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**OUTLINES OF INDIAN
CONSTITUTIONAL HISTORY**

OUTLINES *of* INDIAN
CONSTITUTIONAL
HISTORY [BRITISH PERIOD]

BY

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LONDON

P. S. KING & SON LTD.
ORCHARD HOUSE, WESTMINSTER

1926

TO
A. L. A.

PRINTED IN GREAT BRITAIN

PREFACE

THIS attempt to deal with a very difficult subject in brief outline is given to the world with considerable hesitation. Such a book cannot possibly cover the whole ground. It does not deal, for instance, with local self-government, which would need a volume at least for satisfactory treatment; the same may be said of taxation and finance. Nor does it go fully into the very complicated problems connected with the relations between the Government of India and the Provincial Governments, and between the Government of India and the Home Government. Again, a new and very difficult branch of Indian constitutional polity is that concerned with the exact powers and duties of the native princes; perhaps we speak of it as new merely because it is beginning to attract wider notice. There is indeed ample field for further speculation and research, and the consideration of an elementary matter such as the jurisdiction of the High Courts will show that much remains to be done. I cannot say that the writer of monographs will find in such questions the picturesqueness that belongs to the dim and half-forgotten kingdoms of India's ancient and medieval days, but he may throw light on subjects of great historical interest; subjects, too, which have a very direct connection with the constitutional fabric of to-day.

I am under great obligations to the Government for allowing me to reprint, without making any monetary payment, such portions as the Montagu-Chelmsford Report as seemed useful for my purpose. To one who knows India that Report is indeed melancholy reading, especially when studied in the light of the events which have followed its publication; and the end is not yet. But idealism is always attractive, and it has a special charm where it

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leads men to try to build up something new, as well as to destroy the work of those who have gone before. Such efforts may lead to temporary confusion, as seems to be the case in India to-day, but at the worst they add a chapter to the long history of Indian experience. As Mr. Gokhale truly said, to some of us it is given to serve our country only by our mistakes. The Indian constitution, such as it is, is in the main the creation of many silent, hard-working public servants whose names, in England at least, are well-nigh forgotten. It grew up with the country and it reflected the country's needs. If now we seem to have come to a period of difficulty and danger it can only be because there is a divergence between the ideas of the people and the nature of that constitution as it exists to-day. As a lover of India I can only express the hope that the clouds will pass and that we shall live to see India in the enjoyment of a government which will satisfy her aspirations whilst it recognizes her connection with, and her obligation to, that greater whole of which she forms and must form a part.

I cannot sufficiently express the indebtedness I feel to previous writers on Indian history; they have indeed "furnished the sticks with which I have built my nest." It is a thousand pities that the late Sir James Fitzjames Stephen did not spend more of his very valuable time in such pathways. There is no writer whose treatment of a subject is so satisfying; whether we agree with him or not, we always feel the value of his strong common sense. I have also, like others who perhaps do not always confess the fact, gained much from constant reference to the late Sir Courtenay Ilbert's classical work; and I have learned a very great deal from Dr. Firminger and from Mr. Cowell and the late Mr. Vincent Smith. At the end of this book will be found a brief bibliography, but it indicates the fact rather than the extent of my obligations.

I shall be very grateful for any corrections that may be sent to me.

W. A. J. A.

SELWYN CROFT,
CAMBRIDGE.

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It need hardly be said that the articles in the *Dictionary of National Biography* are full of information regarding the many illustrious Englishmen who have owed part or the whole of their fame to their connection with India. The *Annual Register*, especially when it was largely written by Burke, has much that is valuable. The *Gazetteer of India*, especially Volume IV, will be found of constant service.

The books that deal with India and which are concerned in any way with its constitutional history are very numerous indeed. If in the list which follows any of importance are omitted, the author must plead that as even the most striking periods of Indian history, such as that connected with the great name of Warren Hastings, are by no means free from doubt and difficulty, it is not easy for any one man to master the whole subject. If he has made the way clearer for those who follow him, he has done all that he can hope to accomplish. Those books of especial importance are distinguished by an asterisk.

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PRINTED IN GREAT BRITAIN
BY UNWIN BROTHERS, LIMITED
PRINTERS, LONDON AND WOKING