

Dyarchy: Democracy, Autocracy and the Scalar Sovereignty of Interwar India

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Abstract

The 1919 Government of India Act instituted sweeping constitutional reforms that were inspired by the concept of “dyarchy”. This innovation in constitutional history devolved powers to the provinces and then divided these roles of government into reserved and transferred subjects, the latter of which would be administered by elected Indian ministers. Recent scholarship has been reassessing the local biopolitical potential unleashed by the 1919 Act. In this paper I revisit dyarchy at the national scale to show how this “All-India” re-visioning of Indian sovereignty was actually negotiated in relation to its imperial and international outsides and the exigencies of retaining governmental control inside the provinces. This paper will propose a constitutional historical geography of dyarchy, focusing on three scales and the forms of comparison they allow. First, Lionel Curtis’s political geometries and the international genealogies of his federalist aspirations are explored. Secondly, the partially democratic level of the province is shown to have been rigorously penetrated by, and categorically subordinated to, the central tier of colonial autocracy, which orchestrated a political geography of exclusion and exception. Finally, rival conceptions of time and sequentiality will be used to examine the basis for nationalist criticisms and exploitations of dyarchy’s reconfigurations of democracy, biopolitics, and the vital mass of the people.

Dyarchy: Democracy, Autocracy and the Scalar Sovereignty of Interwar India¹

“The myriad problems of India must be and can be solved only by the Indians in India. Strangers to Indian life and sentiment, animated with the nobler motives which have governed the best of Englishmen in India, may be efficient rulers, may even be good rulers—so long as the functions of the State are no more than those of a policeman. Change the *ideal of the State*, and no one people could govern another, especially those so utterly dissimilar in their habits and sentiments as the Indians and the English. Indians, when they come to rule in India, may quite conceivably be no better policeman than the English—perhaps no better engineers, financiers, diplomats, lawyers, or soldiers. But they are bound to be, —in spite of themselves, in spite of their history, —immeasurably superior in all those subtle, indescribable attributes, which go to make good government as against efficient government, which help to uplift an entire people.”²

A changed ideal of the State?

The early decades of the twentieth century saw a pitched battle in India over the ideal of the state. What were its objectives and priorities? How should its achievements be judged? And how did it relate to rationalities of government? An imperial ideal, manifested in the colonial Government of India, was of a disciplinary, rational and efficient governmental science, protected and produced by autocratic state machinery. An emerging nationalist ideal, manifested in political parties, liberal theory, and popular sentiment, was of a “good government”, attuned to Indian life, habit and sentiment, and practiced in the subtle and indescribable attributes of the democratic art.³ This was the view of K.A. Shah, Professor of Economics at the University of Bombay, and Miss GJ Bahadurji, Principal of Alexandra Girls’ English Institute.⁴ It was expressed not in a political speech nor in a rousing nationalist pamphlet, but in a 400 page scholarly commentary on the 1919 Government of India Act.⁵ This act had instituted what was popularly referred to as “dyarchy”, the devolution and division of the functions of government into central and provincial tiers, the second of which was sub-divided into reserved and transferred subjects (see table 1).⁶ The former were administered by the, often British, officials of the Indian Civil Service, the latter by elected Indian officials. If these officials proved themselves proficient in government further subjects could be transferred from the reserved pool, until the bicameral system became one chamber of wholly transferred subjects, at which point dyarchy would consume itself. Direct elections were established with an increased franchise variably determined by: residency; the payment of land revenue; rent or rates or of income tax; or by service in the forces.⁷ But democracy was more than an extended (though still tiny) franchise.⁸ It was about “subtle, indescribable attributes”, good government, a commitment to the people and a sense of shared responsibility. While the designers of India’s constitutional reform had

initially interpreted responsible government as responsibility *for* transferred subjects, it quickly became interpreted as responsibility *to* the people.⁹

Yet dyarchy is, to some, the stuff of dusty constitutional history. Its spaces are those of the financial accounts ledger of regional bureaucrats, or of the arcane tables and charts by which fisheries, forests and farms (transferred) were partitioned from banks, justice and the police (reserved):

CENTRAL	PROVINCIAL
Military, foreign affairs, tariffs & customs, railway, post & telegraphs, income tax, currency, coinage & public debt, commerce & shipping, civil & criminal law, audit of provincial expenditure.	Local Self Government, medical admin & public health, education, public works and irrigation, land revenue admin, famine relief, agriculture, forests, excise, admin of justice, industrial matters, police and jails, minor ports

RESERVED	TRANSFERRED
Water supplies, land revenue administration, famine relief, land acquisition, justice, law reports, stamps, mineral resources, ports, waterways, police, newspaper control, European vagrancy, coroners, prisons, audit, money borrowing	LSG, medical administration, public health, sanitation, vital statistics, pilgrimages, education, public works, agriculture, veterinary services, fisheries, cooperative societies, forests, excise, registration, industry, stores, weights, libraries, elections

Table1: devolution and division under dyarchy.¹⁰

In this paper I would like to join the small but growing ranks of those arguing that it is time to reappraise dyarchy. This is not to argue for or against the efficiency with which it fulfilled its destiny of self-destruction, or facilitated the training of Indian bureaucrats in self-government. Rather, I would like to suggest that if we approach dyarchy with an eye to its scales of operation we can see it in a new light. Just as commentators saw at the time, dyarchy triangulated autocracy, bureaucracy and democracy in new and exciting ways. It presented the possibility of a government that was attuned to the affective demands of its peoples, and it presented opportunities for nationalist politics *because* (not in spite) of the imperial scalar sovereignty that it embodied.¹¹ After introducing some of the debates about dyarchy and how to write a constitutional history, this paper will propose a constitutional historical geography of dyarchy, focusing on three scales and the forms of comparison they allow. This will draw upon geographical debates about scale which suggest that we

refuse to think of scales as *natural*, focusing on them rather as effects of specific *networks* and of the *nominalist* power of naming.¹²

First, this paper will explore the vertical ontologies that structured dyarchy, through reading Lionel Curtis's political geometries and the international genealogies of his federalist aspirations. Secondly, the democratic level of the province, at which Indian ministers would debate and administer certain functions of government, will be shown to have been rigorously penetrated by, and categorically subordinated to, the central tier of colonial autocracy, which matched geographies of "backwardness" with exceptional "degrees of exclusion". Finally, rival conceptions of time-scale and sequentiality will be used to suggest that the imperial approach to constitutional reform was 'out of time'.¹³ This was due to the autocratic inability to comprehend the nationalist reconfiguration of democracy, biopolitics, and the vital mass of the people.¹⁴ In a 1928 text with which this paper will conclude, Shah and Bahadurji's earlier insistence on the affective and vitalist irrelevance of the colonial state was re-articulated, because political government: "...involves an appreciation of collective thoughts, social forces, political energies, and not of these alone, but also of vague moods and unvoiced feelings which are always facts *for* politics and may, at any time, become facts *in* politics."¹⁵

Approaching Dyarchy and Constitutional History

My use of a scalar analysis does not so much bring a new perspective to bear on dyarchy as both critically engages its inherent logic and disentangles it from a historiographical spat. The latter focuses on the "Cambridge School" and its analysis of the 1919 reforms in the explicitly scalar terms of *Locality, Province and Nation*.¹⁶ A common, though not uniform, assertion in this literature was that nationalist politics depended not on regional uniformities of kith and kin but on the struggle for influence and political patronage that the scalar structure of dyarchy allowed: "In other words they were vertical alliances, not horizontal alliances."¹⁷ One of the key figures in the group, Anil Seal, made two persuasive arguments about dyarchy: that Indian politics was an interconnected system working at several levels; and that the Government of India had much to do with linking those levels.¹⁸ This, however, provided the platform for a series of suggestions which contributed to these writings being branded as a new imperial school of historiography. Regarding the "ramshackle coalitions" of nationalism, for instance, Seal suggested that: "Its unity seems a figment. Its power appears as hollow as that of the imperial authority it was supposedly challenging. Its history was the rivalry of Indian and Indian, its relationship with imperialism that of the mutual clinging of two unsteady men of straw."¹⁹

This view was branded by the subaltern studies collective, in the early 1980s, as a re-articulation of colonial historiography, which could only view nationalism as responding to colonial structures and stimuli. In an early, wide ranging review of the Cambridge school, Gyanendra Pandey had suggested that Seal's use of scalar levels was practically meaningless as it failed to recognise the co-constitution of, for instance, the provincial level by that of the districts, the *tehsils*, Delhi or London.²⁰ The Cambridge scalar framework, in a point Pandey attributed to Ranajit Guha, excluded recognition of those groups beyond the Raj's all-India constitutional reforms.²¹ Pandey insisted that the peasant *did* have an intellectual life, and asked whose history we should seek to write; effectively a clarion call for the subaltern studies collective he helped to establish. For its chief, Ranajit Guha, subaltern politics was an autonomous domain with its own forms of collective political action, beyond state structures or elite nationalists: "Mobilisation in the domain of elite politics was achieved vertically whereas in that of subaltern politics this was achieved horizontally".²²

The brilliant success of the subaltern studies school in shifting our attention to the non-elite, to politics beyond the state, and, later, to nationalism as discourse and practice, removed constitutional reform from many scholarly agendas.²³ While recent years have witnessed a turn to engaging with governmentality, sovereignty, state economy and urban politics, dyarchy remains under considered.²⁴ This may be because of a residual connection to the damned Cambridge school, or possibly an effect of the belief that the study of the "national" as a scale must reinforce either the colonial apparatus of the Raj, the subaltern-suppressing geographical imagination of an elite nationalism, or the empirical over-generalisations of imperial geography, history or anthropology.²⁵ This is not to say that dyarchy has been totally ignored. Earlier accounts situated it within longer administrative and governmental histories, its effects on taxation and financial responsibility, and the political economy of its time.²⁶ More recent approaches have tended to focus on transferred subjects and the way in which this created provincial possibilities for experimentation.²⁷ But these do not tackle dyarchy as constitutional reform.²⁸

To do this, we have to ask what constitutional history is, and how we might write it? By its chronologies? Or the places in which it was enforced or escaped? Do we imagine its international intellectual histories or its national and endogenous lives? Do we focus on the ways by which dyarchy increased the capacity of the government to tax, as part of a drive for financial responsibility? Do we accept its own disciplinary lens (of the juridical and the legislative) or can we examine it as lived and actualised governmental rationalities, or as a mentality within its own textual historiography? A governmentality methodology will frame the paper that follows, trying to think about the scalar effects of dyarchy in practice, after engaging with some of the huge literature that

emerged around dyarchy at the time. If dyarchy has been forgotten from the 1980s onwards, it seemed to be upon everybody's minds in the 1920s. Then, as now, the question was: how does one investigate a constitution?

The 1919 Government of India Act had, in implementing dyarchy, provisioned for a commission into its effects ten years henceforth. Nationalist demands for reform had led to this enquiry starting a year earlier than planned, in the form of the catastrophically white Simon 'Indian Statutory Commission'. The seventeen volume report that followed exhaustively dissected dyarchy. In so doing it also faced the challenge of how to investigate a constitution. The Government of India's memorandum to the commission suggested that: "An account of the working of the system may be either a chapter of political history, an administrative record or a conspectus of constitutional life and progress."²⁹ The first two were said to exist and that the actual working of the constitution would not be outlined. The constitutional conspectus that was provided, however, consisted of four ascending assessments, of: the relations of the representative legislature to the executive; the influence of the legislature on the executive; the superintendence of the Government of India over provincial governments; and the obedience of the Government of India to the Secretary of State for India, via the United Kingdom Parliament. The form of investigating a constitution, for the government, directly mimicked the scalar structure of dyarchy itself; from the provinces, to the national capital, to the imperial capital.

Some Indian commentators agreed that it was impossible to tell the entire institutional history of a political system, but suggested that Acts of Parliament were only the "bare skeletons" into which the "breath of life" came from other sources.³⁰ Going beyond the government's constitutional conspectus, another thorough review of dyarchy in "theory and practice" insisted that it be reviewed in terms of the vitality of the people, insisting that constitutional history be written in terms of biopolitics as much as of sovereignty:

"We have naturally to look to other things as well for forming a just estimate, and these are the economic condition of the people, their resources, their fighting strength against famines and the ravages caused by epidemics, as also their position in the sphere of education, the educational facilities open to them, and above all the share they enjoy in moulding and directing the policy of their Government."³¹

These perspectives and their approaches to temporal scale will be returned to in the concluding section, having explored the colonial governmental, not just constitutional, rationalities at play within dyarchy. But it is clear that the perspectives above represent internal, national views on what was often viewed as an imperial, international question.³² In Arthur Berriedale Keith's otherwise national-scale constitutional history of India, for instance, the final chapter was given over to the

ramifications of “Dominion status” that India had been promised in 1919, as part of the dyarchy debates, and then denied.³³ At that stage “Dominion status” had meant little in India, but it had much greater significance for imperial federalists, to whose international networking dyarchy owed its origins.

International connections and vertical scale

Inspired, in part, by Britain’s experiences in the Boer Wars (1880-81 and 1899-1902), calls for a radical overhaul of the Empire came to be passionately articulated by the “Round Table” campaigners. Many of these men had been educated at Oxford, worked with Lord Milner in South Africa, and were convinced of the need for British imperial world influence, which was felt to be a force for good and for peace.³⁴ The only solution they could envisage was an imperial federation: “... a Commonwealth of Nations each independent but committed to a transcendent form of British liberal, democratic government in which a constitutional monarchy would be retained.”³⁵ Defence, foreign and colonial policies would be transferred from Westminster to a peripatetic imperial parliament, while internal government would be more fully devolved (a division that would resurface in dyarchy). For one of the key members of the Round Table, Lionel Curtis, this movement was the logical outcome of the move towards self-government in the Dominions (the white settler colonies of Canada, South Africa, Australia and New Zealand).³⁶

India, however, presented a headache for the Round Table: “It occupied a half-way house between the settlement colonies, which enjoyed responsible government, and the dependencies, governed by British fiat, and deemed by London unlikely to progress towards autonomy in the near or distant future.”³⁷ Yet its estimated contribution of 1200000 men to the 1914-18 war effort led to uncontrollable Indian demands for political reward and steps towards self-government; as such the 1919 Government of India Act must be recognised as itself a relict and product of the World War.³⁸ In an attempt to address this imperial constitutional dilemma, Curtis visited India in 1916 and ended up staying for a year and a half, promoting his emerging plans for dyarchy to Sir Edwin Montagu, the Secretary of State for India who had made an independent announcement on Indian dialogue in 1917 following united nationalist demands for increased self-government after the war.³⁹ The Montagu-Chelmsford report of 1918 differed from Curtis’s dyarchy in many respects, but it enshrined his key proposals, which informed the British legislation that would have to be implemented by the Government of India. There were thoroughgoing geographies to Curtis’s world view, which found their way through to governmental debates over the proposals. One was a *networked* geography of connections and international comparisons, the other was an

epistemological grid which *named* the problem that India faced as one of vertical versus horizontal divisions of government.

Networking Indian constitutional reform⁴⁰

In her biography of Curtis, Deborah Lavin suggested that he had perfected public relations before the profession existed.⁴¹ A vital part of this was his networking; his tireless campaigning to embed his ideas and ideals into the minds and practices of the key players in wartime constitutional problem-solving.⁴² His global career and imperial federalist scope also created a second form of networking that brought international comparisons and components into his solutions to the Indian conundrum.

Curtis had suggested the idea of adapting imperial federalist structures to those internal to India and had convinced an ex-member of the Bengal Executive Council, Sir William Duke, to write a discussion paper applying the proposal to Bengal.⁴³ Curtis sent it to Viceroy Chelmsford and the Home Department, though it did not seem to influence their proposals for reform in mid-1916. He arrived in India in October 1916 and campaigned ceaselessly for the dyarchy concept; he also ensured that Montagu had a copy of the Duke Memorandum on the lengthy sea-journey to India in November 1917.⁴⁴ He docked at Bombay a convert to the principle, only to find that dyarchy had become *the* term for debate in India. Curtis had continued drumming up support, building on his existing contacts; he knew Viceroy Chelmsford and had been invited out by Sir James Meston, Governor of the United Provinces; he was acquainted with Herbert Baker, who had designed the new capital at Pretoria in South Africa and was working with Edwin Lutyens on designing New Delhi; he was met by the influential journalist and author Valentine Chirol; and he toured widely, interviewing prominent Indian political leaders. He “interrogated” government officials, asking them what the ultimate purpose of British government was.⁴⁵ By the time of Montagu’s arrival in November 1917 he had convinced 64 Europeans and 90 Indians to sign a Joint Address to the Viceroy and Secretary of State, backing dyarchy.⁴⁶ Though Montagu’s dyarchy was not identical to Curtis’s, his principles had doubtlessly established an influential framework. These principles emerged from Curtis’s inherently comparative and global mind-set:

“America with its population of one hundred millions transacts its business through no less than forty-nine governments, national and provincial; Germany with sixty-eight millions has over thirty such governments; Canada with eight million has nine; Australia with five millions has seven; and South Africa with six millions has five. The United Kingdom with its forty-five millions has but one, and that Government has also to control interests common to peoples including more than a quarter of the human race, who are scattered over the whole surface of the globe.”⁴⁷

What was obvious from Curtis's principles and proposals was how closely he viewed India as part of an imperial, federal network. In introducing the Duke Memorandum of 1916 it was made clear that the Round Table group had developed an interest in Indian self-government only to the extent that it would be a pre-requisite of contributing to an Imperial Parliament.⁴⁸ Curtis's outward gaze discriminated between international takes on the national question, dismissing (Wilsonian) "self-determination" as a principle of political conduct lacking in the practicalities of application.⁴⁹

In his proposal of June 1917, in which he considered how India's national move towards dyarchy could be devised, Curtis appraised international political structures and contrasted their relations between central and local governments. Canadian central-provincial relations (dictated by successive British North America Acts) were said to be closer than those in Australia and the United States of America but not as close as in South Africa. The model that emerged from this comparison was that certain powers and revenues would be assigned to provincial governments which derived their authority from the electorates of each province, all other powers and revenues being reserved to central Government, who supplemented provincial revenues with grants. A summative metaphor was plucked from an even higher plane to describe the Canadian model and it was from these broader scales that Curtis's more abstract scalar imagining of the Indian problem of provincial self-government and the nature of its solution emerged:

"It is a solar system in which each body revolves on its own axis and travels in its own orbit, while the power which keeps them in due relation to each other and the central body is that of the constitution. The planets are each moved by an impetus of their own. They are not impelled by the sun, but by the power of the system in which they revolve."⁵⁰

Naming the problem: the vertical and the horizontal

"In the first of these studies, the chain of authority was traced from the Imperial Cabinet in London to Delhi and Simla, thence to the capital of the province, to the city which forms the centre of the division, to the country town which forms the centre of the district, and finally, to the village which constitutes the typical unit of Indian society. But let it be realized that in all these cities and towns there dwells but one-tenth of the total population of India. The remaining nine-tenths live in purely rural surroundings, and draw their subsistence directly or indirectly from tillage of the soil."⁵¹

From the solar system to a federal world, from imperial London to an Indian village, Curtis invoked the full *nominalist* power of place-naming and the scaling of politics to advance his cause. It was the scalar geography of Empire that Curtis identified as the problem to be tackled in devising dyarchy: "Wherever the imperial problem... is met, it may invariably be traced to some failure to separate local from imperial issues."⁵² He turned his experience of the dominion problem to an analysis of the internal political geographies of India, and came up with a solution involving some ingenious political

geometry. While abstract, Curtis insisted that this solution should not be separated from the realities of Indian life. He acknowledged that all Indian provinces were different, but suggested that they were all constructed on a “common plan”, so carried out a detailed series of studies of the functioning of Sir James Meston’s United Provinces (UP). As the quote above suggests, these studies linked the soil of India straight “up” to the Imperial Cabinet in Downing Street. His UP study provided further detail of its divisions into: 48 districts of a million souls each; each of these into subdivisions, which contained one or two *tahsils*, which were grouped around the town selected as the centre of the districts, “like the petals of a rose”; *tahsils* were divided into *parganas* supervised by *kanugos*, who supervised the *patwaris* who compiled data for land revenue assessment, including the villages: “Here at last we come to the natural unit of Indian society, the corpuscle made of human atoms, from which the body politic of India is composed.”⁵³ In attempting to imagine how this complex reality might be politically reconfigured into a generalizable abstraction, Curtis claimed inspiration from “one of the ablest administrators in the country” who felt that the solution was to introduce reform on “horizontal” not “vertical” functional lines:

“... it should not be beyond the wit of constitutional experts to frame a scheme of advance along the road of horizontal lines of increasing popular control over all the functions of government instead of vertical lines separating particular functions and without reaching a chasm that must be crossed in one bound.”⁵⁴

For such an abstractly spatial programme it is surprising that Curtis did not help readers visualise his plan. Instead he adopted a militaristic metaphor for explaining his strategy for protecting imperial sovereignty within a system of colonial administrative reform. The army, he suggested, had both a military fighting corps and a technical corps, responsible for logistics and infrastructure: “These collateral services are divided, so to speak, from each other by vertical lines. Each separate service, however, is also divided into two principal grades by a horizontal line.”⁵⁵ Vertical lines here separate functions which sit on the same level. Horizontal lines divide a level from that above or below it; in the army metaphor this would denote commissioned officers above, and the rank and file below. The general staff of the army was drawn from both technical and regimental staff. For Curtis, this was how the central Government of India functioned; a tier above the diverse provinces, separated by a horizontal line. Some of these provinces (corps) would be subject to the direct control of Government of India (general staff), and this power had to be retained. What Curtis was suggesting was the importance of retaining ultimate political sovereignty by refusing a total devolution of power,⁵⁶ across an uncrossable “chasm”, down the vertical hierarchy (divided by horizontal lines) as follows:⁵⁷

PARLIAMENT
SECRETARY OF STATE FOR INDIA
GOVERNOR-GENERAL (VICEROY)
PROVINCIAL GOVERNORS, LIEUTENANT-GENERALS, CHIEF COMMISSIONERS
DISTRICT OFFICERS
MUNICIPAL COMMISSIONERS, PANCHAYAT COUNCILS

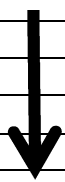


Table 2

The system would, instead, favour a horizontal transfer of responsibility, a right to left movement of vertical lines, increasing from local self-government (LSG) to weightier responsibilities and facilitating tutorship in the arts of government, as below:


FOREIGN	FINANCE	LAW&ORDER	EDUCATION	HEALTH	LSG
					

Table 3

The trick, however, was to combine the two movements such that certain subjects could be maintained for either imperial, executive control or local scale, administrative control, hence the reservation (✓) or exclusion (x) of certain subjects for certain levels, and the negotiation of other subjects at certain scales (~):

	FOREIGN	FINANCE	LAW&ORDER	EDUCATION	HEALTH	LSG
PARLIAMENT	✓	~	x	x	x	x
SECRETARY OF STATE	✓	~	x	x	x	x
VICEROY	✓	✓	✓	~	~	x
PROVINCIAL	x	~	~	✓	✓	✓
DISTRICT	x	x	x	✓	✓	✓
MUNICIPAL	x	x	x	~	✓	✓

Table 4

Proposals by the Viceroy, inspired by Curtis and amended by the central government, were circulated to the existing provincial governments in 1918. As Robb has recounted in detail, the plans got thoroughly ‘riddled’ by the central government, but received even harsher treatment in the

provinces.⁵⁸ The Governor of Bengal, for instance, ridiculed the rolling out of a governmental machinery that was “...without precedent in the history of the world.”⁵⁹ In the face of near total condemnation from the provinces Chelmsford circulated a defensive memo in March 1919, co-written with his executive council including Meston, insisting that Indians must learn to govern themselves. If the constitutional mould into which this progression flowed was distinctive rather than English, no one had a better suggestion than dyarchy: “It is a novelty in constitutions; and none of us can prophesy the manner of its growth.”⁶⁰ However, it was claimed that there were universal tests of administrative machinery: its smoothness of friction in working; its burdensomeness on the people or the reverse; its educative value, and its capacity for further development. Dyarchy passed these practical tests, and also passed a series of additional theoretical tests, which were structured around the political geometry used by Curtis (although the vocabulary was rotated by 90 degrees; “horizontal” schemes now referred to wholesale transfers of power down a vertical hierarchy):

“It is possible to take a particular group of functions and hand it over to the new authority; this we may call the vertical method of division. It is also possible to entrust the new authority with subordinate powers in all functions; this we may call the horizontal method of division... On exclusively theoretical considerations accordingly our conclusion is against the horizontal division of functions.”⁶¹

On the basis of these protracted negotiations the Indian Civil Service was tasked with implementing what became the Government of India Act (1919), and of bringing dyarchy to life. The mass complexities of this undertaking cannot be touched upon here.⁶² But in the remainder of this paper I would like to extend the use of scale to rethink two of dyarchy’s most fundamental, and opposed, demands: of retaining imperial autocracy; and of meeting nationalist demands to devolve democracy to the Indian public.

Autocratic Political Geographies

While the majority of contemporary discussions around the idea of dyarchy focused on the division of subjects and the theoretical and practical possibilities of dual tiers of government, undergirding the official response to the 1917 announcement was another concern: its re-triangulation of bureaucracy, democracy and autocracy.⁶³ Curtis suggested that Indian Civil Servants, contradicting their insistence on the “multifarious diversity of conditions in India”, were obsessed with the idea of treating India as one uniformity: “This iron uniformity is the natural product of a highly centralized autocracy imposed on a vast country from without.”⁶⁴ In addition to the racial and linguistic diversity of India, which orientalist and indologists had pored over for centuries, the reforms of dyarchy acknowledged and encouraged a social and political heterogeneity that confronted the government with a democratic material “beneath” it that it needed to control.⁶⁵ This would require an apparatus

of scalar sovereignty that was *networked* (putting the central into the local) and *nominalist* (defining what the local was).

Networks of exclusion

While to imperial cartographers India appeared as one, to colonial cartographers a singular body of India was a geographical conceit. The dyarchy reforms further muddled the map. The already expansive legend to maps of the Indian Empire expanded a little further. Usual map legends included: external territories and foreign territories in India (for example Ceylon or Goa); tribal areas (such as those bordering Afghanistan); provinces governed directly by the central government (such as Delhi); the Princely States (such as Rajputana); and the provinces (such as UP). From the latter, however, dyarchy added a new category: “excluded areas” of governor’s provinces. These were regions in which autocracy had negotiated a continued free space of play during the constitutional reforms, and from which democracy had been excluded from the outset. Although Burma was not so excluded, it had been effectively written out of the dyarchy reforms of 1919 “due to its people being in a separate stage of political development.”⁶⁶ This view was later revised and similar reforms were applied to Burma, though three years later. As such it was included on the map commissioned to accompany the Simon Report, which featured six differently coloured types of territory: provinces in light pink, centrally administered provinces in dark pink, princely states in dark yellow, tribal areas in light yellow, outside and foreign territory in white, and excluded areas of provinces in purple (see figure 1).⁶⁷

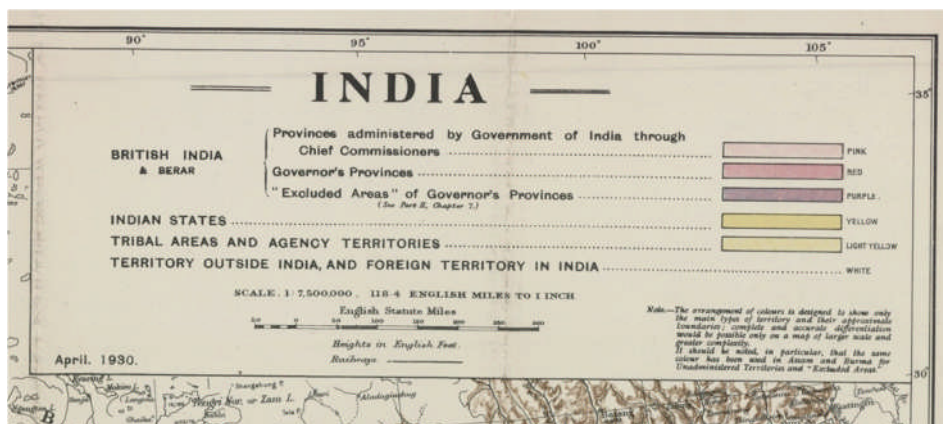


Figure 1: Legend to “Map of India”

The Montagu-Chelmsford report acknowledged that all provinces would contain areas “... where material on which to found political institutions was lacking.”⁶⁸ These would not just be scheduled areas of tribes, but would also include others types of “backward area” which could be wholly excluded or have modified reforms introduced.⁶⁹ The justifications provided by provincial governors

for suggested exclusions displayed a remarkably spatial inventiveness in pawing off the encroachments of democracy into provinces, the governance of which had previously been executed with relatively little interference by the vast majority of the people that lived there. The Governor of Bihar and Orissa, for instance, claimed that the civilizational diversity in the Chota Nagpur region necessitated its exclusion from the reforms (also see figure 2):⁷⁰

“The standard of civilisation varies considerably in different parts: the wilder tracts are inhabited almost exclusively by aboriginal and semi-aboriginal tribes, while on the other hand the division contains a certain number of towns, the most important coal-fields in the whole of India, and an area round the Tata iron and steel works which bids fair to become one of the most important industrial manufacturing centres in the country.”⁷¹



Figure 2: Bihar and Orissa, with Chota Nagpur in the centre.

These exclusionary arguments regarding civilisation were combined with those of physical geography and up-scaled in the case of Assam, for which an argument was made concerning almost the entire province:

“The justification for treating Assam in a special manner must be sought not so much in its area, which as we have mentioned is almost equal to that of Bengal, as in the very large proportion of this area which lies in the hills and is peopled by primitive tribes, and the consequent smallness of the area, with its correspondingly small population and revenues, which can be compared in the matter of general progress and advancement with the rural tracts of other provinces. The problem is also complicated by the cleavage, geographical as well as religious, social and political, between the two valleys which comprise the more advanced portion of the province. The Assam valley is mainly Hindu and animistic. In the Surma valley Muslims are also in a majority.”⁷²

What we see emerging in post-war constitutional discourse is the much older “colonial geography” which had delineated the Himalayan hill lands (of supposedly primitive tribes) from the (supposedly more civilised and integrated) plains by an “inner line”.⁷³ This had been formalised in the Bengal Eastern Frontier Regulation of 1873 and fed straight in to the dyarchy debates. That many of these uplands contained tea plantations in which workers were treated with abnormal violence, and whose voices were best kept silent, cannot have been far from the official mind in the crafting of these exclusions.⁷⁴ To reinforce the point a large map of the province was provided, marking out in red the hilly areas that should be excluded from reform, highlighting what a small proportion of the province the remaining lowland Surma and Assam valleys constituted (see figure 3).⁷⁵

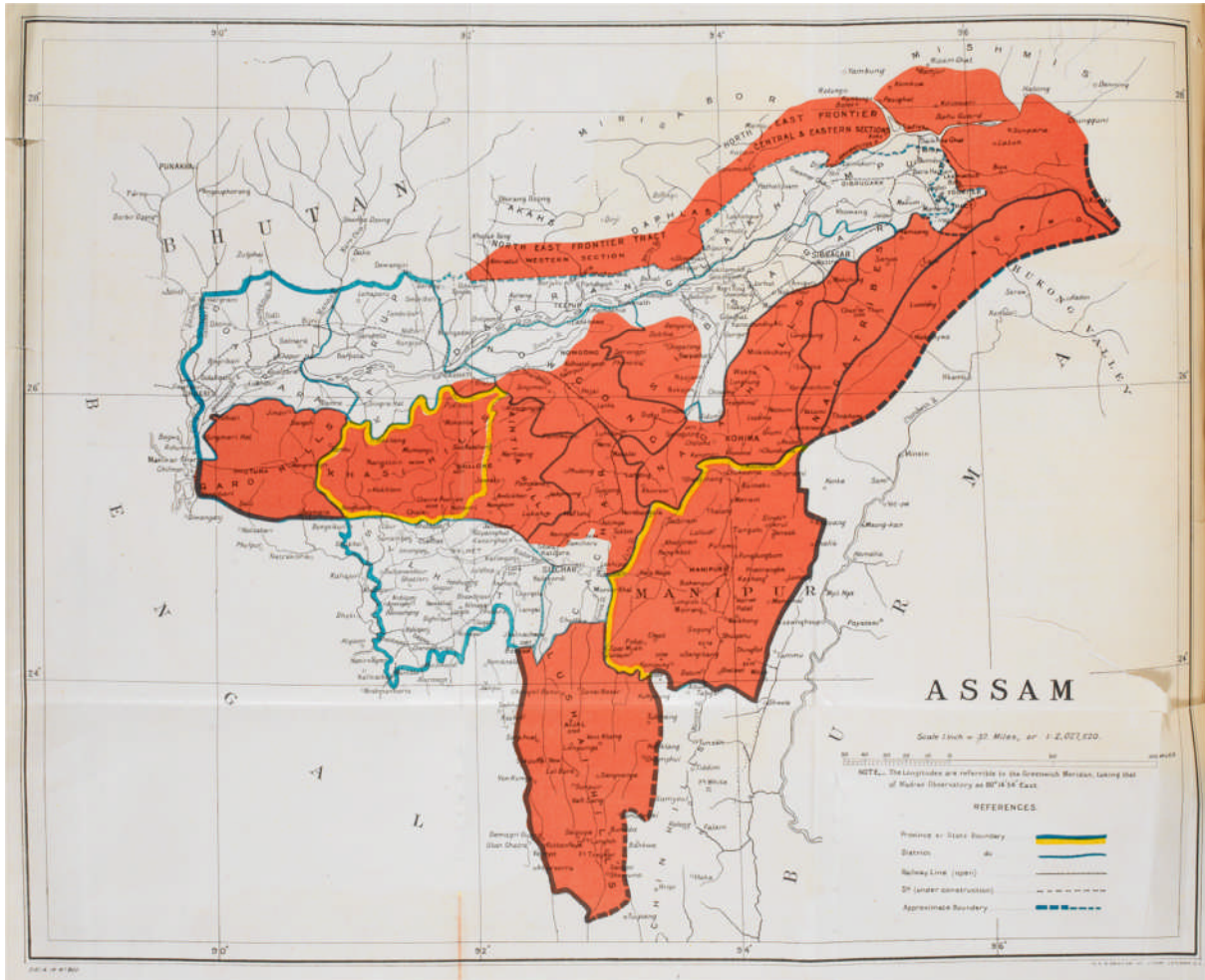


Figure 3: Assam and proposed exclusions from constitutional reform

In the Bengal region of Darjeeling, also a tea plantation district in parts, the geographical basis for exclusion was made even more explicit (see figure 3):

“These tracts cover a wide area. They are very sparsely populated and their inhabitants belong to a variety of more or less savage tribes. The district is a mass of hill, ravine and cliff, covered with dense bamboo, tree and creeper jungle. It is a scheduled district and is also de-regulationized. Legislation is effected by Regulation and no inhabitants of the district at present have a vote in council elections. It is clearly a typically backward area which should be wholly excluded.”⁷⁶

This was not, however, a representation accepted by all Darjeeling inhabitants. There was, actually, a substantial educated and vocal population who had petitioned Secretary of State Montagu in person on 7th December 1917 during his tour, asking to be separated from Bengal under the reforms.⁷⁷ Roughly 90% of the people were said to be of the “Mongol family of nations”, large numbers of whom (especially the Gurkhas) had supplied men during the War. The phrase was that of local Political Officer C.A. Bell, who concluded that “they are no more related to the Indians than are the Burmese” and many seemed to view the Bengal government as a lowland, alien coloniser of the

hillsmen.⁷⁸ This was, in part, a result of colonial policy that encouraged Nepalese settling of Darjeeling so as to protect this area, treasured for its significance in terms of economic, political and health geographies, from the disruptive anti-colonial nationalism emerging in Bengal.⁷⁹ The petition had requested separation from Bengal and direct control from Delhi, with some degree of self-government. Exclusion could here function as a means of liberation rather than abandonment, though the intricacies of this case would continue to unfurl in the coming years.

Many of these bids for exclusion were accepted by the central government, though in mid-December 1919 W.S. Marris, by now Reforms Commissioner, made it clear they still had "...to clear up the backward tract question" so the heads of the provinces were consulted a month later.⁸⁰ The case of Darjeeling proved to be one of the most difficult, because of its people not because of "mass of hill". The Bengal government had suggested not excluding Darjeeling entirely but having the Governor exclude certain Acts and overrule elected Indian Ministers when necessary. The Reforms department in New Delhi flatly refused this proposal, however: "Under the arrangements contemplated, Darjeeling will have no representation in the Legislative council and the position of Ministers in regard to the district will be anomalous. There does not seem to be any *via media* [middle road] between exclusion and inclusion, and the suggested compromise is not considered practicable."⁸¹

These central debates took place in the face of mounting controversy within the Darjeeling region on the politics of its exclusion. On 6th February 1920 the Secretary of the Kalimpong Samiti sent a telegram to the Viceroy, expressing the Tibeto-Indian population's "... intense horror and dismay to learn that it has been proposed to grant the new Reform Scheme to them only partially and that they have been classed among backward tracts."⁸² They objected that they were in no way inferior to any other community, requested the full application of the reforms, and insisted that their previous petition to Montagu "... was merely for the creation of a new hilly Province of their own but not for exclusions from the Reform Scheme." Similar sentiments were expressed by the loyalist Darjeeling Hillmen's Association in a letter to the Viceroy on 20th February.⁸³ The hillsmen were, rather than backward, an "advanced tract", full of people as vigorous as any under the Government of India, with a higher than average literacy rate for the province, who were keen to contribute to the welfare of India and the British Empire. Against this British affinity, the hillsmen were said to differ from the people of Bengal in terms of geography, race, history, religion and language: "It is only the accident of the common British domination during the last few decades which has linked us together politically." Union with Bengal under the reforms would allow the "plainsmen" to swamp

the hills while the hillsmen were said, for unexplained reasons of health, to be unable to work in the plains.⁸⁴

The Nadia District Association was even more explicit in a resolution from June that year. The exclusion of Darjeeling from the Reforms was a movement started by European planters, which they suggested was aiming to create an “Ulster in Bengal”. This responded to a joint resolution by the Darjeeling Planters’ Association, the European Association and the Hillsmen Association of March 1920 which, though pleading for a form of local self-government, had insisted Darjeeling be excluded from the reforms. The Simon Report map of 1930 featured, however, the small district of Darjeeling in deep, excluded, purple. The Report noted that the Government had tried to limit exclusion as much as possible, matching “degrees of backwardness” with “degrees of exclusion”.⁸⁵ Five provinces had areas so backward as to be wholly excluded from reforms, namely: Madras (the Laccadive Islands and Minicoy); Bengal (the Chittagong Hill Tracts); the Punjab (Spiti); Burma (all listed backward tracts); and Bihar and Orissa (Angul). “Modified exclusions” were applied by the reserved half of provincial governments to provincial enactments, notifying all or parts of them to the tracts at their discretion. In addition to the Agency Tracts in Madras and Lahaul in the Punjab the three areas discussed above were listed in this category of modified exclusion: in Bengal, Darjeeling; in Bihar and Orissa, Chota Nagpur, the Santhal Parganas, and Sambalpur, and in Assam, “all the backward tracts of the province.”⁸⁶

Some recent studies have viewed mountains as areas in which imperial sovereignty struggled to ascend, or as places to which colonised populations could migrate to escape state reforms.⁸⁷ Yet in Darjeeling constitutional reforms were exacting in their exceptions and geography, while local residents fought to pull in reform, not to push it out. This is because the reforms were viewed to be democratic ones, bringing with them enfranchisement and voice, not just the capacities for tax, census, and surveillance. But embedded within the reforms was, both in the open and in secret, the nominalist power of autocracy which insisted upon its sovereign capacity to distinguish between, and *name*, the local and the central, the insignificant and the imperial.

Naming the local as imperial

“For the first time the principle of autocracy, which had not been wholly discarded in earlier forms, was definitely abandoned; the conception of the British Government as a benevolent despotism was finally renounced; and in its place was substituted that a guiding authority whose role it would be to assist the steps of India along the road that, in the fullness of time, would lead to complete Self-Government within the Empire.”⁸⁸

In 1928 the Allahabad High Court Advocate Sir Kishen Mehra was still suggesting that, through dyarchy, the Government of India had abandoned autocracy and radically reconfigured its bureaucracy, the Indian Civil Service, around democracy. He added the rider to the statement above, however, that the government retained powers of supervision and, if necessary, intervention. The latter provided, for some, evidence that dyarchy was but a cloak for ongoing imperial autocratic sovereignty, while others argued that its powers of supervision so structured dyarchy against effective democracy that it didn't merit the name. For such arguments, the devil is in the detail, only some demonstrative examples of which can be sketched below.

Within a few years of its application dyarchy had proven so controversial that an official investigation was established.⁸⁹ Its failure to adequately criticise the working of the 1919 Act led to a supplementary Minority Report of dispute.⁹⁰ The 1919 Act was here criticised for both its power to prevent certain subjects from being voted upon or discussed in either central or local chambers (the inbuilt, everyday powers of supervision, discussed below), and its exceptional powers, regarding:⁹¹

1. Expenditure: "Special powers are reserved to the Governor-General enabling him to authorise in cases of emergency such expenditure as may, in his opinion, be necessary for the safety, tranquillity or interests of British India or any part thereof."
2. Ordinances: "The Governor-General has also the power, in cases of emergency, to pass ordinances for the leave and good government of British India to operate for a period of six months at a time."
3. Certification: "The Governor also has the power of preventing the introduction of any bill if he certified that the bill or part of it affects the safety or tranquillity of his province or any part of it or of another province, and upon such certification the proceedings are dropped."

This report reflected (and no doubt stimulated) popular commentary against the working of dyarchy. Attention was drawn not only to the embedding of autocracy within the system, but to the particularly verticalist and scalar powers of intervention that this autocracy wielded. Criticisms targeted, for instance: the ability to recall a devolved and transferred subject into a "reserved" subject if it was not dealt with satisfactorily; the total lack of responsibility in central government (the autocratic relic of devolution of democracy to the provinces); the safeguarding of the irresponsible authority of the Governor-General in Council by extraordinary powers of veto and certification; and the division of budgets into votable and non-votable items, which meant that: "Even in the Provincial Legislatures, autocracy, though weakened, still sits armed with the rights of certification and entrenched behind the Reserved half of the Government."⁹² The nature of these interventions pinpointed the scalar sovereignty of the ultimate authority in India; that was, the capacity to distinguish between the imperial and the local. Shah and Bahadurji had referenced the 1833 decision that the Supreme Government could interfere in local concerns if they were

indispensable to the maintenance of imperial unity and if it avoided “petty, vexatious and meddling interference”:⁹³

“But in practice it is very difficult to determine exactly where the just control of general principles ends, and the petty, vexatious, meddlesome interference in detail begins. It may quite conceivably happen that what is normally a detail, which had best be left to the local Government, might in exceptional circumstances, assume the dignity of a great principle... And yet it must be said that the history of the last century or so all over the world shows the struggles of imperialism—if one may so describe the centralising tendencies—against provincialism, resulting in the indisputable victory of the former.”⁹⁴

Yet it was not just through occasional exceptional incidents of overrule or centralising victory over the local that dyarchy’s democratic potential was undermined. The everyday, normal, structures of dyarchy had also fundamentally worked to undermine the spread of democratic praxis. The size of the official block (as opposed to the elected ministry) in provincial councils meant that elected ministers often had to rely on the official vote, leading to loss of support for elected members, who were deemed to have too quickly become government “lackeys”.⁹⁵ The reservation of subjects at the provincial level provided the central government with a direct route in to provincial politics, hence undercutting the supposedly radical devolutionary powers of dyarchy. Government officials in the Indian Civil Service refused to cooperate with Indian ministers, while the division of subjects into reserved and transferred subjects was said to be unworkable, especially given the lack of a divided purse (ie split budgets, rather than official controlled budgets).⁹⁶ Even the Majority Reforms Enquiry Report agreed on this point:

“The division of subjects into reserved and transferred subjects is of the very essence of dyarchy, and dyarchy must be held responsible for any failure in the working of the constitution which can be directly attributed to the administration of a transferred subject impinging upon the administration of a reserved subject or *vice versa*.”⁹⁷

However, to judge Dyarchy on these terms would be to cede too much to a juridico-political view of government, and to circumscribe the “constitution” of India to an arm of the governmental apparatus. In one sense a narrative like that above *does* work to undercut the power of the colonial state, showing that it was continually at war within itself, that it was resisted even within its own Enquiries, and that public commentaries quickly picked up on the contradictions of the autocratic democracy on offer. But dyarchy was designed to fail in two senses. First, reserved subjects were designed to be transferred over time such that Dyarchy would consume itself (the 1935 Act is viewed by many as the realisation of this fate).⁹⁸ But the second was that the system was rigged so that democratic challenges to the still autocratic Government of India were unlikely (due to official

weightings in the chambers) to succeed and could be easily overridden by the Executive should they emerge.

The central government thus bid its future in India on the stakes of reserved subjects. Tellingly, in official and un-official circles these came to be referred to as “law and order” subjects, while transferred subjects were referred to as those of “nation building”.⁹⁹ The state’s failure to grasp the significance of the latter in part explains its inability to grasp the vital material upon which the mass nationalist movements of the 1920s were based. In conclusion I will suggest that this was a failure to appreciate the scale of the local and the provincial, but also to appreciate the time-scale of democracy and biopolitics in interwar India.

Sequences and Scales of Democracy

The challenge throughout this paper has been to speak of the international, imperial and Indian scales while retaining an interest in the specificities and micropolitics involved in etching out a new constitutional order. The solutions above have included thinking about the intellectual historical geography of Lionel Curtis, and the exceptions and intrusions of autocracy into the new supposedly democratic landscape of dyarchy. The gains made through this juridico-political focus come at the cost, however, of neglecting the broader governmentalities to which dyarchy contributed. From this perspective the elements described above become just a handful of the myriad origins of the changing political and social world in 1920s India to which dyarchy contributed. For instance, it accepted and accelerated the communal electorates introduced by the 1909 Morley-Minto reforms, supplementing religious protections with electorates for urban, rural, and commercial constituencies.¹⁰⁰ It provided fora for new spaces of political cooperation and contestation to emerge. Gandhi’s Indian National Congress refused to enter the new assemblies, though some Congress members did under the banner of the Swarajist Party, though they then also divided into “workers” and “wreckers” within the system. Some feared that the sight of powerless Indian ministers would undermine voter confidence in the system, breeding irresponsibility.¹⁰¹ But in other senses participation in provincial assemblies formed the habits and conducts of adversarial politics: unpicking government budgets; stirring up public controversies; providing voices for religious and ethnic minorities; and even boycotting the bureaucracy of the state, which could be seen as an intense engagement *with* the politics of dyarchy, not its abandonment: “It was a conscious act of refusal which was, in itself, a determined expression of the will of the electorate.”¹⁰²

Beyond the formally political, dyarchy also created financial and policy spaces for innovation and experimentation. The Minority Report drew attention to such efforts in Madras in terms of

appointing village officers, proposing new universities, granting free school meals to poorer children while also calling for economy in other types of expenditure to fund these outlays.¹⁰³ Others drew attention to the social reform bills that the limited but popular mandate allowed provincial governments to pass, regarding sexual or religious reform, in ways that the central government could not contemplate due to the risk of political controversy.¹⁰⁴ These were the subjects of nation building. As the quote with which this paper opened suggested, the British may well have been able, in the 1920s, to provide better policemen, engineers, financiers, diplomats, lawyers or soldiers. But what of teachers, nurses, municipal committees, and community workers, “...which go to make good government as against efficient government, which help to uplift an entire people”?¹⁰⁵

The point was made at length and with great force by “Kerala Putra” a pseudonym for KM Pannikar. Pannikar was an administrator and diplomat who also published political commentaries, popular histories, historical geographies, and studies in Malayalam literature, often focusing on constitutional reform and the Princely States. In his 1928 book on the workings of dyarchy he reflected upon nineteenth century India, when political government meant only “efficient administration”, not the social life of the people or the “vague moods and unvoiced feelings” mentioned at the start of this paper.¹⁰⁶ Politics had changed by the 1920s, he suggested, but the colonial state had completely failed to keep up:

“People now clamour for social reform, that is the interference of the State in the customs and institutions of the people. Their complaint now is that the British Government does not lend its support to the efforts that are being made to re-order society. And this is but natural. So long as the State was merely a tax-collecting machine, ensuring peace and safety, freedom for the individual could not mean anything else... But the State has long ago ceased to be a mere tax-collecting machine. Modern life makes a superimposed state an impossibility. A state has to educate, legislate, and control a man in a hundred other ways...

“With this changed conception of the functions of the State, comes the new idea of liberty as the right of men to order his own state, especially as it is an organisation which interferes in so much of his life. Liberty now is not freedom from state control but the right to control the state. This, as we have seen, arises from the growth of the functions of executive government. A state which does not educate, which does not enforce sanitation, fight diseases, regulate conditions of work &c., will not now be considered civilised. This enlargement of functions necessarily involved limitation of individual freedom and group autonomy. The Hindu can no longer be allowed to refuse being vaccinated, on the plea of religious scruples—because small-pox among one section involves danger to the life of others—than he can refuse to pay taxes.”¹⁰⁷

Pannikar did not simply say that dyarchy had failed, though many commentators reached this conclusion.¹⁰⁸ Rather, Pannikar was suggesting that the British were out of time in India. This was not just a question of their time being up; rather, they were out of synch with the state, and the nation,

that their constitutional reforms had helped take shape. The return view by many British saw Indian claims for democracy and self-government as out of sequence. In June 1917 Viceroy Chelmsford had insisted that the fault of the 1909 Morley Minto reforms was that they had skipped a whole stage of political evolution, and that this had to be undergone before further powers could be granted.¹⁰⁹ This was a question of democratic transition, but it was also a question of presumed functional links between different components of modernity. The Burmese, for instance, had initially been excluded from constitutional reform “...due to its people being in a separate stage of political development.”¹¹⁰ Capitalist industrialisation, urbanisation, secular politics, and reorganised family structures were all related components for increased democratisation. This was part of the “symmetrical” thinking that Sudipta Kaviraj has identified as a prevalent western view of modernisation.¹¹¹ While some elements might be introduced into a society earlier or later, they would, and must, eventually emerge to constitute a proper replication of European modernity.

The alternative view outlined by Kaviraj, and consistent with Pannikar’s provincial reading of Europe, was that the sequence in which the components of modernity emerged *was* important. Different origins and conditions of development of the components of modernity meant that Indian democracy was emerging in radically different conditions and sequences to that of Britain. India was, in Pannikar’s words, part of “modern life”, in which it was already acknowledged that a “civilised” state had to go beyond tax collecting and policing to education, sanitation, disease control and labour protection. Yet the dyarchy model was bound to a progressivist conception of temporal evolution along the lines of western modernity and democracy, dictating that the reserved subjects of “law and order” (Pannikar’s “efficient administration” of the 19th century) had to be learnt before those of “nation building” (Pannikar’s society-changing and interventionist state). The duration of this tutorship would depend upon the success with which the transferred subjects were administered. As the ex-Viceroy Lord Curzon dryly commented shortly before the Montagu reforms announcement of August 1917: “When the cabinet used the expression ‘ultimate self-government’ they probably contemplated an intervening period of 500 years.”¹¹²

But many Indians were building a nation, irrespective of their tutorship, within the constitutionally reformed framework of the colonial state. This nation was forming within an internal, private, traditional sovereign realm beyond the external, public, modernity of colonialism.¹¹³ But it was also taking shape in the scalar domain of the province, at which politicians were crafting new forms of nationalist political engagement, whether between wrecking or working with the assemblies, or between financial austerity and social experimentation. If it was argued that the hill lands and jungles of India represented a past, unsuited to modern democracy and governmentality, then the

province represented a possible Indian future. Here sovereignty would not be “reserved” to a political elite but would be, supposedly, “transferred” to the people via thoroughgoing provincial biopolitics. In practice, provincial reform plans were often frustrated by lack of finance or of partisan coalitions strong enough to get the plans actualised, both of which were logical and intentional outcomes of the embedding of autocracy within the putatively democratic frames of dyarchy.

As such, this paper has drawn attention to the politics of networks (Curtis’s comparative constitutionalism and his networking, and the government’s exclusionary provincial networks of democracy) and nominalism (naming the connections between London and the village, or of where is local or imperial) that exposed the non-naturalness of scale in British India. But Pannikar and Kaviraj also alert us to questions of *time*-scale and sequence, of disrupting the chronopolitics of western democracy, but this was in part done through re-articulating the *spatial*-scale of the province.¹¹⁴ Following the 1935 Government of India Act the 1937 elections saw Congress come to dominate many provincial governments, reducing the experimental space of play in the name of a nationally coherent vision of a developmental state.¹¹⁵ Although this system is and was referred to as “provincial autonomy” the central state retained its “vertical” connections to London, its various reserved subjects, its excluded areas, and its powers of intervention, representing a refined form of dyarchy that provided a vital genealogical link between post-war constitutional reform, post-colonial federation, and the politics of vague moods and unvoiced feelings.

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¹ The majority of research for this paper was conducted while on research leave, funded by a Philip Leverhulme Prize. I have benefitted from presenting this work at the Universities of Leeds, British Columbia, Concordia, Bristol, Jawaharlal Nehru University and King's and Queen Mary Colleges, London. The University of Nottingham's Institute of Asia Pacific Studies funded a one-day workshop in April 2014 entitled "Law, citizenship and democratic state building in India between 1910-1960s" at which this and other papers were discussed (the other presenters were Rohit De, Arvind Elangovan, William Gould, Eleanor Newbigin, Udit Sen, Ornit Shani, and Taylor Sherman). I have continued to profit from the ongoing conversations and friendships that emerged from this event, though any errors in the paper are wholly my own.

² KT Shah and G J Bahadurji, *A Commentary on the Government of India Act, (Consolidated) of 1919, with Additional Chapters on the Indian Local Governments, Indian Army, Indian Finance, and the Native States in India* (Bombay: NM Tripathia & Co, 1924), 25-26, emphasis added.

³ For comparable work connecting imperial formations to debates over socially progressive government see Mrinalini Sinha, *Specters of Mother India: The Global Restructuring of an Empire* (Durham: Duke University Press, 2006).

⁴ Shah would go on to become a member of the Fundamental Rights Committee of the Constituent Assembly that would draft the constitution of independent India. See Ornit Shani, "Making India's Democracy: Rewriting the Bureaucratic Colonial Imagination in the Preparation of the First Elections," *Comparative Studies of South Asia, Africa and the Middle East* (forthcoming).

⁵ Shah and Bahadurji, *A Commentary on the Government of India Act*.

⁶ The *Oxford English Dictionary* lists "dyarchy" as an erroneous linguistic form for "diarchy", defined as "A government by two rulers. Also spec[ifically] the system of provincial government in India established by the Government of India Act of 1919". The system was also referred to variously as "dual" or "bicameral" government. A similar system of dual government had existed in early east India company Bengal, until 1773, with the British retaining supreme authority and the *diwani* administration managing day to day affairs, referred to by some retrospectively as the Bengal dyarchy (with thanks to Rohit De for this point).

⁷ James Chiriyankandath, "'Democracy' under the Raj: Elections and Separate Representation in British India," *The Journal of Commonwealth & Comparative Politics* 30, no. 1 (1992), 44.

⁸ The 1920 elections included an electorate of 5.5 million in the provinces and 1.5 million for representatives in the imperial legislature, from a total population of over 300 million, Sumit Sarkar, *Modern India: 1857-1947* (Madras: Macmillan, 1983), 167.

⁹ Richard Danzig, "The Announcement of August 20th, 1917," *The Journal of Asian Studies* 28, no. 1 (1968), 28, 33.

¹⁰ From *Indian Statutory Commission Volume Iv: Memoranda Submitted by the Government of India and the India Office to the Indian Statutory Commission: Part I*, (London: HMSO, 1930), 9.

¹¹ I have explored the concept of scalar sovereignty elsewhere in relation to the British attempts to keep the League of Nations "above" the Indian national scale and to prevent its definition of internationalism seeping "below" the central government into the spaces between British and Princely States. This was another post-war legacy, through which India became the only non-self-governing member of the League. See Stephen Legg, "Of Scales, Networks and Assemblages: The League of Nations Apparatus and the Scalar Sovereignty of the Government of India," *Transactions of the Institute of British Geographers NS* 34, no. 2 (2009) and Stephen Legg, "An International Anomaly? Sovereignty, the League of Nations, and India's Princely Geographies" *Journal of Historical Geography* 43(2014).

¹² See Stephen Legg, *Prostitution and the Ends of Empire: Scale, Governmentalities and Interwar India* (Durham, NC: Duke University Press, 2014), 26-39.

¹³ Drawing upon Sudipta Kaviraj, "An Outline of a Revisionist Theory of Modernity," *European Journal of Sociology* 46(2005).

¹⁴ The debate about good and efficient government, and the explicitly tone of the reforms, could easily fit into debates about liberal governmentalities and the intellectual histories of nineteenth to twentieth century debates over colonialism and intervention, on which see Uday Singh Mehta, *Liberalism and Empire: A Study in Nineteenth Century British Liberal Thought* (Chicago: University of Chicago Press, 1999) and Thomas R Metcalf, *Ideologies of the Raj* (Cambridge: Cambridge University Press, 1994) and on the Princely States' pioneering of "good government" see Manu Bhagavan, *Sovereign Spheres: Princes, Education and Empire in Colonial India* (New Delhi: Oxford University Press, 2003), 9. But the focus here is on biopolitics as an intervention into the

social mass of the population, as framed by financial, demographic and, here, constitutional rationalities, see Umamaheswaran Kalpagam, *Rule by Numbers: Governmentality in Colonial India* (Lexington Books, 2014).

¹⁵ Kerala Putra, *The Working of Dyarchy in India 1919-1928* (Bombay: DB Taraporevala Sons & Co., 1928), 8.

¹⁶ The most referenced collection for this School is John Gallagher, Gordon Johnson, and Anil Seal, *Locality, Province and Nation: Essays in Indian Politics 1870 to 1940* (Cambridge: Cambridge University Press, 1973).

¹⁷ Anil Seal, "Imperialism and Nationalism in India " in *Locality, Province and Nation: Essays in Indian Politics 1870 to 1940*, ed. John Gallagher, Gordon Johnson, and Anil Seal (Cambridge: Cambridge University Press, 1973), 3.

¹⁸ Dyarchy was analysed in similar terms, and condemned as "... worthy of Soloman on a bad day", in John Gallagher and Anil Seal, "Britain and India between the Wars," *Modern Asian Studies* 15, no. 3 (1981), 395

¹⁹ Seal, "Imperialism and Nationalism in India", 2.

²⁰ A *tehsil*, or *tahsil*, is an Urdu term for an administrative division comprising several villages. Gyanendra Pandey, "Book Reviews: Anil Seal, the Emergence of Indian Nationalism. Competition and Collaboration in the Later Nineteenth Century. (Cup 1968). John Gallagher, Gordon Johnson and Anil Seal, (Eds.), *Locality, Province and Nation. Essays on Indian Politics, 1870 to 1940*. (Cup 1973). Gordon Johnson, *Provincial Politics and Indian Nationalism. Bombay and the Indian National Congress, 1880-1915*. (Cup 1973)," *Indian Economic & Social History Review* 11, no. 2-3 (1974), 331.

²¹ *Ibid.*, 338, note 23.

²² Ranajit Guha, "On Some Aspects of the Historiography of Colonial India," in *Subaltern Studies I*, ed. Ranajit Guha (Delhi: Oxford University Press, 1982), 40.

²³ For instance see Partha Chatterjee, *Nationalist Thought and the Colonial World: A Derivative Discourse?* (London: Zed for the United Nations University, 1986) and Dipesh Chakrabarty, *Habitations of Modernity: Essays in the Wake of Subaltern Studies* (Chicago; London: University of Chicago Press, 2002).

²⁴ See Ritu Birla, *Stages of Capital: Law, Culture, and Market Governance in Late Colonial India* (Durham: Duke University Press, 2009), Dipesh Chakrabarty, "'In the Name of Politics': Democracy and the Power of the Multitude in India," *Public Culture* 19, no. 1 (2007), Partha Chatterjee, *Lineages of Political Society: Studies in Postcolonial Democracy* (Columbia, NY: Columbia University Press, 2011), and Stephen Legg, *Spaces of Colonialism: Delhi's Urban Governmentalities* (Oxford: Blackwell, 2007).

²⁵ For an incise rebuttal of these claims see Manu Goswami, *Producing India: From Colonial Economy to National Space* (Chicago; London: Chicago University Press, 2004).

²⁶ See Hugh Tinker, *The Foundations of Local Self-Government in India, Pakistan and Burma* (London: Pall Mall Press, 1968 [1954]), Patrick John Thomas, *The Growth of Federal Finance in India: Being a Survey of India's Public Finances from 1833 to 1939* (Oxford: Oxford University Press, 1939), Brian Roger Tomlinson, *The Political Economy of the Raj 1914-1947: The Economics of Decolonization in India* (London: Macmillan, 1979).

²⁷ For instance, on public health see Sunil Amrith, *Decolonizing International Health: India and Southeast Asia, 1930-65* (Basingstoke: Palgrave Macmillan, 2006), on population and birth control see Sarah Hodges, *Contraception, Colonialism and Commerce: Birth Control in South India, 1920-40* (Aldershot: Ashgate, 2008), on systems of transfer relating to prostitution that pre-figured dyarchy see Stephen Legg, "Stimulation, Segregation and Scandal: Geographies of Prostitution Regulation in British India, between Registration (1888) and Suppression (1923)," *Modern Asian Studies* 46, no. 6 (2012) and for the opportunities dyarchy offered for funding traditional medical practices see Rachel Berger, *Ayurveda Made Modern: Political Histories of Indigenous Medicine in North India, 1900-1955* (Basingstoke: Palgrave Macmillan, 2013), chapter four.

²⁸ For a partial exception that sees dyarchy as a frame for changes in gendered relationships to the state Eleanor Newbigin, *The Hindu Family and the Emergence of Modern India: Law, Citizenship and Community* (Cambridge: Cambridge University Press, 2013).

²⁹ *Indian Statutory Commission Volume Iv: Memoranda Submitted by the Government of India and the India Office to the Indian Statutory Commission: Part I: 33*

³⁰ Shah and Bahadurji, *A Commentary on the Government of India Act*, ii.

³¹ Sachchidananda Sinha, *Dyarchy in Indian Provinces in Theory and Practice* (London: East India Association, 1926), 7.

³² For comparable analyses on imperial and colonial citizenship see Niraja Gopal Jayal, *Citizenship and Its Discontents: An Indian History* (Cambridge, MA: Harvard University Press, 2013), and on imperial and colonial spaces of internationalism see Legg, "An International Anomaly? Sovereignty, the League of Nations, and India's Princely Geographies".

³³ Arthur Berriedale Keith, *A Constitutional History of India 1600-1935* (London: Methuen & Co., 1936), 466-77.

³⁴ Alex May, "Introduction," in *The Commonwealth and International Affairs: The Round Table Centennial Selection*, ed. Alex May (Abingdon: Routledge, 2010), 4.

³⁵ M.J. Heffernan, *The European Geographical Imagination: Hettner-Lecture 2006* (Stuttgart: Franz Steiner Verlag, 2007), 52. This marked a new national vision of a territorially differentiated "Third British Empire" of semi-autonomous states, see Mrinalini Sinha, "Whatever Happened to the Third British Empire? Empire, Nation Redux," in *Studies in Imperialism, 100th Edition*, ed. A Thompson (Manchester: Manchester University Press, 2013).

³⁶ Lionel Curtis (1872-1955) had made his name working towards unification in South Africa after the Boer War, under the tutorship of Lord Milner. He spent his life trying to expand these principles to the Empire, via the means of an imperial federation.

³⁷ D. Gorman, *Imperial Citizenship: Empire and the Question of Belonging* (Manchester: Manchester University Press, 2006), 64.

³⁸ The centenary of the outbreak of what became known as the First World War has stimulated renewed interest in the participation of India considering, for instance, military campaigns, testimonies of India soldiers and sensuous archives they left behind. See George Morton-Jack, *The Indian Army on the Western Front: India's Expeditionary Force to France and Belgium in the First World War* (Cambridge: Cambridge University Press, 2014), Gajendra Singh, *The Testimonies of Indian Soldiers and the Two World Wars: Between Self and Sepoy* (Bloomsbury Publishing, 2014), and Santanu Das, "Indian Sepoy Experience in Europe, 1914–18: Archive, Language, and Feeling," *Twentieth Century British History* 25, no. 3 (2014).

³⁹ 'On August 20th, 1917, Edwin Montagu declared in the House of Commons that: "the policy of His Majesty's Government... is that of the... gradual development of self-governing institutions with a view to the progressive realization of responsible government in India as an integral part of the British Empire.'" Danzig, "The Announcement of August 20th, 1917," 19.

⁴⁰ On the broader imperial turn in constitutional history see Lauren Benton, "Constitutions and Empires," *Law & Social Inquiry* 31, no. 1 (2006) and for a thorough overview of Indian constitutional history and historiography see Rohit De, "Constitutional Antecedents," in *Oxford Handbook of the Indian Constitution* (forthcoming).

⁴¹ Deborah Lavin, *From Empire to International Commonwealth: A Biography of Lionel Curtis* (Oxford: Clarendon Press, 1995), x.

⁴² As one Indian nationalist who would work with Curtis's reforms later commented of his campaigning "He spoke with the fervid faith of an apostle. Of him, it could truly be said that he came and saw and conquered." Surendranath Banerjea, *A Nation in Making: Being the Reminiscences of Fifty Years of Public Life* (London: Humphrey Milford, 1927), 304.

⁴³ Deborah Lavin, "Lionel Curtis and Indian Dyarchy," in *The Federal Idea, Volume I: The History of Federalism from the Enlightenment to 1945*, ed. Andrea Bosco (London: Lothian Foundation Press, 1992), 197. The "Duke Memorandum" is republished in Lionel Curtis, *Dyarchy* (Oxford Clarendon Press, 1920), 1-37.

⁴⁴ Lavin, "Lionel Curtis and Indian Dyarchy," 197.

⁴⁵ Lavin, *From Empire to International Commonwealth: A Biography of Lionel Curtis*: 137-39.

⁴⁶ Lavin, "Lionel Curtis and Indian Dyarchy," 203. The address is reproduced in Curtis, *Dyarchy*: 326-56.

⁴⁷ April 1917, Curtis, *Dyarchy*: 99.

⁴⁸ May 1916, *ibid.*, 2.

⁴⁹ September 1920, *ibid.*, xxviii.

⁵⁰ June 1917, *ibid.*, 203.

⁵¹ July 1917, *ibid.*, 239. Simla, in the cool foothills of the Himalayas, was the summer capital of British India. Delhi, in the plains of northern India, was the winter capital.

⁵² Lionel Curtis, *The Commonwealth of Nations: An Inquiry into the Nature of Citizenship in the British Empire, and into the Mutual Relations of the Several Communities Thereof* (London: Macmillan and Co., 1916), 345, cited in Lavin, "Lionel Curtis and Indian Dyarchy," 193.

⁵³ June 1917, Curtis, *Dyarchy*: 218-9.

⁵⁴ Unattributed quote from *ibid.*, 373. Cited in Lavin, "Lionel Curtis and Indian Dyarchy," 193.

⁵⁵ June 1917, Curtis, *Dyarchy*: 206.

⁵⁶ The Round Table group had initially referred to what became known as dyarchy as "specific devolution", see Dewitt Clinton Ellinwood, "The Round Table Movement and India, 1909–1920," *Journal of Commonwealth Political Studies* 9, no. 3 (1971), 193.

⁵⁷ Diagrams by the author.

- ⁵⁸ Peter G Robb, *The Government of India and Reform: Policies Towards Politics and the Constitution 1916-1921* (Oxford: Oxford University Press, 1976), 80.
- ⁵⁹ British Library, India Office Records (IOR)/L/P&J/9/2: *Advance Copies of Opinions of Local Governments on the Report on Constitutional Reforms*, 182.
- ⁶⁰ IOR/L/P&J/9/3: *First Despatch on Indian Constitutional Reforms (Letter from the Government of India, dated 5th March 1919, and enclosures, on the questions raised in the report on Indian constitutional reforms)*, 3.
- ⁶¹ IOR/L/P&J/9/3: *First Despatch on Indian Constitutional Reforms (Letter from the Government of India, dated 5th March 1919, and enclosures, on the questions raised in the report on Indian constitutional reforms)*, 5-6.
- ⁶² See Tinker, *The Foundations of Local Self-Government in India, Pakistan and Burma*, 106-44, and Robb, *The Government of India and Reform: Policies Towards Politics and the Constitution 1916-1921*.
- ⁶³ As Peter Robb put it: "The system was a distended bureaucracy: its methods autocratic." Robb, *The Government of India and Reform: Policies Towards Politics and the Constitution 1916-1921*: 10.
- ⁶⁴ October 1919, Curtis, *Dyarchy*: 497.
- ⁶⁵ See Partha Chatterjee, *The Politics of the Governed: Reflections on Popular Politics in Most of the World* (New York: Columbia University Press, 2004), 6 on the resiliently heterotopic nature of Indian social space as against the totalising abstractions of modernity.
- ⁶⁶ *The Montagu-Chelmsford Proposals: A Brief Version of the Official Report by the Secretary of State and the Viceroy* (London, John Murray, 1918), 36. On Burma see Tinker, *The Foundations of Local Self-Government in India, Pakistan and Burma*: 112
- ⁶⁷ *Indian Statutory Commission Volume I: Survey*, (London: HMSO, 1930), inside back cover. The map legend's (rare) disclaimer reads: "Note.—The arrangement of colours is designed to show only the main types of territory and their approximate boundaries; complete and accurate differentiation would be possible only on a map of larger scale and greater complexity."
- ⁶⁸ Cited in IOR/L/P&J/9/8: *Ninth Despatch on Indian Constitutional Reforms (Assam And Backward Tracts)*, 6.
- ⁶⁹ Tribal areas had been notified under the Scheduled Districts Act 1874, allowing special provisions and interventions by the government.
- ⁷⁰ *Indian Statutory Commission Volume I: Survey*: inside back cover.
- ⁷¹ IOR/L/P&J/9/8: *Ninth Despatch on Indian Constitutional Reforms (Assam And Backward Tracts)*, 7.
- ⁷² IOR/L/P&J/9/8: *Ninth Despatch on Indian Constitutional Reforms (Assam And Backward Tracts)*, 2.
- ⁷³ Sanjib Baruah, *India against Itself: Assam and the Politics of Nationality* (Philadelphia: University of Pennsylvania Press, 1999), 28-37. Beyond the foothills the "hill-tribes" would be left without interference, but with protection from plantation development, creating a protective but artificial and orientalisng spatial boundary between the hills and the plains. Also see Yasmin Saikia, *Fragmented Memories: Struggling to Be Tai-Ahom in India* (Durham: Duke University Press, 2004), 51.
- ⁷⁴ Elizabeth Kolsky, *Colonial Justice in British India: White Violence and the Rule of Law* (Cambridge: Cambridge University Press, 2010), 142-84. On the demands of the planters community during the 1917-18 negotiations over the working of dyarchy in Assam Swarna Lata Baruah, *A Comprehensive History of Assam* (New Delhi: Munshiram Manoharlal Publishers, 2007), 529.
- ⁷⁵ *First Despatch on Indian Constitutional Reforms (Letter from the Government of India, dated 5th March 1919, and enclosures, on the questions raised in the report on Indian constitutional reforms)*, 291. Permission has kindly been granted by © The British Library Board, IOR/L/P&J/9/3, p.291.
- ⁷⁶ IOR/L/P&J/9/8: *Ninth Despatch on Indian Constitutional Reforms (Assam And Backward Tracts)*, 9.
- ⁷⁷ For representations to Montagu from Assam and the working out of dyarchy see Amalendu Guha, *Planter-Raj to Swaraj: Freedom Struggle and Electoral Politics in Assam 1826-1947* (New Delhi: People's Publishing House, 1977).
- ⁷⁸ National Archives of India (NA)/Reforms(General)/1921/Feb/13-122A. For work on much earlier rural populations viewing both British and Bengali as *diku* (outsiders) see Ranajit Guha, "The Prose of Counter-Insurgency," in *Subaltern Studies II*, ed. Ranajit Guha (Delhi: Oxford University Press, 1983).
- ⁷⁹ See Atis Dasgupta, "Ethnic Problems and Movements for Autonomy in Darjeeling," *Social Scientist* 27, no. 11/12 (1999).
- ⁸⁰ NA/Reforms(General)/1921/Feb/13-122A.
- ⁸¹ NA/Reforms(General)/1921/Feb/13-122A.
- ⁸² Kalimpong is a hill station in the Darjeeling district, Samiti means Association or Committee. NA/Reforms(General)/1921/Feb/13-122A.
- ⁸³ The Hillsmen Association was formed from a union of elitist Nepalis who had been petitioning since 1907 to be separated from Bengal, see Dasgupta, "Ethnic Problems and Movements for Autonomy in Darjeeling," 58

- ⁸⁴ Assam had been separated from Bengal after its re-unification in 1911, but on similar tensions see Baruah, *India against Itself: Assam and the Politics of Nationality*: 38.
- ⁸⁵ *Indian Statutory Commission Volume I: Survey*: 159.
- ⁸⁶ *Ibid.*, 160.
- ⁸⁷ Lauren Benton, *A Search for Sovereignty: Law and Geography in European Empires 1400-1900* (Cambridge: Cambridge University Press, 2010), 222-78 and J.C. Scott, *The Art of Not Being Governed: An Anarchist History of Upland Southeast Asia* (New Haven; London: Yale University Press, 2009), for whom the “zomia” region of uphill resistance stretched from Vietnam to north-eastern India.
- ⁸⁸ Kishen Mehra, *The Government of India Act with a Short Commentary and Upto Date Amendments* (Allahabad: Ram Narain Lal Law Publisher, 1928), 10.
- ⁸⁹ *Report of the Reforms Enquiry Committee, 1924, Appointed by the Government of India, and Connected Papers*, (London: HMSO, 1925).
- ⁹⁰ Sapru, Tej Bahadur, P.S. Sivaswamy Aiyer, M.A. Jinnah, and R.P. Paranjpye., *Reforms Inquiry Committee: The Minority Report* (Allahabad: Leader Press, 1925),
- ⁹¹ Sapru et al., *Reforms Inquiry Committee: The Minority Report*, 8.
- ⁹² Putra, *The Working of Dyarchy in India 1919-1928*: 25.
- ⁹³ This was referring to the Court of Director’s response to the 1833 Act of Parliament, known as the East India Company’s Charter, granting it the civil and military control over the Company’s Indian territories.
- ⁹⁴ Shah and Bahadurji, *A Commentary on the Government of India Act, (Consolidated) of 1919, with Additional Chapters on the Indian Local Governments, Indian Army, Indian Finance, and the Native States in India*: 156-57
- ⁹⁵ A view submitted by the Government of Bombay to the *Report of the Reforms Enquiry Committee, 1924, Appointed by the Government of India, and Connected Papers*: 4. Also see Chiriyankandath, “‘Democracy’ under the Raj: Elections and Separate Representation in British India,” 45-50.
- ⁹⁶ This confirmed Curtis’s anticipatory belief in July 1917 that “... the I.C.S., as at present constituted, must eventually go. Dyarchy and an autocratic Bureaucracy cannot exist together. Vested interests are great, and the I.C.S. will fight hard.” April 1917, Curtis, *Dyarchy*: 145, original emphasis.
- ⁹⁷ *Report of the Reforms Enquiry Committee, 1924, Appointed by the Government of India, and Connected Papers*: 26.
- ⁹⁸ For a detailed reading of the investigation of the compilation of the 1935 Act see Elangovan, Arvind. “Provincial Autonomy and It’s (Anti)Colonial Limits: Sir Benegal Narsing Rau and an Improbable Imagination of Constitutionalism in India, 1935-1938.” *Comparative Studies of South Asia, Africa and the Middle East* (forthcoming).
- ⁹⁹ For instance, as acknowledged in the “Memorandum on the future definition of India and the position of areas in India which are not qualified for federation” NA/Reforms-Miscellaneous/1932/9.
- ¹⁰⁰ Some despaired at the political “clan” or “creed” loyalties such as electorates encouraged, others praised the harmonious spirit that had emerged to work around the challenges the communal question posed or to work for “untouchables” uplift, see Cattamanchi Ramalinga Reddy, *Dyarchy and After* (Tagore & Co: Madras, 1924), 12 and *Indian Statutory Commission Volume III: Reports of the Committees Appointed by the Provincial Legislative Councils to Co-Operate with the Indian Statutory Commission*, (London: HMSO, 1930), 395.
- ¹⁰¹ See Angadipuram Appadorai, *Dyarchy in Practice* (Madras: Longmans & Co, 1937), 374.
- ¹⁰² Putra, *The Working of Dyarchy in India 1919-1928*: 79.
- ¹⁰³ Sapru et al., *Reforms Inquiry Committee: The Minority Report* 13.
- ¹⁰⁴ See Sinha, *Specters of Mother India: The Global Restructuring of an Empire*.
- ¹⁰⁵ Shah and Bahadurji, *A Commentary on the Government of India Act*, 25-26, emphasis added.
- ¹⁰⁶ Putra, *The Working of Dyarchy in India 1919-1928*: 8.
- ¹⁰⁷ *Ibid.*, 113-14.
- ¹⁰⁸ For example, the insistence that dyarchy had failed to train India in parliamentary responsibility or combat communal allegiances and antagonism, in Reginald Coupland, *India: A Re-Statement* (London: Oxford University Press, 1945), 121.
- ¹⁰⁹ See Robb, *The Government of India and Reform: Policies Towards Politics and the Constitution 1916-1921*: 65.
- ¹¹⁰ Tinker, *The Foundations of Local Self-Government in India, Pakistan and Burma*: 112.
- ¹¹¹ Kaviraj, “An Outline of a Revisionist Theory of Modernity,” 508-09.
- ¹¹² Quoted in Danzig, “The Announcement of August 20th, 1917,” 31.
- ¹¹³ Partha Chatterjee, *The Nation and Its Fragments: Colonial and Postcolonial Histories* (Princeton, N.J: Princeton University Press, 1993).

¹¹⁴ See Ian Klinkle, "Chronopolitics: A Conceptual Matrix," *Progress in Human Geography* 37, no. 5 (2013).

¹¹⁵ Prashant Kidambi, "Nationalism and Municipal Politics in inter-war Bombay City", a presentation at the *Nationalism, Democracy and Colonial Urbanism in Interwar South Asia* conference held at the University of Nottingham on April 13th 2012.