



Reforming the Hindu Religious Endowments: The Efforts of Justice Party

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ABSTRACT

British colonialism was skilfully utilized by dissidents of nationalists especially in south India. The role played by the Justice Party in this regard is significant and has far reaching impact on successive governments. Its policies reflected its commitment to the non-Brahmin welfare in Tamil Nadu. During its tenure with British administration, several Bills were introduced and enacted. One of the Bills attracted most with support and opposition was the Hindu Religious Endowments Bill in 1923. Even after it became an Act, challenges continued. The implementation of such Act was supported by majority of communities as it regulated the embezzlement of funds and misuse of powers. Though the Act was amended in later years, the spirit of the Act remain intact by expanding the benefits to all the Hindu communities hither to monopolised by a small groups of priests and trustees. The foundations laid by the Justice Party are still sustained by the successive governments with the support of the majority of communities. State intervention in Hindu religious endowments is viewed as expanding social responsibility of the government without which the social justice could not be attained. Though there is a movement to reverse the set up, the support will not be much.

Keywords: Justice Party, Hindu Religious Endowments, non-Brahmin movement, Dravidian Movement

INTRODUCTION

The administration of Hindu temples and Maths has a long history right from the ancient monarchical times. Kings were the major promoters and patrons of such temples. The British colonial administration kept distance from religious matters in the beginning. They knew that the relationship between the religion and the state was one of the most troublesome exercises. However, they were ready to rectify the malpractices in religious establishments whenever it needed. The non-Brahmins Tamils, especially the Saivaites used to be staunch devotees with strong philosophical and

ethical foundations. They have rejected several Vedic practices and established Tamil cultural identities in their devotion. They run temples and maths which are different from the Brahmins establishments. They also perform priesthood in the temples. In fact they established a class of interests of their own in contrast to the Vedic Brahmins. Misuse of funds and mismanagement necessitated the state intervention in the administration of temples and maths. The Justice Party put more efforts to rectify the mismanagement by enacting the Hindu Religious Endowment Act with

heavy opposition, perhaps with the endorsement of the British administrators.

HINDU RELIGIOUS ENDOWMENTS DURING BRITISH RULE

In 1772, Warren Hastings established the Board of Revenue in order to coordinate the administration and finance for the East India Company having offices in Calcutta and Patna. He also appropriated the records of the Muslim rulers and widened the company administration through the Board of Revenue. The Board of Revenue was established in Madras State in 1786. Under the control of the Governor, the Board supervised the whole administration and revenue collection.[1] The Company rule was mostly indifferent to the religious matters. However, several complaints were lodged by the local people regarding the misuse of funds and properties of the temples. As temples and maths remained a source of revenue, the company tried to settle the issue by persuasion. There were complaints about the embezzlement of funds and theft in the Tirupati temple as well. Taking the advantages of the non-interference of the company, the trustees were freely involved in embezzling the temple funds.[2] In 1860, the situation became worse. The British decided to bring out a comprehensive law to systematic administration of temples. They believed the law would control the religious endowments with a view to stop the embezzlement and misuse of powers in the name of traditional privileges. Though the British administrations listened to the opinion of the local people, it did not interfere the internal administration of trusts and maths. However, the properties and trustees were recorded by the Board of Revenue.

A Bill was introduced in the legislative council in 1860. It provided to appoint a committee of trustees in terms of hereditary and the vacant place to be filled through elections. Endowments were to be transferred from local agents previously appointed by the British to the trustees. The Bill covered not only the Hindu temples but also Muslim and Christian religious endowments. The Bill gave more freedom to the trustees in the matters of funds, ceremonies and everyday administration. The Bill provided to appoint a committee of audit consisting not less than three and not more than seven members. Disputes were transferred to civil courts and panchayats.[3] Many

people were dissatisfied over the Bill as it would facilitate more mismanagement and embezzlement of temple funds by the trustees. There was also dissatisfaction among the members of the Board of Revenue over the Bill as it discontinued its responsibilities over the temple administration. The local people continued to emphasize the government control over the endowments. When the difference of opinion became larger, the Madras government transferred the papers to the imperial government of India.

The imperial government passed the Religious Endowments Act in 1863. It repeated its previous attitude towards the religion. The Act enabled the Government to divest itself of the management of Religious Endowments.[4] The government continued solely to see how much revenue it could get from these endowments. In other words, the Act did not control of misbehaviours of the trustees. There were disputes between the endowments and the local people and also within the members of the temples and maths. The government realised in course of time that the Act was a failure in achieving its aims. A.O. Hume, the officiating Secretary of Government of India for Home Department wrote to the Madras government that the endowments funds were squandered and misappropriated by the trustees and members of the religious endowments to large extent.[5] The government began to consider how to rectify the defects in the 1863 Act. Several attempts were made from 1870 to 1920 to rectify the defects in the Acts in Bombay, Calcutta and Madras Presidencies. Besides, several litigations over the administration of religious endowments worried the government. In 1912, with the guidance of Dharma Rakshana Sabha, a Bill was introduced in the Madras Legislative Council to rectify the defects of 1863 Act, however retaining its essence. However, the Sabha aimed to protect the properties of the Hindu endowments.[6] The government also announced in the Council the need for amendment to the Act.

Unlike in Muslim and Christian endowments, where caste did not play a significant role, the Hindu endowments were completely controlled by the Brahmins and the elites who supported the Brahminical rituals. There was a space for reform in the traditional administration of Hindu endowments. It was obvious that the majority of donors were non-Brahmins. When

the temples and maths were trying to protect their properties and privileges, a social issue began to emerge in Madras Presidency. The educated non-Brahmin elites revealed the status of the non-Brahmins in education and salaried jobs then. They often referred their status in comparison with the Brahmins. In other words, the non-Brahmins constituted the majority and paid more taxes to the government remained backward in education and in getting government jobs. Whereas, the Brahmins who constituted not more than 3 percent enjoyed a more share in education and jobs.[7] Besides, the Brahmins have full control of Hindu temples and maths traditionally and enjoyed more privileges. When the Justice Party won the 1920 elections and formed the ministry, the non-Brahmin welfare came to forefront including the reform of Hindu religious endowments.[8]

JUSTICE PARTY AND NON-BRAHMIN WELFARE

The main aim of the Justice Party was related to the welfare of the non-Brahmins. One of the instruments for achieving the aim was to control the Brahmins wherever they dominated. The leaders countered the Congress and the Brahmins with their ideology and also with the help of the British administration. They put utmost efforts to enhance the representation of non-Brahmins in all possible ways. Though the party was in power for hardly six years by winning two elections, its influence was widened through its ideological basis with the support of the Self Respect Movement. When the DMK under C.N. Annadurai consolidated their ideology with pragmatic principles, the non-Brahmins interests became the dominant formula in running the government in Tamil Nadu. Perhaps, he was able to win the different sections of people with the issue of Tamil language and culture.[9]

Socially, the major stronghold of Brahmins is related to Temples and maths since ancient times. Priesthood was ordained only to the Brahmins. They enjoyed privileges and priorities in the social realm. The Varna system of castes endorsed the superiority of the Brahmins. All other communities were subservient to them. The Justice Party decided to change the situation even before it formed the government. As early in 1917, the Justice Party in its first conference at Coimbatore adopted a resolution in the matters of Hindu religious endowments. The resolution opposed the utilization of

chatram and charitable funds for the founding of Sanskrit schools. It recommended to the use the funds for the establishment of primary schools. They revealed that the establishment of Sanskrit school would only benefit the Brahmins and not the non-Brahmins. T.M. Nair while supporting the resolution revealed that the Tirupati endowment utilized funds exclusively for the benefit of Brahmins, including the Sanskrit institutions. The monopoly of Brahmins in the religions endowments was clearly revealed by the leaders of the Justice Party in the conference. They decided to work for bringing a legislation on Hindu religious endowments.[10]

In fact, the leaders of Justice Party did not welcome the government interference in temple affairs earlier. Because, several non-Brahmins belonged to the upper strata were closely related to temple affairs and devotional cult. They belonged to Saiva as well as Vaishnava sects of worship. Almost all the Hindu gods and goddesses with minor sects are covered by these two major sects in Tamil Nadu. Thus, traditionally the temples are part of Tamils' culture. When a new theory was found for the cause of social discrimination in terms of castes, the Aryan and the Brahmin intrusion was comfortably placed to consolidate the non-Brahmin or the Dravidians, especially the Tamils.

THE HINDU RELIGIOUS ENDOWMENTS BILL

After they formed the first ministry, one of the issues to be rectified was the regulation of Hindu religious endowments. Several Hindu endowments did not maintain annual accounts and proper audit report for the expenditure. Caste discrimination was rampant in temples and endowment funds were mostly allocated for the benefits of Brahmins. Knowing the importance, the Justice ministry framed a Bill which was moved on 18 December 1822.[11] The Rajah of Panagal who introduced the bill to the Legislative Council had an M.A. Degree in Sanskrit from Madras University. Kandaswami Chetti and the Rajah of Ramnad suggested the non-Brahmins not to depend upon Brahmins as priests.[12] The resolution passed at the Justice Confederation in January 1923 stated that the non-Brahmins should train a batch of priests to officiate at their marriages and they should encourage matrimonial alliances between one section of the non-Brahmin community and another.[13] A series of

articles appeared in *Justice* on the customs and rituals of the Brahmins which ultimately degenerated the Hindu society. It was also suggested to reform the non-Brahmins who followed the Brahminical rituals.

Many considered that the Bill was a radical departure from the earlier position of the government. It clearly interfered in the matters of religious endowments and attempted to control the properties and administration of temples and maths. The Brahmins who were the trustees of the endowments very much worried and they tried to stop the Bill in various ways. The Bill was opposed by other members of the Council as well as Chidambaram temple, UdipiAshta Math, and Tirupati temple.[14] However, the Bill was passed and sent to the Governor. He declined to approve it and returned the Bill with certain amendments. After a period of interval due to elections and the second council formed, the Bill was passed. But a procedural wrangle then came up. In 1925 the Bill was reintroduced. Criticisms were envisaged on its validity. There was also an objection that no time was given for discussion.

The Bill guided to levy funds from temples to pay for amenities at the pilgrimage centers. It was also criticised. The Bill suggested forming a board to administer the endowments. Many Brahmins continued to fear that such a board would mean interference in religious affairs. Natesa Mudaliar suggested that the board should consist mainly of non-Brahmins, since most of the endowment funds came from non-Brahmins. He also stated, "I assure the House that I have no hatred for any community... I love all communities alike." [15][XIV, 2969] The opponents argued that the Board of Commissioners was unnecessary as there was no complaints of maths run by the Brahmins. [16] Somasundaram Pillai, the Tamil scholar, invalidated all the arguments against the Bill by citing the injustice done by the Brahmins to the non-Brahmins in the name of religion. He also narrated with a story in the Council.

Despite all those criticisms, the Bill sustained certain merits. The special feature of the Bill was the constitution of a special board on the lines of Charities Commission in England to supervise and control the administration of religious endowments. It brought all the temples directly under its control, excluding the private establishments. It was also invested with the

power of auditing the accounts. The Bill also outlined the diversion of surplus funds of endowments for public utility such as education, sanitation of pilgrim centres that would benefit the Hindu community as a whole. In spite of the heavy opposition to the Bill and the rejection of the Governor, the Bill was passed with certain amendments suggested by the Governor. The Bill was introduced in the second council and passed into law as Act I of 1925. [18] It was reserved for the assent of the Viceroy as per the Government of India Act of 1919. The Viceroy gave his assent justifying that the bill contained no provision objectionable. As soon as the Viceroy and the Secretary of State for India had given their assent, the Act was at once came into force. [19] The Act took several years to be passed. The Council had session more than eighty-five times to discuss the provisions. Almost 1200 amendments were introduced in the local legislative council. Despite that the contents and the essence of the bill were retained. The Act reduced the organised system of corruption and misuse of funds flourishing in temples and maths for years. [20] Thus, the 1863 Act was repealed by the 1925 Act with the efforts of the Justice Party.

LATER DEVELOPMENTS

The system established by the Justice Party in the matters of administering the Hindu religious endowments has been continued by successive governments. It remains a part of social justice agenda set by the Dravidian Movement. Immediately after the Act came into force, its validity was challenged on the ground that the Act was not validly passed. For this reason, the legislature enacted the Madras Hindu Religious Endowments Act, 1926, Act II of 1927 repealing Act I of 1925. This Act was amended from time to time. The Act was further amended in as many as ten times till 1946. During the pre-independence era, the Board had systematically consolidated its powers to take over and administer temples. The religious institutions never give up challenging the control and takeover by the Board now and then. A new Act was passed by the Madras Government, known as the Hindu Religious and Charitable Endowments Act, 1951 and later amended by a new Act, 1959.

In recently years, the 1959 Act was again challenged in the High Court of Madras but the court dismissed the challenge. [21] Besides, a movement began to oppose the

state control of Hindu endowments without success. In fact, the government of Tamil Nadu provides larger benefits through the Hindu religious endowments. The Endowment is already running five arts and sciences colleges. It also announced to start 10 more colleges at a cost of Rs. 150 crore. Besides, it announced that medical centres, libraries and construction of marriage halls will be established.[22] Public opinion also prevails in favour of government in regulating Hindu religious endowments. The reforms began through the government acts by the Justice Party are still valid and enriched by the successive leaders of the non-Brahmins movement.[23] As early in 1971, the DMK government passed law to make the non-Brahmins as temple priests hitherto monopolised by the Brahmins. Despite several challenges, the government trained and appointed the non-Brahmins as priests. The court also cleared obstacles to appoint the pending trained persons due to previous court orders. Accordingly, the DMK government issued appointment orders recently.[24] The government also directed the temples to recite Tamil versus along with the traditional Sanskrit.

CONCLUSION

The performance of the Justice Party in promoting the welfare of the non-Brahmins provides impetus to the successive government in Tamil Nadu. As a part of the reforms set by the Dravidian Movement, the Hindu religious endowments are also included. Despite several oppositions and litigations, the government regulation and administration in the matters of Hindu religious endowments are benefiting the Hindu communities at large. Without the government administration, the temples themselves could not perform in a desired manner. The spirit of Hindu Religious Endowments Act, 1925 brought out by the Justice Party government still provides inspiration to all other successive amendments in later years. To bring modernity is to break the tradition to some extent remains valid in the Dravidian Movement.

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