

THE
MONTAGU-CHELMSFORD REFORMS
and
THEIR EUROPEAN CRITICS

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THE MONTAGU-CHELMSFORD REFORMS AND THEIR EUROPEAN CRITICS.

1. It is a truism to say that the European community occupies a unique position in India. Many of its members are sojourners in the land, and whether officials or non-officials, are yet called upon to exercise a guiding influence upon Indian affairs. Just as in the sphere of government, the Europeans in the service of the Crown have for generations performed work of immeasurable value in securing the peace and prosperity of the country, so the non-official Europeans have undertaken the not less essential task of developing India's economic resources and securing her a place in world-commerce.

2. The natural result of the past activities of the European community has been the acquisition by them of a stake in the country which is out of all proportion to their numerical strength. Until recently, both officials and non-officials took small interest in the rapid political evolution of the educated classes in India, preferring to confine their activities to their particular spheres of administration or of commercial life. Within the last few years, however, this state

of affairs has undergone a change, and both sections of the European community have come to see the necessity of reckoning seriously with the indigenous political forces, which have made their appearance.

3. The attitude of the two sections towards the recently published Montagu-Chelmsford reform proposals has somewhat naturally been different. The official Europeans, members of the various services, have felt themselves bound by their position to refrain from criticising a scheme which has emanated from the Secretary of State and the Viceroy, and has in addition received the general approval of the Government of India. In the case of the non-official Europeans, there has been no such obstacle to the free expression of opinion, with the result that comments have been put forward which no thoughtful man can afford to ignore. As might have been expected, these comments have been temperate in tone and weighty in substance, although there is some reason for thinking that they have not always been based upon a clear apprehension of the real intentions of the framers of the Report. This is doubtless due to the fact that the non-official European community has not, as a whole, possessed the leisure to make a close study of Indian political conditions, and is naturally more concerned with the particular points in which the Reform proposals are likely to affect its own interests, than with the wider aspect of the proposals in relation to the circumstances of India as a whole. Or, to put the case in another way, the community has less concern with the theory of Government than with the fact of Government being well administered. This means that the first desideratum is efficiency, the equally important educative aspect falling into a secondary position. This is not

to say that European non-official criticism has been selfish in character: indeed, the most authoritative expressions of that criticism clearly reveal in their authors a deep feeling of respect for the rights of all other classes of the population of India. It is apparent, however, that there must inevitably be some danger that criticism of this type will occasionally fall into error, through failing to take into consideration the broader aspect of the political position.

4. As an illustration of this kind of error, mention may be made of a tendency which has unfortunately manifested itself, even in some responsible quarters, to question the validity of the declaration of August 20th. We are sure that it is only necessary to point out that an authoritative announcement of the policy of His Majesty's Government is binding upon every subject of His Majesty, to be received without further demur. But apart from this, the political effect in India of any attempt to invest the declaration of August 20th with an atmosphere of doubt and uncertainty, is bound to be most unfortunate. The good faith of the British people is involved. Has this point of view ever struck those critics to whom we are now referring? They cannot fail to perceive its importance when once it has been indicated, but their apparent failure to realise it in the first instance would seem to indicate that they have approached the question of Indian constitutional reform from a somewhat too restricted angle of vision. This is true, fortunately, of only a small section of the community.

5. From an examination of the pronouncements, not merely of the leaders of European opinion, but also of the responsible European press, it becomes

clear that the non-official community has several general criticisms to bring against the Montagu-Chelmsford reform proposals. It will be well to consider these in some detail, not only because they are worthy of attention themselves, but because they have been put forward by individuals and associations of eminence and standing.

6. The main objection which the non-official European community has expressed in regard to the reforms is that under the contemplated regime, British rule may be replaced by the rule of an oligarchy of the upper castes. The objectors do not assert that this will inevitably happen: they assert that it may happen, and that the framers of the Report have taken insufficient pains to guard against it. They point out that if this were to happen, the other sections of the Indian population, particularly the depressed and backwards classes, would certainly suffer, to their own detriment and to the hazard of the peace and security of the country. They are rightly convinced that the only way of obviating this danger, is to base the new reforms upon an electorate of a character sufficiently wide and sufficiently representative to ensure that all classes of the community will be in a position to obtain a hearing. They are of the opinion that the framers of the Report have not done this, but have allowed the whole question of the franchise, vital as it is, to be determined by a committee, although the possibility of putting the reforms into execution depends entirely upon the nature of the electorate to be constituted.

7. In this criticism weighty as it is, it would seem that the proposals of Mr. Montagu and Lord Chelmsford have been treated with something less

than justice. No one can read the Report carefully without being struck by the fact that these very possibilities have been kept in view, although there may be room for difference of opinion upon the question as to whether they have been sufficiently stressed. There are two main methods upon which reliance is placed by the framers of the Report, in order to prevent the ill consequences which might result from the formation of a class-oligarchy. The first is the retention in the hands of the Government of India of general discretionary power to interfere in discharge of those responsibilities for good government which it continues to owe to the British Parliament, including among such responsibilities the protection of minorities and of the depressed classes. The second is the provision that in each part of India, the number and importance of the transferred functions will depend principally upon the size and nature of the electorate to be called into being.

8. It would seem that much of the criticism which has been directed against the plan of leaving the electorates to be determined by a committee misses the mark. The framers of the Report do not intend that their recommendations shall be regarded as cast-iron *ukases*, planned without reference to the electorates on which their success will depend: on the contrary they plainly contemplate that the precise operation of their proposals shall depend upon the results of an investigation into the constitution of the future electorates. Further, from a practical point of view, it would have been impossible for Mr. Montagu and Lord Chelmsford to have made any serious attempt to determine the nature of these electorates. The diversities of Indian conditions make the task pre-eminently one for local enquiry, and for this

neither the time nor the opportunity was available. It is, as we see, incorrect to say that the Montagu-Chelmsford reforms have been framed without due reference to the unknown nature of a potential electorate: on the contrary, it is clearly recognised that the operation of the reforms in any given part of India will be determined precisely by the manner in which the problem of the electorate is solved.

9. In which connection we may note that a proposal has found some favour of late, regarding the amalgamation of the franchise and of the transferred functions committees into one. But as it is expressly laid down in the Report that the two committees shall work in close co-operation, it would seem that little would be gained, and something might be lost, by their fusion. Their functions are different, although the results of their work are so closely interdependent, and it might well be that difficulties would arise in regard to the personnel. An individual who might be the most suitable person possible for the franchise committee might be very ill-qualified to decide upon the nature and importance of the functions to be transferred, and *vice versa*. This is a practical difficulty which may well turn out to be of considerable importance. The plan which at present holds the field, while providing for the close co-operation of the two committees, and the co-ordination of their results, none the less contemplates a specialisation of function, and is susceptible to none of the disadvantages of the alternative suggestion.

10. The second general criticism which the European non-official community has levelled against the Reform proposals is that the magnitude of the

European stake in the country is not sufficiently realised, that the importance of the community is underestimated, and that its interests are insufficiently safeguarded. This is an extremely serious charge but is it quite a fair one? An examination of the arguments put forward in support of it seem to show that it rests principally upon two grounds, first, the smallness of the space devoted in the Report to the non-official Europeans, and secondly, to the decision of Mr. Montagu and Lord Chelmsford against the extension of communal representation to the community. Let us take the second point first, as being the more tangible. We must begin by noticing that the whole question of communal representation is still an open one: the framers of the Report have contented themselves with emphasising the theoretical objections, leaving it for the committee on the franchise to determine how far these objections are valid in any given set of circumstances. Can any thoughtful man deny that from the larger viewpoint of India as a whole, these theoretical objections are very serious? Will the system not serve to stereotype and perpetuate those class and community barriers which must be broken down, not built up, if India is ever to achieve true nationhood within the Empire? Will it not also serve to deaden political initiative on the part of the various sections of the community, by shutting them off from the bracing atmosphere of free political life? This is not to say that the principle of communal representation stands condemned without appeal. On the contrary, it will be for those who desire its application to their own case to argue their position before the committee which, after a full investigation of local conditions, will proceed to "hear and determine".

11. But if we examine the arguments in favour of communal representation a little more critically, we may perceive a fundamental weakness which goes far to vitiate them. Underlying them all is the assumption that communal representation is a panoply, which will preserve a minority from the tyranny of a majority. But surely no system of representation ever devised will do this: a minority must remain a minority, and in the last resort, at the discretion of the majority. The only things which communal representation can do, are first to secure the presence in the legislature of elements which might otherwise be excluded: and secondly to ensure that if the majority of the legislature is resolved to perpetuate injustice, it must do so in the teeth of protest from the community whose interests are adversely affected. As an illustration, it may be remarked that the framers of the Congress-League scheme were compelled to disallow legislation affecting the interests of one community without the consent of a majority of the members of that community. This curious and artificial provision illustrates the fundamental defect of communal representation as a means of safeguarding the interests of a minority. If, however, this end can be achieved by some system other than that of community representation, free from the objections brought against that device, surely the gain will be substantial. As Mr. Montagu pointed out, the educative effect of sending all classes to the same polling booth is important, and if, as long as there is danger that certain sections will go unrepresented, the official power of nomination is employed to place representatives of these sections in the Councils, what reason is there for thinking that the ends of justice will be defeated? The sections in question will be learning the art of using the vote, while at the same time, their interest will be

properly represented in council through members nominated from their ranks. Surely if this were realised, the fantastic attempt at bargaining which has been made by Mr. L. P. E. Pugh would have been treated with the contempt which it deserves. As will be the case with other communities, the protection of non-official European interests, until such time as their importance is adequately recognised by and can without risk be entrusted to the Indian community at large, will be secured, not by the presence of a few extra European representatives upon the Councils, but by the reserve powers which still remain with the Government of India in all matters of Imperial importance.

12. This brings us back to the first point. It is true that the Report does not leave much to say, beyond generalities, in regard to the position of the non-official European community, but that is due to the fact that the community is scarcely a subject for lengthy consideration in a document dealing with Indian constitutional reform. It is not contemplated that the interests of non-official Europeans shall be included in the sphere transferred to Indian control. It is recognised that British capital has flowed into India, British enterprise has followed in its wake, and a vast structure of industrial and commercial credit has been built up. This process has admittedly been rendered possible only by the tacit assumption that the Government of India, being a British government, was responsible for the safeguarding of British interests, and would regard them with a more careful eye than could be expected from the government of a foreign country. There is no disposition on the part of the framers of the Report to deny these facts. They recognise that the interests involved are

Imperial, and form part of the responsibilities of which the Government of India cannot, in view of its obligations to the British Parliament, at present divest itself. For the protection of these, as well as other, interests, ample powers are reserved, to be used as occasion demands.

13. Those European critics who have brought against the Reforms scheme such general criticisms as are noticed above, may be invited to consider whether, after all, their apprehensions are justified. The outstanding feature of the proposals as a whole is the fact that while an important share of power is to be transferred to the Indian community, yet none the less the authority of the Government of India is to remain paramount, if not normally operative, in all spheres. This authority is specifically reserved. Its employment will depend upon the use which the Indian community makes of the powers which will be entrusted to Indian hands. Should these powers be well used, the Government of India will hold its hand: but should they be abused, the Government of India will assert its own authority in discharge of its Imperial responsibilities. It is the reserve of authority in the hands of the Government of India which affords the real guarantee that the interests of the Europeans, as of other sections of the community, will not be exposed to the risk of unfair treatment by the new political forces which have arisen in India. Higher up in the scale, again, comes another authority, which, if periodic in its action, will be none the less effectual in maintaining justice and harmony in the working of the polity of India. This is the authority of the Commission, which will from time to time judge of the working of the experiment. Finally, paramount over all, is the

influence of Parliament, which will now, it is safe to say, exercise an effective supervision over the general development of the Constitution. The presence of these three revising authorities affords the best guarantee for the success of the Montagu-Chelmsford reforms, and provides the best answer to these critics who complain of overmuch haste and rashness.

14. It has been remarked that there is great danger in carrying on simultaneously the changes of so far-reaching a character as the Indianisation of the Services, and the transfer of important functions to Indian direction. This is a criticism well worthy of consideration. But surely the gradual Indianisation of the Services, carried out with due regard to the maintenance of their British characteristics, is a necessity if India is ever to achieve nationhood, just as the transfer of functions to Indian direction is a necessary step towards the realisation of responsible government. No reasonable man will deny that the simultaneous advance along these lines is attended with some risk, but the risk is small in comparison with the danger of sanctioning advance along one line only. Rightly considered, the two are complementary, and cannot be divorced. Exactly how the proposals will work out in practice, no man can say. The probable effect of each change taken separately can be estimated with some approach to accuracy, but the cumulative effect, taken as a whole, is more difficult to determine. It is for this reason that ample precautions have been taken, in the reservation of authority, the machinery of revision, and the active, if general, supervision, of Parliament to ensure that the contemplated advance shall take place on lines that are sound, not dubious.

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