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THE PROTECTED PRINCES OF INDIA



THE
PROTECTED PRINCES
OF INDIA

BY
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PREFACE

THE design of these chapters is to bring together in one view, from sources of information which, if they are somewhat concealed, are yet accessible to the public, a short account of India under Home Rule. Mr. Tupper, in his suggestive and interesting work on *Our Indian Protectorate*, reckons the states at 629, but if the Burmese states are included, the calculation is increased to 688. This sketch is confined to the more limited area, 604,717 square miles, of the principalities and chiefships which lie within the recognised boundaries of British India, exclusive of Baluchistan, Nepal, and the Shan states; being inhabited by a population of more than 65 millions. Why was this vast tract of territory left above the tide of British conquest as it rose and submerged the 964,993 square miles which represent India under the Queen-Empress? How did the country princes survive the shock of a succession of policies that seem to be so dissimilar? Can any logical sequence be traced in the conduct of British intercourse with

the Company's allies through its various phases of reciprocal alliance with a favoured few, of a general protectorate based on subordinate isolation, and now of an honourable union? What events gave to the Treaty map its present shape? What are the rights and what the obligations of the protected sovereigns, and how does the price which they pay for the substantial benefits of partnership compare with the cost at which greater nations have entered into "firm leagues of friendship" for their common defence? If any one is interested in seeking a reply to these questions, he will find that neither text-books on International Law, nor histories of India, readily furnish the requisite information. That Clive carved out the Province of Bengal by conquest, that Lord Wellesley added Madras and the North-western Provinces partly by treaty and partly by force, that Lord Hastings created the Presidency of Bombay, and that Lord Dalhousie transferred the Central Provinces, Oudh, and the Punjab from their Native princes to British possession, is the story unfolded by the historian of India; but his interest in the country princes seems to come to an abrupt end when swords are no longer crossed with them, and the responsibility for honest and orderly government shifted to their shoulders. No one need depreciate the valuable biographies of India's rulers edited by Sir William Hunter, or the excellent history written by Marshman; but the fact remains

that a serious examination of Indian treaties was beyond the scope of their particular design.

The difficulties of the inquirer do not end here. He cannot turn over the pages of histories or Encyclopædias without being confused by their want of agreement as to the position of the Indian states in relation to the British Government. The late Sir George Campbell, in his *Modern India*, devotes more space than other writers to the discussion of British obligations to the protected Native Governments, and he arrives at the conclusion that "Nepal alone retains any remains of independence." Sir Richard Temple, in his article on India, published in *Chambers's Encyclopædia*, observes that "some are practically independent sovereigns." But when he goes on to show that none of them can make war or alliances, and that the British Government "takes a paternal interest in the good government of the states," he materially detracts from the title conferred on them. Sir Travers Twiss allows them no shred of independence, and classifies them as "protected dependent states." Mr. Tupper styles them Feudatory states, and cleverly, but, I venture to think, imperfectly, justifies his preference for that popular phrase. Sir George Chesney, in his *Indian Polity*, compares them to the mediatised principalities of Germany. Fresh ground is broken by Élisée Reclus in his *Géographie Universelle*. "Les princes vassaux" are, in his opinion, destined to become "une grande

aristocratie comme celle des lords anglais." Sir Henry Maine insists on the fact that sovereignty is divisible, and that the chiefs of India are semi-sovereign. Austin rules that "no Government can be styled with propriety half or imperfectly supreme." Parliament in 1861 and 1876 used the expression "princes and states in alliance with Her Majesty"; but in 1889 they were described, by Statute 52 and 53 Vic. cap. lxiii., as "under the suzerainty of Her Majesty." A few modern writers on International Law, conscious of the vast field of interest opened up by the states, but unable to treat them as "nations" or subjects of International Law, refer their readers to Sutherland's account of six classes of states written in 1833, and to an article in the *British, and Foreign Review*, published in 1839. The former work holds a high rank in the scanty literature of the subject, but it was written when the protectorate was not even rough-hewn, much less shaped into its present form. The later article is open to the same criticism and to far more serious objections.

The inconsistent views as to the position of the Native states presented by these several classifications, at least suggest that there is a mistake somewhere; and if the doctors disagree so hopelessly in their diagnosis, the public may well shrink from forming an opinion on the case. If all the states are dependent, some cannot be "practically independent."

If their rulers resemble "les lords anglais," they are not even semi-sovereign states. Between the condition of subordinate alliance, and that of union with the British Government, there is more than a shade of difference; and mere feudatories hold an inferior position to junior partners in an Imperial scheme. Is it presumptuous to hold that some further light is needed to enable public opinion to form its own conclusion? It may be freely admitted that there are dangers in inconvenient precision and in premature inferences. There is no question that there is a paramount power in the British Crown, but perhaps its extent is wisely left undefined. There is a subordination in the Native states, but perhaps it is better understood and not explained. After the labours of a century and a half the British rulers of India have not entirely extricated themselves from the maze of complexities and anomalies which have retarded their progress in building up the Empire. The full stature of British dominion and ascendancy cannot yet be measured. Under such circumstances, can any useful light be thrown on the questions which I propounded at the commencement of this Preface? It seems to me that they may be approached from two sides without prejudice, and without intrusion on the unknowable mysteries of statesmanship. A writer may trace the growth of ideas, follow up analogies, and when he has ventured upon an analysis of the rights and duties of

the states, he may divert too serious attention by taking his reader an excursion into the fascinating dreamland of *Staatswissenschaft*. Or, again, avoiding the higher flights of philosophic inquiry, he may confine himself to the facts of history, the text of treaties, and the leading cases and decisions which have been advisedly published by Governments and Parliament for general information. The broad currents of Indian history, and of the evolution of the political system, will carry the inquirer towards some tolerably satisfactory conclusions as to the relations of the British rulers of India with the Native states. The engagements concluded by the Company, or by the Queen's Viceroys, with their neighbours will confirm, or correct, the impressions thus formed by a general study of the drift of events. The circumstances of bodies, and groups of states, in other countries and other times, and their attempts to adapt themselves to similar environments will throw side-lights on the various phases of Indian political history.

The latter is the course which I have marked out for myself as promising the surest foothold in the task, which under the stress of other engagements I have attempted to complete during a short interval of relaxation from official duties. The reader must make generous allowance for the difficulties which the examination of a complex and delicate piece of machinery entails. Above all, he must calculate the

constant changes which the restless activity of the age and its ceaseless innovations are bringing about. The day has passed when the East could "bow low before the storm in patient deep disdain." The legions still thunder by, but Oriental society can never go back entirely to what it was. To-morrow will not be as yesterday, and the intercourse of the Native states with the British Government can be no exception to the rule. In attempting to gather from Indian histories, official reports presented to Parliament, and the able collection of Treaties, engagements, and Sanads compiled by Sir Charles Aitchison, an account of British relations with the Native states of India, I have deliberately confined myself to sources of information accessible to every one. For any mistakes or misuse of this material I can claim no sort of official authority. The spelling of Indian names adopted in these chapters is that prescribed for official correspondence, but for anything else contained in them I can shield myself under no other protection than the indulgence of the reader. I offer these pages as an avowedly imperfect contribution to a subject which is as full of interest as it is of delicacy. The preservation of the numerous country principalities has exceeded the expectations, and even the design, of those who built up British dominion in the East. It affords a signal instance of good faith, and, as I venture to think, of political sagacity. If I succeed in exciting any curiosity as to

the methods by which this result has been achieved, and in stimulating others to fill up a noticeable gap in our books of reference and histories of the Indian Empire, I shall feel that I have not wholly wasted that part of a short Furlough which I have devoted to the task.

W. L.-W.

ST. JOHN'S COLLEGE, CAMBRIDGE.

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