

Protected Princes in India

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By

SIR DAVID WEDDERBURN, Bart.

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PREFATORY NOTE.

"BE JUST AND FEAR NOT."

THIS article is a plea for the establishment of a tribunal to provide a public and judicial hearing in cases, civil and criminal, affecting the interests of Indian Princes; and more especially those cases in which the Paramount Power, now acting as sole arbiter, is itself an interested party. In no other way can the position of Indian Princes be rendered secure, as guaranteed by Queen Victoria in the Proclamation of 1858, when assuming the direct Government of India. On that memorable occasion Her Majesty, speaking on behalf of the British people, declared, "We shall respect the rights, dignity, and honour of Native Princes as our own"; an inviolable pledge, endorsed and ratified by King Edward and King George.

The conception of such a tribunal is nothing new or strange: the principle was enunciated, one and a quarter centuries ago, by Edmund Burke when, as the cardinal factors of a good—and safe—administration in India, he prescribed "a government by law, and publicity in every executive and judicial concern." And a definite proposal on these lines was put forward by Mr. John Bright in his great speech of June 24, 1858, in the House of Commons, when he foreshadowed the main provisions of Queen Victoria's Proclamation. In that speech he proposed the establishment of "a Court of Appeal, the judges of which should be judges of the highest character in India," for the settlement of disputes in which the Government of India

was a party; and he added, "I would not suffer these questions to come upon the floor of this House. I would not forbid them by statute, but I would establish a court which should render it unnecessary for any man in India to cross the ocean to seek for that justice which he would then be able to get in his own country without corruption and secret bargain."

Again, twenty years later, the claim for this measure of justice was revived by Sir David Wedderburn, an independent member of the House of Commons, who had made India his special study, and was deeply interested in her welfare. In the article, now republished by favour of the *Nineteenth Century*, he points out that the Indian Princes "enjoy neither the independence of foreign princes, nor the privileges of British subjects"; also, that the procedure now followed in political cases is open to grave abuses, the decision being based on secret enquiry, and confidential reports from political agents, without the sanctions of publicity and recorded evidence.

On January 1, 1877, at Delhi, before a solemn assemblage of the princes and people of India, proclamation was made that Queen Victoria had assumed the title of Empress of India; and Sir David quotes with sympathy the "Deccan Address" of December, 1876, a document indicating the royal boons which, following ancient usage, would have added special grace to Her Majesty's historic announcement. In this document a hope was expressed that the opportunity would be taken to bring the Princes of India into more cordial association with the Councils of the Empire, so that those dependent Sovereigns might be confirmed as "a permanent and integral portion of the Imperial system." With what seems prophetic intuition of coming events, the framers of the Address, speaking for enlightened Indian opinion, declared that by the development of free

institutions the people of India would become more manly and self-reliant; and would "welcome their connection with England as a providential arrangement intended for their welfare, and resolve to abide by it through all the troubles and trials of their mutual growth."

Accordingly, in the present European crisis, the Indian Princes, as the natural leaders of the Indian people, have, with one accord, placed their personal service and all the resources of their States at the disposal of the King-Emperor; and there could not be a more fitting occasion for a gracious act of Imperial recognition, which would secure to them their rights, dignity, and honour; and at the same time would be welcomed by the whole of India.

The establishment of a suitable tribunal to make public enquiry, and advise His Majesty's Government with regard to cases affecting the interests of the Ruling Chiefs, would be to them practical proof that the Paramount Power is determined to do justice, without fear and without favour; and would inspire in their minds confidence in the enduring goodwill of the British people.

To those who understand the Indian character it will be evident that the path of safety lies in the direction of mutual trust and practical solidarity of interests.

W. WEDDERBURN.

Meredith, Gloucester.

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