



## THE PASSING OF THE LANDMARK COMMUNAL GOVERNMENT ORDERS OF THE DRAVIDIAN ' JUSTICE MINISTRY'

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### ABSTRACT:

*When the Justice Party was in power in Madras Presidency , the concept of communal representation was linked to a greater involvement of non-Brahmins in public services. It was only subsequently that this notion was redefined to represent a call for an electorate based on communal divisions. Nevertheless, the Justice Party consistently remained focused on its foundational goal: to make public services more attainable for non-Brahmins and to ensure they held government positions that reflected their demographic presence. Consequently, the enactment of the so-called Communal Government Orders marked a significant milestone for the Justice Ministry.*



**KEYWORDS:** Justice Party, Justice Ministry, Brahmins, Non-Brahmins, Dravidians, Communal Government Orders ( G.O.s).

### INTRODUCTION:

In September 1921, the Madras Government issued what later became known as the First Communal Government Order (G.O.). This event signified the conclusion of a prolonged and complex series of discussions, disputes, and negotiations involving Brahmins, non-Brahmins, and the European members of the Madras Service. The aspiration to 'non-brahminize' the services in Madras has a dual history: on one side, it was driven by the British intention to restrain Brahmin administrative supremacy. <sup>1</sup> However, there was an alternative history regarding the efforts to non-brahminize the services, as the government received support from another source of educated non-Brahmins who believed it was unjust that their representation in provincial administration was so minimal. These individuals began to exert pressure on the government, and several of them provided testimony before the Public Services Commission in 1913.<sup>2</sup> Subsequently, they brought their concerns into the newly established Justice Party, where their issues were central to the 'Non-Brahmin Manifesto'.<sup>3</sup> Subsequently resolutions regarding this matter were passed at various non-Brahmin conferences. Further in this matter the pressure was applied to the government by different groups. In this regard,

numerous testimonies were presented before the concerned committees during the Montford Report hearings.

The interval between the assumption of office by Justices in early 1921 and the formal enactment of the Communal Government Order in September 1921 was characterized by intense propaganda efforts. The Justices were compelled to address and react to a skeptical, hostile, and stubborn Brahmin public sentiment. They initiated their case for enhanced non-Brahmin representation within the services by highlighting the condition of the judiciary in Madras. Given that judges of the Madras High Court possessed the authority to appoint district munsiffs and that these judges were predominantly Brahmins, there were numerous occasions where they appointed individuals from their own caste as district munsiffs. As if this were not detrimental enough to the interests and dignity of non-Brahmins, figures such as K. Srinivasa Iyengar, the Law Member in the Governor's Council, defended such appointments by asserting that Brahmins were favored due to their superior efficiency compared to others.<sup>4</sup> In this scenario, Justices called for the removal of the power to nominate district munsiffs from the Madras High Court, or for the court to ensure that judges adhered to the principle of due representation to all communities when making appointments.<sup>5</sup>

In response to the current instance of 'Brahmin hatred', a reader of *New India* expressed their concerns by stating that it was uncertain whether similar forms of discrimination might arise in every aspect of life. Rights that were guaranteed by the Queen's Proclamation and the assurances of the Government of India were being rendered ineffective concerning the Brahmin community. The correspondent proposed that Brahmins should establish a separate political party to safeguard their rights, which were increasingly being eroded.<sup>6</sup> Conversely, another reader of *New India*, P. N. Rao, opposed the idea of a Brahmin political party. He remarked that the time was not appropriate for the formation of a Brahmin party and that such an initiative would only exacerbate anti-Brahmin sentiments. He pointed out that the resentment from non-Brahmins was not directed at Brahmins, who he claimed were extinct as a caste, but rather at their intellect. At the core, it was a matter of trade jealousy, as was often seen globally; when intellect was overshadowed by a lack of it, the consequences were evident. Burst the illusion, and one would witness the English-educated Shudra seeking employment under false pretenses. It would not be long before non-Shudra Hindus realize how they had been manipulated by a cunning minority.<sup>7</sup>

Not all Brahmins were overly eager to criticize the Justices. There were individuals such as A. Rangaswamy Iyengar who articulated the belief that the current structure of lives and responsibilities must undergo transformation. There existed a new value of the individual to society. The principle that every person should be afforded all opportunities for expression that their soul could seize is one that must be actualized in every aspect of individual and national activity within a modern State, encompassing physical health or well-being, education, intellectual pursuits, athletics, moral or technical training, industries, commerce, or statesmanship.

Nevertheless, senior statesmen must ensure that the Disabilities meant to be eliminated did not inadvertently create new disabilities. That new forms of antagonism did not emerge and that obstacles were not erected against essential principles of the Age., That Age required every human being should be empowered to achieve the fullest extent of his or her potential in the spheres, moral, spiritual, intellectual and physical, pursuits.<sup>8</sup>

However, even this cautious and clever support for the notion of redistributing appointments was not forthcoming from other Brahmins. Nonetheless, the resolution proposed by the Justice Party regarding communal representation in the services was introduced by O. Thanikachalam Chetty in the Madras Legislative Council. He stated: That this Council recommended to the Government that a standing order be issued to every officer or Board or body of officers authorized to make appointments to the public service, instructing them to prioritize candidates from non-Brahmin communities, which included Christians, Muhammadans, and members of the Depressed Classes, until a target of at least 66 percent of officers earning a salary of Rs 100 per month and above, and 75 percent among officers earning less than Rs 100, was achieved within a span of 7 years from this date, provided that such

candidates meet the minimum qualifications set forth by the rules governing appointments to public services, even if these candidates were less qualified than their Brahmin counterparts.<sup>9</sup>

O. Thanikachalam Chetty proposed a second resolution that required all appointments to positions within the Secretariat to be made exclusively from non-Brahmins, aiming to achieve equality between Brahmins and non-Brahmins within a three-year period.<sup>10</sup> A. R. Knapp, the Home Member, expressed his support for the first resolution but requested an amendment to extend the recruitment principles outlined in Standing Order 128 (2) to all departments. However, he deemed the second resolution unnecessary, to which O. Thanikachalam Chetty responded that it was essential for non-Brahmins, as the Secretariat represented a fortress within a fortress that non-Brahmins might never be able to enter otherwise.<sup>11</sup>

Despite Knapp's objections and concerns regarding the potential 'loss of merit' within the Secretariat, O. Thanikachalam Chetty's stance prevailed, leading to the promulgation of the First Communal Government Order on 16<sup>th</sup> September 1921.<sup>12</sup> This was succeeded by the more extensive Second Communal Government Order on 22<sup>nd</sup> August 1922<sup>13</sup>, which mandated that the Council should submit lists of appointees categorized by caste across various departments, enabling an analysis of progress in non-Brahmin recruitment.<sup>14</sup>

However, the victory of the Justice Party turned out to be pyrrhic for two main reasons. Firstly, it shifted the issue of communal representation from the legislature to the Executive, thereby removing it from the sphere of debate and policy formulation. Secondly, the Madras civil service diligently worked to undermine all attempts to implement the Government Orders (G.O.s). The incorporation of communal representation into Executive mandate enabled the government to alter, replace, and hinder its actualization.

Under the dyarchy system, Indians were permitted to legislate on the transferred subjects, yet their actions were inevitably limited by the interference of official English members of the Executive, as well as the non-official nominated members, the majority of whom were Brahmins. The Madras civil servants, eager to avert or at least postpone an impending 'brahminization' of their upper ranks, had backed the non-Brahmin demand for communal representation, although there were still individuals like Knapp who expressed concerns about the potential 'sacrifice of merit' that this might entail. Now, confronted with the likelihood of legislation that would effectively restrict their authority to make appointments, the civil servants responded promptly.

Consequently, the civilians aimed to expel several Brahmins from the Madras Secretariat, relocating them either to the mofussil or to the Central Secretariat in Calcutta, and replacing them with non-Brahmins brought in from the mofussil. The intention was to satisfy the Justices, whom the civilians believed merely wished to secure prominent positions within the City Services. However, the Revenue Department, which would be impacted by these transfers, opposed this initiative, leading to its abandonment. The I.C.S. faction within the Legislative Council demonstrated remarkable resourcefulness. As a result, a new Government Order (G.O.) was issued in 1923, stating that no hard and fast rule could be laid down that would restrict the discretion of the secretaries to government and collectors regarding appointments.<sup>15</sup> This effectively limited the operational scope of the two previous G.O.s.

The first G.O. had explicitly indicated that heads of departments and other officers authorized to make appointments were requested to adhere strictly to this principle namely, Standing Order 128(2), which facilitated the distribution of posts among various communities when filling vacancies in the future.<sup>16</sup> The Second Communal G.O. had mandated that this principle be applied not only to the number of individuals newly appointed to the permanent service, as outlined in the First G.O., but also to appointments both at the time of initial recruitment and at every stage where individuals were promoted solely based on selection or seniority.<sup>17</sup> However, with the introduction of the G.O. in 1923, these requirements became ineffective.

To further undermine the cause of Justices and render the principle of communal representation ineffective, the Madras Government established a Staff Selection Board which was authorized to conduct qualifying examinations and interviews. Although the Board pledged to adhere to

the spirit of Standing Order 128, it was clear that the government aimed, through this initiative, to bypass and hinder the impacts of the principle of communal representation. The Justice Party's aspiration to achieve a communal balance manifested itself through a politics of patronage, which the Government used as a justification to demand the formation of any impartial body to oversee appointments.<sup>18</sup>

Despite these developments, the symbolic importance of the issuance of the Communal G.O.s for non-Brahmins and Adi-Dravidas could not be overstated. For many decades, the G.O.s served as a reminder to successive generations of non-Brahmins that in a caste-bound political system, democratic practices would be inconsistent and inevitably subversive of previously dominant interests. For the Justicites, the G.O.s symbolized a promise fulfilled. They validated their politics and legitimized the Justice politicians' affinity for office. However, the Justicites were not entirely optimistic about the effectiveness of the G.O.s. Reflecting on the First Justice Ministry's accomplishments at a Non-Brahmin Conference in Nellore District in April 1923, Theagaraya Chetty expressed, with barely concealed distress, that even though the G.O. had been enacted, in many instances it was regarded as a mere scrap of paper. Nevertheless, he quickly added that a couple of years was but a drop in a nation's life, and urged his partymen to engage in persistent efforts to rectify an age-old inequality and injustice.<sup>19</sup>

For Congressmen and nationalists, the Government Orders (G.O.s) represented a political embarrassment, as they highlighted the significance and necessity of integrating social issues into the political arena. Essentially, they provided an implicit critique of Congress politics, which Congressmen could overlook in the early 1920s, primarily because some of them were engrossed in the exhilarating experience of Non-Cooperation.

Sir Sankaran Nair perhaps grasped the significance of the G.O.s more than anyone else. In a speech directed at non-Brahmins, he elucidated that 'as far as the non-Brahmins were concerned, the Congressmen lacked a spiritual gospel of existence as the foundation of governance. The Congress desired the Government to focus on material needs. It sought sufficient food, ample educational opportunities, and space for development in accordance with aspirations.'<sup>20</sup>

The effectiveness of the 1919 Reforms was different. Its benefits were most apparent in the case of the communal G.O.s. It soon began to sour for Justicites, who gradually came to understand that non-Brahmins could not wield their authority within a political structure that consistently relegated non-Brahmin ambitions to the discretionary powers of an exceedingly self-serving Executive. During the Fifth Non-Brahmin Confederation, convened in Madras, C.Natesa Mudalar, a founder leader of the Dravidian Justice Party remarked that numerous valuable initiatives regarding education, industry, and irrigation could not even be discussed due to the monotonous response from the Executive, which controlled the finance portfolio, stating, 'No Funds.'<sup>21</sup> The Raja of Ramnad, the president-elect of the confederation, proposed the abolition of dyarchy. Two significant resolutions adopted at the confederation urged non-Brahmins to free themselves from British influence and to strive for fiscal autonomy.<sup>22</sup>

At a non-Brahmin conference convened in Kumbakonam, dyarchy faced intense criticism, primarily due to the fact that all crucial areas of concern for non-Brahmins—namely agriculture, industry, and finance—were designated as 'Reserved Subjects'.<sup>23</sup> Similar feelings were expressed during the Third Non-Brahmin Conference held in Coimbatore.<sup>24</sup> Consequently, faced with the constraints of their own authority, Justicites who endeavored to implement dyarchy to the best of their abilities while in office also came to the realization that they needed to demand more, which subsequently led the party to navigate a series of intricate political decisions. Following the elections of 1926, Justicites began to pursue new alliances and sought to maintain their identity and integrity amidst the challenges presented by the Gandhian Congress and Periyar's Self-Respect Movement. During these tumultuous times, their initial political drive, which was intermittently manifested through their acquisition of communal G.O.s, proved beneficial. This became the sole factor that prompted the Self-Respect movement to regard the Justice party as a credible, albeit somewhat impaired, alternative to the Congress.<sup>25</sup>

From its inception, the Dravidian Justice Ministry remained cognizant of its obligations and responsibilities towards the non-Brahmin community as a whole. As evidenced by the resolutions adopted at various conferences, it earnestly sought to establish a non-Brahmin fraternity. For Justicites, this fraternity included not only caste Hindus but also Adi-Dravidas, and its defining characteristic was a steadfast anti-Brahminism: a deliberate opposition to both Brahmin secular and sacred authority. The Justice Ministry secured the interests of the Dravidian-Non-Brahmins by promulgating the Communal G.O.s which was sternly opposed by the Brahmin run newspapers and the Brahmin political intellectuals and leaders.

### END NOTES

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