

SPEECH BY  
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ON  
SATURDAY, THE 02<sup>ND</sup> APRIL 2022  
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The office-bearers of The Leaflet, Sri Aditya Sondhi, Senior Advocate; Ms Apoorva Viswanath, Assistant Editor, the Indian Express and Ladies and Gentlemen

I thank the organisers for giving me this opportunity to express my personal views on 'Vision of Independent India: Ranade, Tilak and Gokhale'.

In the second half of the 19<sup>th</sup> century, Maharashtra gave the nation a galaxy of social reformers, philosophers, activists, and freedom fighters. It is always a great learning experience to study the thoughts of Mahatma Jyotiba Phule, Narayan Meghaji Lokhande, Lokhitwadi Gopal Hari Deshmukh, Gopal Ganesh Agarkar, Justice Mahadev Govind Ranade, Gopal Krishna Gokhale and Bal Gangadhar Tilak, to name a few. All of them were born in the 19<sup>th</sup> century. Today, I am confining myself to the vision of the three stalwarts, Justice Ranade, Tilak and Gokhale, of a free and independent India.

I am not a historian. But as a student of history, I continue to read about these great personalities. What I am going to say today is my understanding of the thoughts of the three great personalities after reading their articles, speeches and writings. What I express may not be accurate. I know that there can always be another point of view.

### **Justice Mahadeo Govind Ranade**

Justice Mahadev Govind Ranade was the eldest of the three. He was born in 1842, 15 years before the mutiny of 1857. When we consider his thoughts, we must remember that Justice Ranade was in the judicial service of the British Government. There were constraints on him due to the judicial offices held by him. Apart from being a great Judge, he was called the Father of Indian Economics. He was an activist, a social reformer, and a great human being having the highest intellect. Most importantly, he was a liberal. His liberal ideas and views can be seen in his writings and speeches.

Even with the constraints of the judicial office, his contribution to social and religious reforms was enormous. He once said that, slowly but surely, the progress of liberal ideas

must be allowed to work its way into reforming our social customs, and the process cannot be stopped though we may wish it. His motto for the reforms movement was "humanise, equalise and sympathise".

While he was posted as a Sub-Judge in Pune, in the year 1870, he co-founded an organisation known as Sarvajanik Sabha (सार्वजनिक सभा). The object of forming the said organisation was to provide a platform to take up with the British Government the demands and grievances of citizens. It is on the platform of this institution that Justice Ranade read papers on economics. He propagated that the Indian economy was peculiar and needed policies fitting its conditions. He believed that pre-suppositions of classical economics did not suit India's needs. In 1892, just one year before his elevation as a Judge of Bombay High Court, he read a paper titled "Indian Political Economy" at the Deccan College Union, Pune. He boldly described India's worsening economic, industrial, agricultural, and financial situation. From the platform of the Sarvajanik sabha, Justice Ranade highlighted the plight of farmers, the unjust regime of agricultural tax, and the exploitation of the farmers by moneylenders. In 1877,

through the said organisation, Justice Ranade addressed a letter to the British Government on the occasion of a Darbar scheduled to be held by the Viceroy Mr Lytton. In the said letter, he propagated the idea of representatives of Indian people coming together and exchanging their views. In 1891, he prepared a detailed report on conditions created in various districts due to famine through the said organisation. His association with the said institution led to the unique experiment of setting up arbitral tribunals to resolve civil disputes by private settlement. Perhaps, we need to study this model.

He was a co-founder of the Indian National Congress. Though later on, the British Government banned the participation of public servants in Congress, Justice Ranade attended some of the Congress sessions as an observer.

Justice Ranade lived in an era when there were princely states in India. In January 1880, he wrote an article titled "Constitution for the Native States". He discussed in detail the concept of the Constitution for Indian native States. His idea was to provide a responsible Government for the people supported by a Constitution in the Indian States. Late Maharaja of Baroda offered Justice Ranade the post of Diwan of the Baroda State. He

addressed a detailed letter to the Maharaja declining the offer. He suggested that the Maharaja should decentralise the power. His suggestion to the Maharaja was to constitute municipalities. He advised Maharaja that he should consider of having a Constitution for the Baroda State. In the said letter, he was at pains to explain that even while working with the British Government, he "never bartered his freedom for any personal considerations."

He addressed several yearly Social Conferences. His speeches at the conferences show that his concept of social reforms was not limited to changing religious customs. His idea of reforms directly connects with equality, the dignity of human beings and the natural rights of human beings. At the 7<sup>th</sup> Social Conference held in Lahore, he invited attention to the violation of the rights of human beings in every household. He pointed out that ordinary human rights were denied to various sections of society. He said that when we were not bothered about the injustice done to them, even if political rights were conferred on Indian citizens, they would find it difficult to preserve the rights. In one of his speeches, he pleaded that there was nothing wrong if social reforms were ushered through Legislation made by the

British Government. In the Social Conference held in 1892 at Allahabad, he pleaded the importance of tolerance, forbearance and rational thinking. He asserted that instead of blindly following someone, there was a need to do rational thinking.

In 1899, at the 13<sup>th</sup> Social Conference held in Lucknow, he took the opportunity to advise Hindus and Muslims to introspect. He expressed concern about the lack of importance of individual rights, the failure to understand the importance of science and technology and disrespect for women in both religions. He appealed to Hindus and Muslims to remain united.

In a true sense, he was a liberal, and he always faced criticism with dignity. When Lokmanya Tilak wrote a very strongly worded article in his newspaper criticising Justice Ranade, many of his well-wishers advised him not to tolerate the insult and proceed in the Court of law by filing an action for defamation. The response of Justice Ranade to the said suggestion was most dignified. The response shows his love for the freedom of expression and human dignity. He informed his advisors that Tilak was a great patriot. He said that both of them were fighting for the same cause. But, their methods were

different. He stated that if there was a legal battle between him and Tilak, the Britishers will take undue advantage. Moreover, he said that he would instead introspect when a very independent and learned person like Tilak had found fault with him.

His vision of economic reforms is very significant. He always considered agricultural reforms as a part of broader economic reforms. His demand was for the grant of agricultural loans to farmers at subsidised interest rates. He pleaded the need to create a fund for a grant of loan waiver to poor farmers. He gave the example of Hungary, where the loan was granted to farmers with a subsidised interest rate of 4.5%. He gave figures to prove that though the funds were available with Indian banks, they did not infuse sufficient capital into agriculture. He pleaded the need to spend more on irrigation. His emphasis was on the modernisation of agriculture and setting up industries. He asserted that people should use a part of their savings for investing it as capital in the local industries or trade. He pleaded that an open economy was not suitable for our country, and he called for the intervention of the Government in setting up local industries.

I cannot resist the temptation of quoting what Justice Ranade reportedly said in one of the lectures delivered by him at the Social Conference at Pune. He said, "We have above all to learn what is to bear and forebear – to bear ridicule, insults, even personal injuries at times, and forebear from returning abuse for abuse. In the words of the Prophet of Nazareth, we have to take up the cross, not because it is pleasant to be persecuted, but because the pain and injury are as nothing by the side of the principle for which they are endured".

### **Bal Gangadhar Tilak**

Bal Gangadhar Tilak, known as Lokmanya Tilak, was born in the year 1856. He enjoyed a relatively long life till 1920. After completing his BA and LLB, he devoted his time and energy to establishing the New English School in Pune along with eminent personalities like Vishnu Krushna Chiplunkar; Gopal Ganesh Agarkar, and others. His idea was that young Indian graduates should come together and run educational institutions for imparting national education, and he expected them to work at a minimum salary. He was described as "the Father of Indian Unrest" by Sir Valentine Chirol. He had to face two trials for the



offence of sedition for his editorials in his newspaper and had to undergo conviction and imprisonment in both trials.

Lokmanya's role as a freedom fighter is well known. His work, editorials in his newspapers, and speeches show his vision of an independent India. In 1918, he visited England for prosecuting the case filed by him against Sir Valentine Chirol for defamation. One of his biographies notes that after he came back from England, he reportedly said there should be a place in India like Hyde Park where people can freely address their fellow citizens. All of us know that he was one of the first freedom fighters who, in unequivocal terms, declared that freedom was his birthright. He had written several articles on the plight of farmers in India and, in particular, the farmers in Maharashtra.

There is one article written by him in Marathi on 20<sup>th</sup> April 1920 on the policies of the Democratic party. He had formed the Democratic party within the Indian National Congress. In the said article, he has set out the aims and policies of his party. Some of the policies of his party as set out by him are as under:

1. Salaries of the workers working in agriculture and the industry should be commensurate with their work. The workers should be paid minimum wages and should have

reasonable working hours. There should be a mechanism to resolve the disputes between workers and owners of industries.

2. Encouragement should be given to local industries by providing monetary help and other incentives through the State.
3. There should be nationalisation of private railway companies.
4. Reduction of expenditure on all Government departments and especially the Military.
5. The appointment of Government servants should be by Competitive examinations.
6. Abolition of Bonded labour.
7. Adequate freedom should be provided for Local self-government.
8. Compulsory free education should be provided to boys and girls.
9. Creation of Health departments for improving public health. Use of modern scientific methods for improving public health.

These progressive policies formulated more than 100 years ago sum up his vision of an independent India.

What appeals to me is his views on freedom of speech and expression and freedom of the Press. We must remember that based on his editorials written in his newspaper "Kesari", he faced two trials for the offence of sedition under Section 124A of the Indian Penal Code. Firstly, he was prosecuted for an article written by him. In the said article, he strongly condemned the British Government and the methods adopted by a British officer Mr Rand to curb the plague pandemic in Pune city. On 20<sup>th</sup> July 1897, he wrote an article in Marathi titled "What is sedition". He has discussed the issue of interpretation of Section 124-A of IPC in detail in this article. In this article, he has stated that everyone has a right to criticise the Government in the strongest terms. He stated that only doing something to overthrow the rulers would be sedition. He said in the article that the British rulers did not have monopoly of wisdom, and sometimes even they commit mistakes due to which citizens suffered. He stated that expressing dissatisfaction about the British Government or its officials will not amount to an offence of sedition. He concluded the article by saying that the times are changing. Therefore, those

who strongly criticise the British Government's officers for their unjust conduct cannot be charged with sedition.

All of us are aware that in the second sedition trial held against him in 1908, Justice Davar sentenced him to undergo transportation for six years. Lokmanya argued in person at length in his defence. His address to the members of the Jury is very relevant in which he discusses the law relating to sedition. He pleaded that the offending articles written by him do not excite disaffection. In his address to the Jury, he has discussed the scope of Explanations 1 and 2 to Section 124-A. I cannot avoid the temptation of quoting what he has said in his address to the Jury, and I quote:

"... .. A writer can do something more not merely represent and express. I can say something is bad; it ought to be remedied. I have to write. I have a right to do that and as I find fault it is only natural some ill feeling is created. We are not all saints. So in disapprobation some ill-feeling is implied necessarily. Then that is the meaning of the explanation No.2."

"When I say this Government is going wrong, evidently I say something which the authorities may not like. That is not sedition. If that were so, there would be no progress at all and we shall have to be as content at the end of the 20<sup>th</sup> century as we are at

present. True progress lies through agitation. And you are bound to consider what the defects are pointed out and discussed and the reforms which are proposed and look to the real intention of the man. The real intention and not fictitious intention which is inferred from the legal dictum that every man intends the consequences of his acts. That is the criterion. If the intention is really to reform Government it is not sedition. A man must make an attempt to excite with a view to bring Government into contempt before he is seditious. What is the wording in the section? Sedition has never been really properly defined.

I cannot conceive disapprobation without exciting some bad feeling in the minds of the hearer or the person against whom that comment is made. It is impossible to do it. That explanation is there to show that we allow such and such liberty to the Press; or it has no meaning. I request you to take it that it has a meaning for the Legislature was certainly not unsound in mind. The Section was not meaninglessly introduced. If it has a meaning, the only meaning it can have is that a certain amount of unpleasant feeling is allowed to be created by the law."

He told the Jury that the issue is not about Tilak as an individual, but it was a national question. He emphasised that the liberty enjoyed by the people of England should be available to the people of India. In his address to the Jury, he stated that he had consciously written the articles. Further, he adds,

"I have not come here to ask you any grace; I am prepared to stand by the consequences of my acts. There is no question about it. I am not going to tell you that I wrote those articles in a fit of madness, I am not a lunatic. I have written it believing it my duty to write in the interest of the public in this way. Believing that that was the view of the community I wanted to express it, believing that the interests of the community cannot be otherwise safeguarded. Believe me when I say that it was both in the interests of the people and the Government that this view should be placed before them. If you honestly go to the question like that it will be your opinion, even if you dislike me as much as you can. I know, I am not a *persona grata* with the Government, but that is no reason why I should not have justice. That is not the question, the question is one of intention, what you have to decide is the fact under the direction of His Lordship."

He told the members of the Jury that the liberty of the Press depends on them. Lokmanya used the opportunity to address the

Court to canvass his views about freedom of speech and expression, especially the freedom of the Press. His address to the Members of the Jury is his vision of freedom of speech and expression.

### **GOPAL KRISHNA GOKHALE**

Gopal Krishna Gokhale was born in 1866 and died in 1915. Gopal Krishna Gokhale, after his graduation, joined the group of young graduates consisting of Tilak, Agarkar and others and started working in Deccan Education Society's New English School by accepting a token salary. Later on, he worked as a professor at Ferguson College. When he stepped down as a professor at Ferguson college, he drew a monthly salary of only Rs. 75/-. Apart from being a politician who was the President of the Indian National Congress, he was a social reformer. He was the founder of the Servants of India Society.

Apart from being a Professor at Ferguson College at Pune, Gokhale was initially a member of the Bombay Legislative Council for two years. He was a member of the Imperial Legislative Council from 1902. His erudite speeches on budget

and addresses on various bills placed before the Council are well known.

He presided over the Indian National Congress session held in Banaras in 1905. He strongly criticised Lord Curzon in his speech. He criticised the budget submitted by Lord Curzon. He was critical of the partition of Bengal. What was vital in his Presidential Address was what he said about the concept of the Swadeshi Movement. He was at pains to explain that Swadeshi Movement is not only a patriotic movement, but it is also an economic movement. He talked about the aspirations of the citizens of India. He expressed his idea of self-governance by Indians in some detail. He said, and I quote :

"... .. The goal of the Congress is that India should be governed in the interests of the Indians themselves, and that, in course of time, a form of Government should be attained in this country similar to what exists in the self-governing Colonies of the British Empire. For better, for worse, our destinies are now linked with those of England, and the Congress freely recognises that whatever advance we seek must be within the Empire itself. That advance, moreover, can only be gradual, as at each stage of the progress it may be necessary for us to pass through a brief course of apprenticeship before we



are enabled to go to the next one; for it is a reasonable proposition that the sense of responsibility, required for the proper exercise of the political institutions of the West, can be acquired by Eastern people through practical training and experiment only. To admit this is not to express any agreement with those who usually oppose all attempts at reform on the plea that the people are not ready for it. "It is liberty alone," says Mr. Gladstone in words of profound wisdom, "which fits men for liberty. This proposition, like every other in politics, has its bounds; but it is far safer than the counter doctrine, wait till they are fit." While, therefore, we are prepared to allow that an advance towards our goal may be only by reasonably cautious steps, what we emphatically insist on is that the resources of the country should be primarily devoted to the work of qualifying the people by means of education and in other ways for such advance."

In this context, he expressed concern that a very insignificant part of the budget was utilised for education. He advocated that the sense of responsibility required for running democratic institutions can be acquired only by practical training and education. Therefore, he stated that the resources available in the country should be primarily devoted to the work of qualifying people through education. Thus, his view was that the process of

conferring freedom should be taken step-by-step, and in the meanwhile, the citizens should get equipped to run the democratic institutions. He laid stress on imparting primary education on a large scale and providing industrial and technical education facilities. In the same speech, he stressed the need of separating Judicial and Executive functions.

In March 1910, he moved a resolution in the Imperial Legislative Council on education. He wanted the Government to make a law conferring powers on local authorities to make primary education free and compulsory. On 16<sup>th</sup> March 1911, he presented a private Bill in the Legislature providing for compulsory primary education. In the Bill, He made a provision for free education to the children belonging to financially weaker sections. As expected by him, the bill was defeated on the floor of the House. His response to this defeat was dignified. He said that his generation could only hope to serve the country through their failures. His struggle for compulsory education was, in a way, a significant part of the freedom struggle. Ninety-two years after that, the 86<sup>th</sup> Amendment of the Constitution came, which introduced Article 21A. The Legislation came 98 years after Gokhale's private bill.

He read an important paper on the question of elevation of the depressed classes at a Social Conference held at Dharwad on 27<sup>th</sup> April 1903. He referred to the Resolution proposed to be passed in the said Conference and criticised it because it was not strongly worded. What he said on the subject deserves to be quoted, and I quote:

"... .. I only want to make a few general observations from the standpoint of justice, humanity, and national self-interest. I think all fair-minded persons will have to admit that it is absolutely monstrous that a class of human beings, with bodies similar to our own, with brains that can think and with hearts that can feel, should be perpetually condemned to a low life of utter wretchedness, servitude and mental and moral degradation, and that permanent barriers should be placed in their way so that it should be impossible for them ever to overcome them and improve their lot. This is deeply revolting to our sense of justice. I believe one has only to put oneself mentally into their place to realise how grievous this injustice is. ... .."

He gives an example of Mr Chamberlain, who was a shoe-maker at one point in time. He pointed out that Mr Chamberlain regularly dines with the Royalty. He wondered whether a shoe-

maker in India would ever be able to rise in the social scale in a similar fashion. He urged that the elevation of depressed classes is a question of national interest. He said, and I quote :

"Finally, gentlemen, this is a question of National Self-interest. How can we possibly realise our national aspirations, how can our country ever hope to take her place among the nations of the world, if we allow large numbers of our countrymen to remain sunk in ignorance, barbarism, and degradation? Unless these men are gradually raised to a higher level, morally and intellectually, how can they possibly understand our thoughts or share our hopes or co-operate with us in our efforts? Can you not realise that so far as the work of national elevation is concerned, the energy, which these classes might be expected to represent, is simply unavailable to us? ... .."

He ended by appealing to educated Indians to take it upon themselves to dedicate their lives to the sacred work of the elevation of depressed classes.

Some of his speeches show the influence of John Stuart Mill. His liberal views are reflected in what he said about Swadeshi Movement. He was of the view that there should not be an appeal to boycott foreign goods. He believed that the word

'boycott' implies a vindictive desire to injure another. He suggested that while participating in Swadeshi Movement, one should not create ill-will. He said that one should not make ourselves ridiculous by stating in the Resolution of not even touching foreign-made goods.

While opposing the amendment to the Official Secrets Act, on 4<sup>th</sup> December 1903, before the Imperial Legislative Council, Gokhale said:

"The vigilance of the Press is the only check that operates from outside, feebly, it is true, but continuously, upon the conduct of the Government, which is subject to no popular control. It is here therefore, if anywhere, that the Legislature should show special consideration to the Press, and yet here alone it is proposed to arm Government with a greater power to control the freedom of the Press than in any other part of the Empire. My Lord, we often hear Government complaining of the distrust shown by the people in this country, and the people complaining of the Government not trusting them enough. In such a situation, where again the question is further complicated by a tendency on the part of the Government to attach undue importance to race or class considerations, the wisest and safest and most statesmanlike course for it is to conduct its civil administration as far as possible in the light of day. The

Press is in one sense, like the Government, a custodian of public interests, and any attempt to hamper its freedom by repressive Legislation is bound to affect these interests prejudicially, and cannot fail in the end to react upon the position of the Government itself."

Justice Ranade and Gokhale propagated more than 100 years back the importance of liberal thinking and approach. Their views on economy and education continue to guide us, and what they propounded continues to be very relevant even after 75 years of independence. I feel that we need to revisit Ranade and Gokhale for guidance and course correction. Both Ranade and Gokhale believed that reforms in our society must get priority, and they strongly felt that nothing was wrong if the reforms were ushered through the British Government's laws. But, the views of Lokamanya were different on this issue.

Lokamanya was a firm believer in freedom of speech and expression. While facing both trials, he fought for the freedom of the Press and freedom of speech and expression. What he pleaded in the second trial in the year 1908 continues to be relevant 114 years after his trial.

I selected this subject as I felt that we have entirely forgotten the vision of these three great gentlemen who devoted their lives to public service. We must revisit more than century-old speeches and writings of many such great personalities, and we can learn so much from their work and vision.

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