

CHAPTER IV

THE PROBLEM OF READJUSTMENT

SECTION I

Non-Official Unanimity as a Constitutional Factor

It is not proposed that this readjustment should assume the form of a draft constitution on paper without any reference to previous developments in the administration of the country. We cannot begin with a clean slate in dealing with such a complex problem. That process must be a natural development of the present conditions, and neither an abrupt departure from nor a total alteration in the value of the factors which constitute the Government of India. We must determine the lines on which the Government of India may be developed as an autonomous constitution in accordance with present conditions, and not as though we were framing a constitution for the first time. The immediate object we have in view must be to secure for the Government of India greater freedom of adaptation, making it at the same time definitely responsible to some extent to the accredited representatives of public opinion. Greater freedom of adaptation means the curtailment of the powers of interference of the Secretary of State, and greater

responsibility to accredited representatives means the recognition of non-official opinion in the Imperial Legislative Council as a factor of definite consequence in the administration of the country. No measure which ignores these two conditions can have any pretension to being a measure of autonomy. It is not the object of any of those who have referred to autonomy in India to constitute the Government of India a complete despotism free from the trammels of subjection to the Secretary of State or from the control of Parliament; nor could it be their object to make autonomy in India mean the establishment of a complete system of Parliamentary Government for India. The control of the Secretary of State and of Parliament must continue so long as India remains a British dependency, and immense strides have to be made before a system of Parliamentary Government can come into existence in India. Nevertheless it is necessary that the control of the Secretary of State should be better regulated and that the opinion of the non-official members of the Governor-General's Council should be of some definite consequence in the administration of the country. In the accomplishment of this double task is involved to a large extent the solution of the problem of autonomy in India. At present the official members are in a standing majority, the non-official members in a standing minority, and there is no obligation on the part of the Government to recognise the practical unanimity of non-official opinion in the Council. A measure may be rejected by a large section of the non-official members themselves, or a resolution may be approved by an equally large section of them, but with a like result in both cases if the Government is

against the non-official opinion. Again, the rejection or approval of a resolution by a majority of the non-official section is of no significance, so long as the Government chooses to maintain an attitude of its own. A non-official minority and a non-official majority are of the same consequence, if it is not the concern of the Government to move in a matter. A resolution for raising the taxable limit of incomes and another for discontinuing the system of indenturing labour are equally negatived by the Government, although the former is rejected and the latter is carried by a non-official majority. There is in such an arrangement no sense of reality in the conclusion arrived at by the non-official section; because no constitutional value is attached to it, and no consequences follow from it. When a non-official member presses his resolution to a division, he does it conscious of the quaint humour of the entire procedure, since the fate of the resolution is a foregone conclusion; often he withdraws it, satisfied that he has raised a debate on the question. In a few cases a member calls for a division, just to show how many non-official members are of the same opinion as he is. In any case, the outstanding feature of the present arrangement is that the Government is not in the least compelled to give effect to the non-official consensus of opinion, however faithfully it may reflect the opinion of the country as a whole, however reasonable the position may be in the views of those whose judgment it is not wise to ignore. We admit that the Government may profit by the debates raised in the Council, but that is, after all, a very poor consolation, without which no skeleton of a political assembly could be constituted. As it is, the

ascertained opinion of non-official members who are returned to the Council as a result of considerable canvassing and competition, and under an uncommonly stringent system of franchise, imposes no obligation on the Government. Some trivial suggestions in the form of resolutions may be accepted by the member in charge, but when questions of considerable general importance affecting the country as a whole come up and are opposed by the Government, there are no means by which non-official opinion can expect to prevail. Even technically the resolutions are negatived. This process of negating non-official motions with the help of a paid majority provokes ridicule and is not without serious drawbacks. The Hon. Mr. Gokhale, after an elaborate examination of the whole question, moves that the system of indentured labour shall be discontinued; and the motion is carried by an almost unanimous vote of the non-official members present. It is actually negatived by the preponderance of the official members. Mr. Gokhale's facts and figures, the arguments of other non-official members, the ineffectual part played by the official apologists, the rejection by an official majority, all go to convince the public that essentially the whole process is a mere permission for us to knock our heads not against a wall, but against a door. Once upon a time we were not allowed even to approach the sandal-wood gates, but now we can go up to the door of Somnath; if it remains closed, we are expected to knock our heads against it and return; there is no provision by which the door can be flung open—unless those within choose to unbar. This state of affairs cannot, and in the interests of unity and progress should not, endure

very much longer. Non-official opinion must be separately ascertained as a factor in itself, and must entail definite obligations on the Government. To effect the first of these objects the voting in the Council should be confined to the non-official section of the Council, although official members may participate in the debate as at present. Be it a legislative measure introduced by Government or a mere resolution moved by a non-official member, and whether the Government opposes or supports the latter, it is unnecessary that the Government should vote. The object of voting must be to find out definitely the opinion of the non-official section of the Council and not to bring out time after time the brigade of official voters and therewith to pass or defeat a measure. This procedure serves no purpose except to emphasise the unreality of the proceedings. Were the non-official members alone permitted to vote, the very act would convey to them a greater sense of responsibility than it does now. At present it is open to a member to argue that, as a measure is to be rejected by the Government in any case, he may be on the popular side and vote for it without any consequences to himself accruing therefrom; or he may argue that, as in any case the Government is to reject it, he may continue to remain in the good graces of the Government and vote against it. We do not deny that under any scheme men may be swayed by unfair and improper considerations; *but a scheme in which a vote involves no consequence and carries no responsibility is a demoralising scheme in any political constitution, and cannot be a factor of constructive value.* When we couple with this fact the disrepute that always overtakes an official and paid

majority, the case against such a system is complete and incontrovertible. It is therefore highly necessary to free the Government from the stigma of having a number of retainers in order to ensure a majority, and the official members themselves from that of voting only according to their official conscience. Again, it is well known that many of the official members have to leave their work, however urgent and important, and sit day after day in the Council Chamber merely for the purpose of recording their votes, although they do not, and most of them at times cannot, take part in the debate. Officials who do not know the A.B.C. of the subject have to sit the livelong day, yawning and sleepy, simply to vote on a motion relating to railway freight. From every point of view, therefore, the voting may be confined to the non-official members alone, the official members only participating in the debates. But non-official opinion must not only be ascertained, but when ascertained must entail certain definite consequences, under definite conditions, as otherwise the vote will be valueless. It must be provided by the regulation governing the proceedings of the Council that, if a certain percentage of the non-official members should vote in favour of a resolution, the Government of India must either give effect to it, or failing to do so, must place the matter before the Secretary of State for his final decision. If he agrees with the Government of India, he must make known his reasons through an open despatch on the subject. If a measure proposed by the Government be not opposed by a special majority of the total number of non-official members, it shall be declared to have been passed ; but if so opposed

and rejected, it shall be necessary for the Government of India to obtain the sanction of the Secretary of State, who, if he concurs with the Government of India, shall give his reasons in a public document. It may be asked how a law introduced by the Government of India, rejected by the non-official members, but approved by the Secretary of State, can be designated a law passed by the Governor-General in Council. If the importance of the proposal be conceded, the objection can be easily surmounted if we are not anxious to retain particular nomenclature. When a measure rejected by a special majority of non-official members must nevertheless, in the opinion of the Government of India and the Secretary of State, be promulgated, it may be given the effect of law under the name of ordinances of the Secretary of State. They will differ from the ordinances of the Governor-General in Council in that they will be permanent as laws until repealed by the joint action of the Indian Government and the Secretary of State. Under this system there will be, firstly, the laws passed by the Imperial Legislative Council and assented to by the Governor-General in Council; secondly, the ordinances of the Governor-General in Council promulgated by him in his executive capacity, and of temporary duration under the existing provisions; and thirdly, the ordinances of the Secretary of State, having the force of law in every respect. No ordinance of the Secretary of State shall be promulgated at the initiative of the Secretary of State, or by the Government of India with the consent of the Secretary of State, without having been first introduced in the Imperial Legislative Council and voted upon by that assembly. The

reason for such a requirement is that an ordinance of the Secretary of State will be a permanent measure, and therefore the fullest opportunities of discussion should be given prior to its promulgation. In brief, recourse should be had to it only when the Government of India, after placing a measure before the Imperial Legislative Council, fails to obtain the necessary amount of support in the Council, and feels convinced of the necessity of enacting it with the approval of the Secretary of State duly obtained. If, on the other hand, the Government of India and a prescribed majority of the non-official members should agree in regard to any matter, the Secretary of State should not be competent to veto the proposal, except by obtaining a special vote of both Houses of Parliament.

In all these cases it will be seen that the supremacy of Parliament is retained, and that the Secretary of State is recognised as the ultimate referee between the Government of India and the non-official representatives in the Council. It may probably be urged that even in regard to self-governing colonies the veto of His Majesty's Government is enough, and a resolution of both Houses is not called for. But it should be remembered that, in the case of a self-governing colony, the Government and the people are one, and that the Executive are wholly responsible to the Legislature, whereas the case is totally different in India. The Government and the people here are two distinct and independent entities; the representatives of the people can never become the Government of the day, and the Executive do not derive their authority from the people, are not responsible to the Legislature, and cannot be ousted

from office by a vote of want of confidence. When two such distinct factors are united in their view, the authority of the Secretary of State alone ought not to override their unanimity. We have therefore the first essential principle of autonomy in the recognition of the fact that when the Government and the non-official representatives are agreed, an express resolution of both Houses of Parliament alone can overrule them. It may again be contended that even a resolution of Parliament does not impose any obligation on the Government in England, and that the proposals herein made will be giving the resolutions of the Supreme Legislative Council a value which Parliamentary resolutions do not possess. In the constitution of the House of Commons or even of the House of Lords there is not an official and paid majority appointed by the Government of the day; there the Government is absolutely subordinate to the Legislature, and a party has only to come into office to give effect to its programme. All of these features are absent in India, where, since the Government and the Opposition cannot exchange places but have to remain constant fixtures, there is no other way by which the attitude of the Opposition can be rendered of consequence in the administration of the country. Since the non-official members cannot take the place of the Government, their resolutions under certain conditions must be allowed to impose some obligation on the Government, such as, at least, the minimum obligation of making a reference to the Secretary of State whenever the Government cannot give effect to a resolution carried by a special majority.

To sum up : with regard to resolutions moved by

non-official members, if the Government of India and a special majority of non-official members differ, there must be a reference to the Secretary of State, and his decision shall be final; on the other hand, if a majority of non-official members and the Government of India agree, the result of their agreement can be set aside or modified only when the two Houses of Parliament concur in doing so; but if either of them share the view of the Government of India and the non-official representatives, this view stands. With regard to measures proposed by the Government, they will be considered to have been passed unless rejected by a special majority of non-official members, and if so rejected, a reference to the Secretary of State is necessary, whose decision is again final. If it is necessary to distinguish by name the laws promulgated by a concurrence of the Government of India and the Secretary of State, from the enactments of the Imperial Legislative Council, they may be called the ordinances of the Secretary of State.

In most instances the Secretary of State will see the wisdom of agreeing with the Government of India when that body agrees with a majority of the non-official members, and there will be rarely any occasion for him to appeal to Parliament. When the Government of India and a special majority of the non-official members differ, the Secretary of State is not likely to differ from the Government of India except for weighty reasons; and it will redound to the credit of British rule and emphasise the identity between India and England if, whenever necessary, the Secretary of State recognises the non-official point of view and gives effect to it. The prestige of the Government will in no way suffer by any of these reforms, although

the powers of the Government, of India and of the Secretary of State will undergo some modification.

SECTION II

Plausible Objections

It may possibly be urged against this scheme that it will lessen the contact that exists at present between official and non-official members, since they are now but one body debating and voting on all questions. Even under the proposed arrangements they will be one body for all purposes of debate. The contact engendered by voting is quite imaginary, since voting only serves to emphasise the divergence between the two sections. On the other hand, there will be greater reciprocity between them when non-official members count for something in the estimation of the Government. There will also be a genuine desire on the part of the non-officials to obtain the concurrence of the Government, since then, to all intents and purposes, their combined attitude will be final. In fact, each will mean something to the other, whereas now the non-official section means nothing at all to the official section, and the latter is in the estimation of the former the personification of a settled and unchangeable policy. When the non-official members cease to be looked upon as non-entities by the Government, and the latter ceases to be regarded as an obstacle that bars the way of the party of progress, the two will come to recognise that they are of value to each other, and this change of attitude will conduce to mutual confidence and esteem.

One great need at present is that the officials

should not only concede the right of non-officials to entertain opinions opposed to their own, but also admit the fairness and equity of the demand for an acknowledged authority to adjudicate upon their differences. The impersonal attitude is much wanting at present, and both the Government and the non-officials are prone to regard public questions as personal affairs. In fact, this has gone so far that in non-official opinion the Government seems to say, "We have said what we have said, and there is an end to all things when we have said what we have said." The non-official rejoinder seems to be, "We shall continue to say what we have been saying and shall fill the air with what we have been saying." There cannot be a friendly relationship between two such elements; the one depends upon authority, the other upon its freedom of expression; the result is the perpetuation, if not of a silent antagonism, at least of a state of incompatibility of which both seem to be aware, as an inevitable condition of the co-existence of an official and non-official element in the Council. Since there is no provision by which these differences can be even temporarily settled, the whole arrangement appears to be designed to avoid any possibility of harmony. On the other hand, if a method should be established by which differences can be resolved, the responsibility of final decision must lie with a third party, and each disputant will gradually come to regard the other as a factor that may ultimately be upheld. The discussion of public affairs will assume under such a system more and more of an impersonal aspect, and there will be much less reason for the feeling that the Government is stubbornly autocratic or that the non-official

section is wantonly obstructive or unreasonably insistent. The relations between the official and non-official elements will become more cordial, and both will gradually grow accustomed to a policy of give and take—in which both will find the strength of the Government in India as an *Autonomous Constitution*.

Another objection that may be raised is that the scheme may give rise to cliques and cabals in the non-official section of the Council. We admit that there will be, broadly speaking, one section trying to force the pace of the Government or trying to obtain a fulfilment of long-neglected undertakings, and another more cautious as regards the former and somewhat less zealous for the latter. The constitution of these sections will be largely a question of temperament. Even now this is the case, and it is a feature that cannot be avoided in any political assembly. There may be some Mahomedan members exclusively guided by a consideration of what in their opinion will be beneficial to them as a community. Beyond this there is no reason to fear that there will be unwholesome and perverse combinations. Nor can it be alleged that the Government will choose to go out of its way to propitiate any non-official group—any more than it does now. The moderating influence of any member may be thought worthy of appreciation by the bestowal of honours; and ability combined with moderation in politics may be a passport to offices for which a member may be in every way competent; and no one can deny that this is so at present. But that the Government of India can ever take to distribution of offices and titles as a means of obtaining support is a suggestion altogether unworthy of being entertained for a moment. In reply to the

possible contention that the scheme labours under the disadvantage of having no parallel, it may be urged that if want of precedent be considered a grave objection, then the same applies to almost the entire system of Indian administration. So far as we can judge, there is no reasonable ground on which the scheme could be condemned, and as for the vague nervousness which keeps people from moving in such matters, it is a mental condition which has never accomplished anything truly great, but has been ultimately the parent of serious troubles.

Lord Morley's reforms have introduced the non-official element into the Imperial Council as a political factor, but it has to be distinguished from the official element in which it is now inseparably merged and by which it is often submerged. It ought to be not only distinguished but given a definite value as a factor of consequence in the deliberations of the Government. Is there any other way by which this can be accomplished? Can British statesmen expect that the present system by which the non-officials are voted down time after time by the officials, while the non-official unanimity imposes no obligation on the Government, can go on for any length of time without producing a feeling that the proceedings are an empty show unworthy of the time and trouble entailed? On the other hand, to give distinction and value to the non-official section in the Imperial Council will be to open an era of real autonomy in the Government of India.

The theory that makes the Government of India a mere agency of a Parliamentary official will not hold sway to such an extent as it does now, should the position of the Government of India, whenever

it agrees with non-official opinion, be strengthened as it will be by this proposal. So long as India is a dependency, whatever autonomy we may possess must be subject to the control of the ruling country. The only question is: By whom and under what conditions should this control be exercised? Should it be granted to a single member of the Cabinet without any reservation or constitutional check? Indeed, should the Government of India continue a *mere agency* of HIS, notwithstanding the fact that it has to hold itself answerable to the criticism of the non-official element in the Council? What is proposed herein is that the non-official vote in the Imperial Council should be a constitutional check on the revisory powers of the Secretary of State over the Government of India to the extent that when the Government of India agrees with that vote, the Secretary of State shall not *of his own discretion* be able to override it. To this extent also the Government of India is enabled to adapt itself to the attitude of the non-official element without being liable to be overruled by the Secretary of State; and to the same extent its freedom of adaptation to new requirements is assured. The result is that the autonomy of the Government of India is a reality, subject of course to the supreme voice of the British Houses of Parliament. Again, in those matters on which the non-official element and the Government may differ, it will be a serious defect not to recognise the need for a method of settlement. As it is, the non-official element may be ignored repeatedly, without there being any provision that its united opinion shall necessarily receive consideration from a higher authority. The compulsory reference of such

matters to the Secretary of State will show that the non-official element is a factor of consequence even when it differs from the Government of India, and that its views receive serious consideration from the Government in England. Of course it means that, if the Secretary of State and the Government of India are of one opinion, the non-official element can not prevail; but what is of greater importance to us is that the non-official element will prevail, if either of them should be converted to its view, *and that in no case can it be set aside without the combined consent of the Indian Government and the Indian Secretary of State.* Such agreement may be usual, but will not be invariable; and, as time goes on, the traditional concurrence of the Secretary of State with the Government of India may give place to an independent and impartial consideration of the opinions of the non-official section; at any rate it will become incumbent upon him to consider them in this spirit, whether in the result he concurs in them or not. If such a change may seem to affect the prestige of the Government of India at the commencement, it will be a guarantee of good government, and will enormously strengthen the hold of British sovereignty.

The question may be asked: Where will this beginning lead to, and what will be its result? It may safely be answered that it will not lead to any revolution in the system of government; it will only give greater and much-needed scope for the consideration of Indian questions from the non-official point of view. It does not shift the centre of authority from "Government" to "people"; before the latter can prevail they must have the support either of

the Indian Government or of the Indian Secretary of State, and such concurrence is a guarantee that nothing revolutionary will happen. If, then, the question be asked, how such a change is of value, the answer is that whenever the popular view is rejected by the Government of India, it is incumbent on the Secretary of State as the final authority to review that decision; and when on the contrary that view has the support of the Government of India the proposed change would place a constitutional check on his powers of interference. It is not necessary for us to foresee what the next progressive step will be. It may be along the lines of dispensing with the necessity of a special majority as required herein, and postulating an ordinary majority only; it may be for making the franchise more representative of general public opinion; it may be that after considerable advancement has been made under suitable conditions, the Executive Government in India will become wholly responsible to the non-official element without any reference to the Secretary of State, *in regard to certain definite departments of administration*, as for instance Education, Sanitation, Municipal and Local Boards, Excise, Land Revenue, or Forests. In fact there are ever so many lines of development before one can reach the goal of Parliamentary Government under the paramountcy of Great Britain. As practical politicians, we have to confine ourselves to the needs of the present hour, and these needs have been set forth; as for what may become necessary hereafter, future generations will have the wisdom to avail themselves of their opportunities.

CHAPTER V

THE QUESTION OF FRANCHISE

SECTION I

Ignored Interests

IF the non-official element in the Council is credited with greater importance in accordance with the foregoing scheme, it will be necessary to consider whether the present system of election to the Imperial Council is quite satisfactory. It should be remembered that the number of non-official members was fixed mainly with a view to securing a majority of official members, and consequently the system of franchise had to be subservient to this main consideration. As, however, under the proposed alteration, the officials would not be called upon to vote, there would be no question of an official majority or minority. The officials may be appointed according to the needs of the Government, and the non-officials according to the needs of efficient representation for the time being. At present the Government may feel debarred from appointing more officials although more may be necessary, since to do so will be to give too great a preponderance to the official majority. Again, the Government may feel equally debarred from giving the country sufficient representation,

because that would necessitate an undesirably large number of officials merely for the purpose of keeping up an official majority. If, however, the voting be confined to non-official members, we are at liberty to consider the question of franchise on its own merits. At the same time it should be realised that to recognise the non-official element as a live factor in the Constitution is one thing and to recast the system of franchise on radically different lines is another thing altogether. The latter does not become necessary on account of the former. All extensions of franchise must be gradually and cautiously undertaken, since the centre of political influence is shifted thereby. We do not mean to assert that a system that may satisfy the present generation will satisfy the next; but while each generation will try to obtain what it may deserve, it will be better for us to be guided strictly by the necessities of our own position. The question of Supreme and Provincial Houses of Representatives elected by a system of direct election, in addition to, or in the place of, the present Supreme and Provincial Legislative Councils, may be left for the future. To obtain a thoroughly satisfactory system of representation there should be two Houses of Representatives in all provinces and for the whole country, the members of one House returned under a system of direct representation, and of the other under a system of institutional representation. Local and Municipal Boards, Chambers of Commerce, Universities, Teachers' Guilds, Trades Associations, Mill and Factory Syndicates, Zemindari and Ryotwari Associations, will be the electorates for institutional representation. Payment of a certain minimum tax, in the shape of land revenue, income

or professional tax, and educational attainments, will be the main qualification under a system of direct representation. It is not, however, necessary for us to formulate the details of such a constitution, since it is a matter for the future, and since it is safer to try the extension of political power under a system of limited franchise. At the same time it cannot be maintained that the existing plan is suitable for our present needs without important additions and alterations. I do not advocate direct representation at present ; but the system of institutional representation should be more satisfactory than it is now. The non-official members of Provincial Legislative Councils form under existing arrangements a kind of omnibus constituency, and are supposed to secure the representation of those interests which are practically ignored under this system. On the other hand *it is highly necessary that the representation of institutions and of interests should be direct, without any process of filtration.* We are not particular whether or not the non-official members of Provincial Councils have the right of electing one or two members, but it is indispensable in the interests of better and more efficient representation that this right should not be looked upon as a substitute for what we lack at present.

In the first place, the municipalities in every province should be given the right of sending at least two representatives, and about a hundred municipalities, roughly speaking, must be assigned one representative. The District Boards must be assigned two representatives ; then urban and rural interests may be represented in a more satisfactory manner. In those areas where the Ryotwari or temporarily

settled estate system to a large extent prevails, the ryotwari landholders must be given the right exclusively and separately to return at least two representatives. Holders of temporarily settled estates have been contributing an ever-increasing share of land revenue, unlike the Zemindars, who have had the immense benefit of a contract of permanent settlement with the Government. We do not grudge the importance assigned to Zemindars, but there is no reason whatever why the temporarily settled estate-holders should fare worse at the hands of the Government. Their interests are as great as those of the Zemindars, and their grievances are more numerous. They are of the middle class, more intelligent and painstaking, in more intimate contact with the labouring classes, and they form a considerable section of the educated classes of the country. They can bring to the deliberations of the Council a close knowledge of affairs, an accurate grasp of the economic condition of the country, a shrewdness of observation and independence of criticism, to a much greater extent and to far better purpose than the Zemindars as a class can do. As regards fidelity to the Government, there is no class which, amidst the worries of frequent increases of taxation and harassing demands of all kinds, and under a perpetual call to meet obligations to the district officials, has maintained a better temper or shown a readier inclination to respect authority, and to preserve unsullied its reputation for loyalty to the British Raj, than this class of British subjects. To treat them as if they were of no consequence in the counsels of the supreme legislature of the country is not only to be unjust, but to be unwise, is in fact to

estrange one of the most deserving and influential sections of the population. They are in some provinces a separate constituency for returning a representative to the Provincial Councils, and all that we urge is that this right should be recognised in the case of elections to the Imperial Legislative Council also. Probably this would have been done already but for the fact that the number of non-official members in the Imperial Council had to be fixed so as to secure an official majority.

Next to them the Indian mill and factory owners deserve to be represented in the Supreme Council by a system of election and in a methodical way. For this purpose Bengal, Behar and Orissa, the United Provinces, and the Punjab may form one group, and Madras, Bombay, and the Central Provinces another, Burma being joined with either as actual figures may indicate. Mills and factories in which not less than 60 per cent of the capital is contributed by Indians may be declared eligible to vote. The Indian mills and factories are of sufficient importance and are a growing power in the country. The beginnings of industrial legislation have already been made, and greater attention from the Legislature will become necessary. At the same time these men can bring to bear in regard to the fiscal policy of the Government of India a practical scrutiny which most other representatives would find it difficult to apply. Two representatives of the class for the whole country are certainly not too many. The European mills and factories and commercial interests are represented by the Chambers of Commerce and Trades Association.

In view of the increasing importance given to

education by the Government of India, it is an anomaly that there should be no provision to represent the interests of Education in the Council. There is an educational member of the Executive Council of the Governor-General, but there is not a single non-official member returned to the Council by a constituency of educationists! The Universities send a representative to the Provincial Legislatures, but none to the Imperial Legislature. The vast body of teachers to whom secondary and high school education is entrusted, who know as nobody else knows the defects and shortcomings under which they have to labour, and to which the system of school education is exposed in every province, are not allowed to elect a representative to the Provincial or the Imperial Council. The needs of school education and the legitimate grievances of those engaged in imparting it certainly deserve representation and cannot be disregarded on any reasonable pretext. The needs of University education also demand representation in the Imperial Council. One representative of school education and another of collegiate education from each of the provinces will be the minimum representation to satisfy the requirements of Indian education in the Imperial Council. The candidates for these constituencies must be non-officials, although the teachers and professors voting must necessarily include both the Government servants and those who are not in the service of the Government. A teachers' guild may be established in each district of a province, and a duly elected committee of the guild in each district may be a unit for purposes of election. For University education a constituency may be formed of

Fellows of the University who are also educationists, professors of colleges, and all Masters of Arts and Honourmen who are assistants in colleges. With these additions the present system of franchise seems to us worthy of retention until the arrival of the time when a complete machinery of representative government is set up as a consequence mainly of the institution of District Assemblies, as outlined in a subsequent chapter.

SECTION II

Morley's Mistake

The far-reaching nature of Lord Morley's blunder in giving additional representation to Mahomedans as a separate community is now becoming bitterly clear in the *impasse* to which it threatens to bring any sound and progressive scheme of government. It will be outside our scope to go into the relative importance of the Hindu and Mahomedan communities and potentates during the period the paramountcy of India passed into British hands. It will be equally foreign to our purpose to institute a comparison between the contributions which the establishment of that paramountcy received from each of these two sources. Leaving all such issues aside, the statement cannot be challenged that so long as the responsibility of Indian government rested on Anglo-Indian rulers as an undivided responsibility, the authorities scarcely seemed to realise that the Mahomedan community called for special recognition as a minority or as a community with special political claims. From the capture of Seringapatam in 1799 to the passing of Lord Cross's Act in 1892, for a period of ninety-three

years, there was put forward in no connection of any significance such a plea. During this long interval territorial grants and annexations took place, treaties and demarcations of boundaries were made, armies were raised and disbanded, vast administrative changes were introduced, far-reaching educational policies were initiated, Municipal and District Boards with elected representatives on them, with power to raise and administer revenues, were constituted, and finally Supreme and Provincial Legislative Councils were enlarged by the addition of elected representatives. In all these there was no attempt to regulate the political importance of any community by a political thermometer. This record of unbroken sanity was departed from for the first time in British policy by Lord Curzon, to whom India owes many of its ailments, barring famines and epidemics. He was the first man to think of utilising the past supremacy of Mahomedans as a factor in present-day politics. When the country was for exorcising the prestige of existing autocracies, he had the political discretion to conjure with the beat of the kettle-drum of his eloquence the departed ghosts of past political prestige in order that the politically dormant section of the Mahomedan community might be utilised as a drag on the progressive forces of the day. He did it at a time when, after the defeat of Russia by Japan, pan-Islamism was in its prime, to strengthen Anglo-Islamic bonds by rhetorical flourishes, Persian Gulf Durbars, and spitefully conceived provincial partitions. During the agitation that followed the unnatural partition of Bengal, the bureaucracy drawing its inspiration from him defended it as a measure of Anglo-Indian devotion to the Mahomedan community.

It was no wonder that at such a time, when communal representation had been specifically included in the scheme prepared by the Government in India, the Mahomedans claimed special additional representation partly on account of their past importance and partly as a minority. Lord Morley, pressed by an aggressive Moslem influence fed on such sentiments and pan-Islamic bias, and counselled by a representative of the Indian progressive party too eager to accomplish something even by a surrender of inviolable principles, fell a victim to an evil conjunction too insidious even for his clear intellect and immaculate radicalism.

Such is the genesis of this mistake which, if not rectified now, will lead up to claims to the establishment of a kind of Islamic dominion in India, followed by a strife for communal autonomy, for caste guilds and theocracies, to continue the work of *Pax Britannica*, converting India into a congeries of communal democracies. It will, in fact, be bartering our brains for irretrievable confusion to begin giving special representation to communities. For the Hindus are cut up into innumerable minorities, while the Mahomedans who have no caste are in a majority. The clear fact is, no community can be a minority or majority for political representation. Not communities, but interests and citizenship exist for political representation. A "community" exists for religious, social, and marital purposes. To ignore this fundamental distinction and try to make communal distinctions subserve political purposes is to try to see with the ear, and smell with the tongue. Already, the recognition of religious distinction in matters of representation has led to the obnoxious practice of

finding for high offices candidates of a particular religious persuasion, of alternating for particular places men of different creeds and castes by turns. All these are a clear violation of the solemn pledge of religious neutrality which is the bed-rock of British rule in India. That pledge does not simply mean that the Government will not compel a person to abandon his religion or adopt another ; but it means in addition that there shall be no preference or exclusion on the score of religion, that religious considerations shall not prevail as a passport to office, as a test of political privilege, or confer special political rights. It may not be Lord Morley's motive, in creating a Mahomedan constituency, to show preference to those tenets, beliefs, and practices which go under the name of Mahomedanism. But in politics as in law, motive, if material at all, is less material than the result. And the result in Lord Morley's scheme is that a title conferred by Government, a degree conferred by a University, a tax paid to Government have the virtue of securing the right to vote for a candidate to Legislative election, and the right to be returned to a Legislative Board, if the person concerned happens to be a Mahomedan. And who is a Mahomedan ? Any one may become, and millions of Hindus have become Mahomedans by choice, or moral persuasion, or compulsion at the point of the bayonet. Now, non-Brahmin Hindus in one Province being in some respects a "backward community," are demanding that they should be similarly treated not because of their political importance but because of their backwardness. The evil has burrowed so far deep that there is an insidious attempt to demand, in the case of some communities, an exemption from the passing of

special tests as a necessary qualification for Government appointments.

It has been urged that if special electorates are to be recognised the right to stand for general electorates should not be conceded. We fail to see the justice or expediency of such a contention, although one may be able to understand its retaliatory character. If the grotesque mistake has been committed of granting special representation to a section of the population as a minority or on the score of religion, it will be more grotesque to deny them the right of citizenship. Above all, it will be a serious interference with the right of the general electorates to return the most competent man they may prefer to return.

So long as one mistake cannot be unmade by another mistake or a succession of mistakes, there is but one remedy, *i.e.* to confess the mistake and wipe it off. Any agitation counselled by short-sightedness, soured temper, or by a reckless and wanton misunderstanding of political issues, must be resolutely faced. Once this determination becomes clear, there will be less trouble to be faced than may be imagined at the outset.

CHAPTER VI

THE VICEROYALTY

SECTION I

The Viceroy—a Unified Trinity

WE have shown how the position of the Governor-General is at present rendered anomalous by his having at one and the same time to fill three different capacities; firstly, that of the personal representative of the Sovereign; secondly, that of an agent of the Secretary of State; and thirdly, that of a trustee administering a country which does not govern itself. With the gradual development of the non-official section of the Imperial Legislature as a constitutional factor, his position as the agent of the Secretary of State will appreciably give place to his position as the head of a Government, the Supreme Legislature of which has in some degree at least an autonomous status of its own. His responsibility as a trustee will also be diminished by the extent to which his trusteeship is shared by the accredited representatives of the people. Still, he will not completely cease to be the one or the other, although in both positions his official character will undergo sensible modification. It is necessary, therefore, to examine whether with advantage he cannot be constituted the head of the

Administration in India without being the personal representative of the Sovereign as well. Hitherto, from the time of the transfer of the country to the Crown, that personal representative, unrecognised by law, unnamed in the document of appointment, has been by custom the Governor-General. Before 1858 we had no Viceroy even by courtesy; and prior to Lord Canning we had only a Governor-General pure and simple. Since then every Governor-General has been known as Governor-General and Viceroy, more usually as Viceroy. The question is, whether such a perfunctory arrangement as a combination of two offices of vital constitutional importance should persist to the simultaneous detriment of the Viceroyalty and the Governor-Generalship of India. Profound reasons of policy forbid our doing away with the Viceroyalty of India, but combining it with the office of Governor-General is a poor makeshift of a solution, open to serious drawbacks. In the first place, it shows that the great benefits to be derived from a genuine Viceroyalty of India have not commended themselves to the stay-at-home English politicians and the self-sufficient Anglo-Indian administrators, for reasons that easily appeal to each of these classes which control India. The Englishman is too much accustomed to leave things to those who have been "carrying on," and the Anglo-Indian believes too implicitly in the efficacy of "system" without reference to sentiment. Between the democracy of the former and the bureaucracy of the latter, between the indifference of the one and the self-sufficiency of the other, the forces that will best consolidate the interests of Great Britain in India and those of India in the Empire are left without a

thought, and only in times of stress and storm do democrat and bureaucrat both realise the danger of a ship which has no anchor. Both of them commit the stupendous mistake of expecting "loyalty" to a *system*, a system neither devised nor controlled by the people themselves; devotion to a machine, neither designed nor worked by those whom it concerns. We do not ignore the profound appreciation which British rule in India has evoked amongst all classes of the population. But loyalty is not mere appreciation, *it is a process of political assimilation*. This political assimilation of India to England can be effected by only one agency common to all parts of the Empire, and that is the personality of the King-Emperor. British sovereigns, until quite recently, have been political abstractions in India, while Viceroys have been too intimately associated with the Administration to exercise the influence which should be exerted by the personal representatives of a Sovereign standing aside from its dust and heat. The system of making the Governor-General Viceroy by courtesy exposes the personal representative of the Sovereign to the unpopularity which at any time may overtake the head of the administration. If it be thought expedient to have one who will stand *in loco regis*, then it is certainly inexpedient that he should be placed in such a situation as to become at any time the object of political attack and acrimonious criticism. Furthermore, the danger in such an arrangement is that when an official, who is at once the head of the Government and the personal representative of the King-Emperor, becomes unpopular, all the factors that represent British rule in India become unpopular simultaneously. When we

imagine the state of affairs in England if the King were also the head of the Cabinet, an active Chief Minister of State, we can realise the blunder of making the Governor-General Viceroy. This personal representative is now not merely the head of the Administration; he is also the Agent of the Secretary of State. In an interesting controversy between two such distinguished combatants as Lord Morley and Sir Valentine Chirol there was recently brought out the inexpediency of such a combination. On the one hand, Lord Morley proved up to the hilt the theory of "agency" by an overwhelming array of parliamentary provisions and declarations of State. On the other hand, Sir Valentine Chirol took his stand on the simple yet irresistible statement, "The Viceroy is the direct and personal representative of the Sovereign, and in that capacity, at any rate, it would certainly be improper to describe him as the Agent of the Secretary of State." As a matter of fact nobody describes the Governor-General in his capacity as Viceroy as the Agent of the Secretary of State; nevertheless, because he is the Viceroy, he does not and cannot cease to bear towards the Secretary of State the position of an agent. That is to say he is Viceroy as Viceroy, he is Governor-General as Governor-General, he is an Agent as an Agent. He is three while being one, he is one while being three. In Indian politics he is a unified trinity and a threefold unity. The position is indeed so incongruous and absurd that no nation which has an eye to political anomalies would have been enamoured of it; but England has looked upon it as an ideal arrangement, simply because she did not initiate the government of India as a systematised under-

taking. There was a time when India had only Governors of Presidencies, without even a Governor-General. Then came a Governor-General who was designated Governor-General of Bengal; to him succeeded a Governor-General of India; and finally a Viceroy was found by courtesy in the Governor-General. The next step in this order of evolution is a Viceroy by statute and a Governor-General pure and simple. The Indian Constitution has been a matter of growth, and hence some of its features are incongruous and anomalous; further growth, which is mainly a process of differentiation, should bring about a gradual removal of these anomalies. *The Governor-General's intimate association with the administration and his subordination to the Secretary of State alike demand that, if it is necessary to have a personal representative of the Sovereign in India, such a representative should be neither at the head of the actual conduct of affairs nor an instrument of the Secretary of State.* It has been suggested that if the Governor-General were not to preside at the meetings of the Imperial Council, he might be regarded more as Viceroy than as Governor-General, and that in such a case even a member of the Royal Family might be appointed as Governor-General and Viceroy, and that the two offices need not be separated. This suggestion completely ignores the fact that the Governor-General is the chief directing head of the Administration, apart from the position he occupies as President of the Council. He has to exercise powers of control and supervision over the Local Governments, and there are several departments under the immediate charge of himself and of his Executive Council. He cannot divest himself of

these responsibilities in order to keep himself on a higher political altitude as the direct representative of the Sovereign. Nor is it in the best interests of British rule that the contact between the Governor-General and his Legislative Council should be diminished. Of all opportunities that he has of estimating public views, the best and the most reliable are the meetings of his own Legislative Council; and it will be a mistake of the first magnitude for a Governor-General to cut himself off to any extent from such an invaluable source of knowledge and correct information and deny himself this personal contact with the representatives of the people. On the other hand, as Indian politics advance, there will be an increasing demand for greater co-operation on his part with the work of his Legislative Council, for more personal devotion to administrative affairs and problems, for more intimate knowledge of the needs of the various provinces. Hence the head of the Administration must not be made less of the Governor-General to be made more of the Viceroy.

SECTION II

The Obvious Solution

There are four conceivable courses that suggest themselves in dealing with this question: India might have a Governor-General only, doing away with the courtesy appellation of Viceroy, as before 1858; or the *status quo* might be maintained, Governor-General and Viceroy being combined in the same person; or, thirdly, the Governor-General and the Viceroy might be different persons; or, fourthly and lastly, there might be a Viceroy alone. For reasons which

are quite obvious we cannot go back upon the first of these; we need a personal representative of the Sovereign in addition to the head of the Administration. The anomalies and drawbacks resulting from the present arrangement of combining the two offices in the same person are too real and embarrassing to be overlooked, especially when we realise that the Governor-General must necessarily be an executive agent and a political subordinate of the Secretary of State. For a very long time to come, *i.e.* not until India becomes a self-governing country on a thoroughly representative basis, can the British Administration of India be limited to the mere presence of a Viceroy, the representative of British Sovereignty with a power of veto under certain conditions. It is obvious, therefore, that we cannot do without a Governor-General, and we ought not to do without a Viceroy. To be compelled to make shift with one person holding these two offices has become increasingly difficult and will be found far from conducive to the higher interests of the two offices. To effect a statutory separation¹ of the two, and to confide the office of Viceroy as a matter of custom to a member of the Royal Family, is a step justified by our practical requirements, demanded by the further progress of the country, emphatically called for in relations with Native States, and clearly approved by political prescience as a great constitutional device, pregnant with enduring possibilities for good. If this separation is advisable in itself, every consideration points to the supreme desirability of the office of Viceroy being

¹ The suggestion of the creation of a statutory Vicerealty to be held by a member of the Royal family as distinct from the Governor-Generalship of India was, so far as the writer is aware, first made in April 1911 in a paper read by him at a meeting of the East India Association, with the Earl of Ronaldshay in the chair.

held by a member of the Royal Family of Great Britain. England, of all countries in the world, is peculiarly fortunate in having a system of government in which the power rests ultimately with the people, but the stability whereof is secured by the principle of monarchy. If there is any country on the face of the globe in which the principle of monarchy has sunk deep in the hearts of the people, where kingship is an integral part of every system of polity and considered almost a religious necessity, that country is India. Here a territory without a king is likened to a body without a soul; other instruments of Government, such as village panchayets, town assemblies, and councils of the learned and the wise, have never been considered as substitutes for an anointed monarch required to "bear the burden of sovereignty." Officials and ministers there might be in abundance, but the king was the reflection of God on earth, and the happiness of the people was committed to *his* charge. Not only so, but they have always believed and believe even to-day that where there is not a king the happiness of the people is nobody's concern. Although such a sentiment may not receive universal acceptance in England and India, we cannot ignore that it is the sentiment of hundreds of millions of the Indian people. It will be admitted on all hands that the level of official responsibility will be considerably raised by the presence of a member of the Royal Family, of one who will stand in the place of the King-Emperor, whose watchful eye and vigilant concern no deviation from justice and rectitude can escape. There cannot be the slightest doubt anywhere that, with the advent of one who is no mere official, but is by birth

a fit representative of the throne and sceptre of England, a higher tone will pervade the administration, and the *moral* of the Civil Service will be improved. The officials will be conscious not only of his presence, but also of the great veneration in which the representative of the Sovereign is held by the people, and will not fail to realise how they will be darkening the lustre of his position by any evil practices. We do not mean, of course, that every official will become a saint or an angel directly a Royal Viceroy is appointed, but there can be absolutely not the faintest shadow of doubt that the entire officialdom, British and Indian, will come under a far higher influence than is likely under other conditions, and that the moral grandeur of British rule in India will stand out more clearly than ever before in the estimation of all classes of the population. To describe, or rather to dispose of, so potent a factor in the Government of this country as a "shadow," is to have no eyes except for red tape and black boxes, and to be wanting in that political vision which distinguishes the statesman from a glorified tax-gatherer. To leave the constitution of the Government of such a vast empire, whose ancient faith in monarchy is still a living faith, without even a fit and proper representative of the Sovereign to embody in his person the lofty and stable elements of the British Constitution, is to leave the political firmament of India without its lodestar, and to expect a shifting officialdom to secure that abiding trust and steady confidence which can be induced only by a great institution with its roots in the heart of the people.

When we consider the absence of a Royal Vice-

royalty from the point of view of the princes of India who rule over a third of its area, it amounts not only to political neglect, but to political folly. There is no class of people which for loyalty and devotion to an acknowledged suzerainty, for innate delicacy of feeling, for a quiet resolute adherence to their own ideas of dignity, can surpass the princes of India. Some of them must, nevertheless, have been feeling the preponderance of authority centred in the hands of paid officials and the total absence of Royalty in India to whom their representations can be made, and through whom whatever needs adjustment in their own affairs may be set right. At Durbars the solemnity of the royal presence is almost always missed. In most matters pertaining to themselves there is no method by which the representation of the princes of India as a body may be methodically and systematically made to the Government. Now that the Supreme and Local Executive Councils are being liberalised, there must be some perturbation in the feelings of the princes as to how far it will be possible for them in the near future to preserve unimpaired as heretofore their sovereign dignity in the eyes of their own subjects and countrymen. The tendency towards democratising the Government of India is so unmistakable and clear, and perhaps inevitable, that it will be a serious defect not to consider this process in connection with the effect that it may have on the rulers of Native States. If we do so consider it, what solution can be half as satisfactory as the creation of a statutory Royal Viceroy, assisted by an Imperial Council of Chiefs in dealing with their affairs which come before him through the regular machinery of Government—

the Foreign Department of the Government of India ?

Should such a Royal Viceroyalty be created, the actual Viceroy, as representing the Sovereign, will enjoy the powers, prerogatives, and privileges now enjoyed by the Governor-General in his capacity as Viceroy, and, in addition, certain other statutory powers. He will take precedence of the Governor-General, will be the source of all honours, exemptions, pardons, and privileges, the person in whose name all proclamations and charters will be issued, and all treaties and conventions entered into ; by him, at the instance of the Governor-General in Council, all successions to Native States will be recognised ; to him will be made all representations of a personal character from rulers of Native States. In matters concerning these rulers he may be aided by an Imperial Council of Chiefs, partly elected by the Chiefs themselves, and partly chosen by the Viceroy. His functions in the main will be threefold :

Firstly, he will be the source from which proceed all honours, pardons, proclamations, charters, and recognitions of succession to states, and the person in whose name all treaties and conventions are entered into.

Secondly, he will be in contact with rulers of Native States through the Governor-General in Council on the one hand, and the Imperial Council of Chiefs on the other, and will be the determining authority in India in regard to important questions personally concerning them. He will, however, leave administrative affairs to the Foreign Department of the Government of India.

Thirdly, in all matters whatsoever he will possess the extraordinary power of bringing on his own

initiative any question pertaining to British India or Native States to the notice of the Sovereign and his constitutional advisers for final decision, which will be regarded as that of his Imperial Majesty. He may also in his discretion take similar action at the suggestion of the Government of India or of the Imperial Council of Chiefs, and will stand as the visible embodiment of royal prerogative and power, and will be a bond of the utmost strength between the Indian Empire and the British Constitution mainly because untrammelled by the burden of administrative responsibilities

It will be seen that the Viceroy's place in India has no analogy to the office of the Governor-General or to that of the Secretary of State. The new Viceroyalty will be the embodiment of *British Sovereignty* in India, the outward expression of British sway and solicitude, detached from the burden of administration. Its moral dignity, its Imperial significance, its inward grandeur, and the lustre of royalty, will all be impaired if the occupant of such Viceregal dignity be placed on the footing of a paid official. While, therefore, the cost of his entourage and his upkeep in India may be borne by the Indian Exchequer, his personal expenditure will have to be met by the British Exchequer as at present, and, if necessary, on an increased scale.

It will perhaps be better to anticipate a difficulty of a practical kind that may be raised in this connection. It might prove impossible always to find a member of the Royal Family to occupy the place of Viceroy. Provision against such a difficulty may be made by His Majesty choosing in his absolute prerogative any competent person to occupy the place of Viceroy in the absence of a member of the Royal

Family, or to act as Viceroy-Regent when the Royal Viceroy happens to be a minor.

The possible difficulty of finding a lineal successor to the throne of England (or of any monarchical country) has not yet suggested as a solution of the difficulty the abandonment of the principle of monarchy. England has sometimes been compelled to resort to a collateral branch of the Royal Family to find an occupant for the throne. The main fact to be kept in view is that whenever a royal personage was available for the post of Viceroy, this arrangement would be far better than the present one; and whenever such a person was not available the position would not be worse than at present; moreover, *the separation of the two offices in such a manner that the representative of British sovereignty would not also be the chief directing head of the administration would have been effected.* The further consideration has to be borne in mind that the bond between England and India cannot be perfected so long as there is in India no more than *an administrative machine*, however efficient and admirable it may be for the purposes for which it is designed.

If the expediency of, and to a large extent the actual need for, the creation of such a constitutional bond, certain to grow in time into a great constitutional safeguard, should be agreed upon, present difficulties in regard to details may be easily overcome by a little perseverance and patience, and future ones may be overcome as they arise. Too much emphasis cannot be laid on the fact that a Viceroy on whom the burden of administration does not press, on whom no official subordination is imposed, and against whom no damaging current of

criticism can be directed as an official, can alone satisfactorily and completely fill the office of a *personal representative of the King-Emperor*. He alone can prove himself a unifying factor, an embodiment of the stability of British power in India, and if need be, a PLEDGE of British solicitude to cement India and Great Britain together in a solemn bond of enduring political brotherhood. It will be the strongest link yet forged by the political sagacity of the country that has displayed in the greatest degree known since the days of the Roman Empire, surpassing therein even Rome itself, an inborn aptitude for the government of foreign countries and nationalities; and it will be a link admirably adapted to the undoubted political genius and actual requirements of India.

With the forging of such a link, the period of India's political isolation in the Empire will terminate, and the era of British sovereignty in all its fulness will begin, to the mutual benefit of England and India. Not the least important effect of this will be that it will tend to strengthen in the United Kingdom and throughout the British Empire the basis of Royalty, which has been more than anything else the embodiment of Imperial unity, and the mainstay of a purposeful British ascendancy for the achievement of aims that have constantly in view the advancement of human welfare. We may not be able to foresee all the beneficent consequences and all the pregnant and far-reaching results of such a change; we may not be able to anticipate and solve beforehand all the constitutional points for decision to which it may give rise, one after another, in the course of experience. We may not be able, whether in regard to the sum total of its good results or in

regard to the probable outcome of issues that may necessarily call for settlement, to keep in view the full range of emerging possibilities or to hazard a statement that may cover the journey into the future. Political constitutions cannot be developed on lines that are visible to us throughout; and the best we can do is to guide our footsteps steadily in the light of unbiassed reason, with the staff of experience, neither forcing our pace unduly, nor allowing ourselves, in a spirit of unwarranted doubt or of faint-hearted content with the distance that has been traversed, to be deterred from taking the next necessary step. Not in progress, but in inaction before the clear need of our own times, lies the nearer and greater danger. In the attempt to cope with our requirements stands the prospect of safety and the certainty of the reward to be meted out by contemporary judgment for courageous effort.

When the Governor-General ceases to be Viceroy, his position as the Supreme Directing Head of the Administration will have to be strengthened in his own Council as a factor of decisive responsibility and a liberalising influence. It should not be incumbent upon him to overrule or agree with a majority of his Council to exercise the powers of the Governor-General in Council. Seeing that the Legislature can operate as a check against any dictatorial assumption of authority, it should be open to the Governor-General to act in concert with the member in charge. Between the majority of his Council which he has to placate, and the India Council to which his decision must go otherwise, the object of a British statesman being chosen for the office of the Governor-General is often frustrated in material respects.

CHAPTER VII

IMPERIAL AND PROVINCIAL FINANCE

SECTION I

Taxation and Expenditure

ALTHOUGH Indian finance must largely continue to be a matter of executive responsibility, still there are several directions in which a change of spirit and of method is called for both in the interests of the people and also to secure to the Government of India a larger measure of fiscal autonomy. It will be admitted that, though the people of India cannot for a long time to come have an effective voice in the raising or the disposal of the country's revenues, the Government should be free to pursue in fiscal questions the policy most advantageous for the country. It should be free to avail itself of the benefits accruing from its vast extent and varied climatic conditions and the immense productive capacity it derives therefrom. India's fiscal policy should be determined in its own interests, subject to such obligations as India may have to own and discharge towards the United Kingdom, and not by an application of economic doctrines suitable to another country differently situated. The claim of England to benefit by her connection with India ought not to lead to her

imposing a fiscal policy absolutely detrimental to the interests of India in respect of other countries of the world. The sphere of influence of the Home Government in Indian tariff questions should begin and end with what directly concerns the United Kingdom. Outside this limited circle the independence of the Government of India should be expressly secured by statutory provisions to prevent all possibility of its being vulnerable on account of delicate international considerations. The Government of India should be its own master in all questions of tariff so far as they bear no relation to any part of the United Kingdom. Whether our policy in regard to the rest of the world be free trade, fair trade, protection, preferential reciprocity, or anything else, the Government of India alone should be the authority determining that policy. The Home Government should place itself under a self-denying ordinance in regard to interfering with the Government of India outside this accepted sphere of influence. They must abjure the power of interference, remembering the Colonies and forgetting the absence of the right of self-government in the people of India. The fiscal autonomy of the *Government of India* has nothing to do with *the political stature of the people*; it is a right of the Government, and a right that it should possess in the interests of economic prosperity and to satisfy the requirements of the Public Exchequer. To subject India to any other policy is at once unjust and immoral, unwise and unrighteous. Dragging her under the heels of a free-trade policy as though the deductions of economics are unconditioned and unqualified laws of universal sway, is to be high-handedly perverse or transparently hypocritical. "What is good for me

is good for you," is a piece of unendurable hypocrisy or intolerable stupidity—when "you" and "I" are diametrically opposed in means, opportunities, and capabilities. As the carrying country of the world, as a country that cannot grow its own food grain, as a country that must import every raw product, as wholly a manufacturing, carrying, and ship-building country, England does well to pin her faith to free trade. Even in such a country, however, there is a weighty body of public opinion that looks upon free trade as too abject a surrender of her interests as the heart of a great Empire with Colonial dominions. In the case of India, the imposition of such a whimsical policy is an economic sin and a political stain, and amounts to a policy of fiscal cruelty.

It is easy to state these propositions, but difficulty arises when we set about securing fiscal freedom for a Government which in this respect more than in any other has been looked upon as an agency rather than as an entity. In order that the Government of India may claim, safeguard, and exercise without fear the fiscal freedom that rightfully belongs to it, not only should that freedom be expressly recognised by statute, but the Council of the Governor-General should be made a more independent and self-reliant body. The present practice of leaving the majority of its members in a position from which they may look forward to promotion in India, or to a seat in the Council of the Secretary of State, has aggravated the evils of the agency theory and tended to sap the vigour and vitality of the Council. In discussing the constitution of Provincial Governments, we have advocated the conversion of Lieutenant-Governor-

ships into Presidency Governments, or alternatively the offer of the Lieutenant-Governorship to a competent British politician outside the ranks of the Home or the Indian Civil Service, a man who can supply as the head of the administration that discerning statesmanship which no Secretariat can supply and no one who has grown grey within the narrow confines of Indian officialdom can be expected to have developed. Should effect be given to this, the highest place to which a civilian can aspire will be a seat on the Council of the Governor-General, and he will then have to consult no chances of promotion. Those who take a share in moulding the policy of the Government of so vast and populous a country as India should labour under no disadvantage in exercising their powers with an independence which no favours to come can possibly bow, bend, or demoralise. At the same time, men accustomed to hold their own in responsible positions in England should be selected for one or two seats on the Council of the Governor-General. By constitutional custom one member will usually be a non-official Indian, and there is no reason why, of the three members holding the portfolios of Education, Finance, and Commerce, any one or two should not be Englishmen outside the Home and the Indian Civil Service. The custom may be gradually established of the Governor-General's coming from England with one or two colleagues whose term of office synchronises with his own. He must of course be the moving spirit of his Council; but he will derive a degree of moral confidence and co-operation of a higher type, both of which will be of invaluable assistance, if at least two members of the Council

are contemporaries who can fully share his enthusiasm and his freedom from bureaucratic prejudices and limitations. Every Governor-General who has now to prepare himself to run in harness with a Council of crusty civilians who have once for all settled what is good for the country, their surviving ambitions at the end of a prolonged career of dreary routine and red-tapism being more personal than administrative, will feel a new man with this wholesome leaven of British political independence, tending to expansion, buoyancy, and renovation. Such a body will not fail to benefit by the expressly-recognised fiscal autonomy of the Government of India subject to the direct interest of the United Kingdom. Although India deserves protection from Great Britain herself, still, considering all that she owes to England, it is assuredly not a sacrifice which we need grudge to allow England to benefit by free trade, subject to the needs of our necessary revenue and our nascent industries; but with this exception the Government of India should have perfect freedom and sufficient power to retain its fiscal authority in its own hands.

At the same time, a beginning should be made of associating the non-official members of the Supreme Legislative Council with the Government in a definite manner on questions of taxation. If, as we have urged in a subsequent chapter, the temporarily settled estates should be given the much-needed benefit of a long settlement of ninety years by a legislative enactment, the question of land tax, the one principal source of revenue, will cease to be a subject of vexatious contention, and all other taxes may be put upon a legislative basis. Every measure of taxation will, like other legislative measures, be considered

carried, unless rejected by a special majority; if so rejected, it should be open to the Government to give effect to it as an executive measure for a period of three years.' After this it should cease to have legal sanction unless assented to by the requisite number of votes, and resort to it as an executive measure should be impossible during the period of three years following. Three years being the duration of a Council's term, if two Councils should successively reject a proposed tax by a special majority, it should be considered as not simply unnecessary but odious. From the way in which the non-official members have hitherto exercised their privileges, there is no reason to apprehend that they will play pranks with the ways and means of conducting the administration of the country. It is true no doubt that in India, should the Opposition thwart the proposals of the Government, the restraint born of the responsibility for carrying on the affairs of the country does not exist. But there is always the conviction present that any perverse persistence in an opprobrious use of the privileges conceded may lead to their speedy modification. The great need is to trust the non-official section with some qualified powers of association with the Government in determining the taxation of the people, under such safeguards as will not render the powers granted altogether nugatory. The effect of such a provision will almost invariably be a greater disposition on the part of each to credit the position of the other with such weight and influence as will ensure an acceptable modification whenever necessary. If any levy proposed by a special majority of the Council be rejected by the Government, but be carried by a similar majority

at the next session of the Council, it should become obligatory on the Government of India to submit it to the decision of the Secretary of State. As regards expenditure, it should become a constitutional maxim that, although all should be subject to the control of the Secretary of State, none should be imposed on the Government of India without its concurrence. Should there be a difference between the two, a special vote of the House of Commons should be obtained to impose the proposed burden on the Indian Treasury. Although such a vote may be easily obtained under the present party system of Government, it will give an opportunity for an open debate, which Cabinet will, in certain circumstances, be wary of provoking. This safeguard will cause the Secretary of State scrupulously to consider the position of the Government of India. Again, although the expenditure of Indian revenues in India and elsewhere is subject to the control of the Secretary of State, the actual and formal allotment should in every case proceed from the Finance Member of the Government of India as an Indian budget allotment. Thus every coin spent out of the Indian revenues will be a grant of the Government of India, and no financial transaction touching the Indian revenues will be or could be withdrawn from its purview. The reforms set forth in regard to Parliamentary Control of India will make it plain how such a change could be brought about even with regard to the cost of the India Office in England; without stating those proposals here, it may be briefly laid down that, although the control of Indian revenues is vested in the Secretary of State, every allotment of expenditure should be made by the Government of

India, and none should be forced upon it against its discretion and judgment except by a vote of the House of Commons.

SECTION II

The Budget

The Indian public anticipates a time when the Imperial and Provincial budgets will be alterable at the discretion of the representatives of the people. That day is as yet far off. It is needless, therefore, to discuss an aspect of Indian administration that cannot have the interest of practical politics for a long time to come. This fact need not deter us from considering whether there is no intermediary stage between the present state of practical exclusion of non-official control in regard to the budget and the complete surrender of the power of the purse to the Legislature. For one thing, it will be too long a jump from practical impotence to practical supremacy; nor can a Legislature worthy the name be condemned for an indefinite period to remain content with moving resolutions to which effect may not be given, or making observations with which the Government may not care to trouble itself. The best method of bridging the gulf between complete absence of all power of change or initiative and full possession of it, is to make a distinction in the budget between unalterable and alterable heads of expenditure. What we would suggest is that the whole budget should be divided into two portions, the first of which may be designated "Budget Allotments" and the second "Budget Proposals." The first will include external and internal defence, home

charges and such other items as may be deemed sufficiently important to be regarded as unalterable allotments. The second part of the budget will include expenditure on public works, education, sanitation, medical relief, etc. While with regard to the first it will remain open to the non-official members to move resolutions which it will be optional for the Government to accept or not, with regard to the second the provisions should be liable to alteration at the discretion of a special majority of the Council. The trend of progress will be gradually to narrow the domain of Budget Allotments and widen that of Budget Proposals. The distinction may be abolished earlier in the budgets of those provinces which may be ripe for the privilege, although it may have to be retained for a much longer time in the Imperial budget. So long as Legislative Councils have different functions to perform, their procedure and powers must also vary. Nor need the fact that a restriction of their rights is necessary in one particular throw upon them restrictions in other particulars. There are classes of budget provisions of which the Executive must have the final disposal for several decades to come; there are others in regard to which a practical unanimity of non-official opinion may be acted upon by the Executive without throwing the machinery of administration out of gear or impairing its efficiency. There is no reason why a distinction should not be permitted between these two classes of provisions. Should it be considered that the experiment ought not to be made on the Imperial budget in the first instance, it may well be started in the case of the Provincial budgets of the major provinces and then extended to the Imperial budget. But in no case will it be advis-

able in budget affairs to make a reference to the Secretary of State, as has been proposed in the case of legislative bills and resolutions moved by non-official members. Budget Allotments must finally rest with the Government of India, while in regard to Budget Proposals effect must be given by the Government to alterations made by a special majority of the non-official section of the Council. No matter how limited the sphere of Budget Proposals to begin with, a beginning should be made somewhere. The heads of Allotments and Proposals should be determined by Parliament and be embodied in a statute from time to time. To accustom the non-official members to the exercise of power is far better than to leave them without it until the time may come for them to claim unreserved control over national expenditure.

SECTION III

Provincial Finance

The growth of the fiscal autonomy of the provinces may be briefly described as a process of evolution, still incomplete, from status to contract and from contract to contribution. The second stage has yet to begin, but there can be little doubt that the future development of provincial autonomy subject to the imperial responsibilities of the Government of India lies in that direction. A fair distribution of the loaves and fishes of the Imperial Exchequer amongst the provinces has often exercised the Finance Members of the Government of India. Since they are only human beings after all, they have naturally found it difficult to resist the importunities of those who have

had readier access to the throne of grace, or to withstand the considerations that usually appeal on the score of proximity. The system of "provincial contract" which allots provincial sources of revenue in whole or in part has, besides its other virtues, the advantage of contributing to the peace of mind of a Finance Member. Although such a system will naturally relieve him to a material extent of the difficulties of distributing his hoards, and secure elasticity in the provision made for the provinces, the arrangement does not embody the utmost practicable quantum of financial justice to the provinces. The common notion that imperial sources of revenue should be mainly available for imperial purposes, and provincial receipts should be utilised for provincial needs, is no doubt a neat proposition, but it does not go to the root of fiscal justice. The difference between imperial and provincial sources of revenue is material only so far as the authority imposing the tax and the area to which it applies are concerned. For instance, customs duties and the income tax are imperial imposts, but the revenues from them are from provincial areas, just the same as provincial receipts. Any line of demarcation between receipts from provincial and imperial sources, to the prejudice of the fact that essentially they are all provincial, is merely fanciful. There are, no doubt, a few items of purely imperial revenue, such as tributes from protected States, profits from coinage, and interests on loans made by the Secretary of State, as well as a few other sources of income which for the sake of convenience ought to be treated as purely imperial, the revenue from the operations of the Post Office, for instance.

Excluding these, several which at present pass for imperial imposts are in fact no more than provincial revenues. The proper method of allocation will therefore be for the Government of India to obtain from the provinces a contribution towards imperial purposes, in addition to the purely imperial revenue, such contribution to be a definite proportion of the total provincial income to the imperial expenditure, the balance in each case being left at the disposal of the provinces themselves. Such a system of provincial contribution will mark a necessary advance on the present unsatisfactory device of "provincial contract." The first objection that may be put forward to such a proposal is that there may be need for the Government of India to make contributions to any Provincial Government on account of want of adequate income to meet all its requirements. The equitable way of dealing with such a situation will be to permit the local Government to raise a provincial loan to be discharged by the province itself, and not to resort to a remedy of forced benevolences from the other provinces. The present contractual system, although an improvement on its predecessors, unnecessarily makes the position of the Finance Member one of acute anxiety. If he be disposed to be unfailingly and undeviatingly conscientious, he must take upon himself to a large extent the entire provincial administration of India, and must determine the needs of each province and apportion his gifts accordingly. The difficulty of doing justice to such a task in so vast a country as India may be easily imagined. Further, the present policy of depriving Peter to pay Paul under the misleading term of provincial contract involves substantial in-

justice to the provinces. A system of fiscal relationship between the Government of India and the Provincial Governments, in which the income of the provinces will be available for provincial needs and developments, excepting what they have to contribute towards imperial expenditure, ought to be *the basis of provincial autonomy* if it is to be real and satisfactory. It is essential to bear in mind that the Government of India is not a Government which has to administer a single area ; it is merely a controlling agency with enormous powers of initiation, and its responsibilities are wholly imperial. The actual administration of the country is carried on by Provincial Governments, with the funds available under allotted sources of income and with the additional grants made at the choice of the Finance Member. In requiring Provincial Governments to carry on the administration of the country under such a system of financial dependence, the Government of India throws upon them the responsibility of a sound and progressive administration without giving them the full benefit of their financial resources and reserving just enough to meet the imperial expenditure of the country. To take from the provinces much more than is necessary for imperial expenditure, and then to distribute among them the balance, if any remain, is a primitive policy embodying a patriarchal system of financial equity. The principle ought to be recognised that the financial resources of every province, under whatever name they may be classified, ought to be utilised for two purposes only, and not for a third, these two being, firstly, the cost of provincial administration, including the pensions payable to the retired civil servants of every province, and secondly,

the contribution towards the imperial expenditure. The third purpose, that of filling up the financial gaps and depressions of one province from the resources of others, ought to be given up as unjust and injurious to the highest standard of administration. Every province must stand on its own legs financially, and make its own share of contribution towards imperial purposes as well, and must be fully entitled to the benefit of its balances, while in the case of a deficit it must resort to a provincial loan. Under the present arrangement the Government of India practically assumes the responsibility for meeting the expenditure of a province as well as its contribution to the Imperial Exchequer. That task and that responsibility must devolve upon the provinces themselves, and the Government of India should cease to practise benevolence in the interests of one province with the balances of another. If the recognition of the principle that in reality all sources of revenue except the few that have been indicated are provincial in fact, and ought to be liable only for contributions towards imperial expenditure, is the *real basis on which the autonomy of the provinces can be built to any purpose*, it is also necessary in the interests of the purity of Indian fiscal administration. The Finance Member at present may be prone to regard the major portion of the revenues of India as being at his own disposal, and may be drawn into generous allotments for imperial purposes. If on the other hand he will relinquish his hold of the revenues of India as a whole, being entitled to a contribution from the provinces for his own purposes, he will be better able to withstand the demands of heads of imperial departments and the expectations of

needy or importunate or influential Provincial Governments. Such a system will be the foundation of a greater measure of provincial prosperity and enterprise, and will at the same time ensure a sense of economy in the sphere of imperial expenditure. There is no reason to apprehend that such an arrangement will lead to laxity of control on the part of the Imperial Government, or that it will involve any diminution of the imperial authority of the Government of India, or that the supreme discretion of the Government of India, in regard to taxation and expenditure or in any other sphere, will be to any extent minimised. It only means that each Administration will pay for its upkeep and the development of its resources, and will be further required to find its contribution for imperial obligations.

SECTION IV

Currency

Before we conclude this chapter, a few observations on the Currency question will not be out of place. It has often been a "muddle," and always a "bother." At the bottom of all our currency troubles, however, lies the root-explanation that India is ruled by a foreign country, governed by a foreign agency, and protected by a large foreign army whose standard and source of equipment alike are foreign. Let us add to these features of the situation an additional fact of no little importance, the ever-increasing exploitation of the country by foreign commercial syndicates, to which the Government of India is pledged to give every kind of facility, administrative and legislative. A Government placed

in this situation, with the Home charges that it has to pay, with the adjustments that have to be made in balancing trade, with the obligation to meet the grievances of an imported service agency, must surely find that the task of steadying a currency different from that of the ruling country is as anxious a problem as any that may confront a State. To add to the complexity of the problem there is the fluctuation in the valuation of silver and gold, and to complete it there is the fact that Indians act on the principle that they have a right to "absorb" gold, i.e. not to allow it to remain in a liquid state, but to make it a part of the country's "dead" assets. The Indian Currency problem under such circumstances may by turn fascinate and confound anybody who has not to act, but since a Government is compelled to act, it has to overcome the fascination and the confusion alike by resorting, when necessary, to heroic remedies, the element of safety being that there is nothing to prevent what the Government resolves upon. The closure of the Mint not only becomes necessary, but seems indispensable for securing the financial stability of the State. The introduction of a gold standard assumes the importance of obligation, but uncomfortably enough gives the gold-absorbing power of India an opportunity steadily to assert itself. The Government finds that, if the one fact of the country being ruled by a foreign country leads to one set of currency troubles, the other fact that the people of India have an inborn talent for arresting the fluidity of a gold currency leads to another set of troubles. We cannot get rid of the one or the other or quarrel with either. An ancient country like India, conditioned by all the

vicissitudes through which it has passed, and unaccustomed to and distrustful of Western modes of investment, knows better than France the value of hoarding gold, and clings to it tenaciously as though that were its second nature. If the Mint had to be closed, because the British Service Agency, Civil and Military, had to be retained in India, then correspondingly the conversion of a currency into the dead effects of the country has to be suffered, because the people cannot understand why they should not alter the form of what belongs to them, and because gold hoarding has been the country's method of investment from time immemorial. The native of England understands that he has only a right to the use of the coin as a *coin*; the native of India believes he has a right not only to use it, but to misuse it, to mutilate it, to destroy its mobility; *i.e.* to undo all that has been done for it as a coin of the realm. In fact, his claim is not far different from the claim of the Government in India to treat the public Mint as its own private property, and to close it, if it cannot cope with the currency muddle in any other way. The coin, as well as the Mint, is in the West the property of the nation; but in India the coin is the property of the individual who has it, and the Mint likewise is the property of the State, to be open or closed to the public like a private hospital at the pleasure and convenience of the charitable donor. The two ideas are unconsciously reciprocal. In England the character of a coin is "once a coin always a coin," but in India its character is "to-day a coin, to-morrow an ornament," and once an ornament always an ornament, never a coin again, a dead asset,—what the Indian calls "emergency wealth."

In fact, the Indian's feeling is that his prospect of keeping it as an ornament is more certain than that of his retaining it as a current coin, and he is absolutely right; only he is unfortunately accustomed to retain and not to invest. But the question with which we are directly concerned is: What is the use—in such a country as this—of importing coins by shiploads and paying considerable freight without opening a Mint, of condemning a dead asset to remain a dead asset without allowing it a chance to become once again a moving monetary force? The Government, as well as its critics, has to realise that the country cannot go back upon the gold standard for a long time to come, any more than upon British administration. If the fixing of the gold standard, with the resultant necessity of importation of sovereigns (although gold has been *exported* from India for years past) and its concomitant gold “absorption,” is a situation to which we must reconcile ourselves, there is no way of escaping a gold Mint in India—without committing a serious currency blunder. The best policy is, therefore, to open a Mint in India for the coinage of sovereigns, so that absorbed gold may be given a chance of being put into circulation again. Then the open road need not only lead from the Mint to the melting-pot, but a way may also be found for the product of the crucible of the goldsmith to assume the appearance of a coin of the realm. The opening of a gold Mint does not of course mean the replacing of the existing silver currency as a legal tender by a gold currency. It only means recognising the logical result of a gold standard in a country like India, and extending correspondingly the benefit of it to

Indian mercantile agencies as well. Nor may we overlook the consideration that India is a gold-producing country itself, that some of its gold is as good as the best gold of the world, and that the Government of India has no right to add to the public expenditure by importing sovereigns minted in England out of the gold exported, among other countries, from India. But to issue any coin other than a sovereign will be to stultify the whole solution, and to introduce an additional factor of complication. The only difficulty of a technical nature in the establishing of a Mint in Bombay for issuing sovereigns can be got over by an appropriate amendment of the existing provisions, as there is nothing sacrosanct about them. Nor can there be anything derogatory to England in conferring the right and privilege of coining gold money upon an empire so vast and ancient as India—a privilege it enjoyed long before England could clothe itself in decent garments. Further, the opening of such a Mint, besides raising the political status of the country, will stimulate Indian trade and bring into circulation and investment a good portion of what is now condemned to remain uninvested. There is no reason to conclude that it will permanently raise the cost of living, so long as a gold currency does not supersede the silver currency. Nor is it a valid argument that without an open silver Mint there should be no gold Mint in India. The two stand on different footings, and there is no warrant for our involving ourselves in fresh complications by undoing the policy of 1893, simply because a gold Mint is to be established as one result of that very policy. The silver Mint was not closed because there was

no gold Mint; it is not necessarily therefore to be opened now because a gold Mint is to be opened. Its reopening can be safely brought about only by a modification of the circumstances that necessitated its closing. The critics of the policy of 1893 may inveigh against it with all vehemence; much of the criticism may be theoretically justifiable on *a priori* grounds; but, if dispassionately examined, the measure of 1893 was called into existence by a political law very near to self-preservation. It might have been a measure of "strangulation," but it was necessary to prevent self-immolation, and, as every Indian knows, the wall is necessary for the picture to be painted. The measure of 1893 must stand good for some time yet, especially as we have borne all the evil to which it immediately led. At the same time, the true solution of the far-reaching currency problem, which in its deeper bearings is only a phase of the economic problem of India under British rule, lies in making that rule as little burdensome as foreign rule can be. Unless this is done, British rule, however much of a success in other respects, will ultimately prove an economic failure, and that is a failure for which there can be no remedy except in resorting to measures far more dangerous than the closing of the Mint. To minimise as far as possible the payment that has to be made in gold on account of the employment of a foreign agency is absolutely essential, not only in the economic interests of the country, but to enable the Government of India to place *its currency on a stable basis*. It is *the annual indebtedness* of the Government of India, on account of its obligation to pay in gold, that imposes upon the Government all its currency troubles, and

the question of a national Mint in India ultimately turns upon the problem of confining this indebtedness within indispensable limits. The question of all annual payments where payment is to be made in gold has increasingly become not only a question of draining the wealth of the country, but also of exchanging silver for gold to effectuate that drain; *i.e.* India has not only to pay for foreign services, but to pay for foreign services in a foreign currency; not only to pay a tribute, but to pay it in the currency of the ruling country; to pay it in the shape of salaries and pensions, besides other amounts for purchases and mercantile service, most of which cannot be avoided. The effects of a foreign rule are cruelly evident under such a policy, and the process of "bleeding" becomes not only exhaustive but exhausting. Any expedient, however heroic, against such a state of affairs, is bound to prove merely temporary, unless the main circumstance which perpetuates the trouble is obviated; and that can be done only by governing India through India, by defending India through India, and by buying in India, as far as may be fully and honestly possible, for every purpose. Then the Mint will belong to the nation without any danger of its proving a pounding machine of hardship. The Government of the country will be released from the obloquy of administering the affairs of over three hundred millions of human beings with no public Mint, as despotic an exercise of executive power as any Asiatic despot could exhibit, which if indefinitely continued cannot but prove a source of acute anxieties, troubles, and disorders. If nature abhors a vacuum anywhere in the regulation of civil

affairs, it is the vacuum created by the closure of the national Mint. It is as abhorrent an exercise of power as administering justice within closed doors and only communicating to the public the result of the trial. As a permanent condition it will be a monstrous arrangement. We do not close our eyes to the fact that it became inevitable in 1893, that it will continue to be necessary for some time to come; but to make the mistake of looking upon it as a *fait accompli* for all time will be to commit a stupid and stupendous blunder. It was necessary for the Government to steady itself at a time of "rush"; but British statesmen must look to a large policy of reconstruction in the sphere of Indian administration to produce stability with regard to the currency of the country, and inaugurate an era of administration which, as it develops, will be compatible with an open Mint.

PART II
PROVINCIAL

CHAPTER VIII

PROVINCIAL GOVERNMENT

SECTION I

Type of Provincial Administration

RESPONSIBLE authorities, both British and Anglo-Indian, have for a long time allowed the system of administration in India to drift without having in their minds a type to which Provincial Governments should, as they progress, conform. It was as a result of a fortuitous combination of circumstances that Bengal, the foremost province, was redeemed from the plight of an administration subject to the capricious benevolence of civilian governorship. Since then it has appeared incredible that Bengal should not have had a Presidency until an unprecedented agitation led to a Royal visit resulting in this change. That, however, only shows the imperative need for having in view a progressive plan of provincial administration. The conception which should vivify such a plan is that the best available British and Indian talent should be utilised at the head of each Provincial Government. We cannot in certain cases dispense with civilian headship, but the general mould of provincial administration should unquestionably be that of the Presidency

form of government. If England is to recognise the responsibility that rests on her in the government of a sixth of the human race, she should not grudge the best material at her disposal and should not be content to give us what is far below that standard. The Civil Service in India has been without doubt a splendid *corps d'élite*, and has maintained an honourable record for honesty of purpose and a high sense of public justice in the discharge of its duties. There have been from time to time individual members who would have brought credit to any post (with the sole exception of the leadership of a parliamentary party) and distinguished themselves in any capacity. Still, there is no imputation in the statement of what is but a bare fact, that the service has developed a marked individuality, has evolved a code of traditions, and has come under the influence of a train of ideas, all of which render it absolutely essential that it should not be trusted to set the pace of progress in the administration. It has created the impression that, as a service, it has too strong a faith in its omnipotence and self-sufficiency, and too little appreciation of virtues possessed by those outside the rank and file of officialdom. It has predilections, prepossessions, and prejudices, which it conserves and perpetuates, and to which successive batches of civil servants are as a body loyal and devoted. It is not easy to wean them from their attachment to inherited notions of what is feasible and proper in the government of the country, as theirs is a case of subjection to the tyranny of early ideas. The Civil Service is an official guild, with prospects and privileges in the nature of a cherished monopoly. It has, as a body, proved its efficiency beyond question, and

in coping with strenuous and responsible work it has gained the unstinted admiration even of its unsparing critics; but its outlook has never been that of the statesman at the helm of affairs. Accustomed to look upon authority as all-sufficing, it is not an ideal school for training men in uplifting nations and communities to a higher plane of civic life and political altitude. It has not been in its nature to yield to popular demands except in obedience to higher official authority on most crucial occasions; it has never been known to throw the weight of its influence on the side of progress. Its main accomplishment in the field of statesmanship has been the multiplication of rules and regulations, while to complicate procedure, to provide a system of endless checks and counter-checks, to amplify references, and to hedge round the work of administration with increasing technicalities, has been its steady endeavour. In administration its favourite resort has been to tighten the official grasp, and a policy of relaxation in this respect has been forced upon it by statesmen who were not of the service but at the head of affairs. However admirable, therefore, for purposes of executive duty, the Civil Service is not likely to furnish men who may be expected to bring to the direction of the government of a province the fervour of a moral purpose, the self-surrender of men with a mission, or sustained faith in the regenerating influence of effort on behalf of others. We do not mean, of course, that every governor of a province sent out from England to India has come up to such a high level of expectation. Indian governorships, the Viceroyalty included, have too often been considered comfortable

berths for men of less than mediocre ability in British politics, disposed of as gifts for the asking, too indecorously included in the category of party patronage. Men of no note in the political world, of no previous administrative experience, of no enthusiasm for India and the claims of Indians, of no special aptitude to win the esteem and admiration of the people of this country, or to promote their love and attachment to the British nation, have been made the recipients of governorships and the Viceroyalty as a matter of absolutely undeserved patronage. They have been no more than social and official figure-heads, the mouthpieces of their civilian colleagues and advisers. Such a disposal of provincial governorships is a scandal if we think of it seriously, and a farce if we are disposed to treat it light-heartedly, but is in any case a grave political danger. It has given rise to the impression that, so long as India is under British domination, it must tolerate being treated as shabbily as the British Government may choose it. Even from a purely calculating point of view India ought at least to get her money's worth of ability, industry, and utility. A good deal of conscientiousness is therefore imperatively necessary in the choice of persons for these responsible offices. If they were so chosen, we should be in a position to get a far better choice of administrative heads than the Civil Service can furnish. A bad or indifferent selection of men can be easily rectified, whereas a whole service cannot be metamorphosed in regard to its faith or faithlessness, its inherent incapacity to liberalise its political creed, or to free itself from the benumbing influence of frigid officialism. It has failed to be, and it never can be, the fountain-head