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INDIAN POLITY

LONDON: PRINTED BY
SPORTSWOODS AND CO., FIVE-STREET SQUARE
AND PARLIAMENT STREET,

INDIAN POLITICS

A VIEW OF

THE SYSTEM OF ADMINISTRATION IN INDIA

BY

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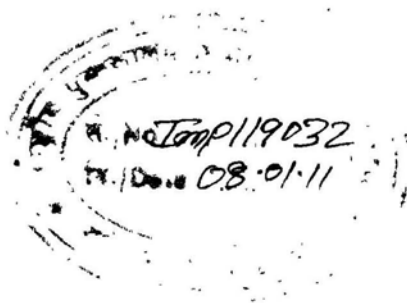
Οὐ μόνον ἄρα δυνατόν, ἀλλὰ καὶ ἄριστον πόλει νόμιμον ἐτίθεμεν.

(Thus the system we have proposed is not only practicable, but is also
for the state.)

PLATO, the *Polity*, Book V. 457.

SECOND EDITION.

LONDON:
LONGMANS, GREEN, AND CO.
1870.



PREFACE

TO

THE SECOND EDITION.



THE reforms in Indian administration during the past two years, have included certain proposals put forward in the first edition of this work, and involve considerable alteration now, in order to bring the descriptive portion into accordance with existing facts. The rapid development of policy in regard to public works which has taken place during this time, and the new aspect presented by the financial condition of the country, have rendered it necessary to re-write in part the concluding chapters.

That reconstruction of the Indian army, which was before strongly advocated, has still to be entered upon, although the necessity for an entire change in its organisation becomes every day more apparent. The part of the work which refers to that subject is, therefore, reprinted almost without alteration.

LONDON:
June 1879.

PREFACE

TO

THE FIRST EDITION.



THE FOLLOWING PAGES have for their twofold object to furnish an outline of the system under which British India is ruled, and to bring to notice some points in that system which appear to call for improvement. Ten years have already elapsed since the direct government of that country was assumed by the Crown, and its affairs made matters of Imperial interest. The time, then, has arrived when the whole course of Indian administration may fitly be reviewed, as a preparation towards modifying it where policy and wisdom recommend, instead of leaving its reform to the pressure of chance; and on this head some considerations are offered which, it is believed, if simple, are also original. The attempt has also been made to show clearly that the defects now most prominently apparent are, so to speak, accidental ones, arising out of the fortuitous manner in which our Indian Empire has grown up, and which only require the exercise of some administrative vigour to remove. When this is clearly apprehended, the path of reform is made easy.

The writer on Indian subjects is at every point met by the difficulty of adapting his treatment to the very

slight acquaintance of them possessed by most readers, without making it tedious to the better informed. But as for the distaste which it is usual to assert is felt for Indian affairs, the author can only say that, so far as personal experience is a guide, the interest expressed about them appears often to exceed the knowledge possessed on the subject. Nor is it surprising, in view of the rapid transition through which India has lately passed, that even those personally connected with the Indian service should have only the most indistinct notions as to the functions its members perform. The want thus felt it is hoped the present volume may supply.

With respect to the Indian Army, for example, it may be surprising to hear, after all the discussion of late years, that its real reform has yet to be undertaken; that what has been done so far is at best only a provisional arrangement, suited for a temporary emergency. Yet such is the conclusion which is inevitable from a consideration of the facts. And this is but one of the problems before Indian administrators, and which for their solution demand a closer knowledge of the subject than is usually to be found. Some of these questions will certainly before long engage public attention; and as a contribution towards the discussion which will then arise, it is hoped that these pages may not be without their value, especially as regards the important subject of the share to be granted to the natives of India in the administration of that country.

HARROW-ON-THE-HILL:

May, 1868.

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INDIAN POLITY.



BOOK I



CHAPTER I.

RISE AND DEVELOPMENT OF BRITISH RULE IN INDIA.

THE first possession acquired by the British in India was the little island of Bombay, which was ceded to King Charles the Second in 1661, as part of the marriage-dowry of the Infanta of Portugal. Eight years later the island was presented by him to the East India Company, which also owned at this time some other trading depots, or (as they were styled) factories, on the west coast of India. Similar depots were subsequently established at Madras, and other places on the east coast, and still later in Bengal. In course of time the factories at Bombay, Madras, and Calcutta became the three principal settlements, to which the others were placed in subordination.

CHAP.
I.
First
settlement
of English
in India.

These factories or settlements comprised, in the first instance, merely a few acres of ground occupied by the Company's warehouses, and the residences of their officers; and they were held only under favour of the native sovereign of the territories in which they were situated. At the time of the first occupation of Surat, on the west coast, and of the acquisition of Bombay, the Moghul dynasty was still in its full vigour, and shortly afterwards the Emperor of Delhi completed the con-

Political
state of
India at
the time.

BOOK
I.

quest of the Mahomedan kingdoms of the Deccan. This effected, he held a sway over all the states of India, more or less distinctly acknowledged at different times, as the tide of fortune ebbed and flowed, during the interminable wars subsequently waged between the Emperor or his lieutenants, and his refractory vassals in the Deccan. But on the death of Aurungzebe, in 1707, the Moghul Empire rapidly fell to pieces; and at the time when the English first began to take a share in Indian politics, it had become broken up into a number of separate kingdoms, possessed, some by provincial viceroys of the Moghul Emperor, who had established their own independence, and an hereditary monarchy; others by the descendants of the ancient Hindoo dynasties, which had never been thoroughly subdued, and rose to independence as soon as the strong hand of the early Moghul Emperors was withdrawn; while in other quarters adventurers had raised themselves from obscurity to a foremost place among the rulers of the country. In the state of constant war, of which almost all parts of India were now the scene, it is almost impossible to distinguish with precision the exact limits at that time of the different kingdoms and provinces throughout the country. These limits varied almost from day to day, and the vassal became the equal or the master of his lord, as circumstances or the fortune of war favoured his ambition. But about the year 1744, the following was the general political state of the country:—I. The Moghul Emperor still held, nominally, the direct government of the greater part of Hindostan, or Upper India, as well as the Punjab, a territory extending from the Indus to Behar; but the weakness of this remnant of the empire had been shown in the complete overthrow of the Moghul forces, and the capture of Delhi by Nadir Shah, five years before, by whose favour alone the Emperor had been restored to his throne. In succeeding years the Punjab was more than once invaded by the Afghans, under

The
Emperor.

Abdalee Shah, then rapidly extending his newly-created empire, and was finally severed from the Moghul dominions in 1751.—II. Rohilcund, the country between the Upper Ganges and the Himalayas, had been converted into an independency under Ali Mahomed, an Afghan soldier of fortune.—III. The viceroyalty of Oudh had become an independent sovereignty, the ruler of which was, at this time, the principal support of the tottering Moghul throne. Four years later he was created Vizier of the Empire, and the title became hereditary in his family.—IV. The Viceroy or Soubahdar of the three provinces of Behar, Bengal, and Orissa, although nominally appointed to his government by the Emperor, had obtained possession of it only by force of arms, and had virtually converted it into an independent kingdom.—V. The Mahrattas, although their empire had not yet reached its farthest limits, and the course of its extension was about to sustain more than one severe check, had already spread themselves nearly across the peninsula, reaching from the west coast to the borders of Bengal, and from the source of the Toombuddra to the neighbourhood of Agra. The Mahrattas were, in fact, at this time by much the foremost power in India, and continued to occupy this position until their empire was broken up by Lord Wellesley, more than fifty years afterwards. The different military leaders of this nation had already converted the governments of the provinces confided to them into independencies, so that they virtually constituted a federation of states, bound to each other by ties of interest and nationality, rather than one kingdom. The principal of these states were in Berar, Guzerat, and the territories in Malwa, subject to Holkar and Scindia. The descendants of the founder of the Mahratta Empire had sunk into the position of the holder of mere titular rank, and the post of minister and virtual head of the empire had become hereditary in the succession

CHAP.
I.
Rohilcund.

Oudh.

Bengal.

The
Mahrattas.

BOOK. of Peishwas.—VI. The Deccan, or south country, is the
I. name generally given to the part of India south of the
The Vindhya Mountains. The Soubahdar of this great tract
Deccan. had also become independent; the court title of Nizam-
 ul-Mulk, conferred on him by the Emperor, had become
 hereditary, and is the name by which the descendant
 of the first independent Soubahdar is still generally
 known.—VII. Subordinate to the Viceroy of the Dec-
Carnatic. can, but soon to become independent of him, was the
 Nawab or Deputy Governor of the Carnatic, the tract of
 country on the east coast which now forms the principal
 part of the Madras Presidency.—VIII. Various princi-
Southern palities in the south of the peninsula, nominally subject
India. to the Soubahdar of the Deccan, but over which his
 authority had at no time been strongly exercised. Of
 these, the chief were Mysore, at that time governed by
 a Hindoo prince of ancient family, but soon to fall
 into the power of the Mahomedan adventurer, Hyder
 Ali; Tanjore, governed by a Mahratta prince of the
 house of Sevajee, the founder of the Mahratta Empire;
 and the Hindoo kingdom of Travancore, in the extreme
 south of the peninsula.—IX. The cluster of Rajpoot
Rajpoo- states, which make up the country known as Rajpootana.
tana. The Emperor had now quite lost his hold of this part of
 India; but the government had not been directly as-
 sumed by the Mahrattas, who were usually satisfied with
 levying contributions from the various states, leaving
 their princes more or less independent as regards their
 internal government, but devoid of political influence.

Form of
govern-
ment of
early Bri-
tish settle-
ments.

The affairs of the East India Company at the three
 settlements and depots subordinate to them, were admi-
 nistered, at this time, in each case by a President and
 Council, consisting of the senior agents (or, as they
 were called, merchants) of the Company, who received
 their instructions from the Court of Directors established
 in London. From this form of administration was de-
 rived the name of Presidency, applied to the territories

of which the President and Council, in course of time, obtained the government.

CHAP.

I.

At first, however, as has been stated, the British, as represented by the East India Company, held no Indian territory in their own right, with the exception of the island of Bombay; but they occupied their factories merely as tenants holding at pleasure of the native powers, and these settlements consisted of only a few acres of ground covered by their warehouses and residences. This status continued until the year 1746, up to which time the British were of no political importance in India. In this year, the war which had broken out between England and France extended to India, and the French settlers on the coast of the Carnatic, raising forces with a view to drive the English out of the country, the latter, in self-defence, were obliged to enlist troops and engage in active hostilities. The result of the conflict was, on the whole, very unfavourable to the English arms, and the settlement of Madras was taken almost at the commencement; but it was restored in 1749, on the news arriving in India of the Peace of Aix-la-Chapelle. The cessation of hostilities was however of but short duration. The death of the first Nizam, the Soubahdar of the Deccan, about this time, was the occasion for one of those struggles for the sovereignty of a vacant throne which form the ordinary events of Indian history, while simultaneously the subordinate kingdom of the Carnatic was also contended for by rival claimants. The English and French, espousing opposite sides, thereon entered actively into Indian politics, and at this time interest in the history of British India centres in the Madras Presidency, where these two nations, gradually ousting the native powers from the first rank in influence and importance, struggled against each other with varying success, and little intermission of hostilities, until the year 1756. Up to this time, the two nations were ostensibly at peace in the East as well

Hostilities between English and French settlers on Coromandel Coast.

They engage in politics of Deccan.

BOOK as in the West; but on the breaking out of the Seven
I. Years' War the directing influence of Pitt was extended
 to the contest on the Coromandel Coast, and the English,
 whose efforts were now directed by Lawrence and Clive,
 rapidly gained the ascendancy. The power of the French
 in the Carnatic was finally broken, and their capital Pon-
 dicherry captured in 1761.

Overthrow
of the
French.

In 1756 occurred the tragedy of the Black Hole at Calcutta. This event led to the despatch of troops from Madras—where a considerable military establishment was now maintained—to succour the remnant of the Company's settlers in Bengal, who were hiding from the fury of the Nawab-Nazim, or Viceroy of that province, in the pestiferous swamps at the mouth of the Hooghly. The reinforcements were commanded by Clive, who had already attained a high military reputation. Clive landed in Bengal in February 1757, and on the 23rd June was fought the Battle of Plassey, which drove the Nawab from his throne, and made the English virtually masters of his dominions.

Conquest
of Bengal.

Compara-
tive results
of opera-
tions in
Bengal and
Carnatic.

Thus, at one step, the English establishments in Bengal attained to a greater importance than had been as yet acquired by those of the Madras Presidency, after many years of military operations on a considerable scale, while the political situation in the former country was already stronger and more secure. The territories garrisoned by the army which Clive hastened to construct in Bengal were incomparably richer than those occupied by the British in the South of India. The Nawab, whom they elevated to the throne in the place of Suraja-dowla, was a mere creature of the British; while, on the only quarter from which invasion was practicable—the north-west frontier—the Emperor was too busily engaged in maintaining an attempt to regain his authority in his own provinces, to concern himself with affairs in Bengal. In Madras, on the other hand, although the English army was the most powerful body afoot,

their supremacy was never unquestioned, and was at times hotly contested. The Nawab of the Carnatic was indeed little more than a puppet in their hands; but the Nizam, though generally friendly, was up to this time entirely independent; and on the west, the rising power of Hyder Ali, who had now almost become master of Mysore, foreboded the coming struggle, which brought disaster to the British arms under the walls of Madras, and wellnigh extinguished their footing in Southern India.

CHAP.
I.

The political situation was however very similar in both places. The British, as the allies of the Nawab of the Carnatic, garrisoned his territories, the expenses of their troops being defrayed by him; the emoluments of the leading officials at the Presidency were mainly derived from the same source. In Bengal, also, the Company's troops occupied the Nawab-Nazim's territories, and fought his battles, funds being obtained in a similar way, by donations granted him as the price of sovereignty. In neither case did the Company, in the first instance, themselves govern the country, or draw its revenues directly. Their income was nominally derived from trade; the emoluments of their servants in India proceeded mainly from the same source, but were cked out by presents and bribes. The first possession obtained in Bengal was the district lying south of Calcutta, termed the 24-Pergunnahs (or sub-districts), comprising about 1,200 square miles, which was assigned as an estate to the British, in 1757, by the Nawab whom they had placed on the throne of Bengal. The rent paid for the estate was presented by the Nawab to Clive, and by him eventually transferred to the Company, who thus became virtually proprietors as well as renters of the district. In the year 1760, the Nawab being in arrears in payment of the annual stipend due to the Company—the price of their support—was compelled to cede the revenues of the three rich districts of Burd-

Political
status of
English.

First
acquisition
of terri-
tory:
the 24-Per-
gunnahs,

followed by
Burdwan,
Midnapoor,
and Chitta-
gong.

BOOK
I.

The Government of the Nawab of Bengal overthrown.

The Emperor confers the government of Bengal on the English.

wan, Midnapoor, and Chittagong, situated in Lower Bengal, the collection of which was undertaken by English officials. The Nawab was, however, still recognised as sovereign in these districts, as well as in the rest of the province, the Company holding their lands under him, and the civil jurisdiction of the country being exercised by his officers.

This state of things lasted for eight years after the Battle of Plassey, when an important change took place in the state of affairs. In 1760 the English had fallen out with Mir Jaffier, the Nawab whom they had set up after Plassey, and had deposed him, and placed his son-in-law, Mir Cossim, on the throne. Three years afterwards the disputes which had arisen between Mir Cossim and his supporters, almost from the date of his elevation, culminated in war, and the English replaced Mir Jaffier in the government. Mir Cossim invoked the aid of the Emperor, whose deputy he nominally was, and of the Nawab-Vizier of Oudh; but their united forces were finally completely overthrown by the English, and driven out of the province. On this the Emperor and the Nawab-Vizier abandoned the cause of Mir Cossim, and sued for peace. While negotiations were pending, Clive returned to Bengal, to assume the government a second time, and took charge of the negotiations, which ended in the grant (by the Emperor) to the English of the revenues of Bengal, Behar, and Orissa,* the provinces which together make up the country known as Bengal. Thus, at one stride, the English stepped into the position of a sovereign power in India; for although they nominally held the country as deputy of the Emperor, and in consideration of payment of an annual tribute, the

The province here referred to as Orissa comprehended at this time only a small part of the country properly known by that name. Cuttack and the hilly country to the north and west of it had passed into the hands of the Mahrattas some years before, and the Orissa, of which the dewanee was now transferred to the English, comprised little more than the present district of Midnapoor.

Emperor was, in fact, a suppliant for mercy. A few years later, the provinces remaining under his direct administration were taken possession of by the Nawab-Vizier of Oudh, and he himself became a prisoner in the hands of the Mahrattas, when the English ceased payment of the tribute. In 1765 Mir Jaffier died, and the English placed another son-in-law on the throne, who agreed, as the price of his elevation, to surrender all share of the government, receiving merely the rank of Nawab and a fixed annual stipend. The English had already undertaken the military defence of the country; they were therefore now its entire masters; but the government was not openly assumed and undertaken in their name until 1772, when the treasury was removed from Moorshedabad to Calcutta, and British officials were established throughout the different districts, to undertake the collection of the revenue, and to superintend the native officials in the business of administration. It may be added that this, the first, was also the most valuable acquisition ever made in India. The territory ceded in 1765 not only exceeds considerably, both in extent and population, each of the Presidencies of Madras and Bombay, as at present constituted: it contains the most industrious and peaceful races in India, and the most fruitful soil; while the network of navigable rivers with which it is intersected supplies the means for conducting an extensive commerce, which has only been provided a century later, in a partial and imperfect way, in other parts. It may be added, that were the rest of India to be abandoned, the British dominions in Bengal might still be retained with profit, and defended without difficulty.

CHAP.

I

Import-
ance of the
acquisition.

While this great development of British power in Bengal was taking place, the Presidency of Madras was also acquiring territorial possessions. In 1758, Clive detached a brigade of the newly-raised Bengal Army to the east coast, to aid the Madras Government in its

Territorial
acqui-
sitions in
Carnatic:

BOOK I.
Masulipatam, struggles with the French ; and in the following year, the fort of Masulipatam was captured from that nation, when the district immediately adjacent to it was conferred by the Nizam on the English, in consideration of the aid given in maintaining his claim to the sovereignty of the Deccan. In 1765, the Nawab of the Carnatic granted to the Company the revenues of the country surrounding Madras, now known as the district of Chingleput, in return for services rendered ; but the Presidency farmed the estate on lease to the Nawab himself, and did not enter on the direct management of it until fifteen years later.

district of
Madras,

Northern
Circars.

In the same year when Clive obtained the grant of Bengal from the Emperor, he also secured the gift of the maritime province known as the Northern Circars—comprising the present five districts of Gunttoor, Masulipatam, Rajahmundry, Vizagapatam, and Ganjam—which he made over to the President and Council of Madras to take possession of. The latter, however, about this time, disregarding the gift of the Emperor, applied for and obtained the same grant from the Nizam. The first Nizam having been the Emperor's lieutenant, and nominally holding his soubahdaree at the Emperor's pleasure, the assent of his descendant might in strictness have been deemed unnecessary ; but all allegiance on the part of the sovereign of the Deccan had been now cast off, and the confused state of Indian politics at this period rendered it impossible to determine the conditions which constituted a sound title. Practically, the conveyance of territory depended solely on power and convenience, and the Madras authorities naturally looked to the ruler with whom they came directly in contact, and who possessed the means of active interference, for establishment of their claim. Treaties such as that made with the Emperor carried with them a certain degree of moral force ; but it was more convenient to the President and Council to found their claim to these

Northern Circars on the gift of the Nizam, than on that of the Emperor. In effect, the result of their proceeding was a delay of a few months in the establishment of their title to this territory; but the Guntoor Circar, which had been granted by the Nizam to his brother for life, did not lapse to the English until some years later.

CHAP.

I.

The next important change which bears on the subject of this work occurred in 1773. Up to this time, the administration of each settlement or Presidency had been of the same form, and was vested in a Council of the senior civil servants of the Company, varying in number, but usually from twelve to sixteen. The senior presided, and the proceedings were decided by a majority of votes, but as many of the councillors held also offices which required them to reside in the interior, the whole number was seldom present. So long as the ostensible business to be conducted consisted of trading operations, a Board composed of the traders—or merchants, as they were termed—in the service of the Company, was a sufficiently suitable agency for conducting that business; while, as the requirements needed were, mainly, probity and zeal in the interests of their masters—qualities which however were not always exhibited—seniority was as good a basis for selection as any other. But now that the Company had become a sovereign power, wielding a considerable army, and exercising extensive administrative functions, a Board of twelve or sixteen, the members of which were constantly changing, conducting all affairs in its collective capacity, was altogether an unsuitable instrument for performing the functions of government. But, as has usually happened throughout the history of the East India Company, the reform was not initiated by that body, or carried out by its own desires, but was forced on it by pressure from without. The enormous fortunes suddenly amassed by the Company's servants; the mutual re-
criminations between masters and servants, and between

Change in
the form of
Indian Go-
vernment.

Defects of
the exist-
ing form.

BOOK
I.

members of the service, as to the shares respectively taken in the nefarious practices on which this wealth was based, extending from the region of pamphleteers to the walls of Parliament; the conspicuous position occupied, from their wealth, by the Company's civil and military officers, on their return to England, and the parliamentary influence they were able to exert; the public excitement occasioned by Clive's astonishing career, and by the renown attending British conquests in the East;—all these circumstances combined to create an interest in Indian affairs, perhaps even greater than has ever been since exhibited, if we except the episode of Warren Hastings' trial. The result was that a laborious investigation on them was undertaken by a Select Committee of the House of Commons, whose report was speedily followed up by legislation.

Act of
1773.

Heretofore the legal status of the Company had been based on a Royal Charter granted in the year 1698, which gave them authority to exercise civil and criminal jurisdiction at their settlements, and to maintain troops for their defence. By an Act of Parliament passed in 1767, the territorial acquisitions lately obtained in India were vested in the Company for two years, and an Act of 1769 confirmed them in these possessions for a further space of five years, but neither Act altered in any way the mode of administration in force. The Act of 1773, which may be regarded as the basis of all subsequent legislation for determining the form of Indian Government, is the first Act which distinctly recognises the Company as fulfilling other functions than those of trade. It was, however, directed principally to the administration of Bengal. In lieu of the numerous Board, with its frequently-changing President, a Governor-General of Bengal was appointed, with a Council of four members, all of whom were named in the Act, which provided that they should not be liable to displacement for a term of five years. All future ap-

Governor-
General
and
Council
appointed
for Bengal;

pointments of Governors-General and Councillors were vested in the Court of Directors, and were to be made for a similar term—the Court, however, being allowed a power of recall. The Presidency of Bengal was defined in the Act, to be ‘all the territorial Acquisitions and Revenues [of the Company] in the kingdoms of Bengal, Behar, and Orissa,’ and the powers of government in these were ‘vested in the Governor-General and Council of the said Presidency, in like manner as the same now are, or at any time heretofore might have been, exercised by the President and Council or Select Committee in the said kingdoms.’ Here, then, we have the first definition of a Presidency, in the new sense which now came to be applied to the name, while the fact is also for the first time distinctly recognised, that the British, as represented by the Company, were holding possession of ‘kingdoms’ in the East. The right of the Company to wage war had been previously so far admitted that they had been empowered by the Charter of 1698 to raise troops for the defence of their settlements, a power which was renewed by a Charter granted in 1753; while a King’s regiment (the 39th Foot) had been sent to India in 1756. But this regiment, although it was an active agent, by its share in the Battle of Plassey, in the Company’s conquest of Bengal, was despatched to India in order to oppose the French troops; and the 79th Foot, which shortly followed it, was sent out with the same object. That the Company should itself be competent to wage war, even with the French, was up to this time not specifically recognised by either Charter or Act of Parliament.

The Act of 1773 refers to the two other Presidencies only obliquely. It provided that the Governor-General and Council of Bengal, or the major part of them, should have the power of superintending and controlling the management and government of the Presidencies of

CHAP.
1.

and vested
with control
over
other Pre-
sidencies.

BOOK
I.

Madras, Bombay [and Bencoolen*], so far that the President and Council of those Presidencies were not to make war or negotiate treaties 'without consent and approbation of the said Governor-General and Council first had and obtained,' except in case of imminent necessity, or of their having received special orders from the Court of Directors. They are also required 'constantly and diligently to transmit advice and intelligence to the Governor-General and Council of Bengal,' of 'all transactions and matters whatsoever relating to the government, revenues, or interest of the said United Company.' In other respects the administration of the two (now) minor Presidencies was not interfered with. They continued to be governed by a President and Council, usually composed of the senior civil servants, but the practice arose about this time for the Court to nominate and send the President out from England. The Governor-General appointed to Bengal under the Act of 1773 was Warren Hastings, a civil servant of the Company, and at the time President of the Council. The councillors nominated were:—Lieutenant-General Clavering and Colonel the Honourable George Monson, both officers of the Royal Army; Mr. Barwell, a Bengal civilian; and Mr. (afterwards Sir Philip) Francis, who had been originally a clerk in the English War Office.

Events of
Hastings'
adminis-
tration.

Annexa-
tion of
Benares.

Under the rule of Hastings and his Council, the Bengal Presidency was extended by the addition of the zemindaree (or estate), as it was termed, of Benares, comprising the present large and populous districts of Mirzapoor, Benares, and Ghazeepeer. The Rajah of Benares, whose father had obtained that title from the Emperor, was a vassal (if the term may be appropriately employed) of the Nawab of Oudh, whose dominions at this time extended far beyond the province now known under that name, and who had become quite independent of the Emperor, and had converted his viceroyalty

* A settlement in the island of Sumatra, ceded to the Dutch in 1825.

CHAP.

I.

into an hereditary monarchy. The Rajah held his territories on condition of furnishing an annual tribute to the Nawab, and exercised full criminal and civil powers within them, but had no independent relations with other states. This was the arrangement established by Clive in 1765, and maintained until 1774, when in connection with engagements entered into between the Nawab and the British, the allegiance and tribute of the Rajah were transferred to the latter. In 1781, the Rajah having been driven into rebellion by the hard treatment to which he was exposed by the Governor-General, his territory was confiscated to the British Government. This was the only annexation made to the Bengal Presidency during Hastings' administration, but that period was distinguished by a great advance in the military and political position of the British. In virtue of an agreement made with the Nawab of Oudh, they undertook the protection of his territories against the Mahrattas; and the cantonments of the Bengal Army were advanced from Benares to Cawnpoor and Futteghur, where a strong brigade was now permanently stationed. The year 1779 was made memorable by the despatch of a military force from the Bengal Army, across the peninsula, to aid the Bombay Presidency in its struggle with the Mahrattas—a remarkable feat when the circumstances of the times are considered. It was during Hastings' presidentship, but before his appointment as Governor-General, that the direct government of Bengal was assumed by the English.

Advance of
British
garrisons.

Bengal
Army co-
operates in
Mahratta
war.

The events of Hastings' stormy administration sufficiently laid bare the defects in the form of the Indian Government, as constituted by the Act of 1773. A government by a majority of a council, the members of which were constantly changing; in which the Governor-General was one day supreme, and another outvoted, and his most important measures thwarted and upset, could only work at all under an able and strong-willed

Defects in
Act of
1773.

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I.

President; with what difficulty it was carried on even with those conditions, the well-known history of the period plainly showed. Another very grave defect consisted in the ill-defined character of the relations subsisting between the Governments of the different Presidencies. The Act did, indeed, confer a controlling authority on the Governor-General and his Council in matters of peace and war, and it required the authorities of the other Presidencies to report to the Bengal Government all proceedings requiring to be made known. But it was left to them to determine what proceedings came under these conditions. So long as each Presidency was an isolated settlement, occupied only with local politics, the necessity for some central authority to control diplomatic and military operations might not arise; but the Mahratta Empire, which had by this time reached its zenith, was now in direct contact with the territories possessed or defended by the Bombay and Bengal Governments, while it was in a position to assert a potent influence over the politics of Southern India. Accordingly, in the Mahratta War of 1775-8: already referred to, the evils of divided counsels became glaringly apparent. The Bombay Government first made a treaty, which the Bengal Government disallowed and superseded by a separate agreement directly between themselves and the Mahrattas. Hardly had this been signed, when it was upset by the arrival of despatches from the Court of Directors, approving of the arrangements made by the Bombay Government; whereon the latter re-entered at once upon negotiations directly with the Mahratta authorities, in disregard of the instructions received from Bengal. And during the subsequent operations, the commander of the Bengal column employed at Bombay acted throughout in almost entire independence of the Government of that Presidency. Not the worst feature, in the complications arising out of this conflict of authority, was the appearance of bad faith thus cast over the dealings of the English with the

Native powers. This, combined with the actual political immorality too often exhibited by the British at this time, placed their conduct in hardly a more favourable light than was presented by the native contemporary powers.

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But notwithstanding that, during the previous ten years, the vices inherent in the constitution of the Indian Government had been thus brought prominently to notice, the next Parliamentary legislation on the subject was far from supplying an adequate remedy. Mr. Pitt's India Bill, passed in 1784, was principally directed to the provision of a machinery which should enable the Ministry to control the proceedings of the Company. Up to this time the Government had but imperfect means of access to the records of the Company's transactions. Investigation into their affairs could in practice only be conducted by appointing special commissions or parliamentary committees from time to time, and control would be necessarily limited to impeachment, or the negating of their proceedings by special Acts of Parliament—measures, however, which the Government had not ever employed. The Bill of 1784 accordingly provided a remedy for these inconveniences, by establishing a Board of Commissioners, who formed a part of the Ministry, and who, besides being furnished with access to the whole records of the Company, were vested with a power of veto over all the proceedings of the Directors, and of framing orders to the authorities in India, which the Directors were bound to adopt unaltered, and to transmit as if emanating from themselves. By the establishment of this Board of Control, the Home Government of India nominally passed from the Company to the Crown. But the establishment of the Board was framed on a limited scale, while that of the Court of Directors continued undiminished. The Directors were still vested with the management of the Company's trade, with the patronage of first appoint-

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ments to the civil and military services, and the nomination of, and power of recalling, the different Governors and Commanders-in-Chief, while the initiation of all business virtually remained with them. And since in every department of affairs a large part of the authority must necessarily rest with the party which initiates proposals, because the mere power of veto and control cannot, in practice, be constantly applied, the change virtually effected by the Act was by no means so great as would appear to have been intended; at any rate, the amount of power which the Court continued to exercise was sufficient to justify in great measure the popular opinion, which always continued to identify them with the Home Government of India.

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Indian Government.

With respect to the executive administration of India, the Act of 1784 reduced the number of councillors in Bengal to three, of whom one was to be the Commander-in-Chief of the Company's forces in India, and two members of the Bengal Civil Service. Similar Governments, consisting of a 'Governor or President' and three councillors, of whom one was to be the local Commander-in-Chief, were at the same time established for the 'Presidencies and Settlements' of Fort St. George and Bombay. The Commander-in-Chief was, in each case, to take rank next after the Governor-General or Governor, but was not to succeed to the higher office should a vacancy occur in it.* The nomination to all these appointments was vested in the Court of Directors. By the same Act the powers of the Bengal Government over the minor Presidencies were somewhat extended. The Governor-General and Council of Fort William were 'to control and direct the several Presidencies now or hereafter to be established in the East Indies, in all such

* This provision for placing the Commander-in-Chief of Bengal in the Council, and giving him precedence, was first made by an Act (21 George III. cap. 65) passed three years before; but in that his appointment to Council is made only permissive—in this one no option is left about his appointment.

points as relate to any transactions with the country powers, or to war or peace, or to the application of the revenues or forces of such Presidencies in time of war, or any such other points as shall from time to time be specially referred by the Court of Directors of the said Company to their superintendence and control; whereas the Act of 1773 confined their power of interference to matters of war and negotiation with native states, and contained no reference to control over the war expenditure of the other Presidencies. Further, they were vested with power to suspend presidents and councillors of the other Presidencies disobeying them, and the Governments of the latter were required to send them all needful information on matters of import, and were prohibited from making war or treaties independently.

This power of suspension apparently gave the Bengal Government the complete control contemplated over the other (and now minor) Presidencies, but an obstacle remained which legislation could not overcome. So long as communication between the different capital towns continued to be tardy and infrequent—carried on by means either of a difficult and often dangerous journey, through roadless and robber-haunted tracts, or of a tedious and uncertain voyage—great independence of action of necessity remained with the different local authorities in every part of India. The Court of Directors possessed, by law, complete power of control over the proceedings of the Governor-General, yet they were practically quite powerless to enforce their own views on his policy; and almost every war and conquest made in India were carried out in opposition to, and often in direct defiance of, the orders from England.

Mr. Pitt's celebrated Bill further left unremedied the grave defect that the executive control of the Bengal Government was vested in the majority of a constantly-changing Council. Warren Hastings, who quitted India

Insufficiency of change.

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I.

Appoint-
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in the beginning of 1785, had succeeded, by force of character and ability, in eventually obtaining the supremacy, but not before the passions evoked in the council-chamber had vibrated throughout all parts of his administration; and, under the feeble rule of his successor, Mr. Macpherson (who owed his appointment to the accident of seniority), the evils of divided counsels became again apparent in the vacillating measures of the Government. On the appointment, however, of Lord Cornwallis to the Governor-Generalship, in 1786, he made it a condition of accepting the post, that the Governor-General should be vested with the power of overriding his Council. This provision was accordingly established by an Act of Parliament* passed for the purpose, which declares that this power may be exercised in extraordinary cases, making certain provisions for the previous interchange of written explanations between the different members of the Council. But it was left to the Governor-General to determine what matters should be deemed to be extraordinary, and the practical result of the measure, which has continued in force ever since, was to render the power of the Governor-General supreme. The councillors subsided from the position of active members of an executive board, into the subordinate one of witnessing and occasionally advising on the proceedings of their president, which state of things has remained in force till within the last few years. The same Act conferred similar powers on the presidents or governors at Madras and Bombay. It also provided that no person should be appointed to the Councils, other than the Commander-in-Chief, who had not been twelve years resident in India in the civil service.

Heretofore each Presidency had maintained diplomatic relations with the neighbouring native states—the authorities at Bombay negotiating with the Mahratta ministers at Poona, and those of Madras with the Nizam and the

* 26 George III. cap. 16.

states of Southern India; but from the date of Lord Cornwallis's arrival in the country, the management of all important diplomatic relations passed into the hands of the Governor-General, as was contemplated by the Acts of 1784 and 1786, and the British agents stationed at the Courts of Poona and Hyderabad henceforward received their instructions direct from the Bengal Government. The direction of military affairs soon followed the same course. The war with Tippoo, the ruler of Mysore, son of Hyder Ali, broke out in 1790, and was conducted in the first instance by the Government of Madras; but the Governor-General—who also held the commission of Commander-in-Chief in India, under the authority of the Act of Parliament of 1786—being dissatisfied with the manner in which the operations were carried on, and perceiving that it was impossible to control affairs properly from Calcutta, proceeded to Madras, and assumed charge himself of the military and diplomatic operations in that quarter. He landed at Madras at the end of the year, and the war, although chequered with some reverses at first, was brought to a successful conclusion in the early part of 1792, when Tippoo was compelled to sue for peace under the walls of Seringapatam. The territory which he was required to cede on this occasion comprised the present collectorates or districts of Malabar and Salem, and part of the district of Madura. Malabar was placed under the Bombay Presidency in the first instance, but was transferred to Madras in 1800; the other cessions were at once placed under the jurisdiction of the latter. A civil administration was organised for them, all of British officials.

The treaty with Tippoo was made in person by Lord Cornwallis. But although the Act of Parliament of 1786 gave him power to overrule his Council, it did not empower him to act without it. The Act throughout defines the Governor-General and Council to constitute the Government; consequently the proceedings conducted by

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Lord Cornwallis alone were, strictly speaking, invalid. An Act of Parliament was accordingly passed, in 1791,* confirming the special powers the Council had provisionally conferred on him to act without them, until three months after termination of the war. Later Acts have made this power general.

Still more important than territorial acquisitions and political changes, were the administrative reforms which signalised the rule of Lord Cornwallis. The authority of the Nawab of Bengal had been avowedly replaced by that of the English in the year 1772; but the duties of the English district officials had as yet been mainly directed to the collection of the revenue, and the administration of civil and criminal justice continued to be conducted by native agency, imperfectly supervised by European officers. This native agency was at the time notoriously inefficient and corrupt, and Lord Cornwallis substituted for it a system of administration directly by European officers, of a kind which has ever since been maintained. The establishment of definitive laws and procedure, for the guidance of the courts of justice and the information of the people; the creation of those courts, with their defined graduated powers, and provisions for the conduct of appeals; the hierarchy of district and controlling officers—the magistrate, collector, and judge; and the superior boards for the general management of the revenues—all these were his creation; while the new organisation of the army, although not actually carried out until he had left the country, was the effect of his recommendations. Up to this time the military officers of the Company's army, besides being ineligible for promotion to high rank, and liable to constant supersession by those of the royal service, were otherwise on a most unsatisfactory footing, the promotion running in one unwieldy list for the whole of each army; while the

effect of the extreme disproportion between the number of the junior and senior grades was only mitigated by the high rate of mortality caused by the dissipated habits of the period. The best commentary on the measures introduced by Lord Cornwallis is to be found in their stability. The army organisation of 1796 lasted, without material change, until the abolition of the Company's system in 1861; while, as regards civil affairs, one country after another has been annexed, until the British territories in India comprise a vast empire; but the administrative system throughout the country, introduced in turn into each conquered province, has been based on the Cornwallis type, and until the time of Lord Canning every branch of the administration bore the impress of his polity.*

But the greatest of his reforms was that effected in the character of the Indian public service. Lord Cornwallis found it saturated with venality and corruption, and overlaid with a brutal coarseness and profligacy of manners. When he left India, a complete change had come over both the character and appearance of Indian society. In considering the disreputable state of morals, public and private, which Lord Cornwallis reformed, some allowance must, no doubt, be made for the generally lower standard of the eighteenth century, and still more for the temptations to which Indian officials were exposed, in the opportunities afforded them for amassing wealth by irregular means. But, depraved as were no doubt some of the public men of the day in Europe, there was no sort of comparison between them and their contemporaries in India; while, as regards temptation, so long as the criterion of mo-

* The distinct separation between the revenue and magisterial officers effected by Lord Cornwallis has, indeed, been since broken through. On the other hand, the junction of the offices of magistrate and judge, which was a principal feature of his system, has been reverted to, practically, as a result of the extensive judicial powers lately conferred on Deputy Commissioners of the non-regulation provinces.

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