Linguistic Regionalism and Constitution: An Indian Experience

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Abstract

The social movement is one of the major factors of social transformation almost in every society. The claim of Linguistic regionalism is so immense that it compels the various nations to re-design their constitutional framework. Basically, people of particular linguistic community have the emotional attachment towards their language. As a result of that these community demands for the recognition of their language as an official language of the nation or at least elementary education may be imparted in their own language. Sometimes, these communities claim for recognition of their distinct language as a language of communication in governmental or executive or judicial functions. Some of these claims may be legitimately endorsed under the constitutional frameworks. Although this problem is minimal for the homogenous societies, the problem of the multi-lingual state is massive. Specially, difficulties arise for those nations wherein no particular linguistic community hold the majority status.

This research article endeavours to establish a relationship between two variables i.e. firstly, linguistic demands of a community for recognition of their language and secondly, general conception on the amendability or rigidity of the constitutional structure. Normally, it is accepted that constitutional framework must be stable and it should have some rigidity.

However, the problem of the South Asian nation is that majority of these nations are pluralistic and multi-linguistic nations.

Therefore, frequent demands of the linguistic regionalism sometimes lead to constitutional reform. This article tries to shows that how linguistic claims adversely affects the rigidity of the constitutional framework.

Keywords: Linguistic Minorities, Regionalism, Constitutional Amendment, Constitutional framework and social transformation.

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I. Introduction

Recently, India has been witnessing at the very beginning of the democratic processes that have resulted in the reconfiguration of its politics and economics. Among these processes, most significant has been the assertion of identities of the various communities. There have been struggles around the assertiveness and conflicting claims of the identity groups and of struggles amongst them, often fought out on the lines of region, religion, language (even dialect), caste, and community. These struggles or social movements are focused to regional political demands of the specific communities. More precisely, the claims of linguistic communities has compels the government to alter their course of action. These claims lead to creation of separate states. Moreover, these demands are sometimes thread to the federal structure of the Indian Constitution.

Before we discuss on linguistic line, we should clarify the concept of regionalism. Regionalism is an ideology and political movement that seeks to advance the causes of a particular region. However, it is necessary, at the very outset, to distinguish two quite different meanings of the term regionalism. At the international level, regionalism refers to transnational cooperation to achieve a common goal or resolve a shared problem or it refers to a group of countries, such as Western Europe or Southeast Asia, that are linked by geography, history or economic features. The second conception on regionalism is demand for complete autonomy of a specific region and this later meaning is the subject matter of our discussion.

India is a heterogeneous nation and so far as the question of development is concerned, there are conventional theories of development economic as well as political; it is where the question arises whether these theories are sensitive enough to include the regional demands and aspirations. India has a federal system consisting of twenty nine states. The states have important power and also acquire their own place in contributing their share in the nationwide growth of agricultural development, education and generation of taxes and are equally effective in making India a prosperous country. There is no denying the fact that
states are the constituting units of India, at a larger picture, it is the state which depicts the national progress.  

The claim of regionalism has a peril that come in the way of economic growth are first faced by the states and then it reflects to other states and imparts upon nation. Therefore, regional autonomy demands treat regions as coherent units politically having a right to reflect the constituents aspiration to manage their internal affairs, while making claims on national resources, in competition for resources, language, culture, religion, economic advancement and administrative coherence are used as a basis of identity. In India despite occasional and remote indications of potential secessionism, regional movements do not usually go beyond claiming resource sharing within the border of national context.

II. “Linguistic Regionalism”: A Conceptual Framework

The initial theoretical proposition that we will like to make in respect to our study of the two movements are derived from strategic relational approach. The structure represents the set of initial condition. In our case therefore both the Telangana and the Gorkhaland movement were conditioned by certain initial structures such as the presence of Princely state or the structure of political rule that were in place for a long time. In the case of both the movements this includes the nature and extent of sovereign control regimes producing a political subject with their distinctive socio-cultural identities. For instance, in the time period of the Telangana movement involved agents like the Telugu ruler and finally the British who expanded the state so that on the eve of independence the Tamils had apolitical majority. However, structures are not decisive in determining the outcome of a movement and one has to acknowledge the role of indigenous agencies also. From the same instance one can highlight the role of Sri Potti the veteran Andhra leader who demanded creation of Andhra state and died following fast unto death. Eventually the shape of the Andhra state was not an outcome of either Tamil Nadu’s history or the history of Hyderabad but also of the political leadership of the Congress which settled for an Andhra Pradesh


\[3\] J.D. Gupta, LANGUAGE CONFLICT AND NATIONAL DEVELOPMENT, 102-104, Barkeley.
state having connected certain territories from Hyderabad, Karnataka and Tamil Nadu. In case of Gorkhaland agitation the territory under reference comprises the whole tract between the Meachi river and the Tista the hilly region of Darjeeling and Kalimpong, bordering Sikkim and China and the whole tract of Doars bordering Bhutan and Bangladesh. Before partition of Bengal Presidency within India, the whole tract was part of the Bengal Presidency. A creation of the British colonial rule out of territories rested from Nepal, Bhutan and Sikkim. This shows that the political movements arising in this region would have to deal with history in a very selective way because before the British period the control regime were multiple, unclear and subsequently the demographic composition became mixed due to several practical reasons. For instance the British brought in plantation labourers from Chotanagpur areas with their own distinct cultural identity. People migrated from Sikkim to these areas to escape high tax and feudal rule. The British ruler also influenced demographic settlement pattern of this region in several other ways. Established a Gorkha Brigade encouraged a new set of government employees and traders to come and settle in the areas around Darjeeling so that ultimately formation of any regional political majority in unitary ethnic terms became difficult. For instance, when the Gorkha Chief Bimal Gurung wanted to include the Doars area under the Gorkha Territorial Administration (GTA), initially the Adivashi Bikash Parishad joined the movement but later on withdrew. The force of the political agencies on the structural outcome can also be illustrated by certain steps of the Government of West Bengal. In moderating the movement for Gorkhaland by establishing several Councils like Lepcha Council in Kalimpong to tame the force of the movement. In this sense probably both Telengana and Gorkhaland movement can have different prospects or outcome. Both operate within a historical context shaped by British colonial rule before independence and by the structure of parliamentary democracies after independence. However, in case of Telangana movement several conditions are present which were absent in case of the Gorkhaland movement. First Telangana region had a long continued cultural tradition relating to established structures of Princely states, large concentration of linguistic communities and historically evolved cities like Chennai and Hyderabad. All these are not present in case of the proposed area under the Gorkhaland. Before British rule these areas were wild tracts with no established control regime which the British developed out of primarily strategic
reasons as the area has been contiguous to several international neighbours. If Chennai was retained within Tamil Nadu for investment and development concerns despite demand for its inclusion in Andhra there is no such city under the proposed territory of Gorkhaland compared to the status of Chennai. The hilly region of Darjeeling are resource starved, over populated and depend on the only city of Siliguri which again cannot be said to have under the control of any particular ethnic community. We feel that one cannot therefore expect the same outcome as like that of the Telangana movement.

III. Impact of Linguistic Regionalism upon the Constitution

Constitution is ‘the Highest law of the Land’, as a highest law of the land it should have some rigidity. But for the sake of the linguistic demand the Constitution has amended various times and various manners. The main theme of this research paper is to shown the impact of the social transformation through the public movements upon the constitutional framework of India.

Following linguistic movements can be mentioned which put an immense impact on the constitutional framework. Under this research paper three instances can be presented in following manners therein;

a) Separate state of Andhra Pradesh

Before the Independence the British India was divided among some Presidencies. Those divisions were as per the convenient of the British Ruler. The arrangements were haphazard and no considerations were given to the Linguistic and cultural diversity of India. Therefore, the Native Indians had a great dissatisfaction regarding the British State policy. The Orissa Province was the first province which broke out in fire distinct Linguistic State under the leadership of Sri Madhusudan Das in 1936. Sri Madhusudan Das was the maker of First Linguistic State of Orissa.4 That was perhaps the first demand and

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organized agitation for Linguistic State.\(^5\) Some other people also dreamt for their own Linguistic State in independent India.

However, after independence these Political leaders and their followers got more enthusiasm, as a result after independence the claims are higher and stronger then it was ever before. India’s first Prime Minister Jawaharlal Nehru, was not theoretically opposed to the policy of Linguistic State. He had a hesitation that the Nation had suffered hurdle of the bloodstain Partition just few years later. According to him this is not the right time for the claim of the Linguistic State. As the claims for Linguistic State were higher, the Congress Government Appointed a Commission On 17 June 1948, under the Chairmanship of Justice S.K. Dhar\(^6\) to make an inquiry regarding the issues of linguistic demands. The Commission had examined the existing situations by surveying entire India and submitted its Report to the Prime Minister in 10\(^{th}\) December 1948. The Commission recommended that according to the present circumstance of the India; it would not be possible to divide the states basis on Linguistic Grounds. However, the Commission attached more importance to the Historical, Geographical and Economical situation of a State before re-organizing it. It favoured re-organization of the State on the of administrative convenience rather than Linguistic diversity.

However, the claims for the Linguistic State were spread all over the Indian Territory and it became stronger day after day. It was the biggest concerned for newly established Nehru Government. The Prime Minister was personally not opposed to the policy of the Linguistic States. On the Contrary, he tried to re-organization of States avoiding all kinds of Civil disobedience. Again, the situation was grave, even civil war like situation was created in some parts of India.

As the issues regarding the linguistic states were not solved, the National Congress has appointed another committee in December, 1948 under the


\(^6\)Justice S.K. Dhar was a retired Justice of Allahabad High Court.
leadership of Jawaharlal Nehru, and other important members are Vallabhbhai Patil and Pattabhi Sitaramayya (popularly known as J.V.P Committee). The main objective of this committee was to re-examine the issues relating to reorganization of states on linguistic basis. After working merely three months the Commission has submitted its Report on 1st April, 1949. In its Report, the Committee clearly rejected the demands of linguistic state. It rather observed that the existing political and social situations were not favourable for formation of new provinces purely on linguistic basis. However, it has also stated “if public sentiment is insistent and overwhelming, we, as democrats, have to submit to it, but subject to certain limitations in regard to the good of India as a whole.”

The reason presented by the committee for the rejection of linguistic states was ambivalent and uncertain. A separate Andhra Pradesh was the repeated demand by the Telugu-speaking members of the Madras Assembly. Undoubtedly, the most vigorous movement for the linguistic autonomy was the demand of Andhra Pradesh by the Telegu speaking people. According to the number of the speakers, Telugu was the second Indian language, just after Hindi, in 1961. Nehru was reluctant to impose divisions of Language especially when recent division by religion had taken place. According to the Report of JVP Committee the Linguistic division of state was not feasible. The Committee concluded that in the prevailing scattered situations “the first and last need of India at the present movement is that it should be made a nation...Everything which helps the growth of nationalism has to go forward and everything which throws obstacles in its way has to be rejected or should stand over. We have applied this test to linguistic province also and judge by this test, in our opinion [they] cannot be supported.”

According to Robert King, the J.V.P Committee Report was a ‘cold-water therapy’. It ‘slowed things for a while’. However, the fires soon started up again. The Telugu Speaking people bitterly tried to implement their old

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8 As per the Census of India, 1961.
9 Ramchandra Guha, INDIA AFTER GANDHI, 183-184, (Picador India, 2008).
resolutions in favour of the linguistic State. The methods they used to advance their demand were various: petitions, representations street marches and fasts. Perhaps the major blow to the Congress Government was the resignation of the former Madras Chief Minister T. Prakasam from the Congress Party in 1950 on the issue of the statehood. During the election campaign in Telugu-speaking districts, Jawaharlal Nehru was met at several places by protesters waving black flags and shouting “We want Andhra”.\textsuperscript{11} The signs were ominous, and indeed despite its successes elsewhere the Congress did very poorly Telugu-speaking provinces. Madras Legislative Assembly had 145 seats. Among them the Congress party won a mere 43. The bulk of the other seats were won by parties supporting the Andhra movement.\textsuperscript{12}

The agitating Andhra has two pet hates: the Prime Minister and the Chief Minister of Madras, C. Rajagopalachari. Both had gone on record as saying that they did not think that creation of Andhra was a good idea. Both were clear that even if, against their will, the state came into being, the city of Madras would not be part of it.

On 22 May Nehru told Parliament how “for some years now our foremost efforts have been directed to the consolidation of India. Personally, I would look upon anything that did not help this process of consolidation as undesirable. Even though the formation of linguistic provinces may be desirable in some cases, this would obviously be the wrong time. When the right time comes, let us have them by all means.”\textsuperscript{13}

As K.V. Narayana Rao has written, “this attitude of Nehru appeared too vague and evasive to Andhra. Nobody knew what the right time was and when it would come’. Impatient for an answer, the Andhrs intensified their protest. On 19 October 1952 a man named Potti Sriramulu began a fast- unto death in Madras. Sri Potti Sriramulu spent a long time with Mahatma Gandhi at Satyagraha in 1940-41. He had the blessings of Swami Sitaram, and of thousands of other Telugu speakers besides. Nehru was completely undermined

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\item \textsuperscript{11} Ramchandra Guha, \textit{India After Gandhi}, 186-187, (Picador India, 2008).
\item \textsuperscript{12} Bipan Chandra, \textit{India since Independence}, 125-128, (Mridula Mukherjee, et al., Penguin Books, New Delhi, 2008).
\item \textsuperscript{13} Ramchandra Guha, \textit{India After Gandhi}, 183-184, (Picador India, 2008).
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the issue. He had once claimed that ‘facts, not fasts’ would decide the issue. On 3rd December, Nehru wrote to Rajagopalachari: ‘Some kind of fast is going on for the Andhra Province and I get frantic telegrams. I am totally unmoved by this and I propose to ignore it completely.’

Actually, Nehru failed to recognise the popular sentiment later on when he understand the popular sentiment of Andhra it was too late. On 12 December he wrote again to Rajaji, suggesting that the time had come to accept the Andhra demand. “Otherwise complete frustration will grow among the Andhras, and we will not be able to catch up with it.” Two days later Rajaji cabled the Prime Minister in desperation: “we might prevent more mischief if you summon Repeat summon Swami Sitaram to Delhi. He is now in Madras hanging round the fasting gentleman, Sriramulu. The entire mischief starts from this focus, as the Andhra boys are highly emotional and prone to rowdyism. If you invite Sitaram for a talk, the atmosphere may change and probably the mischief may dwindle away.”

However, that was then too late. On 15 December, after fifty-eight days into his fast, Potti Sriramulu died. Now the all hell broke into the Andhra province as the news of death of Sriramulu has spread all over the state. Government offices were attacked; trains were halted and defaced. The damage to state property ran into millions of rupees.

Finally, on 19 December 1952, Prime Minister Nehru pronounced the formation of a separate state for the Telugu-speaking population in the Madras Presidency. On 1 October 1953, eleven districts in the Telugu-speaking portion of Madras Province (Coastal Andhra and Rayala Seema) voted to become Andhra State and Kurnool as their capital and Andhra KesariTanguturiPrakasamPantulu became first Chief Minister of the Telugu State.

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15K.V.NARAYANA RAO, EMERGENCE OF ANDHRA PRADESH, 188, (Popular Prskashan, Bombay, 1974).
b) Separate State of Tamil Nadu

Perhaps, Tamil Nadu is one of the best examples of linguistic movement and linguistic agitation which acquired secessionist overtones. It started through anti-Hindi agitations that started in 1930 and 1960s. The protest was basically against the Brahmin, in the context of the language agitations, the imposition of the Sanskritised version of Hindi as the sole official language on the south was seen as a symbol of perpetuation of this dominance.

The anti-Hindi Agitations of 1937 was the major factor for separate Tamil Statehood. The antagonist against the Aryan language was expressed through the Anti-Hindi agitations of 1937. When the popular government came to power after 1935, the Congress Government in Madras led by C. Rajagopalachari proposed to introduce Hindi as a compulsory subject in High School education in 1937. The Congress programmes were in pursuance of Gandhiji’s concept of Swadeshi, which emphasised the replacement of English by a native Indian language namely Hindi. In this context, Sanskrit as the language of India’s cultural past was emphasised.

There was popular criticism against this. According to the Justice Party, Hindi was as much as regional language as any other Dravidian Language. The Tamil schools opposed the measure for two reasons. The first was that the introduction of Hindi would indirectly mean the revival of Sanskrit, a language to which they were traditionally opposed. The second criticism was that the mother tongue was not compulsory in School education thus many passed out of schools without any knowledge of their Dravidian language.

A society was established for the protection of the Tamil language. It organized public meetings and published pamphlets. Letters were sent to Rajagopalachari and the Government of Madras. The Society united the Tamilians for a Common cause.

There was the anti- Hindi League and the compulsory Hindi boycott Committee were formed. On June 1, 1938 volunteers went in processions shouting slogans of ‘Down with Compulsory Hindi’ and demanded the withdrawal of the order.
On June 3, many leaders were arrested, but picketing continued till June 11, when the Boycott Committees headquarters were raided.

The Chief Minister, C. Rajagopalachari was unwilling to budge from his stand and viewed it a law and order problem. This resulted in more aggressiveness on the fact of the agitators and they continued their picketing and slogan shouting. Rajagopalchari was portrayed as a Brahmin arbitrator trying to impose the language. The situation against provided the Dravidian leaders to link race, chaste and language symbolically.

Later, the Official Language Act, 1963 provided for the continuance of the English language for official purposes of union and for its use in Parliament. The use of ‘May’ instead of ‘shall’ in the Official Language Act, 1963 was unsatisfactory to the Non-Hindi group. Nehru against assured the people of the south that his assurance given earlier was not his own perception but the viewpoint of his government and was with the approval of the House.

However, Nehru died in 1964 and the Government of Lal Bahadur Shastri sought to implement the Constituent provisions. Thus, on January 26, 1965, Hindi would preplace English as the official language of the Union. English would be used for limited purposes.

From January, 25, 1965, students in Madras started demonstrating against the introduction of Hindi as official language. In Madras a large number of students marched towards the secretariat shouting anti-Hindi slogans. They burnt Republic Day pandals and Street Declarations and attacked the Congress office. The Hindi books were burnt.

The Congress leadership at the centre had by this time realized the extreme opposition to Hindi especially in Tamil Nadu and were forced to change their attitude. Thus, Prime Minister, Lal Bahadur Sastri in a nationwide broadcast on February 11, 1965, reaffirmed Nehru’s assurance to the south. He said, every state could transact business in languages of its choice.

Thus, the Anti-Hindi agitations in Tamil Nadu in a nutshell, were protects against the social, political and linguistic domination of the south by the North.

c) Fusion of Assam
Until 1874 Assam was one of the parts of the British occupied Bengal Presidency. In 1837, under the Act of XXIX passed by the President of the Council of India the vernacular language of a district was directed to be used in the courts. Abolition of Persia from the court was highly appreciated. Although for more than ten years after the annexation of the province, Assamese was the language of the Courts, as a part of the Presidency of Bengal, Bengali language was introduced in the Courts of Assam. For their administrative convenience in 1936 British 128 Habib Fazlul Basis authorities introduced Bengali in place of Assamese in the Schools and the courts in Assam. The use of Bengali as the language of the court and educational institutions had done great harm to the people of Assam and driven a permanent wedge between the two communities of Assamese and Bengalis. As a result of use of Bengali between 1837 and 1873 as the medium of instruction, the progress of education in Assam remained not only slow but highly defected and a lot of Bengalis were imported and employed in the different schools of Assam. Writing of text books in Assamese for school children in Assamese did not get any encouragement and Assamese literature naturally suffered in its growth. The enmity between the two linguistic groups affected the Assamese society and it led to a conflict between the Bengalis and the Assamese. The imposition of Bengali as the official language and as the medium of instruction in Assam did not meet with any protest initially. On the contrary, the Assamese elite use the language in their writings and often even in their conversations. Hence for almost a decade, the language policy of the government remained unquestioned. But as recruitment of Bengalis in government services increased resulting in greater unemployment among the Assamese, strong feelings of resentment begun to grow amongst the people.\[17\] The increased number of Bengali Amlas in the different districts of Assam might pose a challenge to the distinct identities of the Assamese people because these immigrants had their own culture, language, traditions and religion and their existence in the land might affect the Assam’s language, culture, economy and political status. Of the migrants, the tea plantation labours posed no problem linguistically and culturally, rather there has been a process of assimilation between the two communities.

\[17\]D. Neog., NEW LIGHT IN THE HISTORY OF ASSAMESE LITERATURE, (Gauhati, 1962).
The debates on the language issue during the 19th century had resulted in the increasing awareness about the distinctive linguistic, cultural and political existence of Assam and the educated people of the provinces. It instilled in them confidence and sense of pride which went a long way in generating a regional consciousness in the second half of the 19th century which further escalated in the post-independence era. This Socio-cultural and linguistic awakening of the 19th century resulted in the considerable increase of the Assamese speakers in the beginning of the twentieth century.\

In 1960 the Assam Official Language Bill was passed and Assamese was declared as the official language of the State. The Non-Assamese felt that the declaration of Assamese as the official language of the State would place the Assamese speaking people in a position of advantage in many respects, particularly in the recruitment of state Services. The people of the Hill districts had a feeling that the recognition of Assamese as official language in addition to their own languages would place unbearable burden on them. As a result, the Assamese speaking section of the population has been nurturing a grievance that the Bengali and the others have stood in the way of the achievements of their just aspirations. The language question has thus caused dissension and mutual suspicion between the Assamese and the non-Assamese speaking sections of the population.

In 1972, there was another phase of Assamese-Bengali confrontation. It came about when the academic Council of Gauhati University passed a resolution to introduce Assamese for the switch over to the regional language as the medium of institution. English however was allowed to continue. The Bengalis were given a concession in that they could answer questions in Bengali. The Assamese students had no objection to Bengali student’s from Cachar answering in Bengali but this concession should not be allowed for those Bengali speaking students who hailed from the Brahmaputra valley. Thus, there was intense discontent.

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Due to agitation and political pressures, the decisions was revised on June 12, 1972. By the revised decision, Assamese would be the sole language for the medium of instruction. English would continue as an alternative, but not beyond a period of ten years. The option to answer examination papers in Bengali was withdrawn. The Assam Assembly passed a resolution that Cachar could have a separate University, in which Bengali would be the medium of instruction. The Assamese students protested against this clause as they felt that if Assamese could not be accepted as a regional language, Cachar should go out of Assam as it was contrary to the principle underlying the re-organization of states.

IV. Conclusion and Suggestions

Due to the linguistic movements various times Constitution has been amended and new states had come into being. In order to fulfil the demand of the linguistic some of the separates small states are created which has played an important role in case of amendment of the Constitution.

In this respect, the Constitution (Seventh Amendment) Act, 1956 was important to mention. It was necessitated primarily because of the Re-organisation of the States on a linguistic basis as a result of the report of the States’ Re-organization Commission. The opportunity was however utilised to effect modifications in several provisions of the Constitution.

The Scheme of States ‘re-organisation involved not only changes in the boundaries of several of the existing states, but also the abolition of the pre-existing classification of the States into those of part A, Part B and Part C. By this Amendment, the States of Part A and Part B were placed on an equal footing while the states of Part C were now designated as Union Territories. These various changes were effectuated by modifying Article 1, substitution of Schedule I by a new Schedule, and modifying Articles 239, 240 and to 241 to provide for the administration of the newly formed Union territories.

Later, in 21st Amendment, 1967 Sindhi and Oriya languages were inserted under the Eighth Schedule of the Constitution. Further, by the Constitutional 71st Amendment, 1992 several languages like Konkani, Manipuri, and Nepali have been added in the said scheduled.
Re-conceptualizing regionalism or study of any regional movement in particular is not a major concern of the undertaken study. It is about the nature and outcome of the interaction between organized political movements namely the Gorkhaland Telengana movement and its relation with the structure and agencies of state mainly in the context of India, political parties, government in power and parliamentary system of politics. It also focuses on the relevant considerations that are brought to bear on the course of the movement by both the government and the leadership of the movement. The political movements that have the objectives to control the territorial autonomy are increasing day by day. The demands for separate states have come from across the country. These regions having different regional identity on the line of region, language, Culture, caste and class now pose a grave challenge to the Indian federalism. The constitutional approach justifying the demand for a state of Gorkhaland is altogether a different consideration in perception to the aspects of the Telangana demand. The context between the two are quite different and apart but at the end the justification is the same, both the people of these areas have a legal right to demand a state of their own as provided by law, the Constitution of India. In the upcoming chapters the study undertaken makes a deeper understanding of both the movements in terms of origin, development and outcome of both the movements to see how far both the movements draw 47 resemblances and differences in their process of maturation based on the Strategic Relational Approach which would engage in investigation and findings answers of the research question undertaken in the present study.