

for conditions differ not only from Province to Province, but even within a Province (differing factors calling for different handling) and a centralized Government cannot take cognisance of differences and provide differential treatment — could be taken up and utilised by other Local Governments as also by the Supreme Government. By limiting the sphere of activity of these Governments, the Supreme Government deprives itself of a unique field of observation and experiment.

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*S U M M A R Y.*

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1. A Retrenchment Commission urgently needed with a strong non-official Indian representation upon it. Salaries and allowances under many and diverse heads are on a scandalously high scale. The number of practically sinecure appointments is also very large. There is a large amount of easily avoidable waste, for instance, in the Stationery and Printing Departments, in the Public Works Departments, in the Hill Exoduses, and so on.
2. The Governor-General's term of office should be four years, but open to a further four years' extension by the King-in-Council on a petition by the Governor-General's Legislative Council. His salary and allowances to be on the same scale as for those of Canada, Australia, etc.
3. The Executive Councillors of the Viceroy to be named Ministers, and to hold office for four

years only, namely, during the term of the Viceroy who has appointed them. Each Viceroy to appoint all his Ministers. They are to be responsible to the Governor-General and not to the Legislative Council. For our purposes the American practice is better than the British on this point. The salary of the Ministers to be Rs. 5,000 (£4,000 yearly) per mensem.

4. The Executive Council should meet as far as possible at least once every week. The total number of such meetings being not less than 52 in the year.
5. No Minister to receive any decorations or honors during his term of office, nor should he be eligible for any further paid appointment under the Crown within three years after relinquishing office. This is not meant to apply to their reappointment as Ministers, if the Legislative Council is agreeable.
6. The Home Department, which, to prevent confusion, should be named the Ministry of the Interior of the Government of India still controls a large number of sub-departments which do not properly belong to it, they should be handed over to their proper departments.
7. On the abolition of the Member for the Public Works Department, unfortunately the Department itself was not abolished. This ought to be done at once, and the Provinces, left a free hand in the matter.
8. The Governor-General should not be his own Foreign Minister. The Provincial Political

Departments should all be abolished. A *unified and reorganised* Indian Political Service to be brought into existence under the control of the Foreign Minister, who will be in charge of all those Native States also which are at present under Provincial control. The control of the Foreign Department over the Chief Commissionerships to be handed over to the Ministry of the Interior (Home Department).

9. The Commander-in-Chief should not be War Minister, or to call the office by its most appropriate name—the Minister for Defence. The Minister should never be one who holds any command but he may be a military man. It is not necessary that he must be a civilian. The Commander-in-Chiefship should be abolished as it has been abolished in England and other European countries. There should only be a Chief of the General Staff.
10. The Legislative Council should have some hand in the selection of the Ministers. Persons who are obnoxious to it should not be appointed. Not less than one half of these to be Indians. The Europeans to be selected from amongst the Parliamentarians.
11. Not less than one-fourth of the higher grades of the Secretariat of each Department to be manned by Indians.
12. Advisory Boards whose *personnel* should be selected

from the Legislative Councillors to be created for each Ministry.

13. Like the Railway Board there should be a Canal or Water Board to provide for water storage, and against havoc caused by inundations, and also to develop water-borne traffic—riverain, canal and coastal. There ought to be Indian members on all such boards.
14. The ubiquitous Imperial Officers known as Commissioners, Directors, Directors-General, and Inspectors-General, numbering about a score, should all be abolished forthwith.
15. Every High Court and Chief Court that is under the control of its Local Government should be brought under the control of the Government of India, as the Bengal High Court is, and removed from Provincial control. The Department of the Government of India in direct touch with these should, however, be the Ministry of Justice and not the Home Department (Ministry of the Interior).
16. A Supreme Court of Law at Delhi urgently needed. The Lord Chief Justice to be one who has held the rank of a Judge in England *not lower than that of a British High Court Judge* and given a salary of Rs. 6,250 (£5,000 yearly) per mensem; and eight Lords Justices on a salary of Rs. 5,000 (£4,000 yearly) per mensem each. Half of these to be Vakils and the other half, Barristers. The Vakil Judges to be selected from amongst the Vakil Judges of the various Indian High Courts

with not less than five years' service as such. The Barrister Judges to be brought out from England from amongst the K. C's. of not less than two-years' standing.

17. The Law Department to be made into a properly constituted Ministry of justice. The statutory provision which limits the choice for the Law Member (Minister of Justice) to a Barrister to be modified to allow of a Vakil also being appointed to the post.
  18. A *non-territorial*, all-India University, complete in all its Faculties—Engineering, Technology, Medicine, Law, Science, Arts, etc., etc.—to provide for ten thousand students to be established at once at Delhi.
  19. The hill capitals to be abolished at once. No Departments, no Secretariats to be permitted in Simla.
  20. Very much larger Financial and Administrative autonomy to be granted to the Provinces.
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### CHAPTER III.

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## THE INDIAN STATES.

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It is not the purpose of this chapter to enter into a history of the relations of the British Government with the Indian States or enlarge on the methods by which foreign suppliants to the Native Courts gradually gained in power and prestige till the relations were inverted, and those who were suppliants became masters, and the masters of the old days reduced to vassalage, when not wholly absorbed into the rapidly growing extent of British India. (See Malleson's *Decisive Battles of India*.) Lapse and escheat; diplomacy and war; trade interests and scientific frontiers; necessity of linking up the isolated portions of British India— isolated by the existence of Indian States— have each, and all played their role in the disappearance of the Chiefs—Sovereign or semi-Sovereign—who have ruled India since the beginning of the seventeenth century. Well was it, however, for India that it was the English who gained the upper hand and drove out the Portuguese, the Dutch, and the French adventurers. For, it is only under the hegemony of the freedom-loving British that it may become possible for the future to see a prosperous, unified and united India, freed from the jealousies of caste and creed and race which have been our curse and our undoing.

Lord Bryce, writing about the work of Napoleon, has some very wise remarks, which are no less applicable to the condition of India in the seventeenth, eighteenth, and the first half of the nineteenth centuries, than they are to those of Germany and of Italy. He says :—

It was his mission—a mission more beneficent in its results than in its intention or its means—to break up in Germany and Italy the pernicious system of petty principalities, to reawaken the spirit of the people, to sweep away the relics of an outworn feudalism, and leave the ground clear for the growth of newer and better forms of political life. (*The Holy Roman Empire*, p. 408.)

It has only to be remembered that even to-day in India there are roughly 700 States, and some of them so ridiculously petty as to have barely an income of Rs. 50. (£3.) *per annum*. (Col. Malleson's *The Native States of India*, p. 375). What the condition must have been in the four centuries—16th to 19th with many thousands of princelings tyrannising over wee patches of the unfortunate land, plundering and fighting each other, may be safely left to the reader's imagination. From end to end the hapless land was honeycombed with the banded forces of Parson-dom and Junkerdom, Ecclesiasticism and Landlordism, banded together to oppress the people.

It would be perfectly futile at this late hour to attempt to weigh in the balance the dealings of the British Government with the Indian Rulers of India. That long story of "force" and "fraud" (Sir Lepel Griffin's *Ranjit Singh*, p. 14) on the one hand and corruption on the other can serve no useful purpose for the guidance of Indian polity in the near future.

It may be matter for a treatise on the constitutional and political history of India, which has yet to be written. Aitcheson's *Treaties, etc.*, published under Government order, inevitably to some extent one-sided, cannot represent the other side so very impartially. If instead of taking the English versions of the treaties as authoritative, fresh translations were to be made from the originals in the Indian languages, perhaps many surprising revelations would come to light for those who now judge of the mutual relations of the Suzerain and his Vassals from that publication (the term Vassal States and Vassal Princes is taken from an official publication, *Afghanistan, the Buffer State* by Captain Lyons, with an introduction by Field Marshal Sir Douglas Haig.) A true and full history will be possible only when the secret archives of the India Office and of the Native States are freely ransacked. Here the practical necessities of the situation force me to confine my remarks within the four corners of 'settled facts,' and to take up the tale from the stage which the Curzonian self-glorification—miscalled the Delhi Durbar—displayed to all the world, when Lord Curzon dragged at his tail all these magnificent Feudatories through the streets of Imperial Delhi in the approved style of a Roman triumph of yore; and when, further the refusal to return their visits and the rigid limit placed on the numbers of followers they might bring with them filled up their cup of humiliation and fixed for ever the strictly subordinate position they are to hold in India. Not by insisting on their treaty-

rights and raking up the ashes of a dead past can they hope to reap any benefit and to win back the position they have lost. That is gone to return no more ; and good it is for India that it is so.

A new chapter, however, is now opening in the life of the country and these Rulers. If they once again desire to be respected and powerful in the land, and be the true sons of India, they must cast in their lot with the progressive spirit of the time and remain no more the self-indulgent laggards that alas ! many of them have been and are yet, and must realise, as fortunately, some are beginning to do, that Rulers have responsibilities and owe duties to their people. The Indian Princes are apt to think with the pessimist philosopher that 'sufficient unto the day is the evil thereof,' and that it would not be the height of wisdom for them to trouble about progress and reform. Every interest cries out for the policy of sloth and 'let alone.' But does it pay ? No. Nature's laws are inexorable. Stand still you cannot. Move you must. The only question is whether forwards or backwards. The policy of folding one's hands and sitting still, inevitably leads to degeneracy and its corollary, British intervention. If the Prince as individual, is not to be crushed beneath the ponderous wheels of the steadily and resistlessly onward marching car of the British Indian Government, he must betimes merge his individuality into his Princehood : convert the lands in his charge from a private domain into a public state : march not behind the British Government but in *advance* of it.

Let the Princes get the people to feel that their (i.e., the people's) stake in the country is even larger than the mere dynastic stake of a family, and their responsibility not less for its good government. Let them cherish and develop patriotism in the breasts of their subjects and not look askance at it. Let them not call it 'disaffection,' nor stigmatise it as "sedition," as 'anti-governmental,' for unlike British India, there should not be any divergence between the aims and objects of the rulers and the ruled in Indian States. Here they are one and the same. The King and his people are one,

राजा प्रजानां हृदयं गरीयः ।

प्रजाश्च राजोऽप्रतिमं शरीरम् ॥

not twain, (the King is the soul, the living heart of the people; the people are the matchless, irresistible body). The strength and greatness of the one is *interdependent* with the strength and greatness of the other. But where their relation is that of Autocrat and

नृपः प्रजा प्रियं द्वेष्टि ।

प्रजा द्वेष्टि नृपप्रियम् ॥

Subjects, as in unfortunate Russia, where (the King hates the uplift of the people: the people hate the tyrant's ways) both come to grief. Whoever, even dreams of such a conflict of interests and duties in happy England? The safety and welfare of the Sovereign is bound up with the progress and strength of his people. The interest of the one is the interest of the other—identical—not exclusive, much less antagonistic.

*The road leading to self-respect and self-preser-*

*vation runs straight through the gateway of a Constitution.*

The Native States, being under home rule, to that extent resemble England rather than British India, and, therefore, I think they might conduct their local affairs *so far as may be practicable* on the English model. (*Letters to an Indian Raja*, by a Political Recluse, with an Introduction by Sir W. W. Hunter p. 74.)

There being no chasm between the rulers and their subjects, and no feeling of alien domination, a policy of the fullest trustfulness and conciliation added to that of a paternal administration but on the strictest constitutional lives would *pay*.

The policy of resisting the pressure of the British Government is neither wholly desirable nor indeed possible. It deserved to fail and it has failed wholly. Irresponsible autocracy cannot safeguard alone and unaided its rights and privileges. To do so it must share its powers and privileges and thus make it the interest of the *many*, instead of only *one*, to safeguard its birth-right. Give the *people* liberty, raise *their* status, give *them* a stake in the permanence of the administration—thus only will you turn them into your supporters, for will they not be then, in standing up for *your* privileges, guarding their *own* homes and hearths, their *own* rights and liberties?

If the Ruling Chiefs feel that their status as Sovereign Princes and their personal dignity are more and more on the wane under the overwhelming, incessant and minute pressure of the Suzerain working through the mysterious, omnipotent ways of the Foreign Office and its agents, they ought to realise that they

cannot fight successfully for the removal of the pressure and all that it bodes as long as they persist in keeping up *personal* Government. The only way to resist it, and get the better of it, is to get beyond and *above* it ; by doing better than the British Government of India. Autocracy necessarily implying selfishness is not a sufficiently powerful weapon with which to ward off attacks, much less to fight with. From being the 'led' they must become the 'leaders.' Instead of being dragged at the tail of the car of progress, let them make a spurt and win the dignified place of being in its van.

This is not an impossible ideal ; if only all the resources of the States are bent to give all their subjects—high and low, men and women—the fullest educational benefits possible and merge dynastic interests into those of the State and make the people the bulwarks of their own progress and their liberty, by freely establishing full representative institutions and responsible cabinet government. In short, unless the people are trusted and treated as members of the same family, for whom no sacrifice is too great for the prince to perform, and whose smallest interests receive his fullest concern, there will not be present that feeling which would make for unity of action.

It is a well-recognised fact that constitutional governments resist pressure far better than personal governments ; the individual autocrat easily succumbs to 'persuasions' of various sorts ; while the united force of the community makes it stand firm.

## FEUDATORIES AS CONSTITUTIONAL RULERS.

I hold that without doubt the straightest, surest, wisest, and worthiest course—one which combines duty with interest, and honour with policy—is for you and your brethren to turn their principalities into *States*, as I have already suggested, and thereby formally to create that identity of interests, or rather remove that apparent absence of such identity, between yourselves and your subjects, which is the main, indeed, the only excuse, for the Paramount Power for interfering with the affairs of the Native States. . . . If you and your brethren wish to obviate it, do adopt such constitutions as will place in the hands of your subjects peaceful and efficient remedies for all administrative wrongs they may be liable to, or may think they are suffering, and when this is done to the extent that is possible under the circumstances, the British Government will cease to concern itself with your internal affairs, because it will have no ground or excuse for it; and will see that then it will be acting in opposition not to the *Rajas* as against *their own subjects*, but against the *entire* state *their Rajas and subjects* together, and for such interference not only will it have no motive, but it will be contrary to its professions, its self-interest, its policy; and these causes together with its sense of righteousness and justice will always dissuade it from that course; in fact, in such a situation the interests or rather the attitude of the two parties will be identical. Then indeed the Indian Princes can fight with the British Government for their rights and interests on equal ground. (*Letters to an Indian Raja*, p. 58-59.)

Fighting for their own hands they are bound to be beaten, but, if for their people, and backed by a vigorous, enlightened and virile public opinion, success is sure, for, then they will have the overwhelming moral power of the State to support them in their demands.

The present position of the Ruling Princes of India is an anomalous one, for neither does international law apply to them, nor are they under municipal law in many respects; the natural consequence of this undefined position is, therefore, fraught with mischief and peril for them. A direct subject of the British Government, however humble his station in life, is far better off—seeing that he is subject to well-defined law

and courts of justice—than any Feudatory, however potent he may be. His independence is a mere name, utterly subservient as he is to the all-powerful, irresponsible and absolutely secret Foreign Department and its staff of “the politicals.” There is no publicity, no court, no appeal, no persons before whom the cause of “Home-Ruled India”—its subjects and its Princes—can be brought forward. The policy of secrecy and of drift has produced terrible confusion and injustice. If there had been less irresponsibility to the public, joined as it is to autocratic power; and instead, full responsibility to the public and a limitation of their powers, like that of any other Governor of the British Provinces, the all-powerful Resident would not have been so largely a power for harm, instead of good, as he has been so often; then the administration of the Native States would not have been so defective, when not hopelessly bad, as it is to-day. The *nominal* ruler is responsible before the world for the acts inspired, nay commanded by the *real* ruler, “the power behind the throne,” who keeps studiously in the background and can never be saddled with any responsibility or dragged into the glare of publicity before the bar of an enlightened, informed and powerful public opinion. Such an arrangement is an almost ideal one for tyranny and corruption to flourish in all the luxuriance of a tropical jungle.

## RESIDENTS.

Even a Viceroy stigmatised the Political Agents as “dangerous officials” (*vide* p. 43. *Letters to an Indian*).

*Raja*). John Bruce Norton no less famous in his day than his brilliant and equally pro-Indian son, Mr. Eardley Norton is to-day, has some very disparaging sentences about these in his book: *The Rebellion in India: How to Prevent Another*, (pp 116—117). He writes:—

A word here on Residents—the most pestilent form of an Indian official. From the moment that Lord Wellesley subsidised his native allies, their fall was certain, however slow. The foundation of their independence was sapped. In the commencement, the Resident at the Court of a Native Prince was an officer of high importance. He had to watch carefully against intrigues with other powers hostile to the British interests. His was a diplomatic duty; he stood as the medium of communication between the court to whom he was accredited, and the company whose deputed servant he was. But as the power of the Native Sovereign crumbled insensibly away, the Resident imperceptibly encroached upon the proper bounds of his authority. Instead of being merely the servant of the company, he ultimately became master of the Native sovereign. As the latter dwindled more and more into dependence, he crouched more and more submissively before the ambassador, on whose representations of his conduct to the Company he fancied the stability of his titular principedom to depend. He never rose to a tone of manly independence; he was too timid to remonstrate: the will of the resident became law: till at last an entire right of control was claimed over the most trifling items of expenditure. A Rajah could not buy a fowling piece without the sanction and approval of the Resident. Hence the presence of the Resident was a continual source of irritation and annoyance to the royal family; whilst on the other hand the Resident grew more and more arrogant, until his original and true character was totally forgotten. He is now a sort of Cerberus, uniting the three separate functions of spy, jailer, and dry nurse. His principal characteristic is the most overweening, fanciful idea of his own importance. I have seen a letter from one of these worthies, in which he distributes his approbation and disapprobation of the various members of the royal family with a condescension truly imperial; though the inflation led one to fear for the writer the fate of the frog in the fable, who puffed himself out until he burst.

Sir Henry Lawrence is no less emphatic about the system of appointing Residents. In his essay on *The*

*Kingdom of Oudh* first published in the *Calcutta Review*, in 1845, he says:—

An able and virtuous despot may dispense happiness; the same ruler saddled not only with a Minister, but with a Resident, can only diffuse wretchedness. . . . He is not master in his own country. . . . If ever there was a device for insuring mal-Government, it is that of a Native Ruler and Minister, both relying on foreign bayonets, and directed by a British Resident. . . . How rarely is the European officer to be found who, with ability to guide a Native State, has the discretion and good feeling to keep in the back ground . . . to be the adviser and not the master.

I have seen the heir-apparent to one of the most powerful of the Native States dismount to make his obeisance to the wife of the Resident, who was driving past and she most condescendingly nodded her acceptance of the lowly salute. When remonstrated with, the hapless young man replied that people in British India did not realise the vital nature of the question of keeping the Resident and his entourage in great good humour. His English governesses and tutors had evidently well drilled into his head and heart, during his plastic youth, the god-created subordinate position of the "natives" to the "white peoples." He could not understand that an Englishman may not like, but respects the man who will hit back. He loves not flunkies however useful he may find them.

Every one knows that the Political Agencies are centres of intrigue and corruption; the Native State officials, the cadets of the Chief's family, the subjects of the Prince, and even the ruler himself have to keep doing incessant *Puja* to the Residency Staff from top to bottom to keep things going smoothly, or to gain special advantages.

M. Chailley too has something to say about the "politicals." He makes some of the really advanced Princes say :—

And being what they are, why, they urge, should they continue to be subject to the minute guardianship, benevolent, it is true, but destructive of individuality, which the Government of India has so long imposed upon them? The political officers who reside at their Courts are in truth (I reproduce here native opinion, which contains a material part, but only a part of the truth) their masters. That may not be true in the case of the Nizam who has eleven million subjects, nor perhaps in the State of Mysore with its five million; the opposition of rulers of this calibre might be inconvenient, and they consequently escape from the annoying control of the political despot. (*Chailley's Administrative Problems of British India* p. 259.)

The author is misinformed. The "political despot" is as much their master as of the smaller rulers. The way the late Nizam was treated, for instance, by the late Mr. Chichele Plowden, the Resident, is so well-known that it is curious the facts never came to M. Chailley's ears. Blunt's *India Under Lord Ripon*, supplies a good many instances of the autocratic dealings of the Residents at Hyderabad.

But elsewhere the attitude of the political officer, while ordinarily differential in form (though even that is sometimes lacking,) is the attitude of a servant, who directs his nominal master, haughty, polite, impertinent, and ironical. And what, say the observers, I am quoting, are these political officers save spies, whose words will be believed by the English in the face of all outside denial? . . . . . And the peoples of the States are not deceived; they know that their rulers are thus subject to masters, and their attitude takes color from this. The respect paid to the chiefs decreases with their prestige, they are no longer kings. Will the Government of India, ask the chiefs, restore this respect and prestige? How does it treat us? In great durbars, for instance, the Viceroy addresses himself first to the Governor or Lieutenant-Governor and not to us. What must our subjects think of this? And who has forgotten that atrocious circular of Lord Curzon which forbade us to quit India without his permission? [They are even prohibited to go to Simla without the previous permission of the Viceroy.] . . .

Let there be less centralisation ; loosen the reins ; do not fetter us to ask advice and permission for everything ; *do not behave like a schoolmaster with a cane.* (Italics mine.) Do not require us to treat neighbouring Princes like strangers ; recognise the necessity and advantage of our coming to understandings with one another. *In fine, do not keep us in fetters* (Italics mine.) . . . are you yourselves infallible, whether in your own territories or in ours ? Have the States always found themselves the better for your counsels, have our finances never suffered from your intervention ? Consider for instance, the case of chiefs who found themselves in deficit through having to visit the Coronation Durbar of 1913. (Chailley's *Administrative Problems of British India*.)

We might here call attention also to some other undesirable arrangements requiring urgent change. One of these is the not generally known fact that while every Feudatory has to incur considerable expense over Residencies, some like Kolhapur have even to pay the salary of the Resident and his entourage. The duties entrusted sometimes to the Resident are no less anomalous ; he is, for instance, in Junagadh, a tribute-collector for the Nawab from his subordinate Chiefs, and the British Government makes a charge of 25 per cent. for this duty ! This state of things, namely, the expenditure of Feudatory State money over Residencies is recognised as very undesirable by the British Government, and prohibitions are issued from time to time. A little while ago one such warning has again been issued by the Foreign Office but the same old fate of its predecessors has befallen it and it is more honoured in the breach than in the following. Paper anathemas are powerless before this evil, hoary with age.

The second anomaly is that while Indian Revenues have to pay for the political agencies in Kashgar, in Turkish Arabia, in Persia, in Muscat etc., etc., the

officers are under the dual control of the British as well as the Indian Foreign Offices. It is the British Exchequer that ought to bear this cost.

This horrible fratricidal European war will probably see the disappearance of Turkey not only from Europe, but from Asia even. For the English and their Allies have stipulated among themselves that Russia's *quid pro quo* in this war will be Armenia and Constantinople; of Italy and France, Asia Minor and Syria; of England all the watershed of the Tigris and Euphrates from Baghdad to the Persian Gulf. Arabia under the Grand Sherif of Mecca will probably become an English protectorate like Egypt. Persia has also been parcelled out between Russia and England, with well-defined frontiers of their respective 'spheres of influence.' It will be realised how complex and onerous the duties in connection with all this enormous change will become, and how impossible it will be for the British Foreign Office to assign all this work completely to the Indian Foreign Office. So on all scores it seems best, that the Indian Foreign Office should not in any way entangle itself with all this work extraneous to itself but confine itself to dealing with those foreign states only which directly touch the Indian frontier, like Afghanistan and Tibet. It is to be hoped, however, that the land-grabbing policy of the vain-glorious Viceroyalties of Lords Lytton and Curzon will not be revived. Lytton was setting up three Amirs—in Herat, Kabul and Kandahar, and so by weakening them, would have brought them all under the same kind

of protection as the Indian Chiefs enjoy. (See Lady Betty Balfour's *The Administration of Lord Lytton*). Lord Roberts was for annexing Kandahar outright, and he was right, for how, could he be Lord Roberts of Kandahar, if it were not British but Afghan territory ! Luckily the attempt of the fire-eaters in India was scotched by the Government of Mr. Gladstone, (see the *Life* of the Marquis of Hartington, First Duke of Devonshire). Lord Curzon's similar attempt over Tibet was foiled by a Conservative Ministry this time. And as neither of these two countries are so easy of digestion, as was Burma which Lord Dufferin grabbed with the sanction of the Ministry of the day and so the opportunist British Ministries, Liberal and Conservative alike, repudiated the handiwork of their local agents, the Government of India.

#### PRINCES.

It must also not be forgotten what stuff these rulers are made of. Bagehot has given an inimitable description of a hereditary European Sovereign and it can scarcely be improved upon for the purpose of applying it to these Indian "Sovereigns." He says :—

An hereditary king is but an ordinary person, upon an average at best ; he is nearly sure to be badly educated for business ; he is very little likely to have a taste for business ; he is solicited from youth by every temptation to pleasure ; he probably passed the whole of his youth in the vicious situation of the heir-apparent, who can do nothing, because he has no appointed work, and who will be considered almost to outstep his function if he undertakes optional work. For the most part a constitutional king is a *damaged* common man ; not forced to business by necessity, as a despot often is ; but yet spoiled for business, by most of the temptations which spoil a despot. History, too, seems to show that hereditary royal families gather from the repeated influence of this corrupting situation some dark taint in the blood, some transmitted and

growing poison which hurts their judgments, darkens all their sorrow, and is a cloud on half their pleasures. It has been said, not truly, but with a possible approximation to truth, 'that in 1802 every hereditary monarch was insane' . . . . A man made common by nature, and made worse by life, is not likely to have either incessant industry or great statesmanship; he is nearly sure not to be both clever and industrious. . . . A monarch in the recesses of a palace, listening to a charmed flattery unbiassed by the miscellaneous world, who has always been hedged in by rank, is likely to be a poor judge of public opinion. (*The English Constitution*, p. 231.)

If this is true of European Monarchs, where there is no polygamy, where open concubinage is condemned, and education is fostered, what can then be the condition of things, where public opinion as in "Home-Ruled India" is simply non-existent, and the Chief is guaranteed his State by the power of the bayonets of his Feudal Overlord?

Tucker in his *Memorials* says :—

The Princes and Nobles of India are not prepared by education for the great business of public life—the civil administration of their country. . . . They are brought up as boys in the Zenana. . . . and they have little opportunity of acquiring that knowledge of men and things which is so essential to those who are called upon by their birth and station to superintend the interests of a great community, . . . they are indolent, and inclined to indulge in those sensual gratifications which tend to enervate the frame, and to indispose the mind for the difficult and laborious duties which the conduct of public affairs imposes upon public men. There are illustrious exceptions no doubt . . . the ascendancy of the British has unquestionably had the effect of checking the spirit of ambition, and of discouraging on the part of the natives of India, those impulses which prompt to heroic action or useful labors, and which lead to honor and distinction. In this state of things it has usually happened that the native Princes, our allies or dependents, when invested with power, have been found incapable of carrying on the business of the government. They have generally fallen into the hands of favourites, who for the purpose of preserving their influence, and of engrossing all power in their own persons, have been studious to encourage the indolence, the extravagance, and the vices of their master. Thoughtless expenditure necessarily leading to pecuniary embarrassment, the most ruinous expedients have been

resorted to for raising funds to command some momentary gratification—the people are surrendered to the ruinous exactions of unsparring creditors, or rapacious revenue officers—discontent is engendered—the country is made desolate—and nothing but the military force of the British Government, is sufficient to repress insurrection, and to maintain the deluded Prince in the possession of his worthless dignities (pp. 240-241.)

The above quotation taken from a book published nearly sixty years ago portrays a state of things which unfortunately still largely holds good, as the bitter experience of many a would-be progressive Indian Minister in Indian States testifies.

This age, sceptical of the Divine authority of anointed Popes and anointed Kings, regarding them as no more sacred than the chairman of a commercial concern, is not prepared to put up with their 'Divine right to rule like the Devil.' The Hierarch and the Bureaucrat both must learn the bitter lesson of self-effacement, and treat the people not as *subjects* but as *citizens*. They must realise that the reverence and the obedience that the people yield to them are not yielded because of any belief in the myth of sacrosanctness attaching to them, by the mere accident of birth and position, as the Vicegerents of God on Earth; but because they are the transient depositaries of an authority that issues from the people *themselves*, so that in obeying, whether the spiritual or the political head, they are but obeying their own best nature. The old ideal of the days when the world was less progressed, of a Theocratic State (whether in the East or in the West) with the Political ruler exercising his powers only as a delegate of the priest

has passed out of the consciousness of a progressed world. Maharshis (Popes) and Maharajas (Kings) are as much mortal flesh and blood as the lowliest untouchable Pariah. Their arrogance of sacrosanctness is the evil legacy of a rotten social system, that is being rapidly buried all the world over. The *modern* deduction from the eternal truth of the unity and supremacy of the spirit is not an eternal gulf of a soul-destroying caste and class system, but that of a common humanity, of brotherhood, of cessation of all strife and the promotion of co-operation among the many organs of the one body.

Nearly 1,400 years ago a great Indian King Bhartrihari—famous for his learning, made some very shrewd observations on the environment in which rulers were brought up. He makes an interlocutor say :—

Who are we that we should have the *entree* of a Royal palace; We who are neither mimes nor pimps, nor singers, nor large-bosomed ladies of easy virtue.

No less pathetic and bitter is his delineation of the atmosphere of fulsome flattery surrounding such personages :—

He who has power (wealth) he is high born, he is an orator, he is beautiful, he in short is everything that is great and good and noble,

however much the contrary of all this he may be.

Royal Courts whether in the East or in the West, whether in the 20th century after Christ or the 20th century before Christ are ever the homes of insincerity.

The future ruler of a country is brought up without education without a knowledge of the world, under the care of women. He is through the jealousy of his father excluded from all interference

or share in public affairs, until the time of life for attaining habits of usefulness has passed away. Whether suited to govern or not his succession is secured through the introduction of our deadening laws of primogeniture . . . . . Neither is an ignorant or jealous despot the least likely to give the reins to others which his own fingers have so long itched to handle . . . . .

Such is the testimony of Captain Sutherland about the incompetence of the Native Princes, and he ascribes it to its true reason:—

The paralyzing effects produced in these independent states by their reliance on foreign power for protection, and which had the effect of the severing of that sympathy which binds the chief and his people together when they have to struggle against other power, either for their liberties, or for their individual or national advancement . . . . . who would have expected to see anything virtuous or heroic in the character of the people of Greece whilst under the domination of Turkey, or in the character of the Poles whilst under the yoke of Russia, except what might arise in their exertions to free themselves from the dominion of foreigners (p.184.)

That things are not so black now as they were seventy or eighty years ago may be the general belief, but such popular belief is very far from the truth. Neither of the two supreme factors in the case—the foreign Resident and the Native Ruler—have, in the vast majority of cases, come into line with what this twentieth century would regard as their true and proper functions. The Foreign Department shrouds its doings in a most impenetrable veil and so the above statement may seem to be at least very exaggerated, but two quotations will prove the contention to the hilt. M. Joseph Chailley in his book, *Administrative Problems of British India*, which has been translated into English by our present Finance Member, Sir William Meyer, by official permission, and the dedication of which was accepted by Lord Morley, then,

Secretary of State for India, and whose presentment of *facts* may, therefore, be taken to be authoritative, says:—

We may divide the chiefs of India into three classes (1) the *very few* (italics mine) who govern according to European ideas . . . . . (2) Those who have introduced the elements of a reformed organisation . . . . . (3) Those who still imagine that they are the State; that its resources are their private property, and its inhabitants their slaves; that their affairs should take precedence of all others; and that their *chief business is pleasure*. *This last class is still the largest* (italics mine) . . . . . The chief of such a state is a despot. He lives in his palace surrounded by his wives and his concubines the members of his family, courtiers, mountebanks, jugglers, and astrologers. Sometimes he has no minister, but that does not lead him to work for himself, or prevent him from occasionally leaving the state, and allowing its affairs to look after themselves. What does it matter, so long as the chief has a good time? In his little court intrigue is rampant. Parties form round his favourites, his wives, and his concubines, and denunciation and calumny are their usual weapons in the struggle for favour. . . . . In spite of so many intrigues life is monotonous, and it is not, as might be imagined, wholly filled by women. . . . The wives are generally (and this is especially the case with the first one) of good, and sometimes of high birth. The concubines are of low caste, and lack education and morals. Their presence, their talk, and possibly their actions exercise an evil influence over the children of the legitimate wives, . . . . The State money which they treat as their own, flows out on every side, and, in the first instance, to those around them, to their relations, their courtiers, and their flatterers. They distribute the State property as our absolute Kings used to do . . . . The taxes offer, as may be imagined, an infinite field of abuse. (Bk. II, Ch. I.)

Hear now what the present Lieutenant-Governor of Punjab, Sir Michael O'Dwyer, then Political Agent in Central India, said in his speech in Datia:—

In circumstances which it is not necessary to detail to-day, the Supreme Government was compelled in 1911 in the interests of the Chief, of the State and of the people of Datia to intervene and assume a direct superintendence of the administration. Speaking from a fairly wide experience of Native States I have no hesitation in saying that for corruption, inefficiency, and general misrule, Datia then surpassed anything which has ever come under my notice. Life and property were notoriously insecure;

suicides, to call attention to unredressed grievances or to anticipate oppression or disgrace, were appallingly common. The State and the capital were being abandoned by their inhabitants. In the decade 1910-11 while all the surrounding districts and States showed a great increase of population, that of Datia fell off by one-seventh and one of the saddest spectacles that ever met my eyes was the sight (in September 1911) of the picturesque city with its empty streets and deserted houses. When I first visited Datia a few years ago, the chief justice was, I think, a palace-official on a salary of Rs. 15 per mensem and it was not surprising to hear the general complaint that justice was bought and sold, (Reported in the *Leader*, March 26-1913.)

When it is remembered that it was a public speech made by one of the most highly placed and responsible officers of the Government, and so naturally very restrained, things must be bad indeed to require so much outspokenness.

The frightful misgovernment of Datia is not so very exceptional ; if the confidential annual reports of the various Residents saw the light, they would fully bear out M. J. Chailley's remarks.

After the above statement of the case as against Residents and as against 'Native Chiefs,' it will be clear that it is not so much the *men* as the *system* that is to blame. It is true though, that the evil results that have accrued would not have been so disastrous if the men had been capable, sympathetic, honest, keenly alive to their duties, tactful and able, in short, not what they have, as a rule, been so far.

Even where the British Government does not interfere directly in the management of a State by taking it over bodily, as for instance in the case of Mysore ; its interference even when only partial and limited, and not direct and peremptory, by 'friendly counsel' through the Resident, makes for mischief.

For at the very outset the necessity occurs for supporting a particular Minister, who is considered to be favourable to our views of policy, and of sufficient talent and energy to govern the country. Here the seeds of jealousy and discontent are immediately sown in the mind of the Prince, who finds his authority superseded and his dignity infringed, and who becomes indifferent to the concerns of his country, and the welfare of his people. He confines himself to the retirement of the Zenana—engages in low pleasures and puerile amusements—dissipates his treasures or his income—contracts debts—and soon sinks into a state of humiliation and distress. The British Resident is looked up to as the real ruler, for he appoints the ruler. Whatever may be his vigilance or the authority of his virtue, his officers and dependents are prone to interfere and eager to establish a double authority or influence in the country. The ostensible Minister must provide resources for the payment of subsidy or tribute, as well as for defraying the public charges; and being assured of support, he is reckless and careless about the means, and often resorts to the most mischievous expedients for raising supplies; the people are impoverished and discouraged by endless exactions; the country falls into a state of decay; and the whole obloquy attending this course of maladministration falls upon the British name. Nor is it unreasonable that it should do so. We are accessory and mainly instrumental in the establishment of an anomalous administration—a nominal government without authority—an unavowed ruler without responsibility. And after all, this system leads to direct interference; for when the revenues fail and debts contracted under our guarantee accumulate, the country (as in the case of Gaekwar and others) is placed under sequestration to redeem the pledge. (*Memorials of Indian Government*, by Henry St. George Tucker, p. 244.)

The student of modern Indian conditions should carefully study and ponder over each word of the above extracts, taken from the work of one who spent the best portion of his life in the country and passing through every official stage became finally one of the Directors of the East India Company. They are not the words of an irresponsible outsider, an Indian, or an English globe-trotter, but of one who knew what he was about, and carefully weighed each word of the indictment before putting it down on paper. What

more scathing criticism and exposure of the system and its utter hopelessness than this? The restless ambition of a generally military and dictatorial Resident only too willing to impose his irresistible personality backed up as it is by the whole power of the British Government, always works for mischief. If he is not dealt with discreetly or if his particular hobbies or notions are thwarted, there is instant trouble. He must be kept in good humour, whatever it might cost.

All this has had naturally a most deleterious effect on the character of the Chiefs and productive of much harm to the subjects of these States. The latter-day Rulers having been moulded under the Residential system and relying upon the help of the British bayonets—provided they are in the good books of the Resident—can pursue their reckless careers unchecked. There is neither the fear of an invasion from without, nor of a successful insurrection (the latest known instance is that of Mandi, a small hill State near Simla, and which was put down by British bayonets) of their own long-suffering and broken subjects, (which would, in other conditions, have probably rectified matters in a case like that of Datia, above-mentioned) nor that of a palace-intrigue, or even of the nobles or military Chiefs, for they can always be locked up if at all troublesome. Even more potent than the Deportation Regulation of the British Government is the autocratic will of the 'Swadeshi' Ruler. Secure on the throne of his ancestors, through the favour of the British Government, he need fear nothing, and

instead of treating his State as a sacred public trust which he is bound to administer in the best interests, and with the advice and co-operation of his people, he treats it as a private domain from which an ever-increasing revenue is to be squeezed out, to minister to his magnificence and his pleasures. The training in the Rajkumar Colleges and by private English tutors that they are receiving these days, and even in England in some cases, only helps to denationalise them all the more. Instead of having feelings in common with their subjects, sympathy for their misery, being alive to the charms of praise and renown and sensible of the value of those qualities which command them; they are only open to the praises of the English rulers of the country and work hard to acquire those foreign social accomplishments by which they might shine in that society.

All that has gone above will have helped to make clear that the Feudatories are not sovereign and not even semi-sovereign as the Foreign Office still tries to make them out to be. It may be worth while to try to define here what is the status of a "Native Prince" and his administrative means and methods.

The Feudatory Chief is a *reigning* prince and it is only a fiction which calls him *Ruler*; he has besides an army, of which he can make absolutely no use, but it is one of his toys over which he is allowed to waste the hard-won earnings of his subjects. How truly beneficial it would be for the State and its subjects if this were replaced alto-

gether by an *industrial* 'army' organised with the same loving care and forethought, and the same minute attention to details and lavish expenditure which for so long, and to so little purpose, has been wasted over the fighting armies! His prerogatives of Coinage, his Post, his Telegraph, his Railway jurisdiction, his power to levy customs and imposts, his power to create monopolies in the interests of his own people, are all gone, or going. British cantonments are or can be located any where within his territories. Further, being a sovereign he is 'above law.' Herein lies the bitter irony of fate. While not subject to any court of justice or any well-defined law he is nevertheless in the nebulous but all the same iron grip of the Foreign Office. He cannot protect himself by appealing to any recognised public legal tribunals, but must do so by other means, which however are not always ineffective. Within his own territory and over his own nobles and subjects his power is uncontrolled and unlimited.

Official apologists are not wanting in their emphatic approval of the relations of the British Government with its Feudatories. Sir Charles Lewis Tupper says :—

I believe the existing system of relations with Native States to be thoroughly sound, thoroughly beneficial, and capable of much useful development. (*Our Indian Protectorate*, p. vii.)

Not less rosy and optimistic is the belief of Sir William Lee-Warner.

Anglo-Indians of the type of Sir John Strachey and Sir Lepel Griffin can see nothing that is good in

a 'Native State' and wait impatiently for the day when they all would be absorbed in the British possessions and the large patches of yellow would be replaced by red in the map of India. The only consideration which has any weight with officials of this stamp, which makes them hesitate before plunging headlong into a policy of wholesale annexation, is the feeling, voiced clearly by Sir John Strachey, that they served as breakwaters in the storm of the Mutiny "which would otherwise have swept over us in one great wave" (*India*—2nd ed., p. 366,) and may serve again the same purpose in the event of another mutiny. But as such an event is altogether impossible now, little consideration need be shown; and as diplomacy whether in the East or the West—especially when dealing with a weaker power—is seldom afflicted with the disease of honesty and straightforwardness, the Residents might well be employed by the Foreign Office as *agents provocateurs* to bring about the complete disappearance of the remains of Feudal power and prestige. That such a view is very narrow, prejudiced and wholly unfair to the Indian Princes is admitted by all officials who have the welfare of India at heart and see the possibility of re-infusing into these Rulers self-respect and the ability to govern themselves and their people once again. They rightly insist on regarding Feudatory India as an integral portion of the British Indian Empire owing well-defined duties to the British Sovereign on the one hand, and equally well-defined duties to their people on

the other hand whilst themselves possessing no less well-defined rights and privileges.

M. Chailley is no less clear on the part played by the Native Rulers in 1857. He says :—

Curiously enough, it was the surviving princes who restrained this movement, and thus contributed to save the British power. Before they had had time to act in concert for its overthrow they began to think that the British power would resist the assault made on it; and the most clear-sighted among them thought it desirable to remain loyal; and their loyalty saved the situation. Interests, if not gratitude, opened the eyes of England which realised the part which the Princes and the States had played during the Mutiny. Had they not existed, a huge wave of insurrection would, in an India entirely British, have swept over everything.

Another reason for the keeping aloof of the Indian Princes from the rising of 1857, was told me by an old Indian diplomat now dead. What element of truth there is in this it is impossible to discover now. It was this. One of the biggest rulers on being 'sounded' asked who would "occupy the Imperial throne of Delhi" after the British were driven out? To this poser there could be no reply in those days, Federalism not having yet been born; so the scheme of joining the rebels in the British territories fell through. This wise and strong Hindu ruler, the master of eighty-thousand troops, knew as some of the hot heads did not, the marvellous tenacity of purpose of the English race, and the good that would accrue to the country as a whole by the overlordship of England. Even dynastic interests would not suffer to the extent that they were bound to suffer if India continued much longer to be a congeries of jarring units. If these were to be fused into a homo-

geneous nation, it was Divine dispensation that gave the control of the destiny of India into the hands of these freedom-loving, democratically-minded foreigners from a distant land.

After all that Strachey, Chailley and many others have said about the Mutiny of 1857 being really the turning point in the fate of the Indian Princes is nothing new. It is only a repetition of what "clemency" Canning (as he was stigmatised by the fire-eating Anglo-Indians of those days) wrote in his despatch of 1860 upon the subject of adoptions in Native States :—

The safety of our rule is increased, not diminished, by the maintenance of Native Chiefs well affected to us. . . . in the Mutiny these patches of Native Government served as breakwaters to the storm which would otherwise have swept over us in one great wave. . . . And should the day come when India shall be threatened by an external enemy, or when the interests of England elsewhere may require that her Eastern Empire shall incur more than ordinary risk, one of our best mainstays will be found in these Native States. . . . It was long ago said by Sir John Malcolm [Governor of Bombay and author of a book which is still valuable after the lapse of 90 years.—*A Memoir of Central India including Malwa and adjoining Provinces* 2 Vols, 3rd ed., 1832] that if we made all India into Zillas [British Districts] it was not in the nature of things that our Empire should last fifty years; but that if we could keep up a number of Native States . . . as royal instruments, we should exist in India as long as our Naval superiority in Europe was maintained.

But all this political wisdom is only a repetition of old Bacon of the 16th century. In one of his essays he says :—

It is well when nobles are not too great for sovereignty nor justice, and yet maintained in that height as the insolence of inferiors may be broken upon them, before it came on too fast upon the majesty of Kings.

Further, there should be greater and lesser nobles.

to balance each other. All this is nothing else than the world-old divide and rule policy, now newly and more euphemistically described as maintaining the balance of power, of securing adequate representation to all the various interests within the realm. It should be noted, however, that the observation of Bacon ascribing the duty of serving as breakwaters to the nobles nearest the King requires to be supplemented by the further observation that while they so serve as breakwaters against attacks on the king on the one hand, on the other hand they also serve as placers of curbs upon the license of those kings. It was not the 'insolence of inferiors' that wrung the *Magna Charta* from the hands of a cowed king, but that of the "Barons bold" of "Merry England."

Sir John Strachey's chapter on the Feudatories is a deplorable blunder even from the official standpoint, tending as it does to create mischief, where none exists. For such a high-placed official to cast aspersions on the good faith and loyalty of the Indian Princes and to abuse persons who simply dare not resent or even reply, does not speak much for his sense of chivalry. If their lips could be opened they too could unfold a tale of wrong and woe which would amaze the world. Even Sir John Strachey, official apologist and intense bureaucrat that he was, confesses in an outburst of frankness that the relations are unsatisfactory. He says :—

I have always thought that no part of our Indian administration has been so often unsuccessful as the management of our relations with the Native States (p. 367.)

He further prudently lays the blame on the wretched Indian Prince:—

No real progress in such States is possible while their governments remain purely personal, and while the authority of the Paramount Power is exercised on no fixed system, but spasmodically, by special acts of intervention as necessity arises. (p. 379.)

He also quotes at p. 382, a despatch of the Government of India to the Secretary of State which wishes "to obviate the necessity for frequent and arbitrary interpositions by the Supreme Government." Such Platonic good wishes deceive nobody—not even their creators. As against these "wishes" we have to see what are the actual facts. Is it really possible for the British Government to fold its hands and not only to declare its firm faith in a policy of *laissez faire*, but actually to practice it? The policy of "non-interference" inevitably leads to the necessity of annexation as every reader familiar with the political history of India knows. It is never again likely to be revived. Intervention there has been and there will be, but spasmodic and ill-informed as it is, its benefits will never be lasting, while it always will give rise to a crop of evils.

Sir William Lee-Warner cherishes no illusions about the profession of "non-intervention."

Native States, he says, give shelter to those enemies of civilization and order, who, descended from the criminal tribes and predatory castes of India, practice their infamous trade in the Native States, and seize every suitable opportunity of crossing the British line. The Police administration of frontier districts consequently entails greater expenditure than that of districts in the interior, because the duties of guarding the frontier of a foreign State are so much heavier. The facilities afforded for the escape of criminals, in the intricate patch work of jurisdictions which

exist in the Presidency of Bombay, require special measures of prevention, and courts of law are subjected to grave inconvenience from the difficulties of securing the attendance of parties or witnesses from villages where the Queen's writ does not run. The collectors of British Revenue often experience the impossibility of excluding untaxed opium or illicit spirits from their districts, when an open frontier interposes no barrier to the free-commerce of their villages, with a foreign State, into which the British Inspector cannot carry his authority or his law and regulations. Again, where the necessity arises for sanitary measures, the spread of cholera or smallpox is dangerously assisted by the absence of precautions, such as vaccination or drainage, in close proximity to British Cantonments or to the capital towns of British Districts. (pp. 17-18.)

The condition of affairs has reached the stage where it has become inevitable for the British Government to continuously interfere with the administration of its Feudatories; so the question now is, whether it is possible to so adjust relations of the Sovereign with his Feudatories as to allow of a definite amount of autonomous control to them over their own governments, and regularise, so to say, the cases for intervention.

#### POLITICAL CODE.

After all that has gone above, it scarce needs saying that an idyllic happy-family relation does not exist between the Overlord and his Feudatories. If the future is not to be one of anguish and tribulations on the one side, and meddlesome interference and despotic dealings on the other, it is essential that the antiquated and rusty procedure governing the relations of the vassel Princes to the Paramount Power be displaced by a more adequate, fair, and up-to-date method. Apart from the bare justice of such a demand it would save the name of the British Government

from much odium. As it is, the unenviable quadruple position of accuser, prosecutor, judge, and executioner occupied by the Foreign Department, is neither defensible nor desirable. Sir George Campbell in his *Modern India* advocated the necessity of a *Political Code* and so has Captain J. Sutherland in his *Sketches of the Relations subsisting between the British Government in India and the different Native States*. In one way or another all the old treaty obligations have gone, and no new definite instruments have taken their place, resulting in endless friction and trouble for want of a clear unimpeachable understanding. It has been mostly a scramble, the Suzerain trying—only too successfully—to grasp all it could, and the Feudatory trying—only too unsuccessfully—to retain all it could. A Political Code would have the supreme merit of definiteness and unambiguity; it would fix the British Government to one system of measures which all would be prepared to act up to, and the mutual obligations of the two would be impossible to be misunderstood. For would it not be ‘self-willed’ to a very large extent, prepared as it would be by their representatives and those of the Suzerain in collaboration—embodying as it would not the temporary aberrations caused by the gusts of passion and of prejudice, but the calmly-considered higher will, intelligence and ethics of all concerned in the pact? Obedience to it would not be through the fear of the master’s lash, but because infraction of its rules would be like the contradiction witnessed in a teacher’s high professions and

low practices, bringing him to shame, thence repentance and regeneration. Such a code would bring about the already too long-deferred establishment of the *reign of law* in a sphere where individual caprice and arbitrariness, passion and prestige, pride and prejudice have caused no end of mischief and still continue their nefarious work. With a Supreme Court to interpret such a Fundamental Law of the Realm, as for instance in America, there would be the farther guarantee that its clauses would be fairly construed and enforced.

It is essential, therefore, that for a step so drastic and far-reaching in its consequences, a Royal Commission to go into the case thoroughly and impartially be appointed, on whose report such a code would then be built up. But the Commission must be such a one as to command the confidence not only of the officials but also of the Indian Chiefs, their nobles and subjects as well. A Commission composed only of British officials without a strong representation of the Indian States and of a few independent members, both Indian and British, would not meet the urgent needs of the case nor command any respect or confidence.

I, for one, believe that it is neither impossible nor very difficult to arrive at an understanding which would put the relations of the two on a firm, lasting, and satisfactory basis—while, what is imperatively necessary, it would make for an increasingly civilised and progressive administration of these States to the benefit and happiness of their subjects.

The policy of isolating the Vassal States that had been adhered to all these many years, should now be given up wholly. Even down to so late as 1881, and in the Viceroyalty of Lord Ripon too this policy of diplomatic isolation has been insisted on. Clause 11 of the Instrument of Transfer which handed back Mysore to its Indian Ruler, expressly lays it down. Now that the loyalty of the Indian Princes has been so convincingly proved, it is time that they were *fully* trusted and not forced into obedience to the highly derogatory and irritating rules prohibiting private correspondence even on such delicate matters as those of matrimonial alliances, except through the Political Agents. The definitely accepted newer policy of subordinate alliance, should be allowed full and free play. The conditions prevalent not only in Modern India but all the world over are in favour of Constitutions, Fundamental Laws, Federations. Why should not, then, an earnest and serious attempt be made for a Federal Union of the Feudatories, and light let into the present chaos ?

The Fundamental Laws of the German Empire, the United States of America, of the Commonwealth of Australia, of Switzerland supply models which with a little tact and patience, and some little changes could be enacted to meet Indian conditions.

It will be noticed that the models I have suggested are not those of the Union of England, Scotland and Ireland into Great Britain ; or of the Provinces of Canada, into the Dominion of Canada ; or of the

Italian Principalities, into the Kingdom of Italy. In all these cases the Union has been *complete* and uniting bodies have merged so to say into each other—thus not only losing their distinctive characteristics but their autonomy also. Here in India we have the example of the relation of the Supreme Government with the Provincial Governments in varying degrees of closeness or aloofness. But these cannot serve as models for the proposed Federation. In all these cases the subordination is much too complete to allow of the “Semi-Sovereign,” Princes of India to accede to any such scheme. If the proposal is to be something more than a mere dream, these prejudices will have to be respected, and, a *quid pro quo* given for all the rights and privileges—however shadowy—which they will have to yield up. The *basic* differences that ought to govern such cases will lie in the fact that while the British Provincial Governments exercise only those powers which have been *delegated* to them by the Supreme Government, in which lies all the *residuum* of power, so that the latter has concurrent jurisdiction in *all* matters; in the former it will have to be the other way. The Supreme Government will exercise *only those powers* which have been delegated to it by its Feudatories and the *residuum* of power will remain with them; further, to avoid friction there must be no concurrent jurisdiction excepting in those cases where the permission of the Supreme Government has been obtained. The Princes retaining all their “Semi-Sovereign” powers and dignities—except-

ing those which have been expressly assigned to the Suzerein.

Herein arises the question of the conditions under which such a system of autonomy and dependence at the same time, can work with satisfaction and benefit to all concerned.

#### FOREIGN DEPARTMENT.

I will try to sketch briefly here the necessary—in fact indispensable—reorganisation of the Foreign Department of the Government of India and then deal with the question of the improvement in the internal administration of the Feudatory States. Only after such reorganisation will become possible the establishment of that intimate and close relation of trust and responsibility between the Sovereign and his semi-Sovereign Vassals which should be the goal of every earnest well-wisher of the Indian Princes.

There are roughly 700 Feudatories. Of these only 170 are under the direct control of the Supreme Government, and the rest under the Provincial Governments—Bombay having the largest number of these namely, 361, then Burma with 53, Bengal and Punjab with 34 each ; the rest of the Provinces have only a few under their control. All this is due to mere historic causes and not to any settled policy or well-defined scheme. It is an arrangement which has grown into existence in a haphazard way ; and there is no reason why such an ill-defined chaotic state should continue. Changes on a small scale have occurred in the past, for instance, Baroda was removed

from Bombay control to Imperial control. Why should an equally important State like Travancore, for instance, not be similarly dealt with, instead of remaining under Madras control. The grouping of the States under 'Agencies' will also have to be abolished in a complete carrying out of the principle of concentration of control in the hands of the Government of India.

I would urge the advisability of concentration of control, with its inevitable self-evident corollary the abolition of the Political Departments of every Provincial Government and the enlargement of that of the Supreme Government and its reorganisation. I have already advocated in my chapter on the Imperial Government the creation of a Minister of Foreign and Political Affairs and the freeing of the Viceroy from the responsibility of administering this department under his own immediate control.

#### THE VICEROY HIS OWN FOREIGN MINISTER.

This is if possible an even more vicious arrangement than that of the combination of the judicial and executive powers in British India. For here, there is not even a semblance of law or the shadow of publicity. The Viceroy, as the head of the department, is directly identified with the actions of the Residents who are his subordinates and who, in fact, take their cue from their august head or are at least believed to do so. To whom is it that the poor Prince complained against can appeal? To the accusing Policeman with plenary judicial powers! The grim humour of the position might appeal to a Lytton or a Curzon, but can a conscien-

tious and God-fearing Ripon relish the situation when, in pronouncing the doom of an Indian Prince, he addresses him as "My Honoured and Valued Friend"!

It is further absolutely necessary that the Minister must have been in close touch with the British Foreign Office and command its full confidence; seeing that he has to carry on relations not only with Asiatic States under International guarantees or of International importance—but also European powers, Russia, France, Portugal, Holland, Turkey, &c. These conditions cannot be fulfilled by any merely Indian Civilian and so he should either be a member of the British Diplomatic Service with wide and varied experience, or one with first hand knowledge and Parliamentary experience. As far as possible he should have put in some years of work, over and above his European experience, in Persia, China and Japan as well. He will thus inevitably be a man of over 50, wise, tactful and sympathetic; not likely to treat brusquely the Indian Princes and Chiefs as the generally young and often military officials of the department do—wanting in the knowledge of secretariat and civilian experience. Such a man will inspire real confidence in the Princes and Chiefs which can scarcely be asserted of the present *de facto* Minister who is almost always an Indian Civilian, imbued with all the prejudices imbibed in his Indian career.

The burden of social functions and of the supervision of an administration ever growing more and more complex and onerous, devolving upon the Viceroy, is so

heavy that inevitably the business of the department which is his especial charge gets disposed of by irresponsible Secretaries who act in his august name; and behind his broad back they are effectually sheltered, while either the uninformed or misinformed Viceroy has to bear the public odium. The evils of such a condition of affairs are much too notorious—especially in the Native States—to need much expatiation upon.

It is obvious to all but those with vested interests that the Foreign Minister must not be taken from among the ranks of the Indian Political Service. The reasons that militate against the I. C. S., men being made the heads of Governments in British India whether as Lieutenant-Governors or Executive Members apply with tenfold greater force here. Mr. C. E. Bunbury, C.S.I.,—who is probably himself a ‘political’—has but voiced the service aspirations in his cool advocacy of such selections in the pages of the *Contemporary Review* for February 1913. He naively remarks:—

Moreover, a Foreign Minister and a Foreign Secretary so selected would naturally have the interests of all officers of the Political Department at heart.

In his angelic innocence he has failed to grasp the sinister import of his statement. It is the interests of the Service that really matter and not those of the poor 700 odd Princes and their 63 millions of subjects! It has also to be remembered that in any such appointment the *amor propre* of the “Native” Rulers has to be given its full weight, and it is sure to be seriously hurt if the Minister is not of a commanding social position at “home” almost like that of a

Viceroy which can seldom if ever be the case if the choice is to be restricted to the cadre of the Indian Services.

The Indian Political Service should also be reorganised. There are over 150 officials of various grades, all Europeans. Lord Reay while he was Governor of Bombay—and be it remembered that the number of Feudatories under that Government is larger than that of the rest of India—was strongly impressed with the undesirability of the military element of its *personnel*. His views are lucidly set forth in Hunter's *Bombay*. For the present, at any rate, the Service should be made a preserve of the I. C. S.—but must be distinct from it. It should be composed of civilians of at least 20 years' standing out of which they must have had at least 10 years of District experience and at least 5 of the Secretariat. They should be given one year's training at the Headquarters of the Foreign Department and then only drafted off to their respective spheres of work. As a rule, they should be kept in one place for 10 years, and not be moved about every few years. Their work in the States should not be secret but public and they should be responsible for the advice they give, which should always be in writing; and copies of which with the notes of the Chief concerned and his Minister should always be forwarded to the Foreign Minister. While he is to preserve his character of 'Reporter-General' to his own Government and Adviser-General to the Court he is accredited to—his powers of

*dictation* must be curbed; thus keeping full and intact the responsibility of the Princes and their Ministers.

It should be given out clearly that no Resident is to allow himself to be made a centre of intrigue, as he very often has allowed himself to become. He must keep aloof from the local politics of the State to which he is accredited.

#### SUPREME COURT.

The Government of India should, on its side, create a Federal Supreme Court of Justice, before which all questions about the proper interpretation of the Political Code and of the Constitutions would go and before which only the Feudatories could be prosecuted, and not before special commissions and tribunals created for the occasion, every Chief being allowed the right of appeal to this Supreme Court against the executive orders of the Government of India.

There should be Federal Courts, subordinate to this Supreme Court, within the dominions of each Feudatory where all kinds of cases arising between subjects of different States or between Europeans and Indians could be tried.

Before these Courts should also go those cases in which the State and its own Tributary nobles are concerned. It is important to safeguard the rights and privileges of these as, under modern conditions, when their military services are no longer indispensable and their power broken, they are likely to, and do meet, cavalier treatment at the hands of their over-lords. The

Provincial Governments have had over and over again, as various Tenancy Acts testify, to safeguard the rights of the ryots against the encroachments of the Zemindars. The case of these sub-chiefs is not often much better.

The writs of these Courts should run all over India—British and non-British alike. This will solve the difficulty of extradition, without the necessity of extradition Acts and treaties with each separate State.

It might be thought very derogatory by the Ruling Princes etc., that there should be such a Court and that it would be a flagrant breach of their privileges to make them submit to its Judgment. But common sense generated of bitter experience should prove to them that this is the only way of safety to them. They cannot now assert their rights to be above law like Sovereign Princes, for in that case in all cases of misuse of their powers and maladministration swift annexation will be the only remedy left, as of old. For the safety and permanence of their dynasty their forefathers wisely yielded up this position, and accepted the principle of being judged and punished by their Suzerain in their own persons, so that the Principality was secure in the family. Would such a case as that of the late Maharaja of Baroda, Mulhar Rao, be thinkable even in a properly constituted Law Court? The charge brought against the Gaekwar was an attempt to have the Resident poisoned. It broke down completely, even before the special tribunal got up for the occasion. And then what did the almighty Foreign Department do? It shifted its ground and deposed the Ruler on

grounds of maladministration ! If the case had gone before one of the regular tribunals, there could have been no such shifting of grounds, and the Resident would have been heavily punished for bringing a false charge. To add insult to injury, though the charge of poisoning fell disproved, the black lie still continues to be repeated *ad nauseum* in authoritative writings by high political officials like Sir William Lee-Warner. The latest instance is that of the late Raj Rana of Jhalawar, who was kept as political prisoner in Benares. In this case the Foreign Office took such an extremely unjustifiable step as that of dismembering Jhalawar in flagrant breach of treaty rights entered into with Madan Singh, the son of the founder of the family, Raj Rana Zalim Singh, *perpetually* guaranteeing the integrity of the newly created State. With such a Court in existence, the Foreign Office will have to be far more careful than it is at present. Of course it is understood that for the trial of every case in which a Prince as Chief is involved personally as defendant or accused, the trial will be by jury composed of his peers, before a full bench of the Supreme Court.

It may be pointed out that Sir William is not a very reliable or impartial guide, as one may suppose him to be because of the very high offices he held while in India, and in England as the Secretary in charge of the Secret and Political Department of the India Office. In his *The Native States*, under a great show of fairness, and 'hear both the sides' attitude there is mixed up a good deal of

specious pleading against these States and their Rulers also. It is necessary to give this warning to prevent the work from being accepted as 'Gospel truth.' I will just give one more instance. According to him the Raj Rana Zalim Singh was a "notorious" person, who "was called by Todd, the Machiavelli of Rajasthan." Hear now what Major-General Sir John Malcolm says about this very person presumably on the information supplied by this very Todd, the Resident with the Western Rajput States (p. 306.) :—

Kotah the actual ruler of which is the Raj Rana (or Regent) Zalim Singh, one of the ablest Native Chiefs of the present day, who by his prudence and policy has continued to flourish in most eventful times, although placed in the very centre of the predatory hordes (p. 501).

For another equally eulogistic reference to him, this time in connection with town-planning, see under Patun (p. 510). Such was the man whom Lee-Warner would blacken, may be, because he all too successfully succeeded in keeping Kotah a yellow patch, instead of allowing it to be colored red by British administrators not so "notorious" or "Machiavellian" as the Raj Rana.

A reversal of the policy of the suppression of the rights and dignities of the Indian Princes which found its culmination in the notorious order of Lord Curzon that they were not even to leave their States without Viceregal permission, has been inaugurated by Lord Minto. He believes in trusting the Princes, as is well shown by the 'Sedition-correspondence' between him and them, the Foreign Office for a wonder, for the first time allowing such outspoken and wholly admirable

replies as those of the Gaekwar and the Nizam to be published unedited ! His speech at Udaipur in November, 1909, has still more emphatically announced that fact, and it is fully worth while making a few extracts from it. He said :—

“ It is sometimes asked by Ruling Chiefs, as well as by the public in India and in Europe, what our policy towards Native States is. I can only tell you that the basis of that policy was laid down in Queen Victoria's Proclamation of 1858, and repeated in the Coronation Message of His Majesty the King-Emperor. In 1858, Queen Victoria addressed the Princes of India as follows ”:—

We hereby announce to the Native Princes of India, that all treaties and engagements made with them by or under the authority of the Hon'ble East India Company, are by us accepted and will be scrupulously observed, and we look for the like observance on their part. We desire no extension of our present territorial possessions and while, we will admit no aggression upon our dominions or our rights to be attempted with impunity, we shall sanction no encroachment on those of others. We shall respect the rights, dignity, and honour of the Native Princes as our own, and we desire that they as well as our own subjects should enjoy that prosperity and that social advancement which can only be secured by internal peace and good government.

“ And 44 years later, the King-Emperor wrote :—

To all my Feudatories and subjects throughout India, I renew the assurance of my regard for their liberties, of respect for their dignities and rights, of interest in their advancement and of devotion to their welfare which are the supreme aim and object of my rule and which, under the blessing of Almighty God, will lead to the increasing prosperity of my Indian Empire and the greater happiness of its people.

“ In pursuance of these pledges, our policy is, with rare exceptions, one of non-interference in the internal affairs of Native States. But in guaranteeing their

internal independence, and in undertaking their protection against external aggressions it naturally follows that the Imperial Government has assumed a certain degree of responsibility for the general soundness of their administration, and could not consent to incur the reproach of being an indirect instrument of misrule. In a word, the object of my Government has been to interpret the pronouncement of two successive Sovereigns as inculcating, in accordance with the eloquent words of His Royal Highness, the Prince of Wales, in his speech at the Guildhall after his return from India, a more sympathetic, and therefore a more elastic policy. The foundation-stone of the whole system is the recognition of identity of interests between the Imperial Government and the Durbars, and the minimum of interference with the latter in their own affairs."

But this easing of the pressure must not be misunderstood, and attempts made to take sinister advantage of it by sliding back into the bad old ways. The advice of Lord Mayo, given in his speech at a *Durbar* held in Ajmere in 1870, should never be lost sight of by the Princes :—

If we respect your rights and privileges, said Lord Mayo on that occasion, you should also respect the rights and regard the privileges of those who are placed beneath your care. If we support you in your power, we expect in return good government. We demand that everywhere throughout the length and breadth of Rajputana justice and order shall prevail; that every man's property shall be secure; that the traveller shall come and go safely; that the cultivator shall enjoy the fruits of his labour, and the trader the produce of his commerce; that you shall make roads and undertake the construction of those works of irrigation which will improve the condition of the people and swell the revenues of your States; that you shall encourage

education and provide for the relief of the sick, . . . . He assured that we ask you to do all this for no other but for your own benefit. If we wished you to remain weak, we should say: be poor and ignorant, and disorderly. It is because we wish you to be strong, we desire to see you rich, instructed and well-governed.

How valuable the Native States could be made if they under proper guidance were permitted real self-government, and allowed to take on the role of experimental stations is well put in one of the Oxford Pamphlets, *The Value of Small States*, by Mr. H. A. L. Fisher, Vice-Chancellor of the Sheffield University, and the present head of the Education Board of the British Government. He says:—

Indeed, one of the advantages flowing from the existence of smaller States consist in the fact that they serve as convenient laboratories for social experiment—a point likely to be appreciated in America, in view of the great mass of materials for the Comparative study of social and industrial experiments which is provided by the enterprise of the American State Legislatures. Variety may often be troublesome, but to regard it in itself, as injurious, bespeaks the narrow bureaucratic, regimented mind. Indeed, one of the principal arguments in favour of the preservation of the small States of Europe (and the same argument applies to the preservation of the state system in America) lies in the fact that these small communities do vary from the set type which is imprinted by steady and powerful governments upon the life and behaviour of the larger powers. The mere fact of this variety is an enrichment of human experience, and a stimulus to self-criticism and improvement. Indeed the existence of small states operates in the large and imperfect economy of the European system very much in the same way as the principle of individual liberty operates in any given State, preventing the formation of those massive and deadening weights of conventional opinion which impair the free play of individuality, and affording a corrective to the vulgar idea that the brute force of organised numbers is the only thing which really matters in the world.

This eloquent plea of the Rt. Hon. Mr. Fisher, M. P., for the integrity of the smaller Western States, applies no less forcibly to the Eastern States. Only

care has to be taken that liberty does not degenerate into license, and misgovernment does not raise its head high under the banner of freedom.

#### LAW AND LAW COURTS.

The system of administering Justice where either 'inter-state' subjects or interests are concerned or where British Indian subjects or Europeans are concerned has to be put on a really satisfactory footing.

For this purpose it is essential that every Indian State should have a well-drafted, properly enacted and complete body of Laws, besides properly constituted Courts of Justice to administer them.

The Court of Vakils at Mount Abu under the control of the Rajputana Agency, or the Residency Courts are all an anomaly, leading to much trouble and injustice, and should be replaced by *really* legal, responsible, and properly equipped tribunals where *justice* would be dispensed and not *favour*. All such Courts are kept up under the ostensible plea of "extra-territoriality" and the fiction of the sovereign rights of the "Native States"—as if they were on a footing similar to that of Turkey, Persia, China, Siam, &c., The Residents are not Ambassadors and they with their following should not be above the law of the land; and the judgments they dispense to themselves and to their staff and hangers-on, as well as to the inhabitants of the States in their dealings with or sufferings at, the hands of the Europeans, should be appealable. A regular system of appointing Justices of Peace, who

only are able to try in British India—under certain restrictions though—European offenders should be extended to these States as well. That is to say, selected judicial officers of those States which have remodelled their Law, Law Courts, and Jails on modern lines should be invested with this power, as they are in British India. Further, the present travesty of justice going under the name of appeals from the Residency Courts to the Foreign Offices—Provincial and Imperial—should be entirely done away with, the appeals going before regular and properly constituted Law Courts. All this, of course, means that an Indian Prince must cease to exercise *personally* his judicial functions and delegate that power as in all constitutional monarchies to public tribunals.

#### EDUCATION OF THE PRINCES.

With regard to the education of the Chiefs, the present arrangement of perpetuating their isolation by herding them in specially designed Colleges for themselves alone, or putting them under the tutorship of European governesses and tutors, has not worked to the satisfaction of their subjects. The Imperial Cadet Corps too, which was ushered in with a great flourish of trumpets by Lord Curzon, is, it is clear only for the purposes of providing a showy guard of honor on regal occasions from the ranks of "Semi-Sovereign" Indian Princes and not for any purpose of giving them a genuine military training or providing them with commissions in the Army. Lord Kitchener, in answer to an interpellation in the Imperial Legislative Council,

definitely stated that there was no idea of utilising the talents of these young noblemen by providing them with responsible work and implying that the hobby of Lord Curzon extended only to creating an ornamental corps for Viceregal glorification—and Feudatory humiliation !

The education of the future Chiefs and their kith and kin, who will be their future advisers, helpers and administrators, should be such as to fit them for their future duties and that goal should never be lost sight of in arranging the courses of study and their surroundings.

Instead of being sent to special schools from which the middle classes are excluded, they should as a rule be sent to ordinary schools and made to mix with boys who will be their subjects. A common school education in the early years, say up to the 16th year, is the best and truest that could be given. It will teach them that sympathy, which comes only of an intimate acquaintance with the daily life of the people at an impressionable age and when neither side has yet learnt any other behaviour than that of boyish frankness and class-fellow equality.

Education must be . . . not the sickly and dry acquisition of the elements of knowledge gathered within their own homes with the aid of obsequious teachers who have to wait on their pleasures and whims, and amidst pandering parasites. (*Letters to an Indian Raja*).

Their general education must be a manly and vigorous presentation of studies carried on in the class rooms of public schools and colleges in competition with the intellect of the commonalty.

Baron Stockmar's advice to the Prince Consort as given in Sir Theodore Martin's *Life of the Prince*