

REVIEW PAPER

The Role of the Frazer Commission in the Development of Local Self-government: An Overview

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ABSTRACT

The concept of local government is an inevitable part of stage in the age of political modernization. Local government and local self-government is closely interrelated issues of decentralization process. Local government system of Bangladesh has a long history, with roots in ancient and mediaeval period. The modern local government had been introduced in Indian subcontinent by the British Empire. In this article the author attempts to define local government, local self-government, committee and commission. This present paper focus on historical evolution of local government system of Bengal based on Frazer commission. This article again tries to analyze social structure during that period in this region. This paper explains how Frazer commission made a significant role in the development of local government system of Indian subcontinent. This article seeks to identify the limitation of this commission as well.

HIGHLIGHTS

- ① The Frazer Commission sought to reform and decentralize local governance in the colonial era, advocating for self-government and grassroots democracy.
- ① Establishment of elected local authorities, devolution of authority, and systems for accountability and transparency.
- ① Enhanced local institutions, improved community engagement, and established the groundwork for participatory governance.
- ① Encountered opposition, fiscal limitations, and inconsistent execution throughout many locations.
- ① A crucial factor in local self-government changes, influencing future decentralized governance frameworks.

Keywords: Development, Local-self-government, Frazer Commission

Bangladesh has a long history of colonial legacy. During the period of Bengal and Assam. At the end of the British rule, the subcontinent was divided into India and Pakistan as the sovereign states in 1947. Bangladesh became a part of Pakistan and came to be recognized as East Pakistan. It was ruled by Pakistan till 1971. It blooms an independent and sovereign states on 16 December 1971 after a nine month long bloody war against Pakistan. Bangladesh is facing various types of challenges till now including failed to establish a strong local government system. A unitary

from of government governed Bangladesh till 1990. A parliamentary form of government was introduced in 1991. All governments have attempted to establish a decentralized local government in Bangladesh as their wish. From this point of views most of the attempts were failed to ensure a strengthening local government

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system of Bangladesh. Indeed, the British government at first tried to introduce a modern local government system in Bangladesh. It is urgent to know how and why the British rules had taken initiative to establish a local government system here. That's why the present study gives emphasis on the various local government commission enacted by British government during their regime.

Objectives of the Study

The primary focus of this paper is to examine the historical context surrounding the founding of the Frazer Commission. Nevertheless, the subsequent objectives of this work are delineated below:

- (i) To investigate the reasons behind the establishment of the Frazer Commission by the British government.
- (ii) To analyze the function of the Frazer Commission in the advancement of local self- governance.
- (iii) To identify the constraints of the Frazer Commission.

Research Method

This research mostly employs a mixed-methods approach, incorporating both qualitative and quantitative methodologies. The current study has gathered data from two sources: (1) Primary source and (2) Secondary source. Primary sources comprise governmental notices, committee commission reports, official documents, and legislative ordinances. Secondary sources encompass news articles, daily newspapers, weekly magazines, periodicals, and published books.

Rationality of the research

Local self-governance is referred to as the school of democracy. Democracy cannot thrive without local implementation. Indian Prime Minister Jawaharlal Nehru stated, "Democracy must be cultivated from the ground up." Five Expecting the advantages of democracy at the national level without effective execution at the local level is an impractical endeavor. Newman stated, "Parliament will merely be a forum

for discussion unless democracy is implemented within the surrounding institutions." Consequently, the advancement of local self-government is indispensable for the implementation and exercise of democracy. Seven The government must initiate the initial step to enhance the efficacy of local self-governance. The government's genuine commitment is essential for its development and expansion. Local self-government institutions disintegrate concurrently with the loss of democracy under autocratic governance. A chosen government that believes democracy can only be realized through a parliament constituted by democratic values is fundamentally mistaken. Consequently, the government has periodically established numerous committees to conceptualize and administer local self-governance on an intellectual foundation. My research is undertaken to evaluate the role of the Royal Commission in the advancement of local self-government.

Conceptual framework

Local Government: Every government operates at the local, national and international levels. Local government refers to the system of government at the local level i.e., the activities of corporations, municipalities, districts, police stations, union panchayats, counties and other organizations. These activities and activities are usually taken for the benefit of the people of a particular area or place. Local governments are sometimes engaged in the welfare of the whole country and sometimes in governing the development of a particular area of the country. The nature of the functions of local government is that they are performed exclusively locally and locally.⁸ The notion of local government stems from the inevitable consequence of decentralization. At present, in a large-scale state system, it is not possible for the central government alone to carry out all the functions of the country properly. Therefore, in order to reduce the workload of the central government through proper implementation of local government system, the entire territory of the state is divided into different areas. All these divided state institutions are local government. Local governments are governed by the central government and by officials appointed by the central government. All these governments only

fulfill the responsibilities assigned by the central government with the grant of the central government. Local governments are agents of the central government and only a small fraction. These governments have no right to independence and autonomy. Local governments are created only to reduce the workload of the central government. Local governments are called a unit bar of state administration.

Local Self Government

Reviewing the modern administrative system, one thing is clear that the importance of local self-government system is increasing day by day. In the past some kings or queens ruled the whole country with sufficient power with the help of a central administrative apparatus. At that time the central government of the country was the source of all power. Even in the age of democracy, the importance of regional and local government is less in the countries where centralized governance is prevalent. In these countries, regional and local governments are bound to abide by the decisions imposed by the central government. They have to fulfill their responsibilities as per the wishes of the central government.

In a modern democracy, decentralization is adopted in all countries. Therefore, local organizations are given ample freedom to solve regional or local problems locally. This right to autonomy is recognized in the constitutions of many countries. As a result, the central government in these countries usually cannot interfere in the activities of local government. In fact, the geographical, social, economic and political factors of the country are largely responsible for the growing importance and significance of local self-governing institutions and local government.¹³ According to the Indian Statutory Commission, local self- government means "a system of local government that is accountable to the local electorate." The system of governance, the law, the government can even impose taxes on the people of the area in the spirit of creating its own funds and acts as a training ground for accountability and coordination of government." According to the United Nations Declaration on Local self-government, "Local self-government means the political division or subdivision of a national or provincial government

created by law, which may exercise control over local affairs and, if necessary, impose taxes. Such a government can be elected or nominated locally."

Committee

Committee means staff, association, commission, council, meeting etc. The committee is basically a group of people appointed for specific tasks.

Commission

Commission basically refers to the process of carrying out office-based instructions, orders and responsibilities within the legal framework for the specific work assigned to an individual or persons. Which determines the specific structure of government work subject and time.

Committee-Commission

Committees and commissions are constituted by the government consisting of a certain number of experienced and skilled persons for the development of the future standard of local autonomy. The Committee-Commission seeks to investigate the overall structural, financial and management shortcomings of the local government and presents the necessary directions and recommendations. In fact, the government is trying to implement the report given by the committee and its recommendations. It should be noted here that the committee is made up of the heads of government officials and the commission is made up of the members of parliament.

Formation of the Fraser Commission:

In 1902, a committee was formed under the leadership of Andrew Fraser to develop local government. The committee submitted its report in 1903. The committee formed is also known as the Indian Police Commission. Composition: President: A.H.L. Frazer. Members: (1) E.T. Candy, (2) Ramesh Wara Singh (Maharaja of Dharbhanga), (3) S. Srinibhasha Raghaviangarh, (4) J.A.L. Montgomery, (5) W.M. Colvin, (6) A.C. Hankin. Secretary: H.A. Stewart.

The Role of the Fraser Commission in Development of Local Self-Government

Village security was provided by the Fraser Commission through the Government Police. Without the cooperation of the village authorities, it was not possible for the government to collect information on crime and enforce the law over a large area. On the part of the people, it is said that the continuous interference of the police, spying, inspection of the lower-class officers creates resentment among the people. Controlling these required the establishment of an efficient police administration, though it was costly. For the full development of this police administration emphasis is placed on strengthening crime reporting by village bodies and disposal of minor cases as much as possible.

Practically, public cooperation in police administration is considered beneficial. This proves beyond doubt that people are not inclined to cooperate in making police reports. But when it comes to crime reporting, it's a small matter that goes unreported. Reporting of major crimes is done properly. Investigating crimes and identifying criminals has to take into account public attitudes which are completely different from the attitudes/behavior of people in England. People of India are always neutral and silent and not active in law and order unless they are victims of crime. They are also not inclined to cooperate with law enforcement officers. People's rights and responsibilities were not fully developed in India as in England.

The Chowkidari system of Bengal is an old system but it is a result of British rule. Older systems exist in Patna, Bhagalpur, Burdwan and Orissa. In Nagpur, Orissa and parts of Bengal, paramilitary officers are paid salaries for their military activities. In North and East Bengal, security arrangements similar to those of British rule existed. When the zamindars began to lose their power, a system of village guards was established under regular police. Although the village watchmen were slaves of the landlords.

At the same time the zamindars were given the duty to assist in the reporting and arrest of crimes. A bill was passed in 1869 aimed at reorganizing village committees. Where it is proposed to ensure the municipal character

of the village police and improve the wage structure. The Bill became law by the Sixth Act of 1870. The Act is adopted on the basis of the full confidence of the village committee and the chowkidars are expected to cooperate wholeheartedly in the detection of crime.

In 1881 Mr. Monroe suggested the formation of a commission. In this case, the responsibility of the commission is to review the above issues. Then in 1883, when the recommendations were submitted by the commission, subject to some amendments, Mr. Act-1 was passed in 1893 by Cotton. Mr. Cotton proposed to reduce the control of the chowkidars over the villagers subject to some amendments to Act VI of 1870.

It is recommended to appoint the highest qualified persons in the formation of Gram Panchayats. The panchayat members nominated the chowkidars but the power to determine their number, appointment and salary was vested in the district magistrate. If the Gram Panchayat members felt that tax collection was not satisfactory, they would appoint Tahsildars. The activities of the Chowkidars were monitored by the Gram Panchayat. The purpose of this Act was to bring Chowkidars into regular contact with the police. Even though the Daphdari system was introduced later, it was not legally valid. A daphadar is appointed to control 10 to 20 chowkidars.

Although the Bengal Local Self-Government Act proposed to keep the village police under the regular police, the Fraser Commission recommended keeping them separate. The Fraser Commission considered the village to be the unit of administration. For the development of this administration active education should be imparted among the people. The headman represented the people. The headmen always cooperated with the police. Under Article 45 of the Criminal Code, headmen liaised with the magistrates and assisted the police in the detection of offences. Magistrates are empowered to appoint headmen.

The commission lays special emphasis on the responsibility of headmen and control of chowkidars. Appointment of Headman is made on the basis of ability to collect revenue and communicate with the village administration. The district commissioner

strengthened the power of the headman. Chowkidars are village servants and subordinate to the headman. Chowkidars were primarily responsible for all the crimes in the village. Headmen and chowkidars were responsible to the district administration. Village watchmen functioned as subordinates to the police.

The commission recommended village people to live in groups. Because the village is the unit of revenue and police administration. Through village grouping, the old system of villages was changed and progressed towards modernization. The interests of each village are preserved by conveniently grouping smaller villages. All kinds of measures are taken to prepare crime reports and settle petty cases.

The control and management responsibility of the headman is under the control of the district administration. Headmen were not punished for any other reason than for violating the permission of the District Officer. The report of failure of their work is provided by the police. Any rational thought was used in the preparation of the report. All reports had to have the attention of the District Officer. Notifications were to be issued to headmen to refrain from harassing interference in police work. Headmen required subordinates of district officers and tahsildars to review police work. The police and their subordinates helped the headmen wholeheartedly in their work. They were never harassed.

Chowkidars functioned as subordinates to the headman and could not neglect any task directed by the headman. Headmen served as heads of revenue, village police and village servants. The village servants were subordinate to the headman in revenue and police work and were obliged to perform all the duties directed by the headman. Headmen used to monitor police investigation reports and crime detection. In the case of criminal arrest, not only the visible criminal was arrested, but any person seen in a suspicious condition at night was also arrested. In various provinces lower caste watchmen are village servants and participate in welfare work. In Bengal the watchmen of the servant class played a greater role than the upper classes in village protection.

The commission wants to develop the overall development of the village system. They were able to prove that overall development was possible in many areas through village management. The Commission feels that no change will be achieved unless efforts are sustained. Some provinces also make efforts through educational expansion. The Commission recommends that headmen and village watchmen be given more independent salaries and rewards. These rewards included money, turbans or respectable clothes. The Commission recommends the introduction of the Tikri-Chowkidari system which is currently established in Punjab. This tikri-chowkidari system helps protect the village when there is widespread crime in the township.

Empowerment of headman becomes necessary for improvement of overall village management and welfare of people. The Commission previously vested the power of settlement of petty cases in the Headman. Which only the designated headmen are entitled to. As a result, the headman is encouraged to do all kinds of good works. In those provinces where the power of settlement of petty cases is not vested in the Headmen, the Commission requests to work experimentally according to the practice of neighboring provinces.

The increased power of the headman is beneficial to the people. Gives due powers to the Headman in co-operation with the Gram Panchayat in settlement of petty cases. It is well implemented in the North-West Provinces. Headmen follow local custom in settling tribal jirgas and settlement cases. In areas where the gram panchayat replaces the headman (as in Bengal) those powers are exercised experimentally by the gram panchayat. The recommendations given by the commission lead to the development and prosperity of the village. The commission also recommends that emphasis should be placed on increasing people's involvement and motivation in police work or other activities.

Implication of the Fraser Commission

Although the Gram Panchayat system was established, there was no provision for elections. It was a designated system. Chowkidars are placed under the control of village panchayats. Chowkidars are rewarded for their

heroic deeds. Chowkidars were not subject to regular police, village grouping and power of headman was increased.

CONCLUSION

The Fraser Commission played an important role in the development of local self-government. The Frazer Commission report was prepared with the aim of overall improvement of traditional village management and welfare of the people. That is why village grouping is said to change the old system. Considering the village as the basic unit of administration, various steps were taken for its proper management. In this case, the attitude and behavior of the people towards the administration is given utmost importance.

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