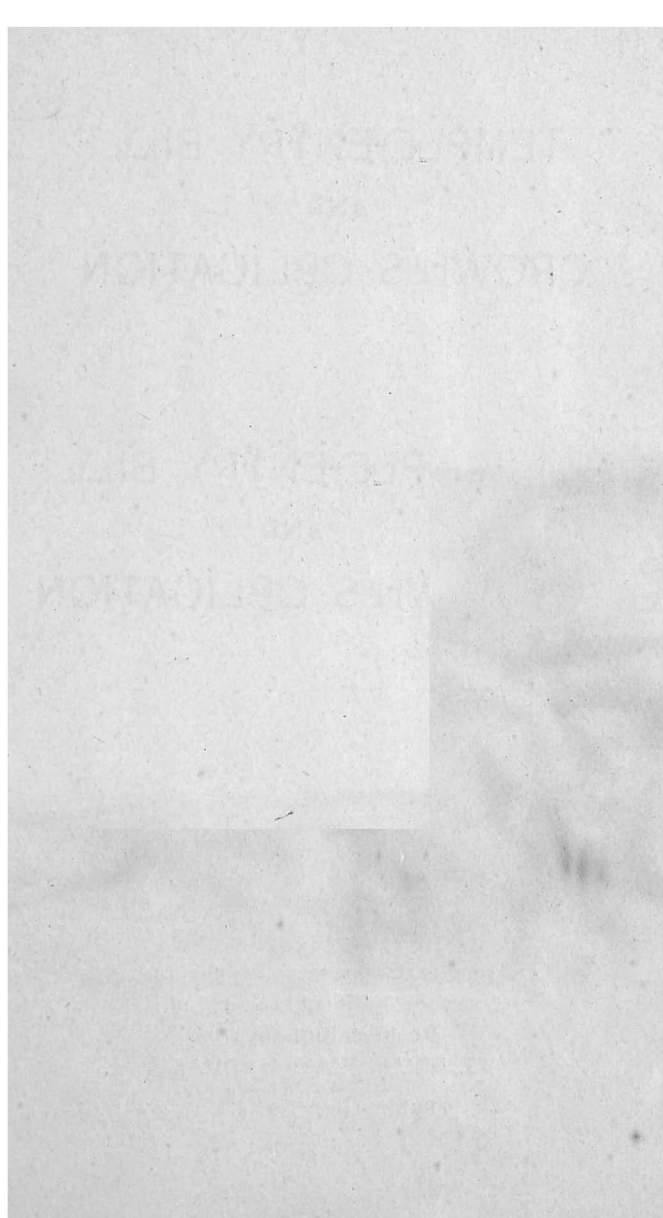
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## CONTENTS.

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|  | PAGE.   |
|--|---------|
| Introductory                             | ... vii |
| I Temple-entry Bill :--Its genesis       | ... 1   |
| II Butter on the crane's head            | ... 3   |
| III The trust irrevocable                | ... 5   |
| IV Analogy of the Sarda Act              | ... 7   |
| V <i>Locus standi</i> of the Legislature | ... 10  |
| VI Vivisection of the Council            | ... 13  |
| VII An analogous disability              | ... 15  |
| VIII Value of the referendum             | ... 17  |
| IX Experiment in soul force              | ... 21  |
| X Cross fears                            | ... 27  |
| XI A wrong choice                        | ... 33  |
| XII What are Hindu temples?              | ... 37  |
| XIII A land of religious freedom         | ... 40  |
| XIV A cause without a press              | ... 44  |

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# TEMPLE-ENTRY BILL AND CROWN'S OBLIGATION

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## INTRODUCTORY

In the advancing march of Indian political development, necessitating the transfer of powers from the Crown to representative bodies, a question of primary importance, that of the Crown's neutrality in religious matters, is demanding a clear and unequivocal answer. Although it would not have been raised in an acute form but for certain events that have rapidly succeeded one another, it is certain to be raised in some connection or another before long. It is certainly desirable that it has to be faced now when the new constitution is yet in the making. It shows the integrity of issues political and non-political when a new era in politics is to commence. As it would be advantageous to discuss such a subject in reference to a concrete proposal and not as a suppositional issue, likely to arise at some time, I have dealt with the subject of gua-

rantee of religious neutrality of the Crown in the coming constitution with sole reference to the permission demanded of the Viceroy for the introduction of the temple-entry bill. As having had the additional backing of Mr. Gandhi, who has been the dictator of the Congress, the question of neutrality is under no little strain, and any commitment now made will therefore be more authoritative than in circumstances of placid indifference.

However, although I am dealing with the temple-entry bill alone with its precedent circumstances, the intrinsic merits of the issue would remain the same, even if the circumstances had not existed. But as they forcibly illustrate the danger of leaving the question undetermined, I have confined myself to the neutrality of the Crown in reference to the proposed bill, as such an issue could not have a more compelling setting than the present bill has come to possess. But even in matters where there is no such setting, the principle of neutrality of the Crown in religious and socio-religious matters is equally binding as in the case of those which happen to be on the Legislative anvil at present.

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# TEMPLE-ENTRY BILL

## I

### ITS GENESIS

What at first was started as a political fast on the announcement of the communal award and threatened to become subsequently a fast on a religious issue, promises to become once again a political fast, thanks to those astute lieutenants of Mr. Gandhi who have been able to persuade him that no guilt could attach to the Zamorin. The venue for the third act in the drama, or melodrama as some may regard it, changes now from a hamlet on the Malabar seaboard to imperial Delhi. If the responsibility for driving Mr. Gandhi to a fast "unto death" can excite the fear of a Damocles sword, it is now on its way to the Viceroy's House, having returned to Yerrawada from the Kovilagam of the Zamorin. No Viceroy could for a moment escape feeling confounded by such a strange political development which would have seemed the very acme of political absurdity in other countries. But a clear

analysis of the situation would dispel the mists and leave any head of Government free to pursue the only honourable and courageous course of action consistently with the spirit of British rule in India throughout its entire course.

Nobody can pretend that the Temple-Entry Bill was born of spiritual solicitude or was nurtured in religious agony or is expected to make headway by the stubborn faith of its authors in disregarded scriptural sanctions. Its political parentage is too patent and recent to be camouflaged or concealed. Mr. Gandhi's blunder in rejecting reservation of seats to the depressed classes in an undivided joint electorate—the most incredible mistake that has ever been committed in Indian politics—has led, in an unbroken chronological order, to Dr. Subbaroyan's Temple-Entry Bill. And whoever heard of Dr. Subbaroyan or Mr. C. Rajagopalachari being bothered as to whether the Agamas were till now rightly or wrongly interpreted in regard to Temple entry? The Bill is a lineal descendant of the fateful obduracy of Mr. Gandhi at the R. T. C. and a section of the public which knows this fact as well as it knows its own

face in the mirror acts as if it had no choice but to echo his demands.



## II

### BUTTER ON THE CRANE'S HEAD

Conformably to the Indian proverb that the best method of bagging a crane is to place a lump of butter on its head and wait till it melts and blinds its eyes, the advocates of Temple entry invite the Viceroy to place on his head section 80 of the Government of India Act and swear whether there is anything in it that precludes him from consenting to the introduction of the bill. That section deals, as the corresponding section in the preceding enactments of the Government of India Act did, with what would trench upon the powers of the Government of India in a provincial measure. What would be repugnant to the supreme authority in a subordinate legislature is the substance of that section and such a provision must in the nature of things be an indispensable recitation in any Act. And because Dr. Subbaroyan's bill does not offend any of these provisos it is

urged that the Viceroy's consent must automatically follow. The discretion of the Viceroy is thus brought to the level of that of a comparing clerk. They forget, if they do not ignore deliberately, two fundamental considerations in adopting this line of argument. Firstly, whether the responsibility of the sovereign has been abrogated merely because Provincial and Central Legislatures have been instituted and secondly whether even admitting the power of the Legislature to enact such a measure, such a subject could, according to any criterion of Parliamentary procedure, be permitted without the issue having been previously submitted to the electorates. The discretion of the Viceroy has to be invoked in answering these two points and not in his being required to say which proviso of clause (c) of section 80 of the Government of India Act of 1919 bars the way to his permission.

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## III

## THE TRUST IRREVOCABLE

There are certain trusts either vested in the sovereign and explicitly accepted by him or created by himself in the full realisation of his responsibility and these trusts can neither be repudiated step by step nor transferred to other hands in the face of opposition, so long as the sovereign continues to be the responsible ruler. The promise of protection in religious practices to His Majesty's subjects in India is one such trust. This promise has been acted upon so far with unswerving fidelity and the supposed instances of departure from this solemn assurance illustrate it in fact. Suppression of sati, the favourite instance so often quoted, is analogous to suppression of attempts to commit suicide or to carry out a vow by self immolation or human sacrifice. Protection of religious practices has not meant in the history of British rule, at any rate, permission to commit crimes or to do acts as will lead to a breach of the peace. Even Hindu and Muslim sovereigns have prohibited such practices ignoring the cloak of religion covering them. Where, however, no such imputation is

involved the duty of protecting his subjects in the performance of religious rites according to immemorial usage is a consistently accepted principle. With regard to measures of social reform most of them are of a permissive character and do not pertain to the domain of pure religion. Legalisation of remarriage of widows was mainly for removing any doubt as to the legitimacy of the status of the married couple and of their children. The first Age of Consent Act was for the protection of infants and the Sarda Act was the first instance of genuine interference with a religious practice which however is a social institution all the world over and it is that enactment that has led thousands of people to demand safeguards in religious and quasi-religious matters in the constitution to be enacted. And the party which urges its repeal is justified in that demand since the legislature composed of the followers of all religions has no right to legislate for a community in whose case the subject of legislation is fundamentally a religious sacrament and not a personal contract or social institution as in the case of others. The Sarda Act is not yet a concluded affair and until the new constitu-

tion has worked, it must be held as a continuing contentious measure. It deserves to be noted also that while the Sarda Act can be repealed or modified at any time, the Temple-Entry Bill, once passed, can only lead to a permanent and perpetual feeling of betrayal by Government ; and its repercussion would not be in the way merely of legislative modifications but far deeper than can be fathomed at present.



#### IV

### ANALOGY OF THE SARDA ACT

But even that Act bears no resemblance whatsoever in every phase of its incidence and in its ultimate crucial purpose to the Temple-Entry Bill. In the first place the efforts of Mr. Harbilas Sarda were those of a Hindu social reformer through and through without any political ancestry behind them. It was the lineal successor of a number of Legislative attempts in the Assembly from so early as 1922, which had paved the way for a step in Legislative advancement from where the Law stood after the amendment of the Indian

Penal Code in regard to the age of consent. A committee, although its constitution left much to be desired and although the record of its work gave room to and provoked adverse criticism, was appointed and toured as an All-India committee and its report comprehended an examination of the provisions of the Sarda Act also. The subject-matter of the bill had been more than once circulated to Local Governments and when it was finally passed in 1929, the subject had been before the public for little less than a decade in some form or other. It was never sprung upon the Legislature as the Temple-Entry Bill is endeavoured to be foisted into it. It is in fact a growth of the times and the reform it sought to enforce by legislation had been accepted and acted upon in numberless cases as a voluntary measure owing to economic, educational and social changes in the community. It was a legislation that satisfied in the main all the credentials of a *bona fide* measure of reform; but even as such it lacked the principle, so necessary in India, that in a matter which is still predominantly considered to be of a religious character, the legislating authority must be drawn

from the community which stood to be affected by it. But it deserves to be noted, on the other hand, that the original proposal to invalidate marriages celebrated in contravention to the provisions of the Sarda Act which logically followed from punishing the parties concerned was abandoned as trenching upon the sanctity of an accomplished sacrament and the religious part of the ceremony was left untouched. When we turn, on the other hand, to the Temple-Entry Bill, it affects a practice in the sphere of pure religion, as its very name indicates and is an aggressive violation of pacific observance of one's own faith according to immemorial usage, inflicting no harm whatsoever on others except by a constructive deduction of grievance which could be applicable to everything else. No one can get away from the fact that this aggressive violation is the immediate outcome of a political pact between two political parties which in its turn was rendered necessary by the startling ineptitude of a "plenipotentiary" to a political conference whose proceedings led to an official award to his palpable discomfiture. Amongst its zealous advocates are those who belong to religious and communal

secessions which are avowedly antagonistic to image worship and who are therefore opposed to temples as places of worship. Others who are in its favour regard temples as accessories to polling booths and incapable of serving any higher or better purpose. Is an attempt in such a direction as this deserving of the abrupt abandonment of the accepted trust of protection of the rights of His Majesty's subjects in the inoffensive enjoyment of their religious practices? And should clause (c) of section 80 of the Government of India Act be expected to throw light on such an issue or was it ever meant to do so?



## V

### **LOCUS STANDI OF THE LEGISLATURE**

Even admitting that the Legislature must stand on a different footing from the Crown in this matter, the question cannot be shirked what kind of Legislature is it that deserves to stand so? If in the coming constitution the power to make laws affecting religious usages should be specially conceded with or without

conditions and limitations then they can claim such a power. As they are they can only act as subordinate bodies with limited powers incapable of usurping the authority of the Crown or going directly counter to the accepted obligations of the Crown. This is an aspect as much worthy of consideration as section 80 of the Act which could never have been intended to supplant the fiduciary obligations of the Government.

Even granting that the present councils have been intended to take the place of the Crown in the discharge of such responsibilities, can a Legislature returned by electorates at a time when this question was not in any form before them be held competent to entertain such a bill. The real gravamen of all Legislative claims lies in the question whether a legislature is in the first place competent to be the venue of a proposed measure. Its *locus standi* is as vital a consideration as the permissibility of the clauses that constitute a Bill. Two considerations simultaneously affect this question ; firstly, whether it has the power to deal with a matter of religious usage by its constitution and explicitly allotted powers ; and secondly, whether, if it has, the personnel

of the council is competent to deal with it as a body possessing the verdict of the electorate by whom it has been returned. On both these points its *locus standi* is a preposterous fiction. The withholding of his consent by the Viceroy cannot therefore imply that he stands between the legislature and its legitimate purpose, but that although the Crown has an obligation to be neutral and the Legislature has not, still that the Legislature by the ambit of its powers and the absence of a mandate cannot be permitted to entertain the bill. Nor can the fact that he has the power to veto the bill at the last stage be an extenuation of the impropriety of allowing the introduction of such a bill. The initial consent to a bill stands in fact on a constitutional footing of its own since if the bill is allowed to be introduced the constitutional points raised herein would have been practically ignored and a far-reaching precedent would thereby be established. It would in fact mean that the present councils possess the power to undertake such a legislation and that a matter of this character could form the substance of a bill without the sanction of the electorate.

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## VI

## VIVISECTION OF THE COUNCIL

There is also the question, if the bill is to be introduced, whether or not the official and nominated members should vote; and more important than this whether or not the non-Hindu members should be permitted to vote. On what Legislative authority, in the Government of India Act, or according to what precedent can the non-Hindu members be asked or expected to refrain from voting and on the other hand on what conception of propriety can they be permitted to vote? Even in the enactment of the Hindu Religious Endowments Act and in the discussion of the Tripathi Devasthanam Bill non-Hindu members voted, plainly because the measures did not contemplate interference with religious practices and injunctions. Nobody can say that misappropriation or mismanagement of temple properties is a religious practice. We have yet to know of any Indian State, whether Hindu or Muslim, where although the secular side of temple management is amenable to Government control and legislation, their religious usages have been interfered with by outside

authority. As the very name indicates the Endowments Act concerns the endowments and protects the usages ; and this Act was not the first of its kind in the history of British rule. There were executive regulations from as early as 1817 and legislative enactments as early as 1863. Far from being a violation of the principle of protection that Act is an illustration of the principle. It was meant to safeguard temples from the malversation, inefficiency and irresponsibility of the trustees as several of its predecessors has done. The confession that this Act itself stands to-day in the way of admission of excluded classes is enough to bear out the contention that at no time even after the advent of the present councils has their claim to interfere in purely religious matters been even remotely conceded. The fact is incontrovertible that these questions have to be faced since the legislative forum competent to interfere with religious usages has yet to come into existence. A council neither constituted for such a purpose amongst others, nor returned for entertaining a proposal of this kind can be regarded as the proper body for the proposed legislation. The withholding of his consent by the Viceroy

will only mean this and no more. The doctrine of religious neutrality of the Crown and its obligation of protection in the observance of religion mean in reality that the power of the Legislature is also limited to the carrying out of what follows from the conception of Crown's protection.



## VII

### AN ANALOGOUS DISABILITY

If Mr. Gandhi can reconcile himself to the unfairness of leaving the Zamorin exposed to a legal danger if he allowed temple entry under the existing law, it will be equally expected of him to realise the position of the Viceroy in consenting to the introduction of a bill in the face of these facts. The argument that there could be no breach of neutrality, when the Legislature is to deal with the bill, cannot be tenable as has been pointed out above. Nor can even Mr. Gandhi ignore the glaring impropriety of any legislature which has not been returned on this issue dealing with such a bill. The utmost that he can do as a staunch advocate of temple entry is to ask the

Viceroy to favour the dissolution of the present council if Dr. Subbaroyan would insist upon introducing it. This course would no doubt mean that the Legislature is otherwise competent to entertain such a measure. Granting its competency it will however have to be made clear that only elected caste Hindu members would be competent to record their votes on the bill. If Mr. Gandhi can persuade the Viceroy to dissolve the council on this clear understanding, it would of course become a relevant question why the non-Hindu members of the council should have to seek re-election for no purpose at all. And then how can the council be dissolved so far as the elected Hindu members alone are concerned? The entire complication, so baffling and so unprecedented in its vitiating ramifications, arises from the fact that the Hindu members of the council have not the slightest interest in the matter so as to lead them to go through the indispensable ordeal. If they felt even half as strongly as Mr. Gandhi does, the very mover of the proposed Bill would have sought re-election after giving notice of it as a measure to be introduced by him if returned. That would at least tend to justify the initial

permission and postpone the dissolution of the council to a later date. But absolutely no such courageous course of action has struck any of the advocates of the measure and what is desired is to be given the liberty to perpetrate what amounts to a fraud on the guaranteed constitutional rights of the bulk of the community in the country. It follows therefore logically if the legal disability of the Zamorin could appeal to Mr. Gandhi, the constitutional disability of the Viceroy must equally commend itself to him, unless it is Mr. Gandhi's object to put the Government in the wrong somehow or other.



## VIII

### VALUE OF THE REFERENDUM

It is astonishing to a degree that so keen an intellect, so well versed in public affairs as Mr. Gandhi should attach any value whatsoever to the Referendum that has been taken in some of the villages around Guruvayur. In the first place proximity to the Guruvayur Temple cannot be the criterion regarding the area of the Referendum. In a matter of an unprece-

dented innovation, in an admitted test which will be readily applicable to every other temple, it is ridiculous to say that half a dozen villages could decide the issue. The very fact that there was a danger of the probability of such a view prevailing impelled heads of recognised mutts of ancient lineage who had never before assembled together in one place to undertake a journey of hundreds of miles to record their protest against the validity of such a referendum. It will be hard to find another instance in which as many as three heads of important Sankaracharya mutts from beyond South India were present personally along with two distinguished heads of Vaishnavaites at one place to testify to the All-India value of the issue sought to be disposed of by the referendum round about Guruvayur. Messages from renowned *mutadhipathies* whose foundations go so far back as the age of Sankaracharya in sympathy with the conference were communicated either through special delegates or otherwise. How a referendum taken in such a confined area can be considered sufficient in a matter of this importance needs no elaborate repudiation. It would be like taking a referendum round about Delhi to throw open the Viceroy's

House for public residence without causing serious inconvenience to its distinguished inmates.

Even accepting such a referendum as indicative of any value, Mr. Gandhi has found it convenient to ignore the incredible and unbridgeable gulf between the total population inhabiting the villages and the infinitesimal number who voted for or against. Any referendum to be of value should comprehend an unignorable percentage, at least over fifty per cent of the total population participating in it. Otherwise the referendum should be treated as a failure in itself and as having evoked no interest in the subject. If there is such a thing as a quorum applicable to meetings of statutory bodies, the quorum for a referendum must be more than for an ordinary meeting. For instance in the Swiss Constitution where the referendum plays so important a part, a majority of participants is as necessary as a majority of those who vote. To call the procedure adopted at Guruvayur a referendum is a mere travesty of the real thing.

Furthermore, can a referendum be of value in anything and everything, even if it should

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*R. Krishnaswami Sastri*

satisfy the commonly accepted criteria of a satisfactory referendum? If only this principle of going by the procedure of referendum should be applicable to rights of property in land and money, to ownership of industrial and business concerns, what would be the trepidation in the country? And, are there not things as valuable as land and money and is not the preservation of the sanctity of places of worship inviolate as valuable as material possessions to those who believe in them? Innovation by referendum must inevitably lead from instance to instance to the abolition of private property along with the abrogation of communal rights. And a referendum in a religious question must lead to Nihilism including the total abolition of "church" and religion. To apply such a dangerous principle to a question of religion in one matter must necessarily furnish a precedent to be regarded as a safe guide in any other contention as regards religious practices. What is so difficult to be implemented in politics is infinitely more difficult in religion. While politics may lend itself to being a question of majority and minority, religion is a matter of the individual concerned and cannot be changed by vote by ballot. The conception of applying referendum

to a religious issue and of confining it to a small area and even there of being satisfied with a handful of votes in comparison with the total population of that area is too amusing if not infantine to be seriously taken. Does Mr. Gandhi mean with all his shrewdness and insight that the Viceroy should treat the result of this referendum as a reliable warrant for initiating a departure in British policy from the accepted political creed of religious neutrality and protection in religious usages ?



## IX

### EXPERIMENT IN SOUL FORCE

Having examined so far the compelling necessity for legislation in favour of Temple-entry, it is necessary to advert to what is operating now as the motive power behind the proposed legislation. Mr. Gandhi has sought to play the role of a discoverer of a new source of energy by the exhibition of soul force in his attempt to remove galling social inequalities and to bring about consequential changes in religious faiths, usages and practices. This instrument of transformation is to be released

by any great man held in esteem and is to work as an immediate leaven in the psychology of the masses as well as of the classes. It is not exactly as a matter of propitiation to the conviction of such an individual that the change is expected to be voluntarily brought about. Mr. Gandhi would no doubt expect those who are affected by his attitude to arrive at their own conclusions after an honest course of thinking. While nobody can object to such attempts being made and while one feels bound to express one's admiration for occupying so unique a place in Society, it cannot but be deplored that this exhibition of soul force is coupled with a threat of voluntary martyrdom in the cause befriended by him. To speak of soul force as a valuable factor in the regulation of human affairs is one thing and to confound it with an attempt to commit suicide is altogether another thing. Soul force to operate as such must appeal to human reason or emotion or the subtlest of human faculties transcending human reason and emotion alike. One who is affected by the soul-force of another is so affected, not because there is a fear of physical or extra-physical injury to himself or to another, or because there is any expectation

of gratification to be obtained, but because the level of the mental plane between the parties leaves no room for the former to disagree with or act divergently from the latter. The attraction to act in consonance with the other becomes irresistible. Because such an experience in human life has been connected in the past with infliction of injury on the person exerting such an influence, the impression has been formed that the release of soul force should always be accompanied by an experience of physical injury on the part of the person exerting it. Thus, physical injury has become a *sine quo non* of the exhibition of soul force in the belief of many. The blood of the martyr has been regarded as indispensable to the propagation of the new faith. Such a view however takes it for granted that there is somebody who is prepared to inflict the expected injury. If martyrs have become rare now a days it is because toleration has become almost a second nature with enlightened mankind. The enfranchisement of the human mind is largely responsible for the disappearance of martyrs and martyrdom. Mr. Gandhi deserves no doubt to become a martyr by the faith he has in his own beliefs and by

his disciplined preparedness to cheerfully put up with any physical injury if inflicted upon as a consequence of the avowal of his faith. But, in the altered world of a systematised reign of law in which beliefs are unpunishable and actions only in case they tend to involve danger to established law and order, the possibility of martyrdom is too negligible to be relied upon by a would-be martyr. But the value of martyrdom being too great to be lost and martyrdom being irrevocably connected with causation of physical injury, the believer in martyrdom has necessarily to cause it upon himself. Hence, if nobody would come forward to stone a would-be martyr or to place a crown of thorns on his head, he has to seek the best method of languishing in pain and agony, taking care that the process is brought to the notice of every man, woman and child in every part of the literate and illiterate globe. This self-imposed martyrdom has to be illumined with sufficient stage effect and dramatic incidence. Otherwise, the psychologically operative effect of martyrdom on other minds is lost. If a man should starve in privacy because of innumerable avoidable wrongs or unavoidable miseries, he

may no doubt be doing good to his own soul, but what chance will there be of bringing about changes in the world? Hence martyrdom with a purpose has to be enacted in the most powerful of lime-lights; and causation of physical injury upon oneself and due and effective publicity of it must be coupled together. If a performance of this kind could be tolerated as an exposition of soul-force it is because Mr. Gandhi's greatness has abstracted the faculty of discrimination from his unthinking admirers. So much has Mr. Gandhi been obsessed by his mania for martyrdom that he fails to understand that it is a new martyrdom that he seeks to establish. He regards himself in fact as an expert in the art, as the field-marshal of the army and would allow no novice in it to undertake a similar task. He plainly asked how a private could transgress the commands of a field marshal and persist in fasting when the field marshal had withdrawn his fast. It almost seemed as if an element of jealousy was overtaking him when the private was about to leave him behind in the race and reach the goal of martyrdom earlier, obtaining the cross of the victor in advance of Mr. Gandhi. It is undeniable that Mr. Gandhi wants to

dedicate his life to a great cause literally by dying for it if need be. But it should not appear as though he would prefer death in such a cause to mere victory without death. To such a mentality the distinction between soul-force and a craving for martyrdom must necessarily be lost ; and he naturally expects, since soul-force and martyrdom in the past have transformed society before, his resolution to play the martyr now and in this issue must also terminate in success sooner or later. The only another "Himalayan blunder" he commits is that History furnishes no instance in which a martyr became so by an act of suicide. One would be curious to know if Mr. Gandhi approves of the abolition of *sati* by the British Government by law and if he endorses such a measure how he could object to the prevention of deliberate suicide, simply because it is not prompted by spiritual salvation but by material considerations of prevalent communal usages ? His soul force therefore stands on no better basis than an abnormal and morbid craving for self—destruction in a public cause. While nobody can prevent him from persisting in such a course of action in these days of widening

individual liberty, it would be sheer madness to ask the Government to be influenced by it to the extent of foreswearing their solemn pledges to millions of people who had relied upon them through every phase of British consolidation in India. Both from the point of view of what the Government have refrained from till now and what they have permitted, it becomes clear that this is not an instance in which a departure from their policy could be made.



## X

### CROSS FEARS

As regards the fear whether Hindu Society should be allowed to become petrified on the ground of the religious neutrality of the Government, no one would say that the Government should stand between the community concerned and the innovations it might favour in its own interests. In fact vital changes have taken place in usages regarding temple entry, although imperceptibly, as it may seem, but unquestionably by the force of altered views without legislative inter-

ference or threat of slow suicide. Time was, not far back, when even a high caste Hindu ruler of an Indian state could not enter any temple in the area of another state where he was the guest of the Royal House on account of his having crossed the seas. But from about the end of 1931 the bar has been removed with out any agitation or fuss. The rigour of the rules has been relaxed in many respects and further relaxation will become inevitable. Castes to whom temple entry was prohibited not long ago are now admitted without a question. These changes have come about, not because temple entry was demanded as of right at the point of a legislative bill for compassing a political purpose but because the innovation has been spontaneously recognised as due to those who have shown a silent solicitude for and faith in temple worship. The case of the Adi-Dravidas as a community outside the pale of caste Hindus is different, no doubt, but this very difference must counsel the adoption of methods which will not tend to bring temples into the arena of political motives and contests. The only legislature competent to act in these matters is the consensus of communal opinion. While on one

side that consensus of opinion should be promoted, a real desire to qualify themselves on the part of the excluded classes by improved conditions of living must be strenuously cultivated with the help of those who are in favour of temples being thrown open to them. In fact a process of assimilation of untouchables into touchables must be depended upon to take the place of faith in fasts to bring about what would be nothing short of a socio-religious miracle. Self-confidence of greatmen in themselves has no doubt worked wonders in the past and will no doubt do so now and in the future. But such instances of success of self-confidence have nothing in common with the self-confidence which Mr. Gandhi has been encouraged by his followers to evince in himself. A quick spring from one branch of activity to another may be alright for one self but cannot be expected to be followed by millions of others whose conviction to the contrary is equally strong. Those who have been great religious reformers were, if not born as such, men who had consecrated their life time to the work on hand. Similarly those who laboured in the field of social reform were primarily devoted to it as the

sum and substance of their ambition in life. Great reformers in Hindu polity like Shri Ramanuja and founders of Protestant Hinduism like Dayanand Saraswathi and revivalists of the cardinal foundations of the Hindu faith like Swami Vivekananda who have left undying marks of their life work found one realm of activity too much for a life time. They never meddled with the politics of their times while at work in what concerned religious faiths and social and credal unification. These men would have revolted from the very idea of invoking the aid of the temporal power in accomplishing any of these tasks. They would have shed the last drop of their blood before doing so if they had worked for the disestablishment of such a power from its political supremacy and at the same time looked to it for helping them in the success of their mission. On the other hand, what we are now called upon to witness as a great innovation in religious and social usages is sought to be effected by the wave of a political wand for a political purpose accompanied by a threat that if that wave should fail of its purpose a fast unto death would follow. This is legislation by sitting *dharna* first at

the Viceregal door and next at the door of the legislature.

The Hindu community has not ceased to be a living community to resent such a course. It will come by its political salvation in the manner best suited to its genius and the conflicting interests involved in achieving it. The completion of the solidarity of its component parts without destroying its inestimable heritage is not a task that could be superimposed upon it to be accomplished by the arrival of a due date on the page of the calendar. Tossed in the waves of the ravaging ideas of the West, its capacity to adapt itself to the needs of the times while holding fast to its true self will not desert it now any more than in the past. It will revolt to its utmost capacity against being trampled upon for the sake of a momentary political triumph, of little or no value of a leader whose experimental methods in politics are noteworthy only for their unprecedented impracticability and unrelieved failure. The Hindu community has not yet become a carcass for artificial reconstruction on *a priori* postulates enunciated by an individual who has missed his exact sphere of work between political

experiments and religious and social missions. If half the zest that has been shown in the demolition of temple conservatism had been exerted in materially alleviating the condition of the excluded classes a good extent of the way to making temple entry commendable to the conservative sections would have been traversed by this time. But on *a priori* theories the citadel has been attempted to be assaulted with the inevitable result that the defences have been fortified. Far from serving even a political purpose, this process, if continued, will only aggravate the differences and animosities that have been gradually losing vitality. If the power of legislation is to be conceded in favour of such an object the revulsion against further grant of legislative power must inevitably follow. The question that is now asked by those who are affected by Mr. Gandhi's method is whether there is anything to prevent the same legislative power being invoked in favour of other innovations, as for instance in the method, manner and personnel of worship. What is there to prevent an examination being instituted by a *fiat* of the legislature for selecting candidates for priestly services from all

classes and communities including those to whom temple entry is to be obtained now? What is there to prevent temples being converted into secular places of public utility as cattle sheds and veterinary hospitals?

The fear of petrification is countered by the fear of Nihilism, but of the two fears there is far less warrant for the first fear. Hindu Society is advancing by tremendous strides even in regard to removing social inequalities. At times, the need appears greater not to make that advance altogether precipitate, as the value of static factors cannot be over-rated in ensuring assimilation of progressive factors.



## XI

### A WRONG CHOICE

In selecting temple entry as a means of improving the condition of the depressed classes, Mr. Gandhi has cast the dice for achieving what can be no more than a dramatic gesture, even if achieved. He has not paused to consider that there are millions of the excluded classes to whom the right of

temple entry has made no difference in their condition of life. Nor has he given weight to the fact that mere right of entry into temples has not tended to abolish caste and sub-caste distinctions even in the very presence of the deity which is worshipped by all alike as their common hope of salvation hereafter and redemption from earthly afflictions. Distinctions are of the utmost importance within a temple and the right of entry has not operated as a levelling down or as a levelling up process. The observance of the ritual within is so punctillious a procedure that what could be touched with one hand ought not to be touched with another and what ought to be done at one hour of the day should not be done at another hour. Whether or not there is really any spiritual efficacy in these observances, to him who has faith in them there is efficacy and to whom that has not, there is none. And no man can have faith in one part of an observance and not in another according to the average notions of mankind. Faith is a completed mental process and the logic that appeals to the average mind is entirely against the advocates of entry. One who has real faith in temples will not try to force his presence into

them if temple ordinances forbid his presence. One who does not care to respect these ordinances cannot expect others to believe in the *bona-fides* of his faith in temples. Faith cannot be composed of partial compliance and partial defiance. Those who are of that way of thinking ought to establish a new creed and a new "church" to propagate it. To try to change temple usages on account of partial compliance and partial defiance is simply an attempt to assert equality of rights in the regulation of temple usages. And such a claim if allowed, must inevitably end in a quick abolition of all temples and confiscation of their assets by the interfering authority. Temple prohibition is not a barrier to be removed by law as so many social and communal disabilities in the enjoyment of public rights have been removed by law and executive orders. In the economy of Hindu society temples perform a great part no doubt, but to try to make them subserve the same purpose to a greater extent by a forced change, cannot but be regarded as a measure of desecration for a secular purpose and will be like cooking the goose. The mind of the community has to be emancipated and this can be done only by

allowing time for the gradual operation of ideas. Hence, to try to elevate the condition of depressed classes by gaining admission for them into temples is not only choice of a method that cannot be tenable from any point of view but a method whose reactions are far-reaching. Those who believe that in the absence of temple entry the motive for the excluded classes to become converts to other religions will be too great to be resisted fail to perceive that thousands of converts have been drawn from the permitted classes. In fact the earlier converts in most cases were from the higher castes to a large extent. On the other hand, there are instances of countries where there is no such thing as caste as in China where conversions have taken place on a large scale. It is not prevention of temple entry so much as prevalence of preventible secular and economic disabilities that have led to conversions. These disabilities must be removed with a set purpose and for improving their social status new temples in which the excluded classes could be introduced to modes of worship similar to what is taking place in other temples must be built and the work of religious assimilation must begin in right earnest.

When all this is done the removal of the disability to enter other temples will be gradually accomplished, one temple after another permitting the entry. Revolting against the indispensable agency of time can only result in reaction and delay. Even Mr. Gandhi must realise that in historic issues not those who sow are always destined to reap.



## XII

### WHAT ARE HINDU TEMPLES ?

And after all, what is a Hindu temple? It is not a place of common prayer as a mosque or a church is essentially. It is a shrine where a consecrated image made according to the scriptural injunctions as to form, size and features, materials of composition, is kept from ancient times and worshipped in the same way more or less identically for centuries, by hereditary priests in most cases—who have to be under peculiar disabilities in peculiar temples on account of their officiating in them. For instance at Guruvayur the officiating priest has to be a bachelor taken from a group of families after he has had a course of training in the

“Agamas.” As it is not safe or practicable to expect an young man to be a bachelor after a certain age for a length of time, the priest is a new incumbent every six months. With his discharge from the temple he gets a handsome donation to get married and settle down in life to become in due course a house holder, some of whose descendants may in their turn become officiating priests like himself. It will be seen that such an institution is a Communal Trust administered according to custom and nobody can claim the right of making an innovation in it. It is perfectly open to one to regard the whole thing as silly, but nobody has a right to meddle with it. The idea is that on account of the original consecration and the continued worship according to the code there is a degree of efficacy by which the devotee may be benefited. The image is distinctly not God Almighty, the great Unknown and Unknowable of agnostics or the Para Brahma of the Upanishads whom speech cannot reach and silence cannot fathom. In fact, worship by going to temples is not always considered as the highest or the only form of spiritual worship. Nor are temples and temple worship cardinal essentials of Higher Hinduism. There

was a time when temples were very few and Hinduism flourished in pristine ascendancy more than it does to day with scores of temples at every place within a few miles of one another. It was Vivekananda who said that even if all the temples should be annihilated to-morrow, Hinduism will not be a forgotten creed or an abandoned religion. As long as the mind can look up to the Sun as the symbol of an all comprehensive but incomprehensible Power, and *Dhyan*, *Gyan* and *Bakthi* can take the place of physical worship, nobody need believe that he has missed God or the temple where the consecrated image of a Deity is worshipped. No one has rated down temples and images as the great Tamil poet-philosopher-Pattinathu Pillai, who one morning all of a sudden turned a destitute ascetic leaving his mansion to be looted by the populace, and asked the question in sublime song after song if God dwelt in clay and brass? The same philosopher who poured his burning lava on image worship from the altitude of his metaphysical frenzy has also celebrated in his songs the sanctity of consecrated images. Thayumanavar, the Tamil Divine, less frenzied and more ethereal, has again and again flung

the question who is the worshipped, who is the worshipper and what is the material of worship? These are echoes of the same metaphysical vein revealed in the Upanishads in which prayer vies with ineffectual attempt to piece through the veil which hides the baffling mystery. Many temple-goers may think they are better off for going to the temple and many of those who do not, far larger in number, may think they are not worse off for not going to the temple. But it is not one man's province to interfere with another's religion.

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### XIII

## A LAND OF RELIGIOUS FREEDOM

In this sense, India is a land of spiritual freedom *par excellence*. Religious freedom has evoked a readier and deeper response than freedom in any other sphere has done. Whoever the sovereign, his cardinal duty has been conceived to be to secure everybody in the enjoyment of his religion. As the notion of "law" in the Roman mind was to give every man his due, the function of the ruler in India

has been to protect every man in the observance of his religion. That is why Hinduism never desired to be a "converting" religion. Its teaching is that all religions lead to the same goal, even as rivers must empty themselves into the ocean. It does not deny great souls and "Avatara purushas" outside its fold. In fact, if freedom is worth having it is worth having more than anywhere else in religion. Hence he who secures this freedom is not an earthly sovereign, but an "Amsa" or reflection of Maha Vishnu the protecting functionary of the Hindu Trinity. And treason to the sovereign is a sin as much as an offence. Hence the ideal of democratic rule where the duty of the sovereign cannot be specifically located in an individual has not been India's political ideal. Now that innumerable elections have shown that the sovereignty is being transferred from the servants of the crown to innumerable crowned heads by the right of voting the fear has begun to operate that the day of protection of religious liberty is gone or going. It is a mistake to suppose that the pledge of neutrality of the Crown begins with the Queen's Proclamation. It only recognised specifically that a policy in which interference

could be suspected was not the intention of the Government and would never be. From the very beginning of British consolidation those who were in power found out that any one who aspired to rule India would have to protect the people in their religious practices. Numerous circulars and orders were issued from time to time enjoining non-interference with religion, unless to prevent cruelty to life, or outbreak of violent disorders. The Government went so far as to undertake the proper management of religious endowments in the discharge of their duty. This solicitude in the part of a Christian Government in regard to a "pagan" religion offended the missionary zeal of those who believe in there being only one religion and no other and from the time of Lord Ellenborough another policy of non-interference began. But even during this period the Crown did not give up the duty of protection, although it ordered that servants of the crown ought not to be burdened with the discharge of the secular side of the management of Hindu temples. And after the mutiny there was need to reinforce the same idea of protection of religion so long as it involved nothing that could be construed as

an offence. If to-day the Crown is to give enlarged legislative powers to the councils, the Hindu community has a right to ask whether the crown has done with its duty of protection in handing it over to the authority of the legislature. If so, let the fact be stated in so many words and let there be no groping in the dark. In the new constitution, on whom does this burden of sovereignty which is the most consequential in the Hindu mind devolve? This question that was being raised for some time past is now the foremost question of the hour on account of Mr. Gandhi's lead in politics and *it must be answered.*

It would be seen from the course of events that Mr. Gandhi has ceased to be regarded as the one man who can deliver the goods as he was some time ago till the second R. T. C. ended in suspense and indecision. That sentiment never found expression at the last R. T. C. as it did at the first. It seems as though the goods have been lost in transit if he did possess them.

## XIV

## A CAUSE WITHOUT A PRESS

It is necessary to point out here that it would be a blunder on the part of the Government to believe that because the conservative and religiously-minded Hindu section has no organisations and no press as there are on Mr. Gandhi's side, it could be treated as a vast collection of pre-historic fossils. It must be realised that all along it has had no need for a press to represent it in matters affecting purely religious practices. Its press in such matters was the British Court of Justice. Its charter of security in the absence of a press was the pledged policy of the Crown. The Indian press has grown as a political organ and it has rendered enduring services as such, but as an exponent of the religious sentiments of millions who are affected by the proposed change the bulk of the press is "Gandhi" spelt otherwise. Without in the slightest degree disparaging the great services rendered by that press, it is hardly controvertible that it is a press that cares only to be political after the method of Mr. Gandhi. It cannot possibly countenance anything that is calculated in the remotest degree to push him to embark on a

perilous undertaking. It never lifted its little finger to dissuade him from any of his "Himalayan blunders" each of which reacted to the certain detriment of the interests which he and his press had valued so highly. The fact is undeniable that whatever Mr. Gandhi did and in whatever way his actions ultimately reacted, it has implicitly stood by him and assumed that he could not have acted better than he has been able to do. Even to-day it dare not call upon Mr. Gandhi to end the civil disobedience movement although it became moribund long ago, and has absolutely no chance of a revival, and although the erstwhile civil resisters have been at the door of the Government for the enactment of their proposals by the legislature. The failures, inconsistencies, disconfigures, and reactions with which Mr. Gandhi's lead is honeycombed have never occasioned a word of dissent from the leading organs of the nationalist press in India. It has always felt powerless wherever Gandhi is concerned either as a matter of political policy or as a prudential course of action.

This method of serving the interests of the country would not have mattered so long as

the country and its press have not had to confront each other ; but to-day the unhampered indulgence Gandhi has had from the press has provoked a situation in which the nationalist press has ceased to represent the nation *in this issue*. To view the voice of such a press as that of the people affected by the proposed departure in British policy will be to commit a monumental mistake. Of course there are persons who were against the civil disobedience movement and who are in favour of temple entry and of legislation to bring it about. As against these, however, there are many who had stood by the civil disobedience movement actively or otherwise and who are dead against temple entry and legislation to bring it about. But speaking of the Indian press as a body it is an accredited organ of Gandhi. Its claim to speak as an entity in itself is attenuated by the fact that it woke up to the enormity of temple exclusion only after Gandhi sounded his gong of entering upon a fast unto death. No authority which feels responsible either for its stability or sanctity of its pledge, can set aside the conviction of millions, simply because of this press being on the other side.

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