

SOVEREIGN RIGHTS
:: OF ::
INDIAN PRINCES

BY
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GANESH & CO., Publishers, MADRAS, E.

THIS BOOK :

The Sovereign Rights of Indian Princes

Is a stimulating study of the problem of the Native States of India. It is an attempt to define and to find a solution for the question—what will be the place which the Native States of India should occupy in the larger dispensation of Indian polity in the near future. This is a question which is already attracting serious attention. Whether the ideal be a United States of India on the Federal plan including the Native States, or whether the ideal be only responsible self-government and provincial autonomy, the problem of the Indian States is bound to loom large before the politicians and Statesmen of India. For one thing the progress of India has made it impossible to rest the Native States on the pedestals of segregation, worshipped of Lee Warner and Strachey. The march of events in Asia since the dawn of the twentieth century is against it and the spirit of the times forbids it. Recent events in India, some of which the author considers here, are of far-reaching import and sound a grave warning against letting things go in the traditional style.

In this booklet the author makes a probing enquiry into the position of the Native States at present and examines the significance of recent events in Asia and shows how they affect the question of the Native States of India. Studied as the question is here from the view point of a Student of International Law, it forms a valuable contribution to the study of the problem of the Native States.

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PREFACE

A few weeks ago, in the class of International Law of the School of Foreign Service, Georgetown University, Washington, D.C., taught by Dr. James Brown Scott, one of the most eminent authorities on the subject, the question of "Status of Indian Princes" came up for discussion. This led me to look into the subject to verify my position—that the Indian Princes have really no sovereign rights from the standpoint of International Law. They have lost them through usurpation by the Suzerain Power—Great Britain.

The following pages are the result of this study which is by no means exhaustive. Indian political scientists, political leaders and Princes should take timely interest in their efforts to find a solution of the delicate question of "what should be the status of the Indian princes"—in

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the future body politic of India—The United States of India—and in the society of nations, from the standpoint of International Law. I hope that these pages will stimulate Indian scholars for further research in this field.

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Washington, D.C. }

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INTRODUCTION

ALTHOUGH the Government of India ignored Indian public opinion in passing the Princes' Protection Bill, yet within a few months, the same government virtually dethroned the Maharaja of Nabha, by forcing his abdication. The Maharaja of Nabha has been regarded by the Indian public as a progressive Indian Prince, nationally inclined and thus hated by British officialdom. This abdication of the Maharaja of Nabha has stirred up a great deal of agitation among the people and Princes of India regarding the apparent high-handed action of the Viceroy of India. I am not in a position to discuss the Nabha case because I have not all the facts on the case except the press reports, which

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are quite inadequate to pass a judgment upon so serious a question, although it is a fact that the Viceroy has full legal right to remove any Indian Prince from his throne if he deems it necessary.

There is too much sentimentalism regarding the status of the Indian Princes. This sentimentalism and imagination at times runs amok to such an extent that some learned jurist in India has recently compared the sovereignty of the Government of India with that of the Native States of India, and held that the status of both being equal (!) the Native States should have representation in the League of Nations.

In this study I have tried to show that the exact status of Indian Princes is no better than that of the landed barons of India or any other country. Indian Princes will continue to be so unless certain fundamental changes can be brought about in the political condition of India as a whole.

I have refrained from going into the discussion of how the Native States of India could be made to subserve the re-

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generation of the people of India. When one reads about the discriminating and reactionary attitude of certain Princes towards their subjects one may well feel doubtful about the progress of democratic ideals in those States.¹ Even the attitude of the Government of progressive Indian States like the State of Baroda shows the truth of the above statement. The following comment regarding the Press Act in the State of Baroda will throw some light on the so-called progressiveness of the Indian Princes :

“It is sad indeed that the progressive State of Baroda should show lack of political far-sightedness by taking a retrograde step in introducing a more stringent Press Act than that of British India. According to this new press bill, the Magistrate shall have the discretion of refusing permission for starting a newspaper in the State ; again the punishment of a fine of Rs. 2,000 or 6 months' imprisonment is too severe for a violation of its

1. The Swarajya of Madras (1923), published a series of articles on the subject.

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rules. We strongly hope that this bill will be boldly opposed in and rejected by the Baroda Dhara Sabha."¹

Unless, therefore, the Native States of India give up the retrograde tendency to autocratic government and liberalise their administration by progressive democratic ideals they may in course become Ulsters of India or they may engender the same kind of mischief as was created by the Princes in Italy and Germany before the Italian Unity and the formation of the German Empire. About the present weakness of the Native States of India, it has been said by an Indian writer :

"Those who want to perpetuate the rule of the Native Princes must know and realize that power without responsibility cannot last. It is, perhaps, the worst form of Government, and the present position of the Native Princes is nothing but a curse to their people; because power cannot be divorced from responsibility without disastrous consequences. In the Native States might is right, and the arbitrary

1. *The Rajasthan* (Delhi, India), November 22, 1923.

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will of the rulers prevails. The patient people, who have endured the ravages and exactions of plundering masters, crave for impartial and unvarying justice. The guardianship, reign of law, which is the foundation of healthy political life must take the place of the arbitrary will of the seven hundred despots. The inefficiency of native government, their disorganised finances and system of justice are undermining their authority completely. The rise of a sense of unity and nationality in British India must make the matter worse in the Native States.....The root of evil is the present system of Government in the Native States. It is the result of power divorced from responsibility. The only chance of improvement is that those who enjoy power should be made to assume responsibility for its exercise. The friends of the Native Princes realizing the dangers and possibilities of the present situation, will do well to explain to the Princes, the signs of the times and risks attendant on them, and that the only way to prolong their existence is to assume the role of

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limited monarchy by granting constitutions to their peoples."¹

The Princes of India must adjust themselves with the aspirations of the people; otherwise they will meet the same fate as many more powerful crowned heads in Germany, Russia, Austria, Turkey, China, Greece and other countries met during the last few years. I am not advocating such drastic measures, nor am I interested in playing the part of a political prophet, but I have formed the conviction as a student of history and world affairs. The rapid changes in the arena of Indian politics must affect the Indian Princes equally as it would affect the British ruling oligarchy in India.

Indian Princes (under British Suzerainty) having sovereign rights as rulers, is really a myth and a fiction. They should realize this hard fact and act with the people of India so that at least they may become the real and recognized leaders of the Indian nation, if they can take the leadership by giving up their special

1. *The Rajasthan* (Delhi, India), November 22, 1923.

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pretensions. They should think and formulate a plan so that they may fit into the scheme of things of Future India which, in evolution, in the course of time must be an independent India, free from foreign rule and that will be the Federated Republic of the United States of India. They should also take into serious consideration their status within the Indian Empire (not British Empire), enjoying at least the same rights and privileges as the Dominion of Canada. In any event, with the coming changes in India, the Chief Executive of India must be an Indian and his cabinet will be composed of the popular leaders; and Indian Princes ultimately will have to deal with them in some form or other, and not with the Government of England or the British Government in India.

It is interesting to note that His Highness the Maharaja of Alwar in the course of his speech at the State Banquet held at the City Palace, Alwar, in honour of their Excellencies the Viceroy and Countess of Reading, and His Highness the Jam Sahab of Nawanagar, on March 29,

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1922 gave an expression to the idea of the future of the Indian States as cherished by many Indian Princes. He said:

".....the question of the Chamber of Princes, and particularly that of the future of the Indian States, is one of such magnitude that I don't feel competent to encompass it in the course of an after-dinner oration. But after all, truths are really simple.....My goal is the United States of India, where every Province, and every State, working its own destiny in accordance with its own environment, its own tradition, history and religion, will combine together for higher and imperial purposes, each subscribing its little quota of knowledge and experience in a labor of love freely given for a higher and nobler cause."¹

The future status of Indian Princes is involved with the future of India—the United States of India. A committee of the All-India National Congress and a committee of the Princes of India should discuss problems involved with frankness

1. *Indian Review* (Madras, India), April 1922, p. 275.

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and candor to further the ideal. The minimum requisite for such a discussion is that the Indian Princes should take part in all vital problems and political life of all India, and they should lead in the field of the establishment of democratic governments in their States, in conformity with the aspiration of the people; on the other hand the All-India National Congress should inaugurate its activities to deal with the Indian Princes and also the independent nations of the world through its own Department of Foreign Affairs. They should not forget that political independence is the first requisite for a really sovereign State.

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