

Lastly: with reference to the Police.

It can scarcely be necessary to bring forward proofs of the character of this body, which may be described, summarily, as the bane of the country. But as I wish this to be, as far as possible, a self-contained book, I will quote a few pictures of it, drawn by different hands. The Bengal Missionaries' Petition presented to Parliament, will be in the memory of all.

Mr. Halliday, on the 3rd of April, 1856, writes as follows:—

“For a long series of years complaints have been handed down from administration to administration, regarding the badness of the Mofussil police under the Government of Bengal, and as yet very little has been done to improve it. Such efforts as have occasionally been made for this purpose, have been usually insufficient to meet the greatness of the evil; partial remedies have failed to produce any extensive benefit, and during long intervals the Government has appeared to fold its hands in despair, and to attempt nothing new, because the last tried inadequate measure had ended in inevitable disappointment.

“No complaint is more common among magistrates and police officers of every grade, than that of the disinclination of the people to assist in the apprehension and conviction of criminals. From one end of Bengal to the other, the earnest desire and aim of those who have suffered from thieves or dacoits, is to keep the matter secret from the police, or, failing that, so to manage as to make the trial a nullity before the courts. Something of this is due, perhaps, to the natural apathy of the people; though it cannot fail to be observed, on the other hand, that where they have any object to gain, the same people show no apathy nor unreadiness, but remarkable energy and perseverance, in civil and criminal prosecutions. More, no doubt, is due to the corruption and extortion of the police, which causes it to be popularly said, that dacoity is bad enough, but the subsequent police inquiry very much worse. But after allowing for both these causes, no one conversant with the people can have failed to remark, how much of their strong unwillingness to prosecute is owing to the deep sense which pervades the public mind of the utter uncertainty of the proceedings of our courts, and the exceeding chances of escape which our system allows to criminals; often have I heard natives express, on this point, their

inability to understand the principles on which the courts are so constituted, or so conducted, as to make it appear in their eyes as if the object were rather to favour the acquittal, than to ensure the conviction and punishment of offenders; and often have I been assured by them that their anxious desire to avoid appearing as prosecutors arose, in a great measure, from their belief that prosecution was very likely to end in acquittal, even, as they imagined, in the teeth of the best evidence; while the acquittal of a revengeful and unscrupulous ruffian was known, by experience, to have repeatedly ended in the most unhappy consequences to his ill-advised and imprudent prosecutor.

“ That a very small proportion of heinous offenders are ever brought to trial, is a matter of notoriety. It now appears that half of those brought to trial are sure to be acquitted. Is it to be expected, then, that the people should have confidence in our system, or that they should show any desire to assist the police, knowing, as they do from experience, the miserable results to be obtained?

“ I must say that this appears to me the weakest point of our whole system, and that which most loudly calls for an effectual remedy. No doubt the badness of the police, and the inefficiency of the tribunals, act and re-act on each other, and both are concerned in bringing about the deplorable existing consequences. But until the tribunals are reformed, I can see no use in reforming the police; and I think it will be money thrown away to attempt the latter, unless we are determined vigorously to insist on the former. We have been hitherto debating about both for many years without much practical effect, and in the mean time, to take only one crime, and only the seven districts round about Government House, we have seen dacoities increase from 82 in 1841, to 524 in 1851. It is true that under a special agency, this has since been reduced to 111 in 1855, but the operations of this agency have shown more than anything else, the utter inability of our ordinary institutions to cope with the enormous social evil that is ever rising up in defiance before it.”

On this, the missionaries again thus addressed the Government on the 2nd September, 1856 :—

“ That your Memorialists have perused with the deepest inte-

rest, a minute by your Honour, on the Police and Criminal Justice in Bengal, in which the existing system is most faithfully and powerfully described. Your Memorialists have noticed particularly the following statements: 'that for a long series of years, complaints have been handed down from administration to administration, regarding the badness of the Mofussil police under the Government of Bengal, and as yet, very little has been done to improve it;' that, 'throughout the length and breadth of the country, the strong prey almost universally upon the weak, and power is but too commonly valued only as it can be turned into money;' that 'it is a lamentable but unquestionable fact, that the rural police, its position, character, and stability as a public institution, has, in the Lower Provinces, deteriorated during the last twenty years;' that 'criminal judicatories certainly do not command the confidence of the people;' that 'whether right or wrong, the general native opinion is certainly that the administration of criminal justice is little better than a lottery, in which, however, the best chances are with the criminal, and this is also very much the opinion of the European Mofussil community;' that 'a very small proportion of heinous offenders are ever brought to trial;' that 'it now appears that half of those brought to trial are sure to be acquitted,' and that 'peculiar and accidental circumstances, partly temporary, and partly arising out of the constitution of the Civil Service, have, at this moment, made the inexperienced condition of the magistracy more observable than it has ever been before, while it seems certain that the evil during several successive years is likely very seriously to increase;' and your Memorialists attach great weight to these remarkable and important declarations."

Mr. J. P. Grant, on the 22nd October, 1856, remarks on this document in these terms:—

"The Memorial of the missionaries, transcribing and adopting a previous petition to Parliament, mentions the following as evils existing in Bengal, 'which it falls properly within the scope of Government to meet and control,' and which they say 'appear to be on the increase.'

"(1.) Insecurity of life and property in many districts.

"(2.) Numerous gang robberies perpetrated annually with impunity.

“(3.) Constant scenes of violence, in contentions respecting disputed boundaries, between the owners of landed estates.

“The Memorialists maintain that the radical cause of these evils is the inefficiency of the police and of the judicial system; that a well-organized police, with a more extensive and more effective judicial system, (besides giving the required security to life and property), would do much to check the outrages that arise out of disputes about land; and, moreover, that in order to a cure of this last evil, the cause which leads to disputes about land, namely, the insecurity of title and possession, must be removed by, first, the complete survey of the land; secondly, a system of registration; and, thirdly, ‘laws to alleviate the infinite mischief of the universal system of secret trusts.’

“Upon this important head I beg to record my complete concurrence with the Memorialists, both as to the existence and extent of the evils, and the nature of the remedies.”

On the 13th March, 1857, the Court of Directors write as follows:—

“That the police in India has lamentably failed in accomplishing the ends for which it was established, is a notorious fact; that it is all but useless for the prevention, and sadly inefficient for the detection of crime, is generally admitted. Unable to check crime, it is, with rare exceptions, unscrupulous as to its wielding the authority with which it is armed for the functions which it fails to fulfil, and has a very general character for corruption and oppression. There is, moreover, a want of general organization; the force attached to each division is too much localised and isolated; and the notion of combination between any separate parts of it, with the view of accomplishing the great objects of a body of police, is seldom entertained.”

The police in Madras is fully exposed in the Torture Report. Let us only look at Mr. Saafelt's description of them:—

“I can safely affirm that the practice still exists with all its horrors in the Police Establishment, which has become the bane and pest of society, the terror of the community, and the origin of half the misery and discontent that exists among the subjects of Government. Corruption and bribery reign paramount throughout the whole establishment; violent torture and cruelty are their chief instruments for detecting crime, implicating innocence, or extort-

ing money. Robberies are daily or nightly committed (and not unfrequently with their connivance); certain suspicious characters are taken up and conveyed to some secluded spot far out of the reach of witnesses, where every species of cruelty is exercised upon them; if guilty, the crime is invariably confessed, and stolen property discovered; but a tempting bribe soon releases them from custody; should they persist in avowing their innocence, relief from suffering is promised by criminating some wealthy individual, and in the agony of despair he is pointed to as the receiver of stolen goods. In his turn, he is compelled to part with his hard-earned coin to avert the impending danger. Even the party robbed does not escape the clutching grasp of the heartless peon and duffadar; he is threatened with being torn from his home, dragged to the cutcherry, and detained there for days or weeks to the actual detriment of his trade or livelihood, unless he point out the supposed thieves; the dread of, or aversion to, the cutcherry is so great, that the owner would sooner disavow the stolen article, and disclaim all knowledge of the property, though his name be found written upon it in broad characters.*

* Dr. Duff gives the following highly important testimony (see House of Lords' Report):—

Q. 4224. "Then, further, the police system has operated injuriously on the native character. The chief man connected with the native police is called a darogah, the head of the district station; heretofore, he has, generally speaking, been a man of low birth and low caste, and therefore despised by the natives; his salary, though lately somewhat improved, was so low—25 rupees a month—that it often did not pay his travelling expenses; every one saw that he must make it up somehow or other; he not only did so, but very soon realised a fortune.

"Endless mischiefs, however, were thus inflicted upon the mass of the people; and such innumerable temptations held out to lie and to conceal, that it would take a long time indeed to enable one, even though favourably circumstanced, to come to anything like the bottom of the evil.

Q. 4225. "Could not a native judge detect such evils better than a European?

A. "Yes; and that is one of the great advantages of having a qualified native judge. Still further to illustrate what I have already said, suppose a burglary takes place, and the magistrate hears of it, then an order is sent to the darogah, and he is despatched to investigate it. So great was the mischief that usually ensued from the visitation of that functionary, that Lord William Bentinck, as his only remedy, passed a law declaring that the individuals in whose house there might be a theft or burglary, if unaccompanied by violence, were not under the legal obligation of reporting or revealing to anybody what had taken place. This was an actual ordinance of Lord William Bentinck; what was the reason of that law? If a householder or villager reported that a burglary or theft had taken place in his house or village, the darogah must be

Yet, notwithstanding the revelations of the Torture Report, and the minutes and despatches of the Madras Government and the

sent down to investigate it; and Lord William Bentinck came to learn that the exactions and oppressions of the darogah were so intolerable that it was far better to submit even to theft and burglary than to submit to so tremendous a visitation. This is a fact which should be generally known as illustrative of the extraordinary state of native society in Bengal. The darogah's proceeding was ordinarily of this kind, though of course it varied indefinitely: he would go down to the village and cast about with a keen, covetous eye; his object was not in the first place to find out the real culprit, but to look about and discover the man who had got the most substance; he would go to him and say, 'You are connected with this outrage; at least if you are not the perpetrator, you know of it, and I will have you bound down and compelled to go up to the court as a witness.' The man shrinks from this; he cannot endure the thought of having to go up, perhaps a distance of fifty or sixty miles, or more, as a witness, to be detained possibly for weeks, his family being left behind in what a Hindoo considers as a most destitute state, and subject, it may be, to endless dishonours; he shrinks, and begins to compound with the unscrupulous officer of justice to let him off; and according to his means he will give 10 or 20, or more, rupees to get liberated. The darogah will, perhaps, go all round the whole village in this way, levying his lawless contributions as he goes along. That this is one of the most ordinary methods of proceeding on the part of the darogah, every one in Bengal well knows. Another cause would be, in his ignorance of the guilty party, to go and fix upon an individual, and say, 'You are the guilty party;' and if the accused party fail to satisfy him in the way of bribes, he would next get individuals to come and give evidence against him sufficient to enable him to send him up to the Tannah. There was also a system which prevailed to a great degree within Bengal, which probably has nowhere else existed in the world to a like extent—I mean the system of forced confessions extorted from persons who are innocent: this is also as notorious in Bengal as any practices connected with our court here in Westminster can be. Perhaps by threats or by bribes the darogah will lead a man to confess, as he wants to have a man charged with guilt. The magistrate having told him that he must bring up the criminal, or by such a day he will lose his office, in order that he may not suffer in this way, he must strive, by fair means or foul, to get the charge fastened on some one. Perhaps he coaxes and bribes some poor creature into compliance with his wishes; he tells him, if you confess, you will get such a reward, and escape such or such consequences.

"That there are such cases as these, is notorious. Here is an actual occurrence of this description: a case of a murder had been reported; the darogah proceeded to seek the criminal, and, from some cause or other, failed; the magistrate dismissed him from office, and sent down another man, the mohurrer, or registrar of the court, with the promise of promotion if he succeeded; at first, he failed too; but, at last, he offered a reward in money to any man who would come forward and confess; in this instance, two persons came forward and made confession. The officer then got up a tangled mass of circumstantial evidence, weaving a web of apparent guiltiness round the men. Perhaps some persons would say, on such a night the men were not home. The native chokedar might come and testify that he found them returning in the morning suspiciously, and so forth; in short, a system of entire fabrication was speedily and ingeniously carried out. The case actually went this length, that the men, being

Court of Directors upon it, at the time I write not a thing has been done in the way of remedy. I affirm that the 'traditionary

brought up before the magistrate, he convicted them or sent on to the Sessions Judge, who, in his turn, handed them over to the Nizamut Adawlut, which condemned them, and pronounced sentence of death upon them. In this instance which has been recorded, where the two persons were thus brought up and convicted, and condemned to die for murder, it turned out afterwards that it was discovered that on the day or night when the murder was said to have been perpetrated, they were both in the civil gaol on account of another offence, so that of course they were liberated. Cases of somewhat similar kind are notorious in Bengal."

Q. 4226. Lord Elphinstone: "Would they have been hanged?"

A. "Unless the discovery had been made to prevent it, they would have been."

Q. 4227. "What bribe can induce people to confess under such circumstances?"

A. "The mass of the people being unhappily ignorant and cowardly in a high degree, the darogah no doubt would promise his deluded victims that they would be forgiven if they threw themselves upon the mercy of the court. It is not a few questions, however, or a few short answers, which would bring out this iniquitous system in its integrity or varied ramifications."

Q. 4228. Chairman: "Surely, a system could not have been very general whereby natives were induced by bribes to put themselves in a predicament in which they might be put to death?"

A. "That was an extreme case, which was now adduced merely for the purpose of illustration, involving liability to capital punishment; but the number of instances of a minor kind are very large indeed—I am almost afraid from memory to state the amount; but I have seen it marked down on respectable authority, that cases, which involved hired or extorted confessions, nearly equalled, or even exceeded, the half of those that were brought before the magistrates."

Q. 4229. "You mean, that the darogah derives such emoluments from corresponding cases, that he has funds at his disposal to bribe parties in others?"

A. "His object in the particular cases referred to would be to save his own office; his office to him being money, or the high road to speedy fortune."

And Mr. Hawkin's testimony is to the following effect (House of Lords' Report. Q. 4370):—

"Attempts have been made to improve the village police; but I believe the evil lies much deeper than any attempts which have hitherto been made to improve it could possibly reach. The chokedar, who is the watchman, is a man who is taken from the lowest grades of society; he is a man who is perhaps the worst paid of any public functionary; he has very little to live upon, and, at the same time, he has great temptations presented to him by his being permitted to patrol the village at all hours of the night; he knows, on the one hand, that the police darogah would rather not have a great many things that happen reported to him, because he fears that if all were reported, the magistrate might consider his a badly ordered division. At the same time, the chokedar feels that the native community would much rather have the presence of the thief than the presence of the police in many instances; and, under those circumstances, with the community on the one hand in this condition, with the knowledge that the police officer is not very willing to receive information on the other, there are temptations held out to him; and the police watchman is just as bad, as much of a thief, perhaps, as any member of the community."

policy' of delaying to a future day whatever can be staved off for a season, has prevailed to prevent the re-organization of the police.

It is ever well to prove assertions as we go along, and with this view, I propose to bring together a few specimens of the delay which occurs between the conception of a measure and its completion under the present system of India Government. To any one moderately acquainted with the history of the East India Company, this must seem a work of supererogation on my part; but still there are many who have not paid attention to this subject. Mr. Kaye says that the ryotwarry system has failed; but no attempt to remove the obstacles to its success, even to give it a fair trial, had been attempted up to within a late date. "Unsuccessful experiments" says he, "are no uncommon things in the history of human administration." As though this were quite sufficient excuse for nothing having been done in the way of reform. The *experiment* concerned *only* twenty-two millions of human beings. The reasons of the failure of the ryotwarry to fulfil the expectations formed of it, have been pointed out over and over again by the Company's ablest servants. In 1798, Munro wrote that the assessment was too high. In 1807, he proposed a reduction of 25 per cent. In 1818, the Board of Revenue reported that the land was let "at a mere rack-rent." In 1821, Munro again wrote that the only means of bringing waste land into cultivation was by a reduction of the assessment. Twenty years later, Lord Elphinstone repeated the same fact. In 1854, Lord Harris reported the result of the last "ten years" inquiry. In 1856, the Court of Directors reply; and here we are in 1858 much where we were in 1798. The Torture Report shows us the representations made from time to time by various civil servants, revenue and judicial. It recites the condemnation by the Board of Revenue in 1827. It gives extracts from the Court of Directors' own letters and despatches, which show that they were fully cognizant of the state of affairs. In 1849, Mr. Lewin reported much the same statements, and arrived at much the same conclusions as the Torture Commissioners. Nothing has been done from the date of the report to the present day. In 1852-3, the Bengal missionaries detailed the state of the case to Parliament. They applied to the Governor of Bengal in 1856. In 1853, Mr. Halliday, the Governor of Bengal, had passed the

most sweeping condemnation on the whole system of police. Lord Harris had sent up his scheme for the new organization of the Madras police to the Supreme Government. Lord Canning has again shelved the whole matter. Recent events will cut that gordian knot; and the Company will claim the credit of the reform. In 1835, a Law Commission was appointed. One of the first objects was to prepare a criminal code. The history of the Macaulay code it is unnecessary to follow. Commented on by every judicial authority in India, and then voluminously criticized by the Commissioners, the code has been all but remodelled by the late Mr. Bethune. It seems to have been altogether shelved for a series of years, and then to have been constantly oscillating backwards and forwards between India and England; as though, like a pipe of Madeira, when George the Fourth was king, its qualities would improve with each voyage. But it has never become law.

To meet the altered circumstances of India, the Charter Act of 1833 contained the following clause:—

“ And be it enacted, that no native of the said territories, nor any natural born subject of His Majesty, resident therein, shall, by reason only of his religion, place of birth, descent, colour, or any of them, be disabled from holding any place, office, or employment under the said Company.”

The Directors thus explained their conception of the intention of the Act, to their Governor-General. “ The meaning of the enactment we take to be that there shall be no governing caste in British India, that whatever other tests of qualification may be adopted, distinctions of race, or religion shall not be of the number; that no subject of the King, whether of Indian, or British, or mixed descent, shall be excluded either from the posts usually conferred on our uncovenanted servants in India, or from the covenanted service itself, provided he be otherwise eligible.” Yet from that day to this, not a single native, not a single outside European, has been admitted to the ranks of the covenanted service! When the Charter was renewed, we were promised an amalgamation of the courts and codes of criminal and civil procedure. That was in 1853. The code has been drawn up by some of the ablest men in England, and from that day to this the scheme is in abeyance. “ The same thing happened to my

suggestions which has happened to so many others of administrative reform," says Sir Erskine Perry, "that they were alluded to, and nothing else." When the same gentleman wished to introduce certain reforms with respect to the fees of the Supreme Court in Bombay, he pointed out in his minute to Government, "that those inquiries had been going on for twenty years, *but that nothing had been done!*" In 1829, the Court of Directors expressed their surprise that the Bengal Government did not obtain the whole of its supplies of salt from the Coromandel coast. In 1836, the Parliamentary Committee on the salt inquiry reported their conviction, "that however modified the salt monopoly may be, the evils of the system never can be eradicated but by its extinction." We have had all sorts of propositions made, and minuted, and reported on, and referred since, but matters stand much as they did in 1829, and indeed in 1805, when the monopoly was introduced into the Madras Presidency. The melancholy history of education in Madras, will be found in Mr. George Norton's evidence before the House of Lords' Committee, for 1853. Lord Harding's minute of 1844 stands a monument of good aspirations. Education, as a Government measure, may be said to date from last year, and even now the "establishment" is so out of proportion to the money actually spent on schools and school-masters, that it looks rather like a new patronage-ground for us Europeans, than a great institution for the natives. The noble anicut which now bridles the great Godavery, was first advocated in 1779. In 1779, Mr. J. Sullivan, in a letter dated 3rd February, fully explained the advantages of storing the waters of the Godavery and Kistnah to the Court of Directors. In 1788, Lieut. Lennon reported to Government that he had, at his own expense, surveyed the Godavery as high as the junction of the Sheveroy. In 1792, the Court of Directors, in their letter to the Madras Government, recognized the expedience of improving the Godavery and Kistnah, with a view both to navigation and irrigation. The anicut was ~~not~~ commenced until 1847. But this tremendous obstacle to all important improvements, is not confined to works of great magnitude. In Madras, the House of Correction was an old bomb proof in an angle of the Black Town wall. For fifteen years the late chief magistrate was continually

representing the unfitness of this hole for human habitation. He expressed it as his opinion that the place was not fit "to keep a pack of hounds in." I know not how many presentments the Grand Jury has made upon the subject. The Chief Justice repeatedly made it the subject of his charge. He positively refused to send Europeans there, and declared that "to keep a man in a place of that kind for a number of months, would positively endanger his life." We have at last a building, partially finished; but if the correspondence on this subject, between the various authorities in this country and those at home, were called for, I am sure it would fill a cart. And this with respect to an absolute essential in one of the Presidential cities. The condition of our roads in the interior, as shown by the Public Works' report, reads like a huge malevolent libel. The proofs of procrastination are to be found in that report to repletion. I have here jotted down a few specimens which first occurred to my recollection, on miscellaneous matters; they are surely enough to exhibit the evils of the system.* But the whole of

* Let this one specimen of the working of Indian Government suffice. It is known familiarly as "The Great £7 Putty case." It is printed in my "Madras." It is too instructive not to be again quoted here :—

"THE GREAT £7 PUTTY CASE.

"A range of barracks is built by an engineer, at a cost of £30,000 or £40,000; there is a large saving on the estimate sanctioned, for which he officially receives the thanks of the Court of Directors. Some time afterwards a storm occurs, which breaks a few panes of glass, valued at £7. The whole Presidency is at once in a state of excitement. The heads of that division of the army are directed to assemble a committee of officers, to investigate this matter. Their report is referred to the Military Board, who, after patiently examining all the papers, and referring to all their records, forward all the documents to the Governor in Council, with a deliberate and elaborate report; in which they assure the Government, that they have not hastily come to a decision, but have given their best energies to the investigation, and they conclude that the cause of the windows being broken was the inferior quality of the putty, and that therefore the engineer ought to pay for them. All the papers connected with this intricate and vital matter are now examined by the Secretary to Government, who sends them in circulation to the Governor, and the other three Members of Council. After a sufficient time has been given them to consider this weighty subject, and to record their individual sentiments in writing, the important day at length arrives, when the whole is to be reviewed and discussed in Council. The flag is hoisted, His Excellency's carriage, with two troopers with drawn swords in front and three behind, enters the Fort, and is drawn up at the gate of the Government offices. It is followed by the Commander-in-Chief, and the two Councillors with their silver sticks. The secretaries are summoned, and this solemn investigation is proceeded with, upon which the fate of £7 depends. It is,

Lord Harris's Government may be taken as a conclusive proof of the obstacles which the Indian system presents to progress.

however, discovered that the decision of such an important question, by an assembly drawing among them salaries amounting to £40,000 or £50,000 a-year, and the cost of whose weekly meetings in Council may be calculated at about £1,000, would be too presumptuous. After much discussion, therefore, and probably a second or third set of minutes, it is decided that the secretary shall draw up a report, embodying the opinions of the Council, to be submitted with all the important documents connected therewith, to the Honourable Court of Directors, and the Board of Control.

"The thoughtless mail agent little thinks what he has got under his charge, when he receives the box containing this despatch in the cabin on board the steamer. After many months, during which these papers have been the frequent subject of communication and discussion among the secretaries, directors, &c., &c., in London, another steamer proceeds with the freight of these papers, greatly increased in bulk and value by the opinions and decisions of the august Boards at home. They reach Madras; the Council is again assembled; the despatch is considered; a copy, with resolutions, &c., is sent to the Military Board, and after having been circulated, considered, discussed, &c., by them, instructions are issued, announcing that the Honourable Court, of course with the concurrence of the Board of Control, have decided, for reasons duly stated, that the windows shall be mended at the expense of the engineer. If a wing of the barracks had fallen down, of course, as a subaltern could not pay a lack of rupees, there would be no alternative but to re-build it at the public expense; but as he can pay £7, justice to the public service requires that he should be made an example of. In the mean time, as the officer is not in India, the matter lies over for a year or two. On his return, being surprised at the receipt of these orders, after having been officially thanked by the Court for having acquitted himself so well in the construction of this large building, he addresses the chief engineer, giving him, in a few words, reasons why he ought not to be held responsible for the loss of the £7, and as he has not previously had an opportunity of speaking in his own behalf, the chief engineer draws up a minute on the subject, which is laid before the Military Board, who again considers the question, and once more report to Government. Nothing can exceed the condescending and unwearyed patience of all the authorities. The Governor once more records a minute, the second member of council minutes, the third member minutes, the Governor winds up by a fourth minute, by which time the subject is ripe for discussion. Again the Council assemble, consider, decide, and issue instructions to the Military Board; and finally, the officer is told he may keep his £7. And so ends the affair; till the report of the Governor in Council reaches the Court, when they will possibly order the matter to be taken up *de novo*, and thoroughly investigated. It should be mentioned, that it was discovered at last that some brads had been omitted in fixing the glass, which was not likely to be discovered either by the President of the Board of Control, the twenty-four Directors and their secretary, the Governor and Council of Madras and their secretaries, the Military Board, the chief engineer, the general of the division, the committee of officers, or the engineer himself; as none of them had ever served an apprenticeship to a glazier.

"This is the literal history of an Indian question, which has recently been agitated."

Here was a nobleman sent expressly to remedy admitted abuses; his plans were early digested, and submitted to the Supreme Government; but after three years' delay, he has the mortification of finding that the evils he was sent out to remove remain just where they were, and that he is powerless for good.

With reference especially to the police, delay would seem to have been fairly exhausted. All the authorities admit that the time for deliberation has gone by,—that the time for action has arrived. It is on this plea that they refuse to grant the commission of inquiry prayed for by the Bengal missionaries. The case, they say, is proved *ad nauseam*. We must do, not talk; and matter is again forthwith quietly shelved. Further inquiry into the alleged condition of the people may be expedient, but the immediate removal of proved evils under which they labour, is indispensable. If ever there was a case in which the Highlanders' precept of "A word and a blow, *but the blow first*," ought to be put in practice, the police of India presents that case. Yet it is thus that the shilly-shally procrastination system deals with it.

On the 18th September, 1856, Mr. Halliday minutes as follows, on the Bengal Missionaries' Petition for an inquiry into the condition of the rural population of Bengal:—

"They call, first and foremost, for inquiry into these, in preference to all other subjects of investigation, and they designate them, and with perfect truth, the radical cause of the social evils of which I am far from denying the existence, though I am not disposed to look upon them as so dark and deplorable as they appear in the painting of the Memorialists. *But why appoint a commission to inquire into such matters as those? They have been inquired into repeatedly, and their defects thoroughly examined and exposed.* Measures for the improvement of both the police and judicial system are now, as is well known, under the consideration of the Executive Government, and likely soon to be presented to the Legislature. The time present is, as regards those things not the time for investigation but for action, and anything that is likely to delay action on those points will impede the very consummation which the Memorialists so greatly desire. Nothing would so surely or so long delay the completion of the necessary improvements in the police and in the judicial system, as a

commission for a new inquiry into those subjects, and on that ground alone further inquiry is to be deprecated."

On the 6th October, 1856, the Governor-General writes thus:—

"Nevertheless, I am as thoroughly convinced as the Memorialists themselves can be, that the condition of the people of Bengal cries out loudly for amendment, and that this amendment is, in a great degree, in the hands of the Government; and the same evidence which has given me this conviction, has also satisfied me *that nothing more is needed in the way of inquiry on the part of the Government of India*, in order to set amendment in motion; that so far as information is concerned, the Government of India possesses enough to guide it surely and safely to the first great measures of reform in the administration of justice, and in the police; and that to incur delay on the ground that further investigation of the present palpable deficiencies under these heads is requisite, would be to waste time under false pretensions."

On the 10th October, 1856, Mr. Dorin follows suit:—

"In respect to such sources of social disorder as would admit of action being taken on them, I believe the Government are in possession of sufficient information to enable them to proceed with reasonable promptitude and decision."

On the 22nd October, 1856, Mr. Grant writes as follows:—

"In regard to what we are all agreed upon, no commission of inquiry can be necessary, for there is nothing to inquire about. In regard to what is believed to be overcharged, there is still no need of inquiry; for how much soever an existing evil may be exaggerated, no one denies that so far as it really exists, whatever can be done by a Government to remedy it, ought to be done."

On the 4th of March, 1857, the Court of Directors thus reply:—

"The statements and arguments contained in the several minutes to which we have referred, appear to us to dispose satisfactorily of all the allegations and conclusions of the memorial, in regard to the necessity, or expediency, of appointing such a commission as that to which the Memorialists point. Without denying that great social evils exist, *the minutes show that Government is in possession of full information in regard to them; that*

measures are under consideration, or in actual progress, for applying remedies to such of them as are remediable by the direct executive, or legislative, action of the Government, while it is shown that the cure of others must of necessity be left to the more tardy progress of national advancement in the scale of civilization and social improvement." Mr. Theobald, in his Evidence before Ewart's Colonization Committee, 10th March, 1857, 1st Report, states as follows:—

"Mr. Halliday, in his minute, quotes, I think, from a Member of the Council, who had said that the police were all thieves and robbers, and that, probably, the most effectual way of improving the country would be to put them all in prison, or words to that effect. We have represented that to the Local Government, we have represented it to the authorities here—the Court of Directors and the Board of Control, and it is, I believe, as bad now as ever. In 1836, it was in the same state. In 1836, the Court of Directors seem to have been perfectly aware of that state of things, for, by a despatch in January, 1836, they directed that no financial considerations should stand in the way of a reform so urgently required; so that the Court of Directors have shown their knowledge of the state of the police at that time, which was what it is now; and at the time Mr. Halliday wrote, nothing was done, and nothing has been done to the present day."

The "Friend of India," on the 31st December, 1857, thus sums up the matter:—

"The evils of the police system in Bengal, are among the few facts which all Indian parties admit. It is to be reformed, and the minutes are now before us. The writing began on 28th April, 1854, when Lord Dalhousie recorded his views. Mr. Grant followed with his views on the 23rd November, just seven months afterwards. Lord Dalhousie replied on the 3rd January, 1855. The question was then referred to the Lieutenant-Governor, whose views were expressed on 13th March. On 8th May, Mr. Grant replied, again insisting on his own peculiar plan. On 11th May, Mr. Dorin and General Law recorded short opinions, and there the question stopped for one entire year. What became of it we cannot even conceive, but apparently it rested with the Legislative Member, for on 15th May, 1856, Mr. Peacock sent in his remarks as if no interval had occurred.

On 4th June, another minute went in from the Lieutenant-Governor, and on the 24th September, the Court of Directors issued final orders. On the 18th February, 1857, the Governor-General reviewed the subject, adopting usually Lord Dalhousie's plan; on 9th April, Mr. Grant replied, and the measure has once again been referred to England."

Since then, the Court of Directors' memorandum so states the case, that one might fancy that something had been really done. Had the police been organized *before* the mutinies broke out, it is hard to say what effect they might have had upon the course of the rebellion; for the plan, I believe, is to introduce a semi-military body, something like the Irish police. But up to that date it was all talk, minute writing, and reference. Mr. Baring, indeed, says, that the police have been "successfully grappled with;" that may sound all very well in England—we in India rate this statement at its true value.

CHAPTER XI.

TOPIC 19TH.

XIX. What shall be the future condition of the Indian Press?

I HAVE been myself an editor of an Indian journal. From November, 1854, to August, 1856, I was the responsible editor of the "Madras Athenæum." Some of my friends have advised me, in any work I may write, to eschew this fact. For they say that I shall be suspected of bias and prejudice, if it be generally known that I have been connected with the press. I do not agree with them. The identity of every editor is perfectly well known in India;* had it been any thing to be ashamed of, I trust I should never have made the connection. At all events, I should be deceiving the public if I professed to write as an ordinary member of the public on this topic; while, on the other hand, as a set-off against bias, I may claim the benefit of practical acquaintance with the subject. What I am about to say of myself proceeds not from any egotism, but a desire to place the public in possession of such facts as may enable them to judge how far I am a competent witness and a safe guide in any discussion connected with the press question. I do not say that I did my spiriting over gently, for I am not aware that I ever spared any job or matter deserving exposure. During the time I wrote, Lord Harris assured me that he was fully aware of the ability and utility of the journal. I had Lord Dalhousie's testimony to the same effect conveyed to me by his private secretary: an official in the Board of Control informed me that the "Athenæum" was doing good yeoman service in

* For instance, the "Friend of India" has spoken of me by name, as, for years, the Editor of the "Athenæum;" and, in a late article in the "Calcutta Review," in which a Civilian (probably of Madras) endeavours to prove that the Torture Report is worthless, I find as little delicacy observed.

opposing centralization and annexation. From the Indian Reform Association the same assurance reached me: flattering attestation to the high character of the journal was borne by the contemporary press of India. The "Athenæum" is frequently quoted together with the "Friend of India" in proof of the respectable character of Indian journalism. I put aside the judgment of private friends; and there remains, I think, sufficient to make me look back upon my labours with an easy conscience, now that the storm of vituperation has assailed the press, and Lord Harris declares, as the result of his three years' watchful observation, that he has no hesitation in stating his impression to be that the entire press of India is, and "more particularly in this Presidency, disloyal in tone, un-English in spirit, and wanting in principle; seeking every opportunity, rightly or wrongly, of holding up the Government to opprobrium; not so scurrilous, certainly, as portions of the press in the Colonies, but utterly regardless of correctness in statement." He speaks of the "calumnies" and "misrepresentations," the "falsehood," and "detractions" which are the characteristics of the press.

Further, I took upon myself the labour and responsibility of the editorship because it was thought by the reformers in Madras that I could write beneficially upon subjects of public interest affecting the condition of that Presidency. Of course I received valuable assistance and support from many friends whose names I am not at liberty to mention, and gained, probably, credit little due to me for an extent of information and able writing. I bore the work in addition to the labour of all my other avocations; and I may add that I did not write for money. Not that the labourer is not worthy of his hire; or that many better men than I have not earned an honourable independence in connection with the press; but it so happened that I had an ample income from other sources, and it appeared to me that my writings would have the more weight from their being voluntary contributions; springing from and representing my settled convictions; not possibly open to the suspicion of having been written to order.

So the matter stands, I have made a clean breast of it. Am I any the worse adviser on account of my connection with the press? Certain I am that the mass of correspondence from all classes and conditions of men, on all sorts of public questions con-

nected with India, has given me an insight into this country's condition which I could not possibly have acquired in any other way.

This question of the condition of the press, like many others connected with the future of India, may be said already to have solved itself with the year, the Gagging Act will die out, and we shall hear no more of shackling the freedom of the press. Lord Canning was not content with the rebellion; he must enter upon a death-struggle with the press. This was lighting the candle at both ends with a vengeance. The battle between the two principles—Despotism and the Freedom of the Press—was fairly joined, and the issue is already determined against the former. While it is tacitly understood that the press will resume its liberty at the end of the year, the fiat for the destruction of the most complete oligarchic despotism the world ever saw has gone forth. The East India Company owes this consummation to its contention with the press, next to its contention with its rebellious subjects.

I am not about to write a history of the Indian press; my observations will have reference to late events. We all know how Metcalfe established its liberty in 1835—how Lord Canning suppressed it in 1857. We know that the Court of Directors, the Indian Government, and the Civil Service, during almost the whole interval, have been jealous of the power of the press, and would gladly have restricted its freedom upon any favourable opportunity which offered. Lord Ellenborough stated in the House of Lords, that when he was Governor-General, it was suggested to him that he should shackle the press, and he was promised the support of the home authorities, if he would make the attempt. About a year before the rebellion, a private circular was sent to several, and, I believe, to all the editors in India, warning them that some attempt was meditated against the freedom of the press. The "Madras Athenæum" and one other paper, if my recollection serves me right, were the only journals that noticed this communication. The others treated it with contempt, because the thing looked impossible. Before the press was gagged, Sir Henry Lawrence had appointed a censor over the "Central Star" in Lucknow: and I am disposed to believe that this was put forth as a feeler, since the "Star" was a staunch sup-

porter of Sir Henry. Again, the Indian press, with the exception of the "Madras Athenæum," made no sign. On the 13th of June, the old grudge of the Civilians was fully gratified. Lord Canning, with the magnanimity of a Quintus Curtius plunging headlong into the open pit, took the whole responsibility upon himself; but he did not say that the measure had originated with himself.* I have no hesitation in expressing my belief that the measure brought forward by the Civilians who form the Government, not because the crisis necessitated the measure, but because it appeared to afford the long-sought-for opportunity of carrying it out, with some show of plausibility, and with little resistance. Political capital, as I have said before, was made by those gentlemen out of the bloodshed of their countrymen in the North-West. If Lord Canning's reasoning be examined, it will be found that there is not in his introductory speech any justification of his measure, so far as it concerned the European portion of the press. That the native press, in the North-West especially, had been violent and treasonous had long since been pointed out, and its suppression called for by the European press;† but Lord Canning expressly exempted the European press from the remarks which he had made on the character of the native press; he actually gave credit "to the many able and intelligent men who conduct the newspaper press in this country for the feeling they have shown at this period;" not that much credit was due to them for that, for their lives were in as great jeopardy as those of any other persons in India. Newspaper property was not spared in Delhi, and an editor shared there precisely the same fate as his fellow-countrymen. Nana Sahib, indeed, paid the editor of the "Bombay Gazette" the compliment of offering a reward of 2000 rupees for his head, while he only offered 5000 for Lord Elphinstone on the one hand, and 200 rupees for the common ruck of Civilians on the other. But independent of personal considerations, there cannot be a doubt that the press, as a body, would

The Author of the "Red Pamphlet" says that when Mr. Halliday returned to Calcutta, he called on Lord Canning, and urged the adoption of this measure: that then Mr. Grant and Mr. Diver had interviews with his Lordship, and the thing was done.

† I have not seen any *evidence* myself of the character of the native press. I have heard it alleged, on the other side, that it is not of the character so freely imputed. The fact calls for elucidation. It is to be presumed that the Government is in possession of proof, if any exists.

unanimously have thrown all its weight into the Government scale, if it had been left free to choose. The conduct of the Bombay press, in response to Lord Elphinstone's liberal policy, is sufficient proof of that; and the Government need only to have intimated to editors its desire that more than extra caution should be observed in the dissemination of reports, coupled with the assurance that all authentic intelligence should be communicated from the Government office, to have secured the most willing acquiescence in so reasonable a request. On the contrary, the hostility of Government, indiscriminate and utterly uncalled for, based, indeed, upon the most untenable reasoning, if such it can be called, could not fail to rouse angry feelings and excite animosity on the parts of those who were so unjustly condemned.* It did,

* My reviewer in the "Economist," starts by questioning the *bona fides* of this reason for my publishing the "Rebellion in India" when and where I did. It is unfortunate, he says, for the accuracy of the statement that the comments of Indian journalism have been just as free and severe since the Gagging Act as before. Now, I would ask my critic to point me out in any single issue of any single journal, except the "Friend of India" in its article "The Centenary of Plassey," for which its editor resigned, a single allusion to the policy of annexation! That is entirely forbidden ground. What has been in every man's heart, and on every man's tongue in private life, must not be approached in public discussion. Let me ask whether my observations on the annexation policy, could have appeared in any Indian journal subsequent to the Gagging Act? But farther, independently of the total restriction as to this special subject, is it true that the current course of disquisition has been just as unrestrained, in point of fact, in its comments on Government action, as it was before the Gagging Act, or as it is at the present day in England? The first fact which somewhat militates against this statement is, that a Calcutta journal has been warned for re-printing articles from the London press, and that the editors of Bombay and Poonah journals have been written to by the Secretary to Government, cautioning them against admitting the press articles into their columns. The "Friend of India" was twice warned, and its editor thrown overboard to save the existence of the journal. The "Bangalore Herald" was next warned by the Madras Government for copying an article on Lord Canning from the "Calcutta Comus," which his lordship had not thought it worth while to notice. The "Hindu Intelligencer" was snuffed out. The Madras "Examiner" was warned for copying an erroneous statement from the "Hurkaru," and making certain comments upon it touching the position of a Government official. The "Dacca News" was warned by the Lieutenant-Governor of Bengal for an article headed—"The tenure of land by Europeans in India," which contained some home, but disagreeable, truths, and was extensively copied into other Indian journals; the proprietor notified his desire to sell his types in consequence. The "Rangoon Chronicle" was required to submit to a censorship not provided for by the Act.

The "Englishman" was warned for I know not what. The "Hurkaru" actually had its license taken away, but it was restored on second thoughts. The "Examiner" was

in fact, array against the Government, not only the whole of the press—the “Friend of India,” even, chopping right round into an opposition journal,—but it alienated a large portion of the most influential of the independent members of Calcutta society. That the Act was entirely needless, every one now feels, and almost everybody admits. It was followed by an immediate outcry against the press in certain quarters; but the various warnings which took place from time to time, and the various principles involved in the warnings, showed how very little the authorities deserved to be trusted with such uncontrollable power. There was no uniformity of principle. What was not thought worthy of notice in one quarter, called for severe censure in another: and had not the various Governments speedily found that they had taken an utterly mistaken measure of public opinion, there is no saying how tyrannical a use they might have made of their newly acquired power. Having a giant’s power, they might have used it like a giant. Lord Harris went the length of declaring, that the “Madras Examiner” had forfeited its license by changing its foreman in the printing office without registering afresh!*

warned a second time because its foreman absconded. The “Mofussilite” writes under the censorship of the Lieutenant-Governor of Agra, who is said further to contribute his own matter freely enough. In a recent issue, the paper appeared without editorial matter, but with the pithy remark—“the editor proposes, the censor disposes.” Even in Akyab, where there is no journal, a private merchant has had his lithographic stone taken away, because he introduced political remarks into his commercial circular correspondence. The Lieutenant-Governor of Bengal forwarded the “Dacca News” of 5th September, 1857, to the Supreme Government for having made use of the term “an unscrupulously rapacious Government!” The Government observed that it would not cancel, though, if the license had been cancelled, it would not object. The Supreme Government has informed the Bombay Government that the publication of an unfounded rumour is not within the meaning of the Act.

* *Extract from Minutes of Consultation, dated 12th November, 1857:—*

“The Right Honourable the Governor in Council observes that on the 9th instant, Mr. William Collins made, before the Commissioner of Police, a declaration that he had ceased to be the printer and publisher of the “Madras Examiner.” The license granted under date 13th July, 1857, to the Right Reverend J. Fennelly, thereby became void.

“2. Nevertheless, on the following day, or on the 10th instant, the “Examiner” newspaper appeared with a foot-note at the end of the last column in the fourth page, to the effect that its printer and publisher was Mr. Robert Galway.

“3. There can be no doubt, the Government apprehended, that in thus continuing the issue of the paper when the original license had determined, and when no new one had been granted, both the Right Reverend J. Fennelly, and Mr. Galway, the proprietor and printer of the paper, have rendered themselves liable to heavy penalties.

For my own part, I was not one of those who imagined that the measure would be received with a shout of public indignation in England. The tremendous nature of the crisis would weigh heavily on most men's minds; and it would be thought by all but those, also, who look far a-head, that the present good of the measure out-balanced its future evil. The authorities, in such a season of peril, could not be too strongly armed, the Indian press had never enjoyed the best of characters among those who knew it not; for has it not been assiduously paraded as personal, lying, scurrilous, and so forth; the freedom of the press might be a thing to fight for at home, but India was very far off; and its very principle of Government was despotic, the measure was but temporary, at the worst; numerous communications justificatory of Lord Canning's Act were certain to pour in from India; India-House influence would support it at home. In short, there were abundant signs to my mind that at first, the measure, if not received with favour, would excite no indignation. At the same time I was perfectly confident that this policy could only last for a season, and that as the real facts and merits of the case came to be ventilated and understood, and as soon as the practical inconveniences of shackling the Indian press came to be known and felt in England, the Act would be condemned. So it has come to pass; and quicker than I expected. At first, we had Sir Thomas Munro's old minute of 1822 hawked about; and, on some weak

"4. The Right Honourable the Governor in Council will not, however, exact the penalties as he would be fully justified in doing, nor will he refuse the license for which Messrs. Fennelly and Galway have now applied, although he would be amply warranted in such refusal by the highly objectionable nature of the articles which have lately appeared in the paper. The Government would hope that the paper under its new license—while it freely engages in fair and temperate discussion on public affairs—will avoid all offensive and inflammatory matter, tending to those objects against which the Press Act is directed. But if it should prove otherwise, the Governor in Council, after this the second warning, will have no course left him, except that of putting in force the provisions of Act XV, of 1857, in their full stringency.

" (True Extract.)

" (Signed) T. PYCROFT,

" *Chief Secretary.*

" To the Commissioner of Police, with license to be delivered to Dr. Fennelly, with copy of this order.

" (A true Extract and Copy.)

" J. B. BOULDERSON,

" *Commissioner of Police.*"

minds, this "remarkable" document made the impression of prophecy fulfilled. Because there *was* a free press, and there *is* a rebellion, they are connected in the way of cause and consequence; and Sir Thomas Munro had, of course, predicted exactly what would happen. But a little reflection pointed out the fallacy of this connection of the *post hoc* with the *propter hoc*; no one now believes that the rebellion has been caused by the existence of a free press; and the two have about as much in common as Goodwin sands and Tenterden steeple. It was soon seen that Munro had argued in a confused manner upon the tendencies of an English and a native press. For instance, when he is speaking of the natural tendency of a press to excite the people to rise against the conqueror, it is abundantly clear that he is speaking of the press of the conquered, not of the conqueror. It is true that he pointed out what possibly might lead to rebellion; but the present rebellion, unfortunately for the argument of those who call Munro a prophet, has not sprung from any of the causes which he assigned; Sir Thomas Munro was not in advance of his age. He regarded the abolition of the Company's trading monopoly with the most dire foreboding. His obstinacy in regarding the revenue branch of the Service as of more paramount importance than the judicial, and his desire to leave the judges unfettered in their "patriarchal" dispensation of justice, amounted almost to infatuation, notwithstanding that his still abler contemporary, Mr. Fullerton, irresistibly established the necessity of specially trained occupants for the judgment-seats of the Company's courts. Munro's strong mind, his time-won experience, and his benevolence towards the natives, makes him a very valuable authority with reference to all those matters which had fallen under his own observation; but when he was speculating on the probable results of a free press, he was gazing on a future of which he knew nothing; and with all deference to his name, we may well question how far what he wrote in 1822, under vastly different circumstances from those obtaining at the present day, ought to have any weight or value in the year 1857. At any rate, against Munro we may surely set off the opinions of a far greater statesman, Lord Metcalfe, who, many years later, foresaw none of the dangers from the liberty of the press, which had appeared so formidable to the fancy of Munro. Every word

of Lord Metcalfe's minute deserves to be written in letters of gold. I will only quote a single passage :—

"It cannot be that we are permitted by Divine authority to be here merely to collect the revenue of the country, pay the establishments necessary to keep possession, and get into debt to supply the deficiency. We are, doubtless, here for higher purposes, one of which is to pour the enlightened knowledge and civilisation, the arts and sciences of Europe over the land, and thereby improve the condition of the people. Nothing, surely, is more likely to conduce to these ends than the liberty of the press."

Later still, the language of Mr. Kaye, that authority beyond all suspicion, is conclusive as to the true character of the Indian press. Writing on the above language of Lord Metcalfe, he says, "Whilst such was the language of one of the ablest and best of men whom England has ever sent forth to toil beneath an Eastern sky, this great measure for the liberation of the Indian press found at home many assailants. It has now lived down the reproaches which were once cast upon it, and I should no more think of writing an elaborate treatise in its defence than of defending the freedom of commerce, or the free admission of Europeans to all parts of India, or any other of those fair images of progressive civilisation which have pushed down from their pedestals the old idols of monopoly and exclusiveness, a blind worship of which was once considered necessary to the maintenance of our empire in the East." The law was ample as it stood before the Act, to have punished any seditious writings had such been discovered. Three editors of native papers were actually prosecuted by Government after the act came into operation; two pleaded guilty by arrangement with the prosecution. The acquittal of the third, the editor of the "*Doorbeen*," argues nothing against the sufficiency of trial by jury. A Calcutta jury, during the outbreaks, would certainly not be actuated by any very friendly feelings towards a native who published treasonable matter; but, in this case, the wretched prisoner had actually forwarded to Government a copy of the number of his journal on which he was indicted, with a request that he might enjoy the sweets of patronage; so little was he conscious of any intention to sow sedition or allow his paper to become the medium of its dissemination. There need be no fear of a jury, two-thirds of whom are ordinarily

actually in Government employ, or some way connected with it, exhibiting a political bias against the state; and repeated experience has proved that libels cannot be put forth in Indian journals without the most serious risk of exemplary damages and heavy costs awarded by the judges of the Supreme Court on the civil side, where there are no caprices of a jury. The folly of this suicidal measure speedily became apparent. Government deprived itself of one of the best, cheapest, and most certain channels of gaining intelligence. The injurious rumours which were daily propagated could not be corrected. The natives looked with suspicion upon everything that appeared in the columns of the papers. An Allahabad correspondent of the "Englishman," writing on the 26th ult., has the following remarks, which illustrate the operation of the Gagging Act on the minds of the natives:—

"The Oude rebels say, that we are imposing on their brethren on this side of the water, by the appearance of such a number of troops,—our dodge being to run the same men backwards and forwards on the line of railway to keep up an appearance of fresh arrivals. This practice is supposed by them the only one which can account for such a regular supply. Another original idea is, that we dress up mummies, and fix them upright in the train carriages. The 'chapah kaguz,' as they call the newspapers, they say, are all supervised by the Company, and publish false statements of the arrivals of ships with the 'gora logue,' under penalty of immediate confiscation! So much for the Press Act."

Gross exaggerations found their way in private letters to England; and fabrications, also, which never could have obtained a moment's credence had the press been free. I need only instance the story of Mr. Grant's relieving rebels, which created indignation at home, and caused the "Times" to style Mr. John Peter Grant an "Indo-maniac." Now this fiction was not copied from any Indian journal; it went directly home: had it made its appearance in India, it would have been at once contradicted. As it was, Mr. Grant reaped all the disadvantage of many months' belief in the tale, on the part of the public; and his late denial, though given at the earliest practicable moment, will not reach one ear out of a thousand that has listened to the

original story.* It was quite impossible to check the introduction into India of the English journals; the "Press," with its inflammatory articles; the "Times," with its advocacy of entire annexation; the reported speech in Parliament of the Chairman of the Court of Directors, in which he openly stated that India was given to us by Providence for the purpose of proselytizing its inhabitants; the "sepoys" leaders in the "Nation," and the rejoicings of the "Univers," might be read over the length and breadth of India. On the other hand, it was equally impossible to control the native news letter writers; or to stop the two thousand runners, with despatches for private persons, ever travelling between Calcutta and the North-West. So far from the freedom of the press being incompatible with the suppression of rebellion, I believe that it would have been found one of the main sources of Government strength. As to Lord Canning's plea that it was impossible to devise a measure drawing any distinction between the English and native press, it was simply unfounded, the attempt was never made. The freedom of the native press, by which I understand the papers published in the vernacular, might have been shackled, a censor might have been appointed; they might have been altogether suppressed, if it had been deemed necessary, not only without any resistance, but with the most unanimous approval of the public at that time.

If Lord Canning failed to give any satisfactory reason for gagging the press in his introductory speech of the 13th of June, he was certainly not more felicitous in his subsequent despatch to the Court of Directors. He and his colleagues showed, what nobody questioned, that those who gave the press its liberty foresaw the *possibility* of circumstances arising, which might necessitate its temporary restraint; but the despatch utterly failed to establish the fact that that necessity had arisen. In this respect, the criticism of the "Times," upon the Calcutta Petition, would have been equally applicable to Lord Canning's despatch. There

* It is worthy of remark, that though Mr. Grant denies that *he* relieved these prisoners, neither he nor Lord Canning has asserted that they were not released by an order of Government sent up from Calcutta. I am informed, on good authority, that such was the case. Neil had determined to make an example of these prisoners. When the order came it was carried out; but the soldiery had been warned, and the prisoners were all shot down outside the prison gate. This matter requires further sifting.

was an entire want of connection between the premises and the conclusion ; besides which, there was no attempt made to establish the minor premise. That state paper, however, referred to certain Minutes of Lord Harris and his Council, which accompanied the despatch ; and as the Minutes of the Governor of Madras have been published, it becomes necessary to consider those two very remarkable documents, for if his lordship's allegations be true, they abundantly supply all that is wanting in the Governor-General's argument, and were probably published on that account ; though it is to be remarked, that the Calcutta Council, in forwarding the Madras Governor's remarks, refrains from endorsing them with approval or assent. It is a satisfaction to me to reflect *now*, that at the time Lord Harris was penning his narrow-minded, calumnious, libels on the press for the secret eye of the Court, I, in a very different spirit, was writing of his lordship for the public.* I gave him credit for his goodness of heart, and straightforwardness of purpose. I pointed out, that if the results of his administration were small, he would claim to be judged of by his writings. I am still willing to abide by what I have written, but, in forming an estimate of Lord Harris, these minutes, amongst his other writings, must of course be taken into account. They appear to have been treated with merited contempt by the press of England ; and even in India, though they have naturally excited much indignation, not so much has been said as the provocation would have justified. I have heard his lordship's friends express pity for his exposure. They say it has been done to spite him. He never dreamt, they add, that these strictly confidential communications would have been placed before the public. For my own part, I cannot acquiesce in the morality of such commiseration. It is to transfer the condemnation of a foolish or malevolent act from its perpetration to its discovery. Nor can I admit, that however unreserved private communication may be among friends, any public man has a moral right to make his secret minutes the medium of charges the most sweeping, and generalizations the most unwarranted from his scanty premises, to the detriment of classes or individuals, who, but for some such accident as the present, may have no possibility of exoneration or refutation. But be the motive for

publishing these minutes what it may, Lord Harris must submit to the consequences. The minutes will be found in the Appendix; * portions of one of them I must extract here, after speaking of the character of the press in the terms I have before quoted. His lordship thus describes an editor:—"There has been much said and written about torture of the body in these days, and every attempt has been made to stop it, but there is another description of torture much more painful to an honourable mind—that of traducing the reputation, which equally deserves consideration, which equally calls for interference, and which now can be practised by any man who will descend to defamation whilst skulking under the shield of the editorial We; or to misrepresentation while hiding himself behind some *nom de guerre*. The bully of society in former days, I mean the duellist, offensive as he was and frequently unfair, still had the merit of boldness, and risked his own life, whilst he took the lives of others; but these bullies of the present day are sheltered under present circumstances from all risk."

And it is thus that his lordship shadows forth his proposed remedy:—

"A disease of this nature should be kept under command, not by repression, but by the application of a cure on sound principles.† The liberty of the press is a most important and vital principle in the best interest of humanity, and cannot on any account be interfered with;‡ but that freedom has been won and granted for the purpose of eliciting truth, not for disseminating falsehood. The propagator of untruth, or of misrepresentation, should be made responsible for his statements. The burden of proof should be thrown upon him, either as proprietor or editor,§ and on failure, the act should be penal in an ordinary court.||

* See Appendix A.

† Lord Harris's cure "on sound principles" is a funny one.

‡ Yet in the next sentence his lordship proposes measures which would place it under his control.

§ A fair definition, though his lordship is evidently unaware thereof, of the present common law liability for libel.

|| By an "ordinary" court, it is quite clear that his lordship alludes to one of our *Mofussil* or *Magisterial* courts; for he would withdraw the inquiry altogether from the Supreme Courts, where alone juries pronounce their "fickle timorous decisions."

The reputation of a Government, or of its officers, or of any individual, should not be valued at a money rate, or left to the fickle and timorous decision of juries."

In contrast to this, listen to the Earl of Camden, who, in his last great speech in the House of Lords, thus expressed his sentiments on the question of leaving to the jury the decision of libel or no libel:—"With them leave it, and I have not a doubt that they will always be ready to protect the character of individuals against the pen of slander, and the Government against the licentiousness of sedition."

With regard to the justice or taste of dubbing the editors "bullies," and drawing a parallel between them and the "duellist of former days," I have nothing to say,—or I might establish a still more disadvantageous contrast between the editor and the writer of the secret minute. It may be true that an editor, if so disposed, may bully; but at any rate he swaggers in the open light of day. His office and his residence (in India) are perfectly well known. Even the "*argumentum baculinum*" may be applied without difficulty. What he writes admits of immediate contradiction or disproof. But the secret minute writer enjoys the most complete impunity. The mischief he edits—whether the result of malice or mere folly—works silently, and without the possibility of antidote. If it is brought to light, the writer is still irresponsible. His communication is "privileged;" his position is "official," and he is too elevated in dignity to make redress. Though the "bully" is despicable enough, there is another character more offensive—more sinful still—the assassin who stabs in the dark. It is thus that an Indian editor might retort upon his lordship.

What more concerns the public is the fitness which his lordship evinces by his minutes, in point of reasoning and judgment, for the important duties of a Governor. I would call attention to the nature of his generalizations from the most insufficient and scanty premises; to the miserably illogical insinuations in which he deals; to the "recklessness of assertion" and "misrepresentation" which he so freely indulges in, blameable as he deems them in others. For instance, let it be observed how sweepingly his lordship asserts that the press takes every opportunity, rightly or wrongly, of imputing improper motives and the like to

government; a poor return, as it appears to me, for the large measure of support and the praise which he himself received at the hands of the Madras press, or its most influential portion. Let especially his second minute, in which he deals with the "Examiner," be scrutinized. That journal, the organ of the Roman Catholics, has obtained a large circulation; among other causes, from its very moderate price. But this, in his lordship's estimation, is not sufficient to account for its support. On the contrary, its price is so small, that it must receive factious support, and, therefore, without a shadow of proof, he intimates that the Catholic priests—a body so poorly paid that they can scarcely keep up a decent appearance of respectability—contribute to its support; and with equal absence of all proof, and indeed contrary to the fact, he hints that the increase in the pay of the Bishop has some connection with the increased size of the paper. Then observe the "recklessness of assertion," the "misrepresentation," which assumes that arrangements have been entered into, for the translation of obnoxious articles into the vernacular; and he jumps to the conclusion that the sepoys will be the first to be affected by the poison; the Bengal sepoys, I presume,—for the Madras sepoys are fortunately loyal. His lordship's horror of trial by jury might be characterized as "un-English." The despotic fashion in which he would crush the press, shows how fatally Indian rule and flattery operate upon a naturally well-intentioned but weak-minded person.* In contradistinction to Lord Harris's "three years' experience," let us see how Mr. Lumsden and Mr. Malet, both civilians in council, and, therefore, of at least twenty years' service, express their opinions. Mr. Lumsden

* Contrast with these views of a liberal nobleman, the sentiments of the conservative Lord Derby and Lord Stanley. Speaking of trial by jury, the former says—"To that tribunal every case must necessarily be brought. Before that tribunal the Queen herself is bound to plead; to that tribunal she appeals for the vindication of her rights, for the protection of her person, and it is, in fact, so incorporated with our judicial system, that I cannot for a moment believe that it would enter the mind of any foreign Sovereign to suggest even the possibility of an alteration, in that respect, in the jurisprudence of the country."

And the latter thus describes the freedom of the press—"The vast development of the power of the press during the last quarter of a century has introduced into modern politics an entirely new element. It is impossible to sit in Parliament without seeing how far and to how great an extent modern journalism affects even our Parliamentary debates. *That power of the press is in itself a representation. It is the best protection, as I believe, of the poor and the humble against the powerful.* It

writes: "With a few rare exceptions it is admitted that the measure was uncalled for by the European portion of the press, indeed the Governor General says as much. The strictures of the European prints on the proceedings of the several Indian Governments have seldom passed a justifiable limit, and indeed have often been profitable, however severe." And Mr. Malet thus expresses himself: "The restriction as to the respectable portions of the press, both English and native, will be almost nominal, for with the experience we have had of the benefit to be derived from free discussions, it is not to be supposed that any Indian Government will wish to check it, unless it exceed those bounds within which alone it can benefit the public."

This episode may seem somewhat long; but the importance of Lord Harris's opinion, if it be well founded, renders it unavoidable. As I set off Lord Metcalfe against Sir Thomas Munro, so I would now set off the far more reliable authority of Sir Charles Trevelyan against Lord Harris. It is surely unnecessary that I should do more than point to the letters of Indophilus, whose style, whose reminiscences, whose associates, whose opinions, unmistakably identify him with the statesman who gave such lucid evidence before the Parliamentary Committees. Lord Harris's minutes fell a mere dead letter upon the English public. Even among the Indian journals they were for the most part treated with a contemptuous indifference. Sir Charles Trevelyan's statements at once fixed attention, and carried with them the convictions of the people of England.

It is now well seen that of the two countries, India and England, the former really stands far more in need of a free press than the latter. In England, independent of the press, there are very many checks against bad, and guarantees for good, Government. There is a mighty public, there is a crowded population; the most rapid means of communication; business is done in the eye of the public; Parliament ventilates all topics.

is a protection which no legislation created; it is a protection which no legislation can take away; and it is not one of the least subjects of satisfaction to me, looking back at the few years which I have passed in public life, to think that I was one of those who took part in a measure—I mean the removal of the stamp duty—which has given an increased development to journalism, and of which we have seen as yet only a small portion of the effects."

Public speeches do the same during the recesses. The courts of justice are closely watched by an upright intelligent Bar. There the public purse-strings are held by the nation; there the principles of Government are fully understood; there the people are of the most independent spirit—have an unconquerable love of freedom; and there every job that is perpetrated is agitated against. But in India, where the Government professes to be despotic, though it designates itself a “paternal despotism;” where the distances are immense; means of locomotion in the rudest stage; the people so timid and time-serving that they crouch before men in authority, and lick the hand for “master’s favour;” where the courts are social pests; and, but for the press, no job, however gross, would ever be brought to light, it stands to reason that the only check upon the most arbitrary injustice, the most flagitious jobbery, the most puerile incompetence, is to be hoped for in the freedom of the press.

How the press has discharged its functions may be best learnt by a reference to the articles of the leading Indian journals. That the press was faultless, no one has ever sought to maintain; but that it is both honest and fearless cannot be denied. A free press naturally—necessarily, indeed—excited the jealousy and dislike of those upon whom it acted as the only check, especially as, by a most suicidal order of Government, they were prevented from writing in their own defence; and hence, so many accounts have reached England of the worthless character of Indian journalism, which, from the mere force of iteration, have found a wide-spread credit. It is always easier to accept for granted the assurance of a third party, if he be credible, as a general rule, than to verify for oneself the truth of his assertion.* Otherwise, a reference to the translated journals would have speedily exposed the truthlessness of these reports. I do not mean to say that incorrect information does not occasionally find its way to the public through this channel, but the editor is too often the dupe of *ex-parte* statements which bear the stamp of respectability.

* Thus, even after the letter of “Indophilus,” the “Morning Post,” in February, 1857, writes of the press as, “on many occasions, such a mischievous instrument, and such a discreditable institution!” This goes down with the public. The writer, probably, writes upon impressions formed on his mind by general reputation, not of his own knowledge; for I should be sorry to impute wilful, false statements to any man.

I can vouch for the assiduity with which correct intelligence is sought for; and it must be so, for the character of a newspaper depends very much upon its general accuracy. The Government has itself mainly to blame, for the jealousy with which it stops reliable information is one chief cause of error; yet, when a wrong has been unintentionally done, I have never known an instance in which an Indian editor refused, upon being set right, to acknowledge his mistake, and make the fairest *amende* in his power—a line of conduct which might, perhaps, be advantageously followed in England. If there is a blot upon the Indian press, it is to be found in the occasional “Slurk and Pottish” encounters of rival editors, whose quarrels are as important in their own eyes as they are ridiculous in the eyes of the public; though, after all, I do not remember to have seen anything that beat the bandying of hard words between the “Times” and “Chronicle,” when those two journals fell out some years ago. There has been the most marked, indeed, the most astonishing improvement in the tone of Indian journalism within the last six years. I date from the commencement of the discussions on the last renewal of the Charter; and it is seldom that any of the principal journals can now be taken up without finding in them articles that would do credit to the leading London newspapers. Topics of all sorts are handled with a breadth of treatment, a knowledge of the subject matter, a depth of argument, and an excellence of language, which it would be difficult to surpass. On one point, I conceive, there exists a misunderstanding, which arises from a mere confusion of words. The Indian press is said to be *personal*. In one sense it is so, and most properly. In *individualizing* the person whose conduct is the subject of remark, so that there shall be no mistake as to his identity, “personality” is unavoidable. It would be impossible, otherwise, to point the moral of the tale; and exposure would lose half its force, if the object was left matter of conjecture. It is the fear of being thus marked out that checks the insolence of office, the proud man’s contumely. If an account of some objectionable transaction were to commence like a fairy tale, “It happened, many years ago,” or “Once upon a time,” or “Not a hundred miles from Calcutta, a certain judge,” or the like, the strictures of the press would be a solemn farce. Yet it is this to which our Indian authorities

object. When I wrote the "Administration of Justice in Southern India," one of the chief complaints against it was its "personality." I took the liberty of naming the judges whose decisions I reviewed. It was objected that this was unnecessary and offensive, for the extracts should have been introduced as the decisions of the "civil judge of Masulipatam," "the sessions judge of Trichinopoly," and so forth; as though my Lord Campbell, or any of the judges of the English bench, would have thought that the "Times" or "Examiner" had transgressed the legitimate license of the press by naming them in conjunction with their judgments, which might happen to be under notice. When a series of admirable articles on the "Promotion Order" appeared in the "Madras Athenæum," and with such success as to secure justice for some seventy officers whose claims had been set aside, one of the chief military authorities in Calcutta wrote to me complaining, among other things, that he had been mentioned by his name instead of by his office! In the other and objectionable sense of the term "personality," namely, that of departing from the legitimate sphere of comment upon an individual's *public* career, and prying into the sacred mysteries of private life, it cannot, with any truth, be applied to the Indian press, which is singularly free from this blemish. True, hard names may be applied to individuals with reference to their official failings; but folly, ignorance, insolence, injustice cannot be reprovèd in the language of panegyric; and ridicule, irony, and satire are among the most legitimate, as they are, frequently, the most forcible and appropriate weapons of the public writer. I do not remember to have seen anything stronger than the "Indo-maniac," which the "Times," without compunction or delicacy, applied to Mr. Grant, though it turned out that the epithet was inapplicable. The most discreditable passage in the history of the press, that occurs to me, is the set made against Sir Charles Napier by the "Bombay Times;" but it would be very unjust to impute the blame of that attack to the entire Indian press, though Sir Charles, in his indignation, was in the habit of including all Indian journalism in the harsh terms of his descriptions.*

Just now Mr. Layard seems intent upon running a muck against the Indian press, though it would be difficult to say what has excited that gentleman's wrath beyond the ridicule which a four months' Indian tour has universally created.—Ep.

As to the charge lately brought against the press, that it is "un-English," unconstitutional, seeking to bring the supremacy of England into contempt, and the like, it appears to me that the widest possible distinction is to be drawn between opposition or disapproval of the conduct of a particular government or functionary, and a general purpose to subvert the principles of all British government; though I am well aware that, in the eyes of an exclusive civil service, it is heresy and treason to question any of their acts, and that all those who will not applaud them and their doings to the skies, but claim to hold or express an independent opinion of their own, are "evil disposed," interested intriguers, disappointed, jealous, half-informed, envious detractors, and the like. But the ready imputation of base motives is the mark of a little mind.

The journalist, though he affects to lead public opinion, in point of fact, follows in its wake; and the most successful journal is that which comes nearest to Halifax in the delicate art of trimming at the right moment; which discerns the first wavering of the fickle *popularis auræ*, and shapes his course so dexterously as to seem to be moved by his own independent volition, instead of being, in fact, impelled by every external influence. In England, this requires, no doubt, great tact and discrimination; but, even in India, where society is less artificial and complicated, we may be quite sure that a journalist must suit his wares to the market. To assume that he can only succeed by lavish abuse of Government "right or wrong," is to ignore the fact that the great majority of his subscribers are members of one or the other of the services. I dissent entirely from Mr. Mead's statement that, "to the unfettered journalist in India, abuse of the Company and its rule is a necessity of his existence." The staple is, no doubt, censure; but the reason is that there is comparatively little to praise, though I am not aware that approval has ever been withheld where it has been shown to have been deserved. The most useful function of the press is its pointing out defects, not harping upon perfections; and I am quite sure that the chief reason why the services support the public press, in spite of its constant fault-finding with the Government, is that the censure is felt to be merited. So, again, when the Indian press is called rebellious, scurrilous, and the like, it seems to be quite forgotten

that the accusation scandalizes the whole English population in India. Though the readers of the leading Indian journals are numerically small, compared with those of the European press, the circle is a refined and highly educated one; the editor may hope to "fit audience find, though few;" and it stands to reason that if he could stoop to the debasement of writing pruriently or maliciously, he would speedily lose the whole, or nearly the whole, of his subscribers.

The press must be restored to its former freedom. It not only offers the fairest hope of regenerating India, but it is the only engine by which the evils of a despotism can be mitigated; it is the best gauge for the discovery of peril; it is the safest outlet for discontent, which, but for the opportunity of harmlessly dissipating its fumes, might concentrate itself in most alarming force. It is what "Indophilus" calls it, "a moral, preventive police;" and it may be most truly said that there is not a reform lately introduced into India which has not been forced upon the Government by the advocacy of the press. I think—though the expediency of a censorship for that branch is debateable—that the vernacular press should be put upon the same footing as the English, not from any notions of equality, but on account of the utter futility of seeking to prevent the circulation of objectionable matter by its suppression. And the restriction upon servants of Government addressing the papers in self-defence must be withdrawn. Of course, men of all classes, civilian and military, do address the papers as it is. They know that their confidence will be scrupulously respected; and much valuable information, and not a few able leading articles, flow from their pens. But explanation would come with far more telling effect from the individual whose conduct had been impugned, than through the vicarious pen of the editor; and the free discussions which would ensue on many subjects of public interest and importance would be such as those of yore, the bare recollection of which warms up the spirit of "Indophilus," who starts at it like an old war-steed crying, "Ha, ha;" to the trumpets. On this suicidal policy of the Indian Government depriving itself of its most valuable and powerful defence, the remarks of the "Times" are so apposite that they deserve to be quoted:—

"The press, like other British institutions, found an establish-

ment in India, and for a certain period worked very serviceably. In an evil moment, however, and by an unhappy thought, a notification was issued, of which the effect was to debar from any participation in public writing the whole of that numerous and able class through whose immediate instrumentality the Government of India was conducted. No person connected with the Government—in other words, none of the many thousand servants of the Company—could carry either his information or his talents to the work of newspaper discussion, and the consequence was that, except for such evasions of the rule as were unavoidable, the Indian press fell entirely into the hands of a class numerically inferior, inimical to the ruling powers by the very force of its position, and necessarily, in comparison with Government officers, but imperfectly informed. Never could a policy have been more disastrous. Government was deliberately placing itself and its acts at the greatest possible disadvantage. It was proscribing its own advocates and silencing its own counsel. The proceeding represented a complete inversion of the policy pursued in some absolute states. Instead of attempting to inspire or control the press for its own benefit, the Indian government actually made it over to its opponents for their exclusive use; while men who could have set the administration on its legs in a moment, corrected errors, and diffused accurate knowledge, were restrained by the enactments of their own caste from taking up a pen. It is really impossible to exaggerate the proportions of this monstrous blunder. Half the value, and perhaps more than half the influence, of the English press is due to that universal practice of correspondence, which literally brings a vast portion of the British nation into co-operation with the 'Times.' Our columns are powerful, as expressing not merely what we think, but what everybody thinks. There is not a public question started on which we do not receive, either for publication or otherwise—either for the instruction of the country or our own information—communications of the most varied and authentic character. Our readers little dream of the very high authority occasionally attaching, under some unobtrusive signature, to the correspondence we place before them; and it is by means of these aids—by this remarkable association of knowledge and opinions—that truth is brought to light. In our pages everybody finds a

hearing and every policy an expression, until at last the public discovers itself in possession of an unexceptionable result. This might have been the case in India even in a more striking degree, for public writing is there such a propensity, either of the profession or the place, that every Indian officer would sit down to an article or a letter as the most natural employment in the world—indeed, the only difficulty is to get them to stop. If this communicative disposition were but judiciously encouraged, what chance could any factious or wanton opponents of the Government preserve in the face of such able, such well-informed, and such indefatigable writers? Little, indeed; whereas, by foolishly thinking to ignore an irrepressible power, the Indian administration left to the use of its antagonists an agency which it might have employed for its own defence and the unquestionable benefit of the country at large.”

The archives of Government should be made far more accessible to the public. There are, of course, topics on which secrecy is indispensable; but the general run of business is now involved in a degree of mystery and secrecy which its authors may possibly mistake for state-craft, but which in reality is not only detrimental to the public good, but a mere childish playing at Government.* There has been an “editor’s room” established. Lord Harris, before he was Civilianised, set the example; and for a time many valuable papers were laid upon the editor’s table. That was in the days when the liberal Mr. Bourdillon was secretary; but gradually the boon has shrunk and shrunk, till it is dwarfed and dwindled into a mere sham, and it depends upon the idiosyncrasy of the secretary for the time being, what kind of *pabulum* shall be spread upon the editor’s table.

“Heus! etiam mensas consumimus, inquit Iulus
Nec plura.”

First the military intelligence was withdrawn; then one thing and then another, until a few season reports, recording the fall of rain and the price of grain in the various districts and the like, form the staple food. Ill-disposed persons sneer at the display, as

* As to the absolute necessity of a free press in India, note the number of instances now constantly occurring in which the several Governments in their published proceedings call upon an officer for an explanation of his conduct, concerning which a representation is said to have appeared in such and such a paper.

a fair average sample of Government work. Be that as it may, the feast of reason is at present of a very Barmecidal quality indeed.

But it would be a grave mistake to suppose that the East India Company does not very largely avail itself of the offices of the press. There is no public body which more systematically works this formidable engine: a staff of admirable writers is kept in pay at the India House; a clever panegyric on the Company's government is a passport to the "loaves and fishes" of official employ.

"Allen's India Mail" is notoriously an India House journal. Puffing articles can be foisted upon the public. I need only instance some which have appeared in the "Edinburgh Review," from the pen of a Madras civilian whose style is familiar to me, and the article entitled "The Company's Raj," in "Blackwood." Whenever a crisis threatens the existence of the Court of Directors, they can find pamphleteers in abundance; the exquisite art and tact of a Kaye can lead captive the public by cataloguing all the Company's virtues and the evils of native rule, the excellences of the latter and the shortcomings of the former being systematically excluded, unless, indeed, the long eulogium be rendered all the more seeming-candid by the occasional interspersions of faint blame. The logic of a Mill, and, I may add, the sophistry, too, is available for argument. The experience of a Melville can draw up a memorial which every East India Director characterizes as the most remarkable state paper that ever emanated from a public office. A daily paper can be persuaded to turn right round upon itself; writers, who would be powerful if they were only better instructed in their subject, appeal to the public every Saturday in a most sparkling journal. The "Calcutta Review" is notoriously the refuge of the civilian who seeks a safe delivery of matter which he has been incubating for months, I might say, for years; since an article has just appeared in its pages from the pen of a Madras civilian, the aim of which is to show that the "Torture Report" is unsupported by the evidence, inconclusive, and, in fact, untrue! But the use which the Court of Directors make of the press requires no further proof than their conduct in England at the present moment; they are renewing precisely the tactics which contemporary history tells us they so powerfully employed to oppose Fox's India Bill. They

work the press unmistakeably ; and wise they are in doing so ; only let them not, at the same time, cry out they are a Government whose acts and motives are misunderstood, because misrepresented.

When the liberty of the press is restored, there need be no recognized Government organ. With liberty to the servants of Government to contribute to the press, with a liberal communication of state papers, and a courteous explanation of doubtful information, supplied to the press *ex-parte*, (as to which an editor might wish to hear the other side before writing,) would prevent the appearance of unauthentic intelligence, supply the press with ample materials for discussing, exclusively, public questions, lead to a friendly feeling between the Government and the press, save what Mr. Mead infelicitously calls the necessity of abuse, raise the character of Indian journalism, diffuse valuable information among the people in India and in England, give the most effective and immediate power of check to malignant or injudicious reports, and render harmless the alleged "right or wrong" propensity to attack the powers that be. The effect of an avowed Government organ has already been once tried ; "Indophilus" has told us the result.* The "Friend of India" was, for many years, the well-known, semi-official channel of Government policy and explanation. It was favoured with exclusive information, and had access to papers which were not before the rest of the press. Nor do I see any harm that can arise from the Government thus selecting the most influential journal of the Presidency for any explanation or denial which it may, from time to time, desire to offer, so long as there is no avowed connection between it and the journal. In the Presidency of Madras, where all the collectorates are being furnished with printing presses, official gazettes are coming into vogue, for the purpose of notifying district appointments, circular orders, and the like. In Salem, the decisions of the courts and like items of news are given. In Ganjam, the collector-editor wrote leading articles in his "Gazette," and that so freely, as to call forth the remark of Government, and induce him to change the name of his journal. These local Government journals may be

* See Lord Auckland's Minute on constituting a Government organ.

rendered influential organs, and give the Government a vast advantage and power; they may counter-balance the tendencies of the vernacular press. We have, too, a widely circulated paper published in the Tamil and Telegu language, edited by the Rev. Mr. Perceval, the secretary to the University; and it is intended to publish it in Canarese and Malialum. The circulation is already 1,000, which does not represent its influence, as single copies circulate through whole villages.* It receives pecuniary support, I believe, from the Government, and is sure to advocate Government views, seeing that it is edited by a Government official. I believe it is a most useful undertaking, and very well conducted. Thus, the Madras Government, even as matters stand now, is far from being unrepresented; and I am quite certain that, if the old jealousy of the entire press be abandoned, and a totally opposite policy inaugurated, Government cannot fail to be the gainer by the bargain. In almost every case that I remember, explanation has been to its advantage. It complains that the press writer acts on half truths; why not supply the other half, now so carefully kept under the secretariat lock and key? Thus, the Government would have the benefit of hearing questions discussed in every possible aspect, instead of deciding upon arguments emanating even from one and the same point, while publicity could not but enhance the credit of a Government, whose boast is that their intentions are good.

* "Report on Public Instruction in the Madras Presidency, for 1856," par. 65.

CHAPTER XII.

TOPIC 20TH.

XX. Should our future policy in India be retrogressive, stationary, or progressive? And, herein, of stoppage of Public Works; demeanour towards the natives. Education. Proselytism.

"INDIA for England" seems to be the general cry that has arisen from the rebellion. It is, no doubt, an advance upon the cry "India for the East India Company," which, for nearly two centuries, has been the watchword of those to whom the Government of the country has been committed. Only the few who reflect and look far ahead raise the cry "India for India;" and as yet their voices are comparatively little heard. Whether the Directors have or not looked upon India as a pocket borough or home preserve, exclusively for the fortunes of their own relatives, friends, and dependents, or whether they have exercised their patronage upon a totally different principle from that of selfishness, and have been really guided in their selection and appointment of writers and cadets by any consideration of the claims of "the middle classes," as a body, to participate in the splendid provision which India afforded to their *employés*, I have already considered. But I conceive that would be a most lamentable and impotent conclusion if the lesson we are taught by recent events is, that although we may abolish the Company, India is still to be regarded as a place whereto our superfluous educated classes may be sent to acquire a competency, and our merchants to amass fortune; instead of our reading aright the true moral of the tale, namely, that henceforth we must fulfil the duties of our situation as Governors, as well as exact our rights; and that though handsome provision must unquestionably be found for the numbers of Englishmen who will be employed in the task of governing India, yet that the good of the people of India and

not that of ourselves must be the primary aim and object of our administration. The difference is precisely illustrated by the respective minutes of Mr. Barlow and Sir William Jones. "The two principal objects," wrote the former, "which the Government ought to have in view in all its arrangements are, to ensure its political safety, and to render the possession of the country advantageous to the East India Company and the British nation." The latter ran his pen through the three first words and substituted "two of the principal;" adding, in a note, "surely the *principal* object of every Government is the happiness of the governed." We cannot have too clear a conception of the only policy compatible with our real interest, that of the honest discharge of the duties which we have accepted by our assumption of the Government, which are, at least, as important as its profits. One motto should be ever before our eyes—*respice finem*. We should never lose sight of the possible termination of our rule here. Munro has most admirably stated the exact truth. "There are," he writes, "two important points which should always be kept in view in our administration of affairs. The first is, that our sovereignty should be prolonged to the remotest possible period; the second, that whenever we are obliged to resign it, we should leave the natives so far improved from their connexion with us, as to be capable of maintaining a free, or, at least, a regular Government among themselves."

The only question really is, how the continuance of our Government may be prolonged to the remotest possible period. Munro answers the question by showing what his opinion was, namely, by educating and enlightening the people: for when we leave them, the result of our presence is to be shown by their capability of self-government. There are those who dream that the permanence of our dominion may be only or best secured by keeping the people in a state of brute ignorance, and governing not through their affection, but by the strong hand, a policy which I believe would precipitate our ruin. Munro thus nobly enunciates the solemn truth:—"There is one great question," he writes, "to which we should look in all our arrangements.—What is to be their final result on the character of the people? Is it to be raised, or is it to be lowered? Are we to be satisfied

with merely securing our power and protecting the inhabitants, leaving them to sink gradually in character lower than at present; or are we to endeavour to raise their character? It ought, undoubtedly, to be our aim to raise the minds of the natives, and to take care that whenever our connexion with India ceases, it did not appear that the only fruit of our dominion had been, to leave the people more abject and less able to govern themselves than when we found them. It would certainly be more desirable that we should be expelled from the country altogether, than that the result of our system of government should be such an abasement of a whole people." He points out the true course of Government in the same minute. "By mild and equitable government; by promoting the dissemination of useful books among the natives, without attacking their religion; by protecting their own numerous schools; by encouraging, by honorary or pecuniary marks of distinction, those where the best system of education prevails; by occasional allowance from the public revenue to such as stand in need of this aid; and above all, by making it worth the while of the natives to cultivate their minds by giving them a greater share in the civil administration of the country, and holding out the prospect of filling places of rank and emolument, as inducements to the attainment of knowledge, we shall, by degrees, banish superstition and introduce among the natives of India all the enlightened opinions and doctrines which prevail in our own country."

Three years ago I expressed a similar conviction. I then wrote:—"Our empire is based upon their forbearance; but how much longer such a state of forbearance can be calculated upon is another matter. The schoolmaster is abroad. The spirit of education is awakened, and although some English statesmen have declared that policy should make us stand still or retrograde, on the ground that extended knowledge is incompatible with our continued rule in India, I tell them that it is now too late to seek to stop or check the onward progress of that great movement. The illustration of Canute commanding the waves was aptly used; and I would add another; the futile Bull which, when Galileo propounded the Copernican theory, decreed the stability and immobility of the earth.

"Nay, such policy would precipitate the very event it is

designed to prevent; for we have hitherto only given the natives such a modicum of instruction as suffices to make them discontented subjects, and fond of declaiming on liberty and equality according to their crude notions, only to be corrected by that advanced cultivation which will teach them the benefits they derive from our rule, and cause them to become, upon conviction, really well-affected loyal subjects of the empire. But whether we are here by a special Providence, as some among ourselves assume; or, as our enemies say, by that insatiable spirit of aggrandizement, whose avenging Nemesis seems ever to dog the footsteps of the conqueror, impelling or compelling him to add territory unto territory, and dominion to dominion, until, at length, he perishes from the very weakness inherent in the immensity of his possessions: our mission in India is, I take it, far other than to hold this country as long as possible, during which to screw the greatest possible amount of rupees out of the wretched peasantry, who are to be kept in a state of brutal degradation in order that they may remain blinded to their own power. If we have accepted the profits and the pleasures of Government, unquestionably we have also accepted its duties and responsibilities, chief among which I reckon that of elevating the millions in moral and social rank. The issue is with Providence; but, whatever that shall be, the path of our duty lies before us, broad, and clear, and straightforward. We cannot swerve from it to the right hand or to the left without subjecting ourselves, sooner or later, to time's revenges; and if we educate the people, as we must, the very fables of our childhood should suffice to teach us the impolicy of making them acquainted with their own power, unless, at the same time, we redress their grievances. If not, assuredly, with a consciousness of power will arise the wish and determination to revenge their own injuries, and woe be to us in India if ever the natives should take the law into their own hands. Our mission here really is to teach the natives to govern themselves, and whether that shall be sooner or later, our policy, I take it—to put it upon no nobler motive—is so to manage the interim, that when the separation takes place it may leave upon the minds and recollections of the respective parties a sense of obligations and benefits conferred on the one hand, and of duty performed upon the other.”

For asserting this principle I was sneered at as a visionary, a writer of balderdash, and of course an interested ignorant party-spirited aggressor, by an India House critic, in "Allen's India Mail." It is, at any rate, consolatory to share one's error with men of acknowledged authority, and I reflect with satisfaction on the passage quoted from Munro. To this I would add the following; I find Munro writing thus,—“If we are desirous of raising in their minds that proper independence which results from living under a well-regulated Government, and of rendering them fit to take a share in it, and even at some future period to govern themselves, we have not, I fear, taken the steps most likely to conduct us to this object.”

Lord Metcalfe also evidently contemplated a possible termination of our rule; but he went further; he argued that even if that should be the necessary result of the policy of progress, our duty left us no option or alternative. Listen to his noble language,—“If their argument be that the spread of knowledge may eventually be fatal to our rule in India, I close with them on that point, and maintain that, whatever may be the consequence, it is our duty to communicate the benefits of knowledge. If India could only be preserved as a part of the British Empire, by keeping its inhabitants in a state of ignorance, our domination would be a curse to the country, and ought to cease.

“But I see more ground for just apprehension in ignorance itself. I look to the increase of knowledge, with a hope that it may strengthen our empire; that it may remove prejudices, soften asperities, and substitute a rational conviction of the benefits of our Government, that may unite the people and their rulers in sympathy, and that the differences which separate them may be gradually lessened, and ultimately annihilated. Whatever, however, be the will of Almighty Providence, respecting the future Government of India, it is clearly our duty, as long as the charge be confided to our hands, to execute the trust to the best of our ability for the good of the people. The promotion of knowledge is, manifestly, an essential part of that duty.”

“I conceive,” says Sir Charles Trevelyan,* “that in determining upon a line of policy, we must look to the probable

* Report, House of Lords, Q. 6719; see also *ib.* 6620-21, Q. 6786, Q. 6746-8.

eventualities. We must have present to our minds what will be the result of each line of policy. Now, my belief is, that the ultimate result of the policy of improving and educating India will be to postpone the separation for a long indefinite period, and that when it does come, it will take place under circumstances very happy for both parties. Whereas I conceive the result of the opposite policy, of holding and governing India for the benefit of the civilians and the military men employed there, or according to any view less liberal than that of doing the utmost justice we can to India, may lead to a separation at any time, and must lead to it at a much earlier period, and under much more disadvantageous circumstances, than would be the result if we take the opposite course."

Mr. Halliday,* the late Governor of Bengal, says—

"I go the full length of saying that I believe our mission in India is to qualify them for governing themselves; I say also, that the measures of the Government for a number of years past have been advisedly directed to so qualifying them, without the slightest reference to any remote consequences upon our administration."

The Duke of Argyle goes farther still. Speaking in the Lords on the 11th of February last, he says that our Empire "will never cease until one of two events happened,—either until we had declined from the valour and virtue of those who founded that Empire, or else—and *might God speed the time*—we should have raised the people of India more nearly to a level with ourselves;" and his sentiment was received with cheers.

This subject has acquired, if possible, fresh interest and importance from recent events. The rebellion, as was to be expected, has raised a cry from the shallow and the timid against the causes of progress and education. The policy of retrogression is only too well suited to the interests of those who cling fondly to the retention of exclusive power. It is to this policy alone that they can look for the maintenance of their privileges, and their continuance in the monopoly of administration. "Gag the press," "stop public works," "all India must be governed as one Empire," were the first manifestations of the policy of

* First Report House of Commons' Committee, Q. 2076.

retrogression; and districts not touched by the rebellion, and with increasing revenues, must have the same measure dealt to them as is dealt to the rebellious provinces. "Down with education," followed next. It appeared in Roman capitals at the head of a letter in one of the leading journals of the Madras Presidency. We are told that our form of Government must, for years to come, assume a sterner aspect; we must rule by the power of the sword. The natives, as a general rule, are to be less trusted; they must be made to feel that we are the dominant power, and they a conquered and inferior race. Our administration must be more despotic; our counsels more secret: the publication of Government records was a mistake; it must be withdrawn from. Such are the dogmas that now everywhere assail one. Proofs, such as they are, are not wanting. The ridiculous proclamation of Nana Sahib, is vouched as proof of the danger of education. Nana Sahib has an article given to him in the "Times." He is a specimen of an educated native. He is a fearful prodigy,—the result of our teaching. He is the representative of "Young Bengal!" Now he happens to be an *uneducated* native. His proclamation, cunningly framed as it was to deceive the childish ignorant sepoys, with its story of the Pasha of Egypt destroying the ships of the English, and the Governor-General beating his head, is another proof of the necessity of progress. Had the sepoys been "educated" in the real power of England, this proclamation must have fallen a dead letter upon them. It is a most curious fact, as I have already had occasion to point out, that our safety in India is mainly owing to the accident of two educated men being at the head of affairs in Nepaul and Hyderabad. Ignorance is our greatest enemy in India. I hold that the retrogressive and the stationary policy are alike impossible. Our safety lies in the onward road of progress. We may educate the natives with perfect security to our rule, if we will follow out the consequences of such education, by gradually advancing them, as they are qualified, to situations of trust, emolument, and honour. I cannot conceive how those who so steadfastly assert that the present outbreak is purely a military mutiny, and that too of only a portion of our Indian army, that the princes generally have shewn themselves faithful, and that the people have stood aloof and taken no part in the

insurrection, can, with the same breath, urge this very mutiny against the great body of the natives, as a proof of their diabolical cruelty of nature, their unfitness for places of trust, the necessity of ruling them with a rod of iron, and the like! Having acquitted the *people* of all complicity in the "mutiny," with what face can any one ask for the institution of a policy, which nothing short of general rebellion could justify?

After peace and order shall have been restored, I hold that though in all military affairs we must unmistakeably assert and convince the natives of our superiority, yet that there should be no domination of the European over the Hindoo as a class; and that we should continue, just as heretofore, only in an increased degree, to endeavour to fit the native for civil administration, and let him feel well assured that his success in life depends on his own exertions; then progress and equality may be our watchwords.

Then, too, I think that we may well adopt a more polite conciliatory tone towards the natives at large, than has been the fashion of late years; a particular in which we have been gradually departing more and more widely from the practice of our predecessors.

Mr. Ludlow thus expresses himself on the topic:—

"I am sure that the tone of the oldest Indian officers and servants whom I know, in speaking of the natives, is far more manly and noble, because far less hard and contemptuous, than that of the younger ones. I never knew one to give vent, for instance, to the insolent Yankeeism of "niggers," as applied to the natives of India. And I believe that this great trial which we are now passing through, has its main source in the want of fellow-feeling between Europeans and natives in India, arising, on our part, from that forgetfulness of responsibility which always accompanies an overweening sense of power. If its result be once more to humble us in our own sight, we shall once more be exalted in that of the natives."

Mr. Robinson's testimony† is to the same effect. It is as follows:—

"Do you think that the tendency, generally speaking, of the

"British India," Vol. i. p. 207.

† House of Commons' Committee, 13th June, 1853, Q. 6548.