

THE INDIAN STATES

in relation to

THE BRITISH CROWN

and

BRITISH INDIA

K. B. MOGHE

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*Under the kind Patronage of Sir Gangadhar Rao
Ganesh Patwardhan, K. C. I. E., Chief Sahib of Miraj
(Senior) S. M. C.*



'TRUTH PREVAILS'

THE
INDIAN STATES
IN
THEIR RELATIONS
WITH
THE BRITISH PARAMOUNT POWER
AND
THE GOVERNMENT OF BRITISH INDIA

THE BUTLER COMMITTEE
AND
THE STATUTORY COMMISSION
ON
INDIAN REFORMS.

BY
K. B. MOGHE.
(Retd. Deputy Collector,)

"God helps those who seek His help, and help themselves"

SANGLI

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 LORD ELLENBOROUGH,
 MR. EDMUND BURKE,
 MR. GWYNN, I.C.S.,
 SIR WALTER LAWRENCE,
 PROFESSOR V. A. GADGIL,
 R. W. EMERSON—APPENDIX D.
 MR. THOMAS PAYNE,
 MR. LOVAT FRASER,
 THE ROYAL COMMISSION OF AGRICULTURE
 PROFESSOR SAPRE,
 MR. W. H. WILLIAMS
 GRANT DUFF.,
 THE RIGHT HON. MR. MACDONALD—APPENDIX A
 S. T. COLERIDGE—APPENDIX C.

SPEECHES QUOTED—

H. H. THE MAHARAJA OF BIKANER—INTRODUCTION,
 PATIALA—INTRODUCTION,
 „ THE JAMSAHEB OF NAVANAGAR
 „ „ NAWAB OF BHOPAL
 „ „ MIR OF KHAIRPUR
 H. E. LORD IRWIN—INTRODUCTION,
 SIR HARCOURT BUTLER—INTRODUCTION
 SIR JOHN SIMON
 LORD MORLEY
 SIR CHIMANLAL SETALWAD
 LORD HALDANE
 SIR BASIL BLACKET
 LORD MESTON
 THE RIGHT HON. MR. SHASTRI
 THE ROYAL COMMISSION OF AGRICULTURE

PREFACE.

The entire Government of the whole Universe comes out of the Wisdom and Love of the Divine Providence. In the inscrutable ways of that Divine Providence, the British Government of England was induced to link its fortunes with those of India. More than a century has elapsed since then. India came to be governed, first through the East India Company on behalf of the Sovereign, and thereafter, since 1858 the Crown took up the direct reins of the Government of this country. Since then, it has enjoyed a long spell of peaceful administration in British India; and, in the work of protecting the Indian States. This was disturbed by the Great European War, in which the British Government was dragged perforce. That was due, as a matter of course, to the Great Divine Law that "The Lord's Divine Providence causes evil and its falsity, to serve as an equilibrium, for relation, for purification, and thus for conjunction of truth with good in others." In their great hour of need in that war, British India and the Indian States helped the British Government of England. This help was gratefully appreciated. His Majesty and His Government and people were pleased; and as the reward for such excellent and loyal help, British India has received the gift of Self-Government, to be completed by stages; and, the Indian States trust devoutly that they too will receive their own, in due course. Eight years have passed since the grant of the first instalment of the Reforms in British India. In the meanwhile, recently, one Political Party in England raised objections to the grant of complete Self-Government to India (vide para 16 (2) of the Introduction), on the ground that the existence of the Native States in India, made such a grant an impossible proposition. This objection seems to have been hurled from an influential political circle in England. The Indian Political Reformers unfortunately misinterpreted this "threat"; and saw no way out of the difficulty. They looked upon it as an *impasse*. That threat

referred to the grant, doubtless of Self-Government to the whole of India: including Native States and not certainly to British India; and without trying to understand the real position and meaning of the threat, which was no real threat indeed, and without waiting to gauge the real strength in this threat have rushed to the idea of removing the obstacle of the Indian States in the way of their cherished object of attaining complete Self-Government for British India, by—

- (a) inducing the people of the Indian States to demand Self-Government from their Princes;
- (b) by preaching a non-violent revolt among them and the need of popular demand for Self-Governing Powers of which the people had no idea, and for which they never felt the least need, by an insistent pressure on the Rulers of Indian States;
- (c) by demanding of the British Government, the incorporation of the States in the Indian Reformed Constitution;
- (d) by claiming that the Indian States form a part of the Government of India; and that
- (e) therefore, they should be transferred to the control of the future Government of British India with all the rights and obligations of the British Government.

There are many other grounds for such a claim. These will be found in Para 57 et. seq. Sec. VI. The fact of the above misunderstanding would seem to be clear from the fact that the Reforms Act of 1919 itself applied to British India only. That is further clear from the Montague-Chelmsford Report and the Joint Parliamentary Rules; and yet these absurd claims are now made after long eight years and *after* the political threat came to be hurled.

Such a move, on the part of the Indian Politicians, has created a stir, suspicions, and fears in the Princes of the States of India; and, at their instance, a Committee has been appointed to inquire into the correct position of the relations between the States and the Paramount Power and British India. The following pages make an attempt to discuss the pros and cons of the questions raised; and have been written as an humble contribution of help to the Committee, to the Indian Princes and their Chamber, and to Government, as a case for the Indian States, from their point of view, as well as for our friends of the Indian Reformers to enable them to appreciate that view and the real situation, and also for the general reader, who may be interested in the subject. The views of eminent authorities and statesmen on the subject have been quoted where necessary, on particular relevant points. The views and opinions other than the above, are of the humble writer's own; and may certainly be taken as an individual opinion; and he trusts that they may be treated for what they are worth. It is sufficient to note here that such observations are the result of personal experience and knowledge, obtained by him during his long service in the British territories for about 36 years and in Native States for about 8 years.

K. B. MOGHE.

INTRODUCTION.

There are about 700 Indian States, large and small, in this vast country; which is practically a Sub-Continent. These States are of varying size, population and resources. They form not less than a third part of the area and a fifth part of the population of the whole of India. That will show their importance.

Sir William Lee-Warner, K. C. S. I., I. C. S., in his famous work "The Native States of India," has described a Native State thus:—"A Native State is a Political Community, occupying a territory in India of defined boundaries. It is subject to a Common Ruler, who has exercised, as belonging to him, in his own right, any of the functions and attributes of Internal Sovereignty. This right has been duly recognised by the Supreme Power of British Government. (Chapter II, page 31.) "Parliament the King's Order in Council, and even the Treaties, constantly proclaim, that Princes of India have Sovereign Rights." (Chapter XII, page 359.) This clearly shows their position and dignity, politically and constitutionally, in India.

"It is important to note that the relations of the Native States, however conducted, are essentially, relations with the British Crown;—and not with the Indian Government." (Dr. Keith) "In their loyalty to His Majesty, the Indian Princes are second to none. They have given freely of their blood, of their treasure, of all, that they could give, at the time of need, not only during the Great War, but also on other occasions; and the British Empire will remember them to the very end. The Indian States have played and will play to the end of time, so important a part in this great Empire; and, they are but brothers, co-operating with a great end in view." (Sir Harcourt Butler.)

The Crown, the British Parliament, and the British Nation, fully know that such is the position of the Indian States. Perhaps there are quarters, where this is not known sufficiently well, in India at present; e. g., some of the Beaucroacy and most of the Indian Politicians; and that leads us to the Genesis of the

Butler Committee of States Enquiry.

THE GENESIS OF THE BUTLER COMMITTEE.

2. His Highness the Maharaja of Bikaner, once the Chancellor of the Chamber of Princes, has stated in his recent speech before his Legislative Council that this inquiry was *solicited* by the Chamber of Princes with a view to safeguard—

- (1) the rights of the States,
- (2) their Governments,
- (3) their people, and
- (4) their internal autonomy and independence.

He adds that such a step was necessary;—because recently there have appeared critics, who bluntly arrogated to themselves and to the new Government of India, that is to come, the right to interfere in all matters, external and internal, pertaining to the States; with a view to infringe their Sovereignty and to violate their autonomy, fiscal and otherwise. A request for such an inquiry was therefore put forward on behalf of the States at a Round Table Conference held at Simla in May 1927. This Conference was presided over by His Excellency the Viceroy and was attended by some high officials of Government also. His Highness adds that the Indian States claim to occupy the position of politically separate and constitutionally independent units of the Great Indian Empire. They want a declaration that—

- (1) They are independent of the future Government of India.
- (2) They ought to be independent of the future democratised *constitution* of India; and
- (3) they claim that the British Government should deal with the States *directly*, and *not* through the new Government of India.

3. It is believed that the present inquiry will be held with a view to safeguard the interests of the States as a separate unit, to which the new constitution of British India will not extend.

Instead of each State, small or great, being an individual separate unit, would it not be still better for all the states, with independent internal Sovereign Powers, to form in addition 'a Commonwealth of the United Indian States?' A draft scheme for such a constitution will be found among these papers as Appendix "A".

THE STATES INQUIRY COMMITTEE.

4. His Excellency Lord Irwin announced in the course of a speech at Rajkot that the Secretary of State has decided to send an expert Committee—

- (1) to report upon the relationship between *the Paramount Power* and the States; with particular reference to the rights and obligations arising from (a) treaties (b) engagements (c) Sanadas and (d) usages, etc.,
- (2) to inquire into the Financial and Economic relations between British India and Indian States, and
- (3) to make recommendations that may be considered desirable or necessary for their more satisfactory adjustment.

His Excellency added that the Indian Princes have been demanding such an investigation; and, it is owing to their persistent requests that the present step has been taken.

This does not seem to include the subject of the internal administration,—autonomy or the rights of the people of the States. But the responsibility of good Government is one of the conditions of the Treaties, which will be examined by the Committee.

5. II. H. the Jamsahb of Nawanagar, in his recent communication, addressed to the Viceroy, states:—

- (1) Our position in the New India, that is being evolved, needs to be thoroughly safeguarded;
- (2) "Our existence, as separate political entities,

distinct from and independent of the neighbouring parts of British India, whatever form her future constitution will assume, will demand an adjustment.

- (3) "This adjustment, while recognising and meeting modern conditions, will not ignore history and traditions, and will fully uphold our dynastic prestige, Prerogative, and Treaty Rights."

Note:—The term "usage" used above in clause 1 in the Viceroy's announcement would seem to affect only the political relations with the Crown,—political usage subsequent to the date of a Treaty.

6. The "adjustment" (clause 3 of the Viceroy's speech) refers to the financial and economic relations and not to the political relations with the Crown. His Highness' reference stated in para (2) is therefore a mistake. That existence of the separate political entity is, however, a settled fact and cannot be revised, or adjusted.

7. Again His Highness the Maharaja of Patiala the present Chancellor of the Chamber of Princes, has made recently a speech at a banquet in honour of the Indian States Inquiry Committee. This speech is important; as it deals with some of the very salient points relating to the subject of the inquiry.

8. His Highness maintains the sanctity of the treaties and engagements, as having been declared by His Majesty the King Emperor, as "inviolable and inviolable." Though that is so, His Highness says:—

- (1) 'Yet the fundamental fact remains that their present position was causing, among all the Princes, grave anxiety;
- (2) 'The British Government of India had gathered vested interests and formulated definite conceptions of its *policy*;

- (3) "Political Practice" as opposed to "Political theory" has led, invariably to the subordination of the interests of the States to those of the British Government of India, whenever the two come into conflict;
- (4) 'the States are isolated and scattered and find close combination between them difficult; while, the British Government of India was a united, centralised machine, always able to dominate.'
- (5) 'These are the fundamental sources of uneasiness in the opinion of His Highness, and of the Chamber; as "Political Practice" seems to threaten seriously to undermine the rights and privileges of the Princes, hitherto believed to be inviolably safeguarded by their treaties and engagements.'
- (6) His Highness then speaks of the form of the treaties. He is afraid that "The Treaties themselves are *not, as a rule*, ideal instruments in this modern age at least, for the purposes for which they are originally designed to serve"; for, "there are gaps in them; and through these gaps the well nigh irresistible influence of the British Government of India tends to percolate; and to modify many aspects of political relationship, in a way unfavourable to the Princes, to their autonomy and to the development of the States and to the welfare of their subjects; and that,
- (7) On the other hand, the Government of India is advancing progressively, step by step and is consolidating its position. The Princes feel helpless as the cumulative process threatens to end disastrously for them; thereby di-

minishing their power to do good, both for the States as well as to the Empire. That would be much more so, when the Government of British India would pass out of the hands of the British Government, with whom the treaties were concluded.'

9. Thus the whole of the above part of His Highness' speech is characterised by uneasy feelings of tribulations, entertained through an incorrect appreciation of the treaties and engagements, and of their spirit and character as well as of the so-called "Political Practice." His Highness is perfectly aware, however, and he has asserted it in clear language,—that to such a "policy" (if it can be called a "Policy," for, a policy can only relate to the administration of the territories that are governed and administered by the British Government only), the consent of the Princes was never given,—nor even invited. It follows then that such practices cannot create a binding force of a permanent nature. Nor do the British Government themselves believe honestly that they are permanently binding. It is impossible that they should do so. Indeed they have been looked upon as mere "conventions" and neither as "policy" nor as an administrative decision, which can be passed in matters arising within the territories administered by them only, can they be binding on States, as unchangeable; as they would contradict the internal Sovereignty of the Princes and Chiefs. (*Vide* paras. 13 and 14 Sec. III pages 8 and 9.) They are certainly liable to be changed, when they can no longer be considered desirable; else, the present orders to the Committee of inquiry to recommend adjustments would be meaningless. Moreover so long as the British Government has been in charge of the Government of India, whatever convention came to be *allowed for the time*, it was only for the sake of the wishes of the British Paramount Government. The Imperial interests (*vide* Section VII *infra*) included certain conveniences for them; and, were allowed by the Princes, as a

matter of courtesy; and, if they have been allowed, even at the cost of extreme inconvenience and loss to the States, it behoves the other party as protectors and as good neighbours, so obliged, to change them when necessary and be cautious not to give away or transfer them to third parties, without the consent (*vide* para. 16 page 14 of this introduction) of the Princes. For that would be ungrateful and the British Government can never be ungrateful, That is the most straightforward, fair and businesslike method of working at them; and, of the solution of the difficulties. The Princes, including His Highness, should not however, forget that these conventions have nothing of a political nature in them. They cannot affect the political theory and principles guaranteed by the Treaties and Engagements. As has been already observed they are merely neighbourly acts of obliging Conventions between the British Paramount Power and the States, not the result of any "gaps" in the Treaties, nor surrenders by the States. They have actually been treated as Conventions.

10. The difficulties of the scattered and isolated condition referred to can be easily got over by the creation of "A Commonwealth of the United States of India" (*vide* Appendix A). The difficulties in the way of a common cause are, it is permissible to point out, due, besides situation, to a peculiar feature of a pride in the relative rank of the Princes among themselves. This pride and prejudice occupy a deeply rooted place. But such a sense of these sentiments ill-becomes a high nobility; for, the greater the nobility, the lesser is the ground for these. Both these give way to grace and nobility; when the very great importance of the unity of all States for their common good is kept in view,—as unity is the greatest strength. Such false sentiments have to be banished for ever. If this is understood, the entire Order of Princes stand on a higher level with brotherly relations between themselves and the Commonwealth of the United States will possess the greatest strength.

11. It is true, the Government of British India has been consolidating its position in this connection, step by step; and this, the Indian States have not been able to do, for causes, which it is never too late to remedy. As Government have by their treaties, left the internal sovereignty of the Princes to themselves, the latter cannot blame the British Government solely for it. Yet the duty of protection includes a wise watch and guidance from the British Government, and, indeed they should make it their duty, as good neighbours and as the protecting Paramount Power, to help them more than hitherto to do so; and, if the conventions in question happen to be inconvenient in any way, to relax them to the full extent necessary. When the Government are requested to do so in the right way, they will certainly be prepared to be very fair and accommodating, (for the history of the introduction and development of these conventions see full treatment of the subject in Section vii later).

12. As regards the Treaties themselves, His Highness' reading of them does not seem to be either correct or accurate, in the spirit in which they were conceived and laid down. How they ought to be read, legally and politically, has been repeatedly explained (*vide* paras. 13 and 14 sec. III) by very high authorities of law and statesmanship; and they have absolutely left no ground for any difficulty. Any subjects, touching the relations mentioned in the treaties, etc., are alone political; all others are either Financial or economical, (*vide* section vii later) and are clearly subject to the strict rules of pure Mathematics, justice and fairness in business matters. How can the British Government transfer to others, what they themselves do not possess as exclusively their own, and is a subject of a contract between the states and the British Government? They can be transferred only with the consent of both. (*Vide* para. 16 of the Introduction.)

13. It is true that, a series of such conventions have been brought into use, throughout the history of the relations between the British Government and the States. Some have called them as "Political Practices;" others as usages, others still, as "policy." But those that have given them these epithets are certainly no authorities; nor are these approved by the Paramount Power as being of a binding nature; also, what can be the meaning of an "adjustment" now proposed? For, they cannot be so treated without the free and voluntary consent of the Princes and *unless an equitable consideration exists*. Nor can the fact that they have been allowed by the Princes, by reason of a loyal courtesy or of fear that the British Government are too powerful and dominant to protest against or resist, alone create a right; much less a vested right, in favour, either of the British Government, or, if transferred, of the new Government of India. This is not a question of lapse between any two private parties. It will be stultifying to the Majesty and dignity of the British Sovereign to set up limitation or lapse, or neglect on the part of the Indian States. The Treaties do not authorise any encroachment on the rights of the States; and as already stated, Government have admitted (*vide* Paras. 13 and 14 also) that the Treaty is the only law that governs the mutual political rights, obligations and relations existing between either party." (See para. 12 (3) page 7 of Sec. II.)

14. His Highness' apprehensions, however, that such conventions threaten seriously to undermine the rights and privileges of Princes, which have been declared by His Majesty himself to be "inviolable and inviolable," are natural,—but they are groundless. Times there were, no doubt, when the officers of Government that were then in power and position, thought that such conventions were then necessary to avoid what appeared to them to be complications to secure a smooth working of their own administration of Imperial Economic interests (*Vide* Sec. VII *infra*) in certain Departments of

the Government of India. They were after all servants of the Crown and of His Majesty's Government; and, had not the power to act against the distinct terms of the Treaties, that had been declared by the Imperial Crown to be "inviolable and inviolable." Any such conventions must, therefore, stand the risk of being altered at any time, when they are found and proved to be contrary to the Treaties, as well as causing annoyance, loss, harm, or inconvenience to the States concerned or as sapping their necessary auxiliary sources of revenue. If such be the consequences of these conventions, they would certainly be inquired into by the Committee now appointed, when, and if, they are brought to their notice; and an adjustment or settlement can be arrived at by a fair "give and take" method. No sacred right or privilege need be infringed or sacrificed, without loss or harm to either party; for, that is never intended (*vide* Sec. VII of this work.)

15. That the so-called "Policy" (a direct consequence of the principle of the Free Trade Doctrine then prevailing and since almost abandoned, (*vide* Ces. VII later) of the Government of India in introducing the conventions has since been given up, has been fully explained in an able review on this very subject, which appeared in a leader of the *Times of India*. A summary of this explanation and review has been appended to these papers as Appendix "B."

15A. His Highness the Nawab of Bhopal has also made a valuable speech on the subject. His Highness observes:—
 "An enlightened and progressive Ruler must spend more and still more money for the improvement of his administration and the peace and contentment of his subjects; but if the State is to enjoy the full benefit of development along these lines, it must be free to use the whole of its resources and to be allowed to spend upon the people and the State, the whole of the income raised directly or indirectly from the people; of course always keeping in view the obligations which we may have contracted. It is for these reasons that I am joining with my brother

Princes in an appeal to the Paramount Power, through the Indian States Committee for such an adjustment of the Fiscal and financial relations with British India, as will enable the States to develop and govern on the lines indicated by the movement of the times."

"The inquiry to be conducted by the Committee will, I feel sure, lead to the recognition of facts that may have escaped notice heretofore or may have been forgotten, and therefore not taken into account, such recognition in its turn necessarily resulting in an adjustment based on rights which were *never surrendered*, in the adoption of a policy, calculated to strengthen the ties, which bind the Princes of India to the Person and the Throne of His Imperial Majesty. The States unwittingly contribute towards *revenues* exclusively employed in the development of British India, *with no benefit to themselves*; as they ought to derive."

His Highness refers to all matters in this connections, besides the difficulties, disabilities and economic losses arising from those conditions, including other matters of general financial and economic importance. These would be pressed to their utmost capacity, by the Princes.

His Highness pointed out "we have no vestige of quarrel with the legitimate aspiration of British India for which we have our fullest sympathies. On the above speech. The *Times of India*, in its leader dated 31 March 1928, lays down the following propositions:—

1. "But, whatever the need for re-adjustment may be, the Butler Committee is not likely to accept any plea that contributions to the Government of India are wrong in principle; that is what the Nawab suggests.

2. Political security and economic advantage can only be bought at a price.

3. The defence and development of the Indian Empire ought not to fall on the shoulders of the Imperial Government and

the Government of India, without any assistance whatever from the Indian States.

4. It would be a burden which the people of British India could not be expected to bear—

5. The States and British India are economically inter-dependant. Upon the prosperity of British India the prosperity of Indian States depends.

6. Actual harm might be done to a State, if it were permitted to withhold its contribution.”

The above propositions are groundless. These are no contributions paid by the Indian States to British Indian Exchequer, either for their defence or for the defence of the Indian Empire. His Highness does not refer at all to any actual contributions levied from the States, as there are none, except in the case of tributes in lieu of service—

The defence of the Indian Empire is a charge on the British Indian Revenues—and certainly not on the Indian States. For the Protection of the Indian States, the British Government have, for due considerations of Political and strategical character, solemnly undertaken to protect the States from both external and internal troubles. The treaties do not bind the States to pay for such defence and protection. The levy of indirect taxation on the people of the States and the several conventions for some of which some compensation is paid by Government to the States and for others, no such compensation is paid, are only matters which arise from the Financial and Economic relations between British India and States through such conventions, brought about by Political influence of Government. They have nothing to do with the security of peace of the States, nor with the security of their economic interests, which have on the contrary *enormously* suffered: and Government being aware of this fact have asked the Committee to inquire into the grievances and recommend their views on a more equitable adjustment. The Butler Committee

will certainly go into the question in a straight-forward business-like manner and will certainly accept any reasonable plea.

16. On the subject of the direct relations of the Indian States with the Crown, Dr. Keith writes:—

- (1) 'it is important to note that the relations of the Native States, however conducted, are essentially relations with the British Crown, and not with the Indian Government.
- (2) 'This fact presents an essential complication as regards the establishment of Responsible Government in India, *as a whole*. (That is probably the basis of the threat hurled on the India Reformers above alluded to—)
- (3) 'It is clear that it is not possible for the Crown to transfer its rights, under a treaty, without the assent of the Native States, to the Government of India under Responsible Government.'
(The British Empire—a survey.)

17. Indian critics do not accept this position. One among such has given his reasons, which in themselves contain several grounds for refutation of the very position he takes. This criticism appears in the *Servant of India* of 9th February 1928. The subordinate position of the East India Company to the Crown, from 1767, has been admitted. Before that year the company was not a power. All moneys received by the Company then, were to be reserved for disposal *by the Parliament*. The critic makes a curious distinction between the Crown and the British Parliament in this respect when both the terms mean the same thing. It is also admitted that the Company was authorised to act by the King's Charters. That was their authority to act. The critic quietly passes over the provisions of the Charters from 1767, which define and limit the powers of the Company. It is also admitted that they only "negotiated" the conditions of the Treaties. The quotations from Mr. Edmund Burke given by this critic him-

self fully support the fact that the East India Company held a *Subordinate Sovereignty* under the Crown;—delegated to them; and yet this Critic boldly concludes that, “this genesis of the Company and its territorial acquisitions brings home ‘the Sovereign Powers,’ (*vide* para. 2 Section I) which the Directors of the Company Enjoyed.” When the above mentions the ‘delegation of powers’ and the ‘subordinate Sovereignty,’ one cannot follow the logic of the above conclusion,—and assuming that the Company abused the powers of such Sovereignty, delegated to them, the fact remains that even a Governor-General was tried for the abuse of his powers, before the Houses of Parliament. Is that independent Sovereignty? Such criticisms are unworthy of serious notice.

18. The Privy Purse of the Ruling Princes has been the subject of much adverse criticism on the part of the Indian Political Reformers. An all round allegation is made often that they waste an amount of public money on personal pleasures. That is a matter of a comparative view, coming out of persons, who wish to bring the Rulers to the level of an ordinary commoner,—because one, being not a Prince himself, is incapable of appreciating the needs of such a position and life. Even an ordinary trader or a merchant charges an unreasonable commission and profits, without any reason, disproportionately large. The money-lender does the same; and what do the large capitalist Firms do? Where is the sense of proportion in the Lawyer’s fees levied from clients? Is not the position of the Ruler much higher than these enjoy—having Sovereign powers and infinitely higher position? There is certainly a distinction, little understood and appreciated by the commoner, however educated, between the two. The preservation and maintenance of that position with its symbols and all that they mean, is an absolute necessity in India as elsewhere. The distinction between the State expenses and private expenses, both attached to the Ruler, must be borne in mind. The perma-

nent charges of all that is necessary to maintain the high dignity of the Ruler must be treated as State. The Ruler has no private being, any time. This can be seen from the fact that the Governor of the Presidency or the Viceroy has all his domestic charges of the Household of the Government House, to be paid from the public revenues. Has any one considered and challenged the propriety of the figure? The people have an unwritten standard of the position and dignity of the Prince or the Governor and the Viceroy. That must be maintained; of course in due proportion to the resources of the State. Strictly private expenses must indeed be and will certainly be found to be few. But what may happen is, an incorrect classification of such items in the Budgets; and when with all this there is in any case an excess which can be reasonably held as not discreet, that is a matter which the Ruler can be advised to correct himself. But with such small matters any Commission or Committee will not care to deal. That is a matter for the Paramount Power only.

19. In his latest speech at Alwar, Sir Harcourt Butler has declared the aims of his committee in the following words:—

“The spirit actuating the Committee was a constructive one. Their object is to find out something, which would build up, some Political Edifice for the good of (a) the Indian States, (b) of the Indian Empire, and (c) the British Empire.”

“In their loyalty to his Majesty, the Indian Princes are second to none. They have given freely of their blood, of their treasure, of all that they could give, at the time of need; not only during the Great War, but also on other occasions; and the British Empire will remember them to the very end.”

Note one of the foremost of these are the famous Patwardhans of the S. M. C. Bombay—*vide* para. 127 page 139.

“The Indian States have played and will play to the end of time, so important a part in this great Empire; and they are but brothers, co-operating with a great end in view.”

20. This frank expression of the Noble President of the Committee, must be looked upon as most authoritative and convincing of the attitude of the British Nation towards the Rulers of the Indian States; and ought to dispel all their suspicions and fears on any account regarding the future of their status, dignity and position.

21. What would be that "something" which would build up such a Political Edifice? The following features of it would seem to be relevant to the question:—

The absolute recognition by all concerned, of

- (1) His Majesty the King Emperor, as the Head of the Empire, as the all-pervading strength of that Edifice; and, full loyalty to the Crown in the first place, as a fitting response to it.
- (2) Of the essential fact that British India and the States need Great Britain; and Great Britain needs both for maintaining her Political and economic interests—in India and Asia.
- (3) Of the need for Great Britain as well as for British India to keep strong good faith with the Indian States, for the good of all, as bound by the Treaties.
- (4) Of the need for Indian States to remain loyal to the Paramount Power and friendly to British India as hitherto and ready to help both.
- (5) Of the need of British India, who would derive her powers of self-Government, from the British Government, to be as friendly with the Indian States; under the protection of the Crown.

All the three—The British Government, the new British Indian Government, as well as the Indian States will find it, for that purpose, necessary to exercise an amount of good sense, wisdom, good-will and perfect good faith, between one another.

22. The main idea for the political Edifice will be the safe-guarding of the interests of each of the three. That will be its foundation. On the other hand, however, the Swarajist Indian Leaders have resolved, unanimously that they claim complete Self-Government *without* the Empire; and that they will *assume*, to begin with, all the full powers of the Crown over the Indian States—which the British Government, at present possess! But that is a wild talk.

23. According to the States Inquiry Committee, the design of the edifice would be that the British interests would be maintained, through the two blocks—British India and the States—developed, nourished and strengthened, Politically and, economically—under British protection.

24. Thus the British Government would maintain, as strong and healthy as ever, its political as well as her strategical and economical relation with the whole of India. It would include under its wings the two blocks, to make them strong politically and economically. Each may within its own limits evolve and develop its own future good, as separate individual and independent units of the great Commonwealth of the British Empire. At the same time they have to keep a full regard for the Imperial interests,—Political, strategic and economic. For this purpose it is that each cannot do without another of the three. For, to the British Government these Imperial interests are of as vital importance as is the keeping of the Suez Canal; and for that purpose Great Britain shall control them and co-operate with both. Great Britain also expects both to be loyally co-operating with them. Great Britain on her part will undertake to help both in every respect. Her Imperial economic interests consist in her insistent desire to trade with India as hitherto. Her Imperial Political interests lie with the Indian States chiefly, and with British India, with a greater importance for strategical purposes. For that purpose she wants both the parts to be economically as

well as Politically strong. Great Britain has other more important political and strategical as well as economic interests in Asia, and, in the Indian waters; India would be the base of her operations in that respect.

25. Elsewhere, it has been stated that Great Britain has been generous in her recognition of the services of British India in the late war; and that is the grant of self-governing powers to her. She has yet to do the same, as regards the Indian Princes and their people. That claim is over-due. To this fact the Indian States will doubtless, draw the attention of the British Government, through the Butler Committee. Great Britain has decided to help British India. She would be bound to do the same in respect of the Indian States; and in a more substantial manner, than she has been able to do hitherto. Their claims are certainly superior to those of British India, in that—

- (1) They have helped the British Government to build up the Indian Empire; and have been the first to help them at the outset at critical times.
- (2) They have helped the British Government in the last European War with men and money and some of the Princes have actually served on the battle field.
- (3) They have hitherto quietly accepted the economical and financial conventions imposed upon them by the use of political influence, suppressing taxes locally levied from years past, as Sovereigns of the States, under the free Trade Policy of the Imperial Government, without any compensation, in all matters now being dealt with in the questionnaire of the States Inquiry Committee.

All these make out an important claim on the good sense of the British Nation, who will not fail to act consistently with their good faith and justice, befitting the dignity of the Imperial Paramount Power. It will be understood that the one fair settlement and adjustment of financial and economic claims will only be on business lines. The matter of their war services and others will expect and wait for a special recognition.

26 Since the above was written, a questionnaire issued by the Committee of Inquiry has been received. They preface it with the following remarks (*Vide* Sec. VII).

- (1) As regards part I of the reference, the questionnaire will not deal with the rights and obligations arising from the Treaties, etc. They will take advantage of the legal advice on the subject obtained by the Chamber of Princes and by other Princes individually.
- (2) They make it clear that they will not deal with the "past decisions" of the Paramount Power or the present differences between States and that Power; except in so far as they illustrate the existing relationship and to the extent, the Committee deem it necessary to do so.
- (3) The questionnaire deals with the second part only;—viz., the financial and economic relations of the States with British India.

The Committee has drawn up the questionnaire on the basis of information from Government Records, and mentions the several points of inquiry. These are all dealt with in Section VII of this work.

The important question of the procedure, which the States desire for discussion of questions in which the interests of the States and those of British India are not identical, has been referred to. The Chamber has proposed the appointment of a

Statutory Council for this purpose, with the Viceroy as its President and six Members; of whom three shall be selected or nominated Princes and the remaining three, independent European Members. The question is still under consideration. But the propriety of including the Viceroy in the Council will be considered, as it would be inconvenient for His Excellency, for obvious reasons.

27. While on this subject, we have the following observations from the *Times of India Weekly*. It states that the Indian States Committee will complete its work in England. It is certain that Sir Harcourt Butler's friendship with the Indian Princes and his high regard for their Order, has encouraged a considerable Section of them to raise questions of higher policy; and, a Meeting of the Standing Committee of the Chamber of Princes in Bombay on the eve of the departure of the Butler Committee to London, has lent color to the reports that the whole question of the future constitutional relationship between British and Indian India was under discussion; and even a provisional scheme had been discussed.

28. The Butler Committee cannot, however, entertain any such proposals, and there is no truth in the report that a number of leading Princes are proceeding to England, with a view to discussing the constitutional question with the India Office, and coming to some understanding. There might be some such feeling in certain State Circles; but these have been now removed. The Princes will not be given an opportunity to discuss the question with the India Office. In fact, the question of discussion will not arise, until the Butler Committee have reported, and the views of the Government of India and of the Local Governments have been obtained thereon. For, after all, they are to be the instruments for the working of any revised political relations, between the Paramount Power and the Indian States.

29. It is quite probable that Sir John Simon will re-

view the constitutional position of the Indian States, in evolving his plans of the political structure of India. For that, the Butler Report will be a good basis; but a scheme for co-operation between the two Indias will have to be worked out by Sir Simon himself;—no doubt in close collaboration with the chosen representatives of the Chamber of Princes. But that is for the present a remote event; and will not be a practical proposition till the Commission returns to India and takes evidence on British India problems; and after getting a fuller grasp of them turns its mind to the Indian States

SECTION I.

THE PRESENT POSITION OF THE INDIAN STATES.

Their relations with—

- (1) The Paramount power and
- (2) British India.

How these relations exist at present can be ascertained from their recorded history in—

- (a) The several Charters (*Vide* Statutes, Relating to India, Vol. I and II.) obtained by the East India Company from the Crown of England; (The Company was not empowered to make independent Treaties);
- (b) The character and the wording, as well as the spirit, of the Treaties and the circumstances, under which they were severally entered into by the British Government, with the Ruling Princes;
- (c) The wording and spirit of the Great Proclamation of 1858 and, of that of 1876, when the Great Queen assumed the title of the Empress of India; and, subsequent Proclamations, issued when the Emperors Edward VII and George V ascended the Throne of the Empire;
- (d) The repeated speeches of the several Viceroy's touching these relations;
- (e) The legislative Acts of Parliament and of the Government of India and the Provincial Governments.

2. The prominent facts coming out of this History are the following:—

- (a) All Treaties entered into with the Indian States, before 1858, were *negotiated* by the Government of the East India Company, through the then Head of that Government, who was the Governor-General—(there was no Viceroy then) and submitted to the British Parliament (*Vide* paras. 13 and 14 Section III) through the Board of Control, assisted by the Secret Committee for sanction. This Board of Control was appointed by the Crown.

The official announcement to each State, in 1858, of the assumption of the Government of India by the Crown direct in its own hands (letter No. 2388 of 8th November to the Jath State), states:—

“So long, India was governed by the East India Company, *on behalf* of the Queen of England; but it has now been decided that the administration of India should be directly assumed by the Queen.”

The Government of India is His Majesty's Government. *He* appoints the Viceroy, Governor-General and Governors.

- (b) These Draft or proposed Treaties were considered by the Parliament; and, after approval by them and by the Crown, were registered in the Parliamentary Books and in those of the Board of Control; and then issued to the Government of the East India Company, for issue to the States concerned.

- (c) The above shows that the two parties to the Treaties were the British Government of England on the one hand and the Ruling Princes of India on the other; the Government of the East India Company acting only as the agents of the Crown.
- (d) The several dates of the respective Treaties will indicate the times and circumstances of History under which the Treaties came to be entered into. It is very important to bear these in mind, as showing the historical causes and the necessities affecting the terms that had to be agreed upon between the Contracting Parties.
- (e) The spirit and feelings of an alliance of friendship that necessarily under-lay the Treaties for the quiet development of the Power of the British Crown, and the earnestness with which they were induced on both sides, will be a very important factor to be taken in account, in reading the real character of the Treaties. (*Vide* para. 14 Section III).

3. The next set of facts would be arrived at from an analysis of the terms of the Treaties themselves. These facts would relate to the following points:—

- (1) The relative position of the two Contracting Parties between each other;
- (2) The Concessions and Guarantees given from either side;
- (3) The restrictions, imposed by the terms, of a political nature;
- (4) The powers reserved to the Crown as regards

the control over the Ruling Princes, and their powers of administration within the States;

(5) The powers to be exercised by the Ruling Princes and their responsibilities to the Crown as well as to the subjects of the States;

(6) The vested interests reserved for the control of the Crown.

4. The above analysis will disclose the fact almost clearly that all the existing relations of the Ruling Princes were relations only *with the Crown* in their very inception. It will be seen that these relations coming from the Treaties are not with the Government of the East India Company. If these Treaties were to be negotiated by the Government, independently, the other party would hardly have accepted the position, for want of certainty of authority, during uncertain times. The East India Company was then in an immature and unstable condition. The times were critical and troublesome.

5. All the Royal Proclamations have affirmed and re-affirmed the binding nature of the Treaties and Engagements in the most solemn language that they would be thoroughly respected. This has also been declared by the successive Viceroys in their public utterances from the first Viceroy, His Excellency Lord Canning, and on-wards,

Lord Morley, in his speech, in the House of Commons, referred to the noble promises, made in Queen Victoria's Proclamation of 1858; and said, "it was a promise, which every Englishman ought to be ever proud of, if he ever strives to adhere to it, or be ashamed of, if he ever strives to break it—" (February 1909).

6. The Legislative Acts of Parliament and those of the Government of British India and the Local Governments have always excluded Indian States from their Acts and Regulations.

The Indian States have been treated as Foreign Territory. The Rulers frame their own laws. Even the Reforms Act of 1919 passed by Parliament has excluded Indian States. In the face of these important facts, all attempts to include them in British India would be highly improper, and must fail.

7. So far back as in 1853 *i.e.*, before the Crown took over the Government of India from the East India Company, Lord Ellenborough, when he was the President of the Board of control then, has laid down in unmistakable terms the position of British Government with reference to the Indian States, thus:—

“I consider that *in fact* our Government is at the head of a *system composed of Native States*,” and, this does not even suggest that they form a part of British India of the Company’s Government. The Native States are a system by themselves independent of British India.

8. There is no law, Statute, or act of Parliament, declaring that the Indian States stand in any binding relation with British India, either as Feudatory or Subordinate or of any other such nature what so ever.

9. Indeed the territories of the Indian States lie within the topographical limits of India. So do others; and, yet, they are independent. Even then, they are treated as “Foreign Territory;” and the Indian States too *are* treated (*Vide* Paras. 13 and 14 *infra*) as Foreign Territories (*Vide* the Foreign Jurisdiction and Extradition Act for instance, and also note the levy of Customs duties on goods coming from Indian States’ limits under the Customs Acts).

SECTION II.

RELATIONS OF STATES WITH BRITISH INDIA.

10. Doubtless, in intercommunication, commerce, trade and in certain branches of Excise Administration, inter-relations have perforce been created. These however do not create any "Political" or "constitutional" relations between British India or the Paramount Power and the States. These are merely economic international relations; and financial too as in coinage, Tariff duties, etc. They are conventions only (*Vide* Sec. VII *infra* for a fuller treatment of the question).

11. The Treaties themselves, however do not refer to the above, but involve the following questions of importance, which would, at first sight, seem to involve relations with British India:—

- (1) *The protection of the States from land or sea, from external and internal troubles. This protection is mainly Military and Naval. Protection of British India, from without, means as much a protection also to Indian States and does not involve any special extra cost. As regards internal troubles, that too has been guaranteed by the Treaties. Even if that involves cost on special occasions of maintaining an army, that protection is in consideration of an exchange for important concessions, of which the Paramount Government of British India has taken and is still taking full advantage. Moreover, the terms do not require payment of costs by the States. This responsibility lies on the Crown, in its political relations with the*

States; and cannot be handed over to the new Government of British India.

- (2) *Internal good Administration* of the States has been one of the conditions, with a special reference to the Police Department. This is being looked to by the *Political Department*, which is *not* a part of the Government of British India; so far as the Indian States are concerned. That this is so, will be clearly shown later. (*Vide* para. 83).

12. The position therefore stands thus,—from the facts above enumerated:—

- (1) The Indian States are feudatory only to the British Crown, independent, yet as protected States, in Political relation with the Crown, in their constitutional character (*Vide* para. 13 below):
- (2) They are independent of British India, politically and constitutionally;
- (3) Their relations with the Crown are defined by the Treaties with the Crown. *These Treaties are the only law governing these relations.* This would be clear from a reference to para. 92 page 68 of the Report of the Inam Commissioner Col. E. T. Etheridge, approved by the Government of Bombay and the Secretary of State (*Vide* Bombay Government Resolution No. 2568, dated 6th May 1873. It is there admitted that “the Jahagirdars in fact come under no law but the law of the Treaty.”

SECTION III.

THE OFFICIALLY AND AUTHORITATIVELY RECOGNIZED POSITION.

13. The officially recognised position (and authoritatively too) of the States, as described by Sir William Lee-Warner, I. C. S., K. C. S. I., in his famous work "The Native States of India" is thus given.

Chapter II, Page 31, Para. 133.

- (1) "A Native State is a Political community, occupying a territory in India of defined boundaries."
- (2) "It is subject to a *common and responsible Ruler*, who has exercised, *as belonging to him in his own right*, any of the functions and attributes of internal Sovereignty."
- (3) "This right has been duly recognised by the supreme authority of British Government."

Please note that this is the main basis of the position of the Rulers which is very clearly defined here.

Chapter II, Page 34, Para. 14.

- (4) "This Status of Native States and Native Rulers has been recognised by the Foreign Department of the Government of India, and accepted without question."
- (5) "The recognition thus accorded by that Department has been based upon the evidence of long usage even more than upon the Treaties."

- (6) "So powerful is the weight given to evidence of this custom that it is almost a maxim 'once a Native State, always a Native State.'"

This completely answers the argument of the Reformers of British India.

Chapter XII, Page 359, Para. 138.

- (7) "Parliament, the King's Order in Council, and even the Treaties constantly proclaim that Princes of India *have Sovereign rights.*"

This is quite conclusive for the Indian States.

Page 402, Para. 154.

- (8) "Violence must be done to history, diplomatic engagements, Legislative Enactments, legal decisions, and long established Usage, if we are to discard ideas of Suzerainty or Sovereignty, as inapplicable to the Native States of India and incompatible with the future development of the Indian Empire."

Chapter XIII, Page 405, Para. 154.

- (9) "Sound policy, no less than good faith, is on the side of legal authorities, who treat the Native Princes as possessed of varying degrees of internal Sovereignty dependent upon the British Government."

Same Page Last Para.

- (10) "Public opinion should realise the solemn promises, embodied in Lord Canning's Sanads and in Queen Victoria's gracious Proclamation, and the restriction imposed upon it by the public act of the British Nation. It is only by such means that the good faith of Great Britain can be maintained."

Note:—Her Gracious Majesty's words in the proclamation are:

“We shall respect the rights, dignity and honour of the Native States *as our own.*”

14. As regards the construing and interpretation of the words, Sir William states:—

Chapter II, Page 41, Para. 17.

“Wheaton in his international law, Section 29 remarks that the obligation of Treaties, by whatever denomination they may be called, is founded, not merely upon the contract itself, but upon those mutual relations between the States, which may have induced them to enter into certain engagements. Whether the Treaty is termed real or personal, it will continue so long as those relations exist.”

“The Treaties and Engagements of the Native State cannot be fully understood either without reference to the relations of the Parties at the time of their conclusion or without reference to the relations since established between them.”

Chapter II, Page 49, Para. 21.

Please note that this is extremely important.

“The care taken in the execution of these compacts (Treaties) affords some measure of the great respect paid to them. Although they must be read in connection with the historical setting, that is to say, with the events and relations out of which they arose, and with the subsequent modifications of such relations, yet they require the most generous construction of

which the circumstances permit. *Their validity has been solemnly recognised by Parliament and they are surrounded with all the solemnity, that full deliberations, formality, and ratification of the representative of His Majesty can confer on them.*"

Chapter III, Page 90, Para. 34.

"But generally, the point of view from which the British Government regarded the Native Princes, to whom they offered alliances, up to the beginning of the 19th century was *that of equal and independent States.*

The above is the authoritative and accepted position of the Indian States and of their Rulers. It has been further strengthened and emphasised by the British Government, by nominating one of the Indian Princes to the Imperial War Cabinet, to the Imperial Conferences and to the League of Nations, *on behalf of the Indian States, as a separate unit.* That policy has been based on the great principle of recognition of Indian States as a distinct unit of force by itself, quite independent of British India.

15. A question then naturally arises that if the position of the Indian States in their relations to the Paramount Power and British India has been so clear, as described above, why is it that the Government At Home and the Government of India has found it necessary to appoint a Committee to inquire into this question and what then is the problem to be solved. The answer to this pertinent question would be found below.

16. For the last few years, there has been a strong movement in British India, set on foot by the Indian Political thinkers, that for the purposes of the reforms, introduced by the Act of 1919, the subjects and peoples of Indian States should also

be included in the operation of the Act. The reason of this movement has been given to be not a philanthropic love, on the part of the Indian Political Reformers, for the people of the Indian States; but a threat to them from a certain Political party in England to the attainment of Swaraj for India which is said to be impossible, so long as the country has the Indian States on its map. The Indian politicians have been persuaded to be threatened; and in their intense desire for a complete self-Government for British India, and in their trepidation of an infirm mind, they have left no opportunity to find fault with the very institution of a Native State, as an obstructive element in the cause of Swaraj. Platform speeches, associations, conferences have been the remarkable feature of this movement. Special News papers have been started, severely criticising the Administration in the States even in the most trivial matters, (while that is never done as regards the British Administration in India) with the one single object of damaging the institution. Even the Right Honourable Mr. Shrinivas Shastri has exceeded himself, (or rather allowed himself to do so) in a speech remarkable for its uncommon boldness in preaching a non-violent revolt, on the part of the people of Indian States. But that subject would be treated later. That speech has been published in the papers. A great Statesman has spoken on this very important subject; that has unsettled the minds of the Princes in the Chamber; along with the other causes enumerated by His Highness the Maharaja of Patiala in his speech already referred to (para. 7 Introduction). There is thus a curious position for them. There have been two forces—one from a political party in England setting the Indian Political Reformers as their shafts and the other by the improper fears caused by the belief that political practices, established by the Government of India and a peculiar policy of weakening the position of the Princes in direct violation of the spirit of the Treaties. They have accordingly moved His Excellency the Viceroy to inquire into and settle the question of their

status, position and their relations with the Paramount Power as well as with British India at present and the future relations with future Government of India. The upshot of this movement is the newly appointed Butler Committee.

17. The first public speech of the Viceroy on this subject, was in reply to the address given by His Highness the Maharaja of Benares. It touched only the subject of the future relations of the Indian States with the self-governing India. His Excellency then said that the question raised "a problem of great importance, requiring much careful thought, to the great difficulty in the way of its solution."

18. Since then the problem has, it seems, engaged the attention of the Government of India; and, has been the subject of correspondence with the Secretary of State for India; and in a recent speech made by His Excellency the Viceroy, at Rajkot, His Lordship, announced the decision of the Secretary of State to appoint a Committee of inquiry. This has been appointed since. The terms of reference, mainly important have been given at the commencement of this note. These points will show that the inquiry includes:—

- (a) The existing relations between the Paramount Power and the Indian States including their rights and obligations between each other, arising from the treaties and engagements, Sanads and Usage (But see para. 21 page 17 of the introduction.)
- (b) The financial and economical relations between the Indian States and British India; and,
- (c) regarding these financial and economical relations, any desirable or necessary recommendations for adjustment, the Committee may think fit to make.

19. It will be observed with satisfaction by the Princes that in these points of reference, there is nothing for the Indian States to be anxious for or afraid of any interference on the part of the Committee or Government, so far as regards their existing status, position, or relations with the Paramount Power. Indeed they do not even suggest any the least idea of the probability or possibility of any implication direct or indirect of revising any political relation of the Indian States with British India. The only Political relation referred to is that between the Paramount Power and the States. Clauses (b) and (c) deal doubtless with their relations with British India; and they are not Political. As already observed they are only financial and economical; and the Committee will find out how they exist; and then whether, under changed and modern conditions in the coming reformed constitution of a self-Government for British India, any changes are necessary and how they can be adjusted.

20. As regards the insistent demand of the Indian Political leaders for the inclusion of the Indian States in the new Reform Scheme, this committee under the Chairmanship of Sir Harcourt Butler, will presumably not pay any attention to it. As it will be outside their sphere of inquiry.

21. The Indian Political leaders will, however, attempt to bring that demand before that Committee; and when they find that it will be negatived, they are certain to bring it before the Royal Commission with all the force at their command. It would be interesting to see whether the Royal Commission will be in a position to look in to the question raised, and whether they can with propriety do it.

SECTION IV.

THE COMMITTEE'S WORK.

22. From an editorial of the *Times of India* it appears that the Indian States Inquiry Committee has not a very large programme; and that looking to the importance of the subject that programme seems to be "very light." They will "get into touch" with certain high dignitaries, converse with the doyen of the Princely body of the Chamber of Princes, make a brief tour and hold some other consultations, after some informal and formal discussions with the Chamber; that shall end the inquiry. (See paras. 19 to 26 of the introduction and Sec. VII infra.)

23. "It is said 18 months ago, the Imperial Conference stated that it was impossible to lay down a precise formula, for an exact legal definition of the relations between the different States of the British Empire: and therefore, summarised certain principles only. Very similar is the position of the Indian States, with regard to the Paramount Power; and in regard to one another and the rest of India.

"The relations between them all are not constitutional; nor on the other hand are they merely international.

"It is hopeless to settle the whole question of the position and constitutional relations of the States in a cut and dry constitutional document; also to formulate the rules of Imperial relations and even if it were done the work would not be worth the price." That is so far as the Butler Committee goes.

24. That much having been recognised by either party *i. e.*, His Majesty's Government through the Viceroy and the Princes, this Committee has been appointed. The result of its Labours that we expect would be, in the opinion of the *Times of India*, the following:—

Recommendations for a comfortable adjustment of many of the Problems of common interest—

(1) between the States and His Majesty's Government and,

(2) between the States and British India.

The latter are the Customs, Post and Telegraph, the Railways and so on; there may be other points of a Political nature.

A mutually convenient ground for understanding, that would be satisfactory to all, would be a valuable achievement.

The above observations introduce a confusion of some of the main issues. The constitutional relations of the States with the Paramount Power have been definitely recorded in each case in the Treaties. That is their definition. There ought to be no difficulties about these. As regards the relations between these States and the British Indian Government, there have been Conventions between the two parties. Their nature has been already referred to. They are all temporary and have been the result, (so it is said) of pressure, and not of a free consent in every case. It is these that require a comfortable adjustment. These are the enforced abolition by the States of the Import and Export and transit duties formerly levied by each of them. Then also the suppression of the manufacture of salt and saltpetre. The Excise duties or taxes in regard to the Abkari and opium. Matters relating to the coinage, Post and Telegraph, would also be gone into. The Railways passing through the State's territories would be an important factor to be considered. Capitalists' arguments from a powerful Government have, it is alleged prevented all fair play in the acquisition of the land; and, in the ceding of territorial jurisdiction, and in the withholding of any share in the profits or royalties to the States. Even the required compensation, payable to the former occupants of the lands required, was forced

to be given to them from the State revenues. All these, and such other matters, would require to be gone into carefully, and general principles, on which a satisfactory basis can be found, laid down and recommended for acceptance with a well balanced judgment. Coinage of money brings a certain profit to Government; and the States would be fairly entitled to a share. The Postal and Telegraph Departments are given facilities by the States; and a good deal of business is done which brings a revenue; at the same time it gives facilities to the people of the States for their own business. But all these matters have been more fully discussed in Sec. VII later on.

The question of the transfer of Crown relations with States to British India.

26. Apart from the difficult position of the illegality, the inexpediency, the impropriety and a want of absolute necessity of handing over responsibilities and powers of friendly control and protection over Indian States, which the British Government of Great Britain now possess, under solemn Treaties,—to the future Government of India, the direct *disadvantages*, resulting from such a step, would be enormous, to the people, who form the subjects of the Indian States. These would be:—

- (1) The great loss of an immediate contact with the Ruler of the State of longstanding tradition, who would be without his present powers, and therefore quite unable to take any sympathetic action—whenever required.
- (2) Besides the loss of a Ruler, who could and would take the keenest interest in the well-being of his people, and can look to their wants on the spot, the essential link, so immediately available between the Ruler and his subjects, of permanent mutual (*Vide* H. H. the Bhopal Nawab's speech

SECTION IV.

Para. 15A. Introduction), interests existing from the hoary past between the two, will be snapped.

- (3) The impracticability of giving a similar substitute for such a Ruler in the new arrangement, having local knowledge, traditional sympathies, predilections, sentiments and feelings with full respect to old customs and manners of the people.
- (4) Paid servants cannot be a good substitute for hereditary Rulers; and the natural want of Nobility, of the idea of Kingship or of the paternal feelings, necessary to Govern with a love for the people to which the latter are used from the most ancient times, would render such agency worthless.
- (5) The representatives of these people, if they have to be sent to the central legislatures or the Provincial Council would have very small chance of being heard, under the system of decision by the majority of votes; as they would be out-voted in the large order of the Assemblies made up of numerous members from different parts. Local needs and special requirements would be very inconvenient to meet and it would be impossible to fit them in the general Legislature. Nor would it be possible to Legislate especially for such.
- (6) The great defect which would be the special feature of the new organization, is the want of any responsibility on the part of any one member of the Assembly or even for the matter of

that on the executive in any particular instance of a mistake, fault or an improper action. For the members would only give a vote and the decision is given by the Majority and the executive at the most would receive censure; but the cause suffers; Justice becomes tardy and costly. People suffer. The Government has no body to kick nor a soul to save. The members are not paid servants and cannot have any sense of a duty and of responsibility.

- (7) The cost of the new form of Government would be enormous—in fact, beyond the powers of the States, to meet from their very limited resources. That cost in British India has reached a perilous pitch; and if the Government of the States is brought on the same level, and a similar organization is introduced, the Indian States and their people would have to bear it in proportion. Taking for example a Taluka in British District; which would appear at first to possess a small establishment of local officers; if the cost of maintaining the District Officers and their establishments of every Department and that of the Divisional Officers and of the Presidency Head Quarters, is distributed over the different Talukas the proportionate cost per Taluka would come to a very large figure indeed; and who is to pay this heavy charge for the Indian States? That will certainly be unbearable to the States and their subjects. Taxes would begin to be levied that are not levied in the States to-day. There is no tax in these States beyond the assessment on the agricultural lands at present; and what

would be the condition of the people under such heavy burden; when the majority of the agriculturists are living from hand to mouth? The income of the States would be spent for the greatest good of the greatest number, that is British India.

(8) This burden will be added to the indirect taxation, they are already paying to the British Government, for all goods they buy, on which import customs duty is levied, as well as the Salt duty; for which nothing is paid to the States by the British Indian Government.

(9) The Rulers of Indian States have at present the full and final power to introduce any beneficial Legislation without much ado; at the instance of the people, or *suo motu*. All that is necessary and as occasion requires, is promptly supplied without the assistance of any Legislative Assembly and in a rough and ready way. This facility for the people will be lost to them; and a complex system, with no end of difficulties and troubles, will be introduced: that will be entirely in the hands of the Central and Provincial Legislatures, sitting far away from the States and with any amount of uncertainty of their work being done within a reasonable time and with proper appreciation of the needs of the people. The necessity of prompt attention and due consideration will scarcely be appreciated, as there will be very few men among the people of the States fit to represent matters from the States in such Councils.

(10) Grievances arising from the faults of administrative local officers, would take a long time to

reach the higher authorities, and get redressed; and distance and cost, which is bound to be enormous and prohibitive, would result in delay and trouble in obtaining justice. The cost of litigation which is bound to increase would surely produce the worst results, and their evil consequences on the people would be great.

- (11) All respect for authority, both of the Princes as well as of the new Government, would disappear and a spirit of fighting and mischief would be fostered. The domestic peace of society prevailing at present would be disturbed. And as in British India so in the States, the social fabric would rudely be shaken. The immediate control of the Rulers of the States having been removed, all fear for the wrongdoers of the consequence of mischief will disappear: the weak and poor are bound to suffer, owing to ignorance, and poverty.
- (12) This will give more power for mischief and means of extortion to the lower subordinate officers, who by reason of the complexity in the controlling system, will have little check and fear in their corrupt practices,—and the people in difficulties will be helpless.

Besides the above glaring disadvantages, there would be many more, too innumerable to mention. The above would be found amply sufficient and weighty to show the unwisdom,—of the proposed step, especially when the new order prevails. The prestige of the Ruling Power will be gone, in the new altered conditions; for, the calm impregnable fortitude, courage, patience and judgment of the cold West which has produced that prestige, and its statesmanship and the skill of balanced judgment and the

mastery in the art of good Government will be extremely hard to replace.

27. On this subject the views of one of the greatest English Statesmen, Mr. Edmund Burke may be usefully remembered. They are given below:—

‘Government and Legislation are matters of reason and judgment, and not of inclination; and of what sort of reason is that in which determination precedes discussion?’

‘It is necessary to unite circumspection with vigour, and then alone there is no danger of its landing in over-zeal. But it is extremely difficult; the wide-spread interests must be considered, must be compared, and must be reconciled, if possible. We are members of a society wishing freedom for the country; and, surely, we all know that the machine to be set up of a free constitution is no simple thing; but is as intricate and as delicate, as it is valuable.

‘We are members in a great and ancient monarchy; and, we must preserve religiously, the true legal rights of the sovereign; which form the key-stone that binds together the noble and well constructed arch of our Empire and constitution. For, a constitution made up (even) of well balanced powers must ever be a critical thing.

‘The best policy is to make Government pleasing to the people. But the widest range of this politic complaisance, is confined within the limits of justice. And *it must be doubted whether Omnipotence itself is competent to alter the essential constitution of right and wrong*; and sure, I am, that such things as they and I, are possessed of no such power.

‘Our political Architects have taken a survey doubtless of the present constitution. They are displeased with it. They find every part of it to be unsound, from the Crown downwards. As all Government stands on opinion, they know that the way to

utterly destroy it, is to remove that opinion, to take away all reverence for it, all confidence from it.

That is the true description of the present Indian Political Leaders—

‘But there is an opposite opinion. This divides into two classes. The one thinks that some alterations may be expedient but that the present is not the time for them. The other thinks that no alterations are needed. Neither now nor in the future; would it be prudent or safe to interfere with the fundamental principles and ancient tried usages; and that it is a subject of an honest use and thankful enjoyment; and not of captious criticism.

Note:—This is the case with the older Statesmen of the Conservative school of thought. These look at the temperament and needs and desires of the masses; on whom habit grows as the second nature of man: there is much of value in such a position. What after all is the aim of any reforms or change in constitution of the Government of a Nation? It is the contentment and happiness of the people; that is more important and as the wise saying goes, “where ignorance is bliss, it is folly to be wise.” Otherwise, *Qui Bono?* Any thing which brings in its train, a struggle and agitation, that disturbs the peace of mind and existing state of things, is sure to be troublesome to the masses, whose name is used by the busy and ambitious spirits by the common-place expressions “liberty for the people,” “Government by the people, with the people, for the people.” That brings in more unhappiness and interferes largely with the daily life of the masses. Revolutions are never peaceful. There is a necessary struggle, between those who would not give, and such as are insistent on having; the masses are quite

innocent of any idea of a national liberty and advance to civilization. Love of fame, personal motives of capitalists and ambitious men of influence start the trouble.

‘On the other side also, there are two classes of Reformers. One claims the right, the birth-right of man as man. The other thinks that the present system of representation is not sufficiently sound, politically. The former thinks that every man ought to govern himself, all other Government is usurpation; and must be resisted. Nine-tenths of the Reformers belong to this class. To them the answer would be that the present form of the Constitution stands on “Prescription” and “presumption.” Prescription is the most solid of all titles. Presumption consists in the fact that it has served well, for generations, without complaint; and the Nation has long existed and flourished under it. The choice of a Nation is far better than a sudden and temporary arrangement by an election. It is an idea of continuity, which extends in time, as well as in numbers and space. It is a deliberate choice of ages and generations. It is a constitution made by what is ten thousand times better than a sudden choice; it is made of peculiar experience, circumstances, occasions, tempers, dispositions, and moral, civil and social habitudes of the people, which disclose themselves only in a long space of time. The human species, when time is given to it, almost always acts right. This has been always so. The very fact, that the State has always stood so to its usual principle, conclusively proves this.

‘In all moral machinery, the moral results are its tests. The true touch stone of all theories, which regard man and affairs of men, is, “does it suit his nature in general? Does it suit his nature as modified by his habits in general. That the present constitution of the States does not suit them has never been the complaint of the people in it.”

Note: What the Indian Reformers wish us to do is to prefer their complaisant speculations, on that subject, to the happy experience of the people of the States of generations. If they were not happy, people would certainly say so; and the necessary remedies to particular complaints would be smartly applied. That, however, is a matter of detail; and does not touch the principle of the constitution about which they have never made any complaint, because they are satisfied with it.

“There is an order that keeps things fast in their place; it is made to us and we are made to it. Why not ask for another wife, another body, another mind? What does this go to but to lead directly to anarchy? One should look with filial reverence on the constitution of his State, nurse its venerable age and with lenient arts, extend the parent’s breath.”

The apt quotations above given will certainly exact respect for the great Statesman of historical reputation, They give a very sound advice to Reformers; and one would fondly hope that they will reflect on it.

28. On this subject of the Swaraj, which the Indian Politicians hold up to the subjects of the Indian States, as a tempting form of popular Government, we find its definition in the terms “India to rule herself,” “a decent stable Government by herself,” “A strong Native Government,” etc.

“The Sober minded Indian of the average class does not, however, think so. He defines it to be a Government for the people, with a view to their safety in their property and life, industry, prosperity, comfort, and health. Therein is their contentment. In a word they want a very wise and just Government. They certainly do not want Democracy. They do not care who rules, or who rises to power and position. They have an ingrained respect and love for a loving and respecting Monarch” (Mr. Gwynn, retired I. C. S.)

“As a good and experienced Political Officer, Sir Walter Lawrence Baronet, G. C. I. E., G. C. V. C., C. B., sees, as all must, who understand Indian conditions, the great merits of a well-governed Indian State.”

“Democracy like most forms and fashions of men, is very much a matter of climate. In the West we praise it, sometimes from heart, often from the lips. But so few know, how different India is, how unlike its temperament, outlook and experience. There are certain essentials to happy stability in the East, among them, *continuity* and *cohesion*. Democracy does not always assure these, even in the cool and practical countries of the West.”

True; and the form of responsible Government to which we are committed in India, cannot in justice to India, be based on the mere counting of a mass of uneducated heads. It must be based on intelligence, not on illiterate members. (His “the India we served”) Review by *Times of India* 19th June 1928.

29. The difference, however, between the people of British India and those of the Indian States is that the former have to rely on Government officers of different ranks, who have no paramount interest in the well-being of the people, as they are repeatedly transferred from place to place, even during the limited period of their service, and therefore have not to care for their good-will having no permanent interest in them. These people, in British India, believe that that only is their lot and that there is no getting out of it. They never can have a chance of meeting their King-Emperor, in whose name the Government rules. While the people in the States are sure of their Ruler being at hand to speak to him of their weal or woe, whenever necessary; his officers fear him on that account; and the administration is extremely cheap and prompt for them. Constant presence near them of the Ruler produces faith in him, love for him, the full sense of respect and loyalty to him.

30. The ideal excellence, in the opinion of the people of a system of Government has been described above. It also means for them protection from external and internal troubles. Both the Military and Civil Government of such a nature, however, must possess, besides the financial resources, the Power and Prestige of Majesty and dignity to inspire a strong confidence in the people.

31. Can a representative Assembly of the modern type be able to possess individually or jointly such attributes of a Benign Ruler or Government? Can mere intellect or wealth produce such attributes of Power and prestige of the Royal Dignity, nobility and Majesty, which alone have the highest place in the hearts of the peoples of India? Further do they really possess the genius to utilise the new western constitutional machinery of self-Government and to adopt its details to the needs of their own self-expression in the new Government of British India to begin with? Such would be the questions which the people of Indian States will be justified in asking to the Indian Political preachers against the Ruler of the Indian States.

32. It will be very easy to give a reply to these questions, in the affirmative. That reply alone would probably be neither convincing nor reliably sufficient. Such a reply will, perhaps, not be able to bear an examination of stern criticism.

33. Who can possess such power and prestige, which should be able to command and exact obedience and respect in India? What shall be the nature of that power? That power consists, it should be noted, first in personality and position; and next the possession actually of the magnetism as well as the physical and moral forces and the means to enforce them and the influence that will command natural obedience. Personality of that character must be a constant quantity and must live eternally. It is a very significant and potent force by itself; and has been a special feature of Royalty; and again as has already been

pointed out, with that Royalty naturally go the high attributes of nobility—of blood, dignity and sympathy, all coming out of the responsibility of Royal birth and the natural aptitude to forget and forgive, with a due appreciation of the short-comings of men and times in their respective position and circumstances of human life. It would be impossible to expect these attributes in the common official or Non-Official individuals or a body of such individuals. For the people of India have, by their tradition no faith in such individuals in responsible posts, as they perforce happen to be of varied temperaments, and of lesser sort, however intelligent, however educated, and however wealthy. For, they would be so many fleeting shadows, living for a limited term of their office, and mostly wanting in the high attributes of royalty with no stability or continuity, so essential to command a sense of permanence of that excellent Divine Emblem of Power and Prestige, behind it. Such Power and Prestige alone command respect; and are the real symbol of Authority which is most loyally obeyed by all. Such is the ruling idea, especially among the people of India. Even the present British Government of India, and much more so, all its predecessors in authority in India, have had that fountain source of the power and Prestige of a Monarch; and when that Monarch lives in the country or the State, the feelings grow all the more strong. Further it must be specially borne in mind, that whenever the Government of a country has changed its Monarch, by reason of invasions, conquests or otherwise, it was never a result of the struggle of the people, either in favour of the one or against the new-comer or *vice versa*. It was the army of one king fighting against that of the other; and people always standing neutral, submitted to the Conqueror; who always promised to rule well. This shows historically that the people of India were never as a rule a Power by themselves. And what has occurred now that they must assume the new role of democracy?

33A. With a view to make the position of the Indian Reformers, who are ardent supporters of Democracy in India, quite invincible, Sir Chimanlal Setalvad, K. C. I. E., one of the foremost leaders of that school, and the Vice-Chancellor of the Bombay University, has taken the great trouble of diving deep into the ancient Vedic 'Samhitas', the 'Dharma Shastras', the 'Artha Shastras', the 'Neeti-Shastras', and ancient Buddhistic Canons, and many other ancient authorities, and in his inaugural speech on 13th July 1928 at the Institute of Political and Social Sciences, has made the following assertions of his discoveries, after an extensive survey of the genesis and development of the ancient polity. He states:—

- (1) A close study of these authorities reveals that the people of ancient India, had, in their own way, high conceptions of the State; and that,
- (2) The literature contains high scientific discussions, as to—
 - (a) The rights of Monarchs and Governments,
 - (b) The theory of Divine right of Kings,
 - (c) The theory of elections, and,
 - (d) The theory of Representative Institutions.

He concludes that it is, therefore, perversion to say that Representative Institutions or the modern art of Government were alien to the genius of the Indian people. He repudiates the suggestion that the Indian people were not accustomed to responsible Government; and that, Democracy as understood in the West, was absolutely alien to India.

He adds, however, "it is true that in recent times the Indian people were not accustomed to a representative form of Government; but in ancient times they were so well accustomed to it that they used to draw up "declarations of rights of subjects."

This speech, so re-assuring to the Indian Reformers, has been bitterly criticised by one 'Histericus', by setting up a rival article, giving the results of as close a study of the same authorities as have been quoted by Sir Chimanlal; and coming to conclusions directly contrary to the above! This article, entitled "the village in Sanskrit literature" is referred to as having been published in the Journal of the Bombay Branch of the Royal Asiatic Society for April 1927 from Prof. V. A. Gadgil, a *specialist*. The critic asks—does the expression 'Indian people' used by Sir Chimanlal include the untouchables and Shudras, who form four-fifths of the population? When exactly did these 'recent times' begin? When and why did the Representative Institutions disappear after flourishing for thousands of years, from the 'Samvitas' down to the 'Smritis'?

He asserts—

(1) In the *Vedic literature*—

- (a) There is no evidence to show any form of village autonomy;
- (b) The Dharma Shastras and the Smrities show that the village officers were appointed by the King and paid by him;
- (c) In all kinds of taxes, the King exercised supreme authority;
- (d) The Smritis speak of the Monarchical form of Government, in unmistakable and unequivocal terms;
- (e) and other unimportant matters were left to village elders: there was no regularly constituted or authorised Council in the village.

(2) In the *Artha Shastra* and *Neeti Shastra*—

- (a) There was no village autonomy at the time of Koutilya;
 - (b) These Shastras clearly lay down that all administrative officers are to be appointed by the King;
 - (c) There is no trace of any form of autonomy.
- (3) In the Buddhistic texts and the Mahabharat—
- (a) In the matter of law and order, there is no indication to show any power vested in the village;
 - (b) The Monarch ruled and the Beaucrotratic Body governed in the name of the King;
 - (c) In commercial concerns and other crafts there was a regular civil service appointed by the King, and working in the name of the King; and,
 - (d) The King exercised a great deal of authority in the administration of the villages. Who should be believed?

34. An unusual phenomenon has been attempting to come over India. Some say it is a dawn of civilization. One should fondly hope that it may turn out to be a real blessing of a much higher order than the present Constitution. But there are others who think that it may not probably be such a fortunate prospect, in the new constitutional phase of Government. The British Government, however, have already launched the experiment into existence. (*Vide* para. 6 of the Epilogue.) The Government has stood for it as its God Father;; and yet it is said to be a "bold experiment." Even so, that is intended for British India only; and, why need the Indian States be afraid of it or be dragged into it?

35. The answer to this question is not far to seek. But before we come to answer the question let us look into the nature of that experiment. That experiment proposes to adopt measures some what on Western lines, to enable the people of India to govern themselves; and manage their own internal affairs by means of Representative Institutions; without any control or advice or direction from outside. It is believed however in certain quarters that such an experiment does not connote the complete withdrawal, for some time at least, of control over such Government; nor does it suggest that the protective and guardian hand over the safety and peace of the country, would be absolutely withdrawn. On the otherhand, the Swarajists *demand* complete Independence!

Yet this experiment is certainly a venture;—albeit it has been made with all sincerity of heart for the real good of the people of British India, and conceived with the best intentions and good-will. Those people of India, for whom it is intended, have so far not understood it in any sense,—beyond having to sign a voting paper on some date, “as it is so ordered by Government.” They have never asked for it. But the ideal excellence of the deliberations in the Councils for some time, and the part taken therein by the Indian Political leaders, so creditably performed, have made an excellent impression, at least during the earlier part of the working of the Reforms; and, though great trouble has since been created, first by non-co-operation and lately, when the Royal Commission was announced, a strong boycott cry was raised, the British Government has not yet lost the hope of success in the experiment.

Sir John Simon’s own views on the subject, appear in his speech of 8th April 1928 in the following words:—

‘Much has been written by philosophers and poets of the relations between the East and the West. As I study the vast task, which is laid on my shoulders, I become more and more

convinced that it is here, on the Indian soil, where we now stand, that reconciliation must be accomplished. It is in this that we may yet achieve that understanding between the East and the West, *without* which, both of us are so much the poorer, but *with* which, there is a future happiness, confidence and progress for India and Britain alike.'

That is an admirably strong hope of a far-seeing statesman. But it is as well true that 'the State must *follow* and *not lead* the character and progress of the citizen:' and, 'that Government is the expression of what cultivation exists, in the population, which permits it. So much life, as it has in the *character* of living men, is its forie,' *vide* Appendix D; to which the earnest attention of every one concerned in these Reforms towards a Democratic Government in India, is invited.

36. This experiment has however, been in the field for the last eight years. Both the Assembly and the Council of the Central Legislature and the Provincial Legislatures have been at work. That work is going to be examined with a view to see how far the experiment has worked; and what next steps would be desirable. The genius of the Indian Representatives for working them is going to be put to test. But at this stage, all of a sudden there is a cry of "halt"; and, an attempt is being made to kill the experiment at its root. The very Power and Authority of the Parliament to bestow Self-Government to the country is being questioned. 'The Parliament shall not be the Judge of what the self-Government shall be: That shall be decided, and then demanded, by the Indian Reformers in a certain form of self-determination; and the Parliament shall say "yes" to it'. That is what the present cry professes to be. Thus a mine has sprung up all of a sudden during a quiet sea-voyage. This new set of Politicians is out to threaten both the Imperial Government, as well as the Indian States; that is kicking up both ways; that is very unfortunate. They are under a grip of strong feelings. The

emotions will pass away. But it must be remembered that this is a voice of only of a few leaders from the intelligentsia; surely not the voice of the people of India, though perhaps the British Government may believe it to be theirs. If that is true, it will only be an experiment of a game as between the Indian 'Leaders' and the British Government; the demand for Swaraj has never come from the people. It is the 'Leaders' who have been asking for it. But as repeatedly observed and admitted, though years have passed, there is no educated electorate of the masses so far; though the principle of election was legally introduced into British India long ago in 1884. If even under such circumstances, Self-Government does in the course of time happen to be an accomplished fact, it becomes in all truth a literal 'Oligarchy',—not the Government by the people. (The Nehru Scheme has since been published.)

37. If that turns out to be the real character of the Reforms in British India, the Indian States shall have nothing to do with them; notwithstanding the Viceroy's hint to the Princes to 'bring their administration to the level of the requirements of the public opinion elsewhere' (which really is the opinion of the few Indian Political Leaders in British India.)

38. In his latest speech in the House of Lords, Lord Haldane, on behalf of the Labour Party, drew attention to the divergence of the Eastern and Western outlooks. He asked what progress had they made in penetrating Indian mind. Until they found means of bringing the outlooks in mutual understanding, he did not think that they would be able to find a common ground for negotiating about a constitution in India. He expressed the opinion that "the problem could not be solved without the study of the history and of the development of Indian thought, particularly, the Hindu thought.

39. What the Indian traditional thought has been for centuries, has been already fully stated above. Any attempt to

set it aside, and introduce a novel experiment, is not likely to succeed and the results will be unsatisfactory; more especially, when the masses learn that the Government of the country has passed into the hands of an "Oligarchy", that cannot be appreciated by the people; for, the change of Government though intended for the good of the people, is being introduced without their consent; and that their destinies are being handed over to people in whom they have no confidence; unless that is issued to them as a commandment hereafter, to obey the new Oligarchy under the supreme Government. If that is so as regards the people of British India, where comes the question of extending the same to the people of the Indian States, who will not, nor their Rulers can, appreciate it.'

40. English opinion on the Reforms advocated by the Indian Reformers appears thus in the *Manchester Guardian* (27th January 1928). That paper observes:—

"We are certain that the Draft Constitution of the Indian Politicians will ignore the British Parliament and the Secretary of State; except perhaps for making them responsible for India's Army, Navy, Foreign Policy; and her relations with the Indian States." Clearly this Paper is not aware of the Indian movement against the Indian States.

The paper adds:—"Indian politicians have never realised how grave are the objections to the British leaving, in countries, where the civil administration is not under the control of the British Parliament."

It is amusing to find yet, that a few leaders ask the British to quit India; that is not a sane talk, too; they would ask the Princes also to quit. But when such is the prospect of the new

Government of India, at present, and for some years to come, what is there with these Reformers to promise to obtain for or to give to the people or to the Rulers of the Indian States? Further, will it ever be in their power to compel the British Government to do what they cannot and never will do? It seems there is neither logic nor Mathematics here nor sound politics.

41. If, at all, these struggles for including the Indian States into the scheme of the New Indian Administration and Government are intended for the good of the people (first of British India and eventually for that of the people of the Indian States), the demand or desire for such a step should have come first from the people of either territories themselves. This has never appeared to have occurred so far; nor is it, for reasons already recorded, likely to arise in the very nature of things.

42. The necessity, however, of a "good Government" for the people will always remain; both, in British India as well in the Indian States. In either regions the present conditions do not seem to be sufficiently satisfactory; any public spirit, and a sense of duty and statesmanship, that is of value, and is available, can be much better devoted towards improving them not by the methods likely to destroy the structure; but by such useful expedients as may be adapted to make the structure, as *it exists*, solid and enduring. "Nature has placed a check on those that would destroy it with a view to rebuild from the debris."

43. For this purpose, it would be wise to take the friendly help of the British Government, with all the resources at their command in the introduction of measures in full consultation with the people first and then with each other; and prepare a scheme really calculated to ensure the permanent good of the people. This will doubtless set a good example to the Rulers of the Indian States also. The benefits of long experience and training in the art of good Government acquired by British Officers, at the cost of India, can be obtained; and a claim for such a

friendly help at any cost, can be reasonably made, both by the Indian New Government as a good student, as well as by the Rulers of Indian States; and the propriety of such a request, made in a spirit of mutual good-will, will be promptly recognised. On the other hand, it is more than doubtful whether there is any wisdom in dragging the entire population of India into a scheme of Government, wanting in experience, that is likely to result unsatisfactorily by the measures now proposed to be taken by the Indian Politicians; in the absence of the necessary preparedness, of the means and ability; so essential for such a stupendous task. None questions the *bona-fides*, the patriotism and the zeal with which the Indian Reformers have undertaken the task. And there can be no question as to the ability of these Reformers to acquire the knowledge of the art of Government. But statesmanship is a work of time and training and the preliminary qualifications for such a profession have a particular character and they have to be acquired under proper guidance at any cost.

44. In all sincerity however the British Government have resolved to establish Self-Government in India. But they refrain from laying down any cut and dry form of the Constitution of such Self-Government. Such a constitution has not as has been observed before, and could not yet* be produced by the Indian Politicians, who have the liberty to frame one to suit the country's full requirements; the condition being that it must be approved by the majority of the people. On this subject *vide* observations in the concluding portion of the Epilogue.

Further, in a democratic Government of a State some of the difficulties of Government are the following:—

No Government is possible without a Civil Service. This Civil Service must be permanent; a Civil Service of a temporary character cannot be expected to work with a continuity of principles and policy. A representative Assembly would how-

* The Nehru Committee has published one lately. But it has been severely criticised both in India and England.

ever expect the Civil Service to be responsible to the Assembly. That Civil service is the executive; and a good Government would impose on it a duty of guiding the Representative Assembly, whenever it happens to go wrong ways. For, the Civil Service is in possession of the principles, traditions, and facts of Government. Such an Assembly cannot be expected in a State, where Representative Government is too novel an Institution for them to be well trained and experienced, in a short time, in the art and knowledge of Government or legislation for the various requirements of society in each department of life, and in such a condition of things a permanent and paid Civil Service will be an absolute necessity. It is not possible in an Indian State to obtain such a Civil Service, or an Assembly; nor an educated electorate; and, in British India, it will be a work for years.

A Representative Assembly changes periodically and comes in power and forms its own Government on its own party lines. (*Vide* Appendix D). Such a party Government cannot expect the Civil Service to be removable at pleasure for it has to guide the Assembly:—and the Assembly must be prepared to be guided by the Civil Service though it is true, that it is the executive of the Government for the time being. The British Government has, by its very constitutions, a permanent Civil Service.

Democracy is the Government of the people by the people through their representatives as their accredited agents. Therefore the electorates of the people must be educated to be able to make a proper choice of their Agents. Until and unless they are able to do so, until they are so educated, there would be no proper representation and no reliable representatives.

For this purpose the determination of the qualifications of a member must be settled, so as to include and ensure the nomination by the electors of a right sort of able men to form the Assembly. Is it impossible to get such electors and such representatives in sufficient numbers? Perhaps not. But the methods of election might be so devised as to suit the capacity of the po-

pulation. The present methods have been tried and found to be not-efficient. The susceptibilities of the people will have to be studied. There is little public spirit. This has to be created. At present a business which belongs to all is no man's business. There each one is for himself. The good of a neighbour does not interest any body. That is an essential work, and a first essential is to create public spirit. It is a work of educating the masses. The Government is for *their* good. It is the people's money that is being spent for such Government. That it has to be spent well and carefully is their concern. Money is obtained by hard work. That shows the value of money. Hard earned money is well spent when spent usefully. It is the masses that have to say what their urgent needs are; it is for the leaders to explain to them how to select them for being supplied according to their urgency. The people, their habits, their wants, the means to supply them, the social wants, the local wants, the special wants and the future wants,—and to prepare a progressive programme to supply them. That is a work of prudence, patience, industry and skill. The greatest good of the greatest number has to be conceived and taught to the people. A confidence has to be created among the people for the Leaders. A constant association with full sympathy, self-sacrifice and a sincere desire to work without expecting remuneration for public benefit, must be the qualification among the leaders. Such work must be voluntarily undertaken. It is not a paid office. No one has a desire to work without payment in India. And those that have independent means of living and spare time can alone undertake the responsible duties of a Leader. Efficiency and success in such undertakings is alone its remuneration. That requires public spirit and strength of purpose. All those must be created. That is indeed a stupendous task. And who is to do it?

The following will show how the grant of self-Government to the people of the British India can perhaps be utilised.

The Indian Political Leaders will do well to spend their best energies within limits of British India, first, for the best that they are able to produce. This has to be under any circumstances within the Empire,—a democracy within a monarchy: let the basic principle be, not the outlook of its exterior, but a real sound benefit of the people; let there be no hesitation in accepting the best help from outside, in matters, in which they do require it. A bold admission of ignorance and want of experience would be the foremost good feature of manliness. Vanity has no place in it. They might be aware of the fact that the majority of the rural population, more than 80 p. c. require a very simple form of Government. The urban part, with its working classes have their own phase of life. And there are general questions affecting the whole country. Any scheme of the New form of Government should, for its being well received, be in this way a tri-lateral constitution. The simplicity of the requirements of the major, that is the rural parts would reduce many complications. The franchise vote in each village should elect a punch to nominate their Representative for the Taluka. Such representatives should select a candidate for the district; and each District Representative should be considered to be a member of the Provincial Council—Direct voting should be abolished for the rural parts—That will secure a real representation, and save an amount of trouble and money. The rest would be easy to adjust, on its own requirements; as its dimensions would be reduced. For the general requirements of the country, the best of both should be combined. There are available men of the highest calibre and culture with best brains within urban areas. Among the rural parts there are men of positive practical commonsense and well informed of rural conditions and requirements. They would readily supply matter and information. The Civil Service would supply facts and figures and all previous history of policy and results. The combination of all in a sagacious and statesman-like method ought to produce the best results. Patience and persuasion, imagination and a power to draw from facts and details,

and a sympathy for the needs of the people will all be of practical use. And when that is accomplished by British India, the Indian States would not be long in imitating or devising suitable methods.

45. It is a very serious problem both for the British Government and the Indian People whether self-Government, on the *present* lines of western Institutions will suit India. But as remarked above, British Government have offered it as their best. It is an experiment of grave importance; and at the very beginning of its trial, emotional troubles have been raised and the form of the new Government under experiment is being rejected; though that form of Government has worked through successfully with full co-operation during the first triannium. That is the present insufficiently solved condition of the problem; and there seems nothing for the people of the Indian States to imitate or to follow. Nor can the Princes or their people be expected to form any opinion on the question under such circumstances. They would perhaps say that they are not suitable for the well-being of their States nor those that the Reformers have so far foreshadowed; and more likely than not, they would themselves be able to evolve their own schemes much better, more satisfactorily and much sooner, based on broad principles, (*vide* also H. E. the Viceroy's Speech at Patiala on 8th March 1928); some of which have been advocated by one of the progressive Rulers of Indian States and a statesman of recognised abilities in a recent speech at Bikaner.

46. The Indian Reformers are now busy formulating a new national scheme; and have very recently promised to 'produce it shortly. But the basic ideas of that scheme appear to be based, so far, altogether on democratic lines. The British Government are prepared to accept any form of scheme that may be approved by *the majority of the people* not by the present agitating leaders alone, of British India, or unanimously. But it will be far better for Government if they help the construction of the scheme as suggested in the concluding portion of the epi-

logue at the end of this work;—in consultation with the people through their executive agents; and the Leaders of the Indian Political thought. The British Government have played their part of the game; they have only given the challenge.—The British Government will, however, not fail to insist on the reservation of Imperial interests, of the British Empire. The Indian Politicians have neither the courage nor the strength to refuse to comply with that demand. And the British Nation, with all the power and resources at their command are not likely to give up the demand of that reservation. On this point Sir Basil Blacket, the Financial Minister, and the leader in the Legislative Assembly, said on 20th March 1928 as follows:—

- (1) It is true that for political, economic, and strategical reasons, India was essential to the British Empire. It is also true that for the same reasons, India needed British Empire.
- (2) The declaration of 1917 is the expression of British Government of two factors—one is economical, the other is political,—fundamental in the British position in India. The economic factor is this; the greatest economic interest of Great Britain is in India, which is economically strong and prosperous; because of this, she wants to trade with India. But there is a political motive, which goes deeper even. It has always felt that there is danger to the liberties of Great Britain in the existence of anything like autocratic Government controlled by the British people, and that they will be ultimately endangered, if something could not be done to limit autocracy in the Indian Empire.”

Thus placed, the Indian politicians will have to play their part of the game. They have allowed

eight long years to pass over their heads since 1919 when Great Britain cast the first die in the game of this famous experiment. It is in 1928 that the various political parties are meeting in committees to produce a national scheme and curiously enough, *before* that scheme is ready they have started organised parties to tour the villages to educate the electorates on the principles of Self-Government! That is the present condition of things in British India; and there seems nothing tangible yet for the Indian States to follow the example of British India.

47. But in the Government of any Nation, the Central hand of protection is an absolute necessity for the universal good of the people, who are "the subjects" placed under such protection. A careful general observation and analysis of these people of different temperaments and degrees of intelligence among the millions of human beings in India will show a continuous and an infinite variety. No definite line can be drawn between one class and another. The Government of the universe shows, however, a Providential design and an eternal law that has never been failing. A central grand power governs the whole creation under that eternal law, which exacts obedience. It is always wise therefore and it has always been considered wise, in the matter of the Government of the people, to take a sound lesson from the organization in nature and the wisdom of Divine Providence (*vide* Appendix C). In it all forces and their shafts that act and react in their working in nature, derive their power and authority from that one central source; and work constantly on that source of strength of direction and control. There is nowhere, in nature, an independent collective body of forces acting in consultation with one another in the Government of the Universe. If that is true both scientifically and historically, of Nature's Government, the idea of a democratic rule in any Nation becomes at

once an illogical proposition; and altogether wanting in the central strength so essentially necessary to the safe working of the whole, and therefore apt to come to grief, involving confusion, instability and consequent disaster. The age-long working, ever since the creation, of the solar system under the central influence and control of the Sun, furnishes a vivid example. Even the mythological Gods are considered to derive their power from one great central source. How then can a body of men, howsoever intelligent, calling themselves representatives of the people, claim a power and prestige of their own? The idea of independence seems to have been misinterpreted by the new educated Reformers. They might ask themselves, if they are themselves independent. Let them examine the inner working of the organization and structure of their own physical body, and then answer that question. Can they, howsoever united, be independent? And, independent of what? They cannot even breathe independently. Human life itself is dependent,—absolutely dependent. Neither their physical nor their intellectual powers, nor their resources would be of any avail when time comes, without the aid, the assistance, and help from others among themselves and from the Divine forces of Nature. That talk of independence does not seem discreet. Human manliness does not lie in such an attitude. True manliness lies in the full recognition of hard facts, in assigning and paying full respect to the real powers in Nature that be, and to Her organization; and, it would be most injudicious for man to “walk erect” and respect nothing or nobody else than man made law; and if men themselves transgress the Divine Providence, and its directions, by such action, what authority and influence can they be supposed to possess and exert on the people either of British India or of the Indian States? We might go further, and point out that, they will not, with such an attitude be able to exert any influence effectively on the British Nation even; where, with all the Representative institutions, the Power of Government is derived and worked from the strength of the

Central source. There is no democracy even in England.

48. It is high time then for the high souled and patriotic Leaders of Indian Reformers to reflect on what their somewhat hasty and not sufficiently considered emotional ideas of democracy are leading them to do. They are bound, as leaders of the people, to take stock of the character, capacity and condition of the people they wish to oblige, the material and its character too, with which they have to deal, the national and human forces that are bound to act on their ideas, and lastly their own capacity to deal with them all; and thereafter set their hands to this important work. In this connection their attention is solicited very humbly to the remarks contained in Appendix "C" attached to these papers.

On this subject Charles E. Raven, D. D., writes,—

"All round us, the spirit of man and of God is struggling in fetters, bound to the wheel of things by men, who trust in wheels.—It is often admitted that the machine of civilization is breaking down—that it must be overhauled, and reconstructed, if it is to be saved from the scrap-heap. But such a metaphor, true as it is, wholly inadequate: and, if the future is planned on these lines it will lead us to disaster. We are witnessing not the collapse of an engine, but the birth pangs of humanity." "The divorce between the old religious beliefs and the new science must have disastrous consequences, unless, it be healed. But it can be healed. Truth cannot be different for science and for religion."

(The Creator Spirit.)

48A. The Indian Reforms Act of 1919, and the previous Declaration of His Majesty of 1917 are both the result of good

faith and good-will of the British Nation for India. For it, India ought to be grateful. This action of that Nation is noble, and springs from a feeling of gratitude on the part of England for the great self-sacrifice, India has made during the Great War. Such an action of that Nation ought to be responded to by respect and gratitude. The motive of that action is worthy of both. To refuse to feel that respect and gratitude would be immoral.

The character of the Indian people as a whole is universally known to possess this national trait of gratitude for good-will, good faith and good work shown to them by any individual. The British Government, ever since it assumed the direct reins of administration, has been actuated with feelings of good faith and good-will as trustees; and each step taken by it, in the governance of this country is for progress consistently and for the good of the people. That has been an extremely patient work, fraught with many difficulties. The consolidation of the Government with a policy of wisdom and farsight for the good of both,—the Rulers and the ruled, was no easy matter in a large country like India. The framing of the laws and regulations, suitable to all Departments of human activities is itself a stupendous task. The evolution of a system from out of a chaos, with care, caution, wisdom and patience is a work which reflects the highest credit on the genius of those that have built up the Government in the land, in the most methodical and scientific manner. The construction of that system of laws, on principles universally recognised as sound, the evolution, the inunciation and laying down of a policy on those principles, working step by step to build up a Government in each Department, with a certain goal for the greatest good of the greatest number, based on such principles of justice and fairness, after a careful and complete survey of things and conditions in which the people of India were found to be living, was a gigantic work of a devoted band of British Officers. The Cadestrial Survey, the great Trigonometrical Survey, the Geological Survey, and Land Survey, the Forest Survey, the Topographical Survey

and many others of the whole country was a work of the greatest patience, scientific training and skill. The great system of Railways, Post and Telegraph, the design and construction of trunk and arterial lines of roads, canals and irrigations, designed and constructed, with a scientific knowledge, training and skill,—all these have added to the glory and highest credit to those that have built up this magnificent and colossal edifice of the Government of India. The systematic defence of the country both by land and sea, and latterly by air, on the most modern scientific lines, the system of education, medicine, sanitation, Police and the Judiciary, the land revenue, the Record of Rights, the Agricultural, the Customs, the Excise, salt and other sources of revenue, the great development of finance and commerce by land and sea of the Indian Nation;—all these and those already mentioned proceed from a determined will to do good to India as well as to England, and the Indian Reformers and Leaders now come and claim it as their own property! And demand a humble surrender of it from the British Government! Admitting it to be a temporary flux of emotion, would not even the greatest of them think for a moment that this is altogether unmanly and inconsistent with their culture and position? An ordinary Commoner would not be so ungrateful and wanting in common sensibility.

SECTION V.

THE ROYAL COMMISSION.

49. It has been observed above that as the Royal Commission has been appointed under the Reforms Act of 1919, and as that Act applies only to British India, and the order of reference to the Commission does not include any direct reference to the Indian States, the question of the future relations of a Political nature, and constitutional too, of the Indian States with the future Government of India, would be beyond the inquiry, to be held by that Commission: especially in view of the facts that as the British Government have appointed a Special Expert Committee for Native States and the reference to it does not even include this question; and yet para. 29 of the Introduction indicates how the Royal Commission will use the results of the Butler Committee. For, we find Lord Meston stating his views on this subject thus:—

“India must either be governed as Parliament directs or must be given Home Rule; there is no middle course. If the decision of the Commission is in favour of Home Rule, a pronouncement by the Commission would be essential,

firstly on the question of the Country's defence and the Imperial interests involved in it; and

secondly on the Relations between the Indian Princes and the future Self-Governing India.”

“Each of these questions will provide material enough for a separate Royal Commission: but Britain can not divest herself of her responsibility, until they are placed beyond controversy.” Thus the two questions would seem to be inter-dependent upon or co-related with each other; and will be dealt with when the Simon Commission comes in due course to form its plans for a Political structure for the whole of India.

50. Sir Simon is a great Lawyer of high attainments, and a statesman of the highest reputation and though his duties and

those of his Commission relate exclusively to the Reforms of 1919, they will perhaps admit this question of the Indian States within the field of their inquiries as regards their Financial and Economic relations with British India and as an important, though a separate and independent unit of the British Empire in India. A separate Committee is looking into the question relating to them; but that Committee would be an auxiliary one to the Commission. But in their reference to the *Committee*, Government have practically decided that the Indian States have no political nor constitutional relations with British India. Yet for reasons, already stated, it will be interesting to see whether the Royal Commission would be inclined to the view that it is permissible for them to inquire into and decide that question. In all probability it would be.

51. In that event it would be reasonable to inquire into the possible grounds for such a view. The first question they will have to inquire into and decide, would probably be, whether the Political and Foreign Departments have any relations with the Government of British India. The work of these two departments relates to Indian States and to foreign relations only; and have nothing to do with Government and Administration of British India. The Indian States have been treated by the laws of British India, to be Foreign Territory as has been already observed. The relations of the British Government with these States are obviously Imperial; and these relations have created a responsibility in their Imperial interests and placed it on Great Britain. As has been rightly observed by Lord Meston, "The grant of Self-Government to India cannot possibly mean any way to include the Constitutional Government of the Indian States or Government over them;" and again as observed by Lord Meston, "Great Britain cannot clearly divest herself of her Treaty responsibilities in this respect" and yet he refers to the existence of a controversy. Such a Controversy does not exist. It has been only raised by the Indian Reformers. The grounds urged by the contending party for a contrary view will be stated at length in para. 57 and an attempt to meet each of them will be made in para. 59 *et seq.* It has been further observed that

the relations of British India with the Native States are clearly not of a *Constitutional* nature either under financial or economic Heads.

52. There has been a very clever attempt, however, on the part of one of the foremost Indian Political Leaders (and he is one of the Swaraj Party in the Council of State) to assume for that Legislative Body, a power to discuss and decide the question of the creation of a Council of Indian States. He has given a notice of the following Resolution in that Council which is as follows :—

“ This Council recommends the creation of a Council of Indian States. It should be composed of—

1. (a) The members of the Central Government for British India ;
- (b) The Chief Ministers of the Provincial Governments ; and,
- (c) a definite number of Ministers from each of the protected States.
2. That it should be presided over by His Excellency the Viceroy.
3. That it should deal with matters between State and State and Foreign affairs, in which all States are more or less concerned.
4. That any decision of which, if approved by his Excellency the Viceroy, will, subject, to existing Treaties, be binding on the different States, if it is also approved by the Heads of the States ;
5. That a Council of war should also be established within it ; and,
6. That Great Britain may keep a branch of her Army and Navy in India for Imperial purposes at her cost.”

This is a wonderful resolution. It is a skilful attempt to get the question of the control of British India over Indian States quietly decided. It is noteworthy that such a decision is to be arrived at in the

absence in the Council in the present case of any Native Princes. Further, it introduces in the scheme the members of the Central Government but not of the Provincial Government except the Chief Ministers and omitting the Princes themselves includes Ministers from the Indian States; and that is called a Council of Indian States. That is extraordinary. It assumes that the Indian Legislatures has the power to go into this question which it does not possess.

The Indian Princes and their Chamber, who are both ignored, would seem to be sufficiently able to form their own Common Council. They do not require the help of these Indian Reformers or of the British Indian Legislatures. It is remarkable that it provides for an independent Council of war and an Army and Navy for Imperial purposes, at the cost of Great Britain: The members of the Central Government and the Chief Ministers or Provincial Governments are out of place in a Council of Indian States.

54. The Indian States may form a Commonwealth (*vide* Appendix A) of their own United States as a separate independent unit and as a political force, and then they may take the help of some senior British Political Officers of experience as their advisers. For this purpose it would be eminently desirable to establish such a Commonwealth of the United Indian States and this might, in due course be an accomplished fact. But such a resolution as is referred to above was bound to be refused an admission in to the Council deliberations by the President, as has been done on other occasions.

55. Both the Royal Commission as well as the Indian States Committee will find it convenient, if necessary, to ascertain—

- (1) the important points of contention that will be raised and the grounds on which they are based, by the Indian Politicians, who insist on the incorporation of the Indian States within the New Reform Scheme;
- (2) the forces that are arrayed in support of such a de-

mand that are considered too powerful to resist; and which therefore ought to count as important; and, (3) the arguments that are clear and invincible to meet them successfully.

56. Then again, the propriety and necessity of the demand and the wisdom of the proposal will have to be considered: balancing the advantages and disadvantages resulting from such a step. Further it would be necessary to know, definitely, if such advantages are real, and are being actually enjoyed, by the masses of British India and that they have increased, as a matter of fact, their contentment, happiness and prosperity, so far, by the new reforms; and what prospects for the future they hold out for the well being of the people of the Indian States.

56A. It is understood that the report of the Nehru Committee, which will be shortly published has one chapter dealing with Indian States and their future relations with British India. The Framers of the Report, it is said, say that Indian Princes would be expected to have good Government within their territories, but the Crown theory would go for good! and their future dealings would be with the Government of India and not with the British Crown, which is what the Indian Princes claim to-day. (Stop Press note—Times of India, dated 7th August 1928.) That is a part of the New Scheme of a constitution of India drawn up by the Congress Party. There seems to have been a modified change of attitude towards the Princes: Still they have adhered to the main idea of the New Government of India claiming the power of a full control over the Indian States! That is an impossible idea—for reasons already given.

SECTION VI.

THE POINTS URGED BY THE REFORMERS FOR THEIR PROPOSALS.

57. Coming to the points, urged hitherto, by the Indian Reformers from time to time, and their grounds, we find that they are thus described :—

- (1) The Indian States, being situate Topographically within the limits of India, are a part of the Indian Nation ;
- (2) The whole population, including that of the Indian States, is homogeneous in character and by nature ;
- (3) The same desire animates them all for—
 - (a) a common nationality,
 - (b) a common Government, and
 - (c) a common citizenship ;and, if these do not exist at present, they should for the common good of all, eventually arise or be created.
- (4) There is a great necessity at present for the Indian Nation as a whole to form a united India : for, what British India is to be, that, more or less, Indian India shall have to be.
- (5) That necessity lies in the fact of the great opposition of a powerful political party in England, who are opposed to the grant of a complete Self-Government to India, on the ground that so long as India is not a united nation, and possesses the Indian States as a separate system, self-government for her is an impossible proposition. This opposition must be disarmed ; in order to gain the great object of attaining self-government for the Indian nation ;
- (6) There has been a curious attitude on the part of the Indian States to assert that it is their pleasure to grant any rights or privileges to their subjects or not ; and that the treaties do not bind them to do so. The reply to such an attitude from the people must be

that "the treaties are documents between parties that are dead and gone long ago. When the old Government is gone, and the new one comes, the old relations do not remain permanent; because, no such relations can, in the very nature of things, remain permanent. The people pay taxes and the administration of the States must be governed by their wishes and opinions. That this is a question of human rights and these cannot be destroyed by custom and usage." They quote an authority for this principle of theirs, from the work of one Mr. Thomas Payne an American writer. It is as follows:—

"Man has no property in man; neither has a generation a property in the generations which are to follow. The Parliament of the people of 1688, or any other period, has no more right to dispose of the people of the present day or to bind or to control them in any shape whatever than the parliament or the people of the present day have, to dispose of, bind or control those that are to live a hundred or a thousand years hence. Every man is and must be competent to all the purposes, to which its occasions require. It is the living and not the dead that are to be accommodated. When man ceases to be, his powers and wants cease with him; and, having no longer any participation in the concerns of the world, he has no longer any authority in directing, who shall be its governors, or how its government shall be organised, or how administered."

It is further argued, that as it would not be right and proper to suppress the natural rights of special classes on the authorities of antiquated Smrities; in the same way, the natural birthrights of the people of a political nature cannot be destroyed on the authority of old treaties, however sacrosanct,

then. They may have suited the times and circumstances and relations then existing between parties who are now extinct.

- (7) Much has been made of the treaties with the States; and of the "Rights and Obligations," created thereby. But they are now antiquated documents; and under the changed modern conditions and relations, they have lost their original character and must submit to the strong force of the advancing times and things;
- (8) If the British Government has found it necessary to recognise the change; and are ready to transfer the Government of India from the Crown to the People of India: the Indian Ruling Princes and their States cannot refuse to recognise the same necessity and wisdom of a similar step on their part;
- (9) The "transfer of the Government of India" to the people of India should, in the very nature of things, *ipso facto*, include all the powers of the British Government over the Indian States. The Government by the British Nation of India, includes the Indian States also. The political Department and the foreign Department are branches of the Government of India; and are maintained at the cost of the Indian revenues.
- (10) The treaties with the Indian States have been made by the Government of India and with them; and therefore, if the Government of India is to be transferred to the people, the British Government will necessarily have to transfer their own duties and responsibilities, with regard to the Indian Treaty States to them, together with all the interests, rights, privileges, powers and obligations.
- (11) The treaties have guaranteed protection to the Indian States from external and internal troubles; and, when the military and marine departments are transferred

to the new Government of India, that responsibility will fall on that Government. The cost of meeting this duty and responsibility will have to be paid from their Indian revenues.

(12) In the matter of the Financial and Economic relations between the Indian States and British India also, the two are intricately bound up together. These have been of a long developed growth. They affect the Indian Budget. The Indian Coinage, the Post Office and Telegraph, the Railways, the Irrigation works on rivers that traverse both the British and the Indian States' territories, the sea customs and transit duties on goods passing through the mutual territories; and others of a similar nature, are such matters which have produced these relations; and it is impossible to overcome the difficulties, which are bound to be of the most complex nature, if the Indian States are separated from British India.

(13) Compared with the magnitude in Power, Position, prestige and resources of British India, even the largest Indian State is, individually, infinitely smaller; and, the very idea of the Rulers of these States, of assuming an attitude of independence, towards the surrounding and adjacent powerful Government, that is to be, would seem to be inconsiderate and wanting in a sense of proportion; when, even wisdom and foresight would advise them to give up such an attitude: and join the whole nation of a United India in their efforts and spirit of patriotism for the common good of the entire population of the country as a whole.

(14) It has been suggested that the National Assembly would not be competent to undertake the very responsible duties and responsibilities of governing and protecting the country, made up of different Nationalities, creeds, and castes, with diverse communal

interests, and divided between themselves in their social and political temperaments, with a balanced statesmanship, wisdom, and judgment; for want of experience, training and sympathy, and knowledge of the actual requirement of the masses. This allegation is groundless. The National Assembly will be made up of the Representatives of the people of all interests; and, when entrusted with these duties they can be fully relied on, for an efficient Government to the best of their powers, both as regards the interests of the people in British India as well of those in the Indian States. Things will adjust themselves step by step. Experience will be gained and training in the art of Government will come automatically; and, where so many political leaders join in this important work, the united heads of the Assembly will be bound to succeed in their undertaking. No Government is perfect. The growth, doubtless, will be gradual. Sympathies will develop. Full respect for rights and sentiments, dignities and authority, customs and usage, will be maintained. The dignity of justice will be kept high. The National Assembly may be thoroughly trusted to do this, by the Princes and peoples of Indian States, in the same manner as at present the British Government is trusted.

- (15) The new reforms embody Democratic Institutions. They are based on a wide franchise to the people. They have come to stay. When British India is enjoying their benefits, the adjacent Indian States cannot stand aside and look askance at them. The people of these States are bound to be impressed by them. Government for the people for their benefit, must necessarily be with the people first and by the people next. Local self-government in towns and rural parts has since 1884, taught the people in British India, and in some of the Indian States the elementary principles

of such institutions. National Government is only a further step on a larger scale. The character is the same. The Government of a Nation regulates every department of people's life and activities. Their voice in the governance of these is therefore, essentially important for the greatest good of the greatest number ; as in British territory so in the Indian States.

58. The above is a long list of the points urged by the Indian Political Leaders and would appear to be formidable ; and the grounds too would appear to be ostensibly sound. But it must be remembered that they are all one sided ; and such as a lawyer would marshall them. A lot of common phraseology and catchwords appear in them. Indeed, they are vitiated by the facts admitted in point No. 5 by the Right Honourable Mr. Shrinivas Shastri, who is not a lawyer himself, and has permitted himself to give out a secret. They do not certainly come from any sincere motive for the welfare of the Princes or their people, but out of an anxious desire to remove an obstacle, in their way of attaining complete Self-Government, supposed by them to be formidable ; though that danger is a mere hoax. Bearing this fact clearly in mind, it is proposed to meet these points in all fairness, without any disregard or disrespect to the sound principles in some of them.

59. In dealing with these points, it would be convenient to deal with them in groups, for obvious reasons. The first two or three points can be dealt with together. It is true that, the Indian States are situated within the geographical limits of the Indian Peninsula. Para. 9 of this note has already dealt with this aspect of the question. Further, India is such a vast country, almost a continent by itself. The North differs from the South in every respect. The traditions of the two differ, as those of the peoples in British India and in Indian States. The physical, social and religious aspect, and the character of the population have important differences. So too does the East differ from the West. These differences are due to physical and climatic influences, among others of more or less potential character. Though this is so, it is also true that

great influences of Hinduism, Buddhism, and Mahomedanism and other religions have welded the large population into organised groups by common religious ties and fellow-feelings. This however, has a disturbing factor in their sub-divisions of castes and clans which have divided them from one another. But these influences have also produced communal interests of special nature; these again have produced a serious obstacle in the work of forming a united India. The interests of one repeatedly clash with those of another; and, for want of harmony in this respect, the homogeneity is disturbed. The proposals hitherto made for solving the Hindu Mahomedan question are opposed by one class as implying the vertical partition of India; while the other regards them as destructive of the attainment of the eventual homogeneity of the people of India at least in the near future. (Sir Hari Sing Gour).

The Government of India have published in 1909, a Memorandum showing the results of British Administration in India during the previous 50 years. This was presented to the Houses of Parliament for their information. Para. 2 of it states:—

'India is not a single country with a homogeneous population. India in truth is a congeries of countries, with widely differing physical characteristics. It contains a number of peoples, speaking many languages, holding many creeds, observing different customs, and enjoying divergent degrees of civilization. It is difficult therefore to speak correctly of India as a whole; and, statements, that may be quite applicable to some Provinces do not apply to other Provinces or Sections of the country.'

The Reformers by means of an intensive work may attempt to remove such an obstacle for the political advancement of the country; but ignorance and prejudice on the part of the different sections of the people will render such an attempt unsuccessful. A patched up peace will only be a trick for the time. It will not last long. Religious prejudices have a grip on the people even in their social customs and manners. All these will be difficult to conquer

in order to secure their unanimous consent for one common constitution of Government for British India. At the same time, when it is remembered that the character of the common Government is found to be republican, and in it, Oligarchical, (*Vide* the speech of H. E. the Viceroy page 76, para. 76) which is neither desired nor asked for by the majority of the masses, neither by the top classes, nor the rural majority; and when this constitution is altogether a novelty, never known to the people, and that the present struggle is led only by a handful of educated few from the middle classes in the urban parts, the assertion in point (3) urging a common nationality, a common Government and a common citizenship, or even the desire for these, loses all its force: yet it is asserted that a common desire for these animates the whole population of India. This would not seem to be true. No such common desire exists at present. Nor does it seem possible that it can be created by the reformers, for a long time to come. It is an uphill work. It is against the very ingrained notions of the people of a good government of the people of India. When such is the case with British India, the assertion that it should apply to the Indian India also, will be still more apart from the real situation, either at present or in the probabilities in the future.

60. This leads us to point (4), where a necessity of a united India that is, of a unity and assimilation of Indian India with British India, is urged; and the reason given for that necessity being stated to be "what British India is to be, that, Indian India *shall* have to be." The trend of the common sense of the world has all along been, in the setting of a good example first, on the one part, and in following it next from the other part; that there must be a full fruitful and a substantial good example which should attract the attention of others to follow. Here is a temptation of a future prospect held out, of which not even the first practical results are visible of these projected reforms; nay, many sound thinkers question the wisdom and propriety of introducing democratic Institutions in British India itself, where more than forty years working of the Local self-Government Acts have not yet educated the people

in understanding the meaning and value of a franchise. The principle of electing a representative to the Boards is not really understood. The representatives do not care to study the wants and requirements of their electorates. They scarcely consult each other. It is only at the election time that they meet or even do not meet, the voters: nor do the latter care to know who the nominees are, and what their nominees are doing, during their term of their membership. So far, about the local Self-Government. As regards the new democratic constitution, the masses have no idea of it. A voting paper is signed, because a voter is required to sign it, under the supposed orders of the Sarkar.

His Highness the Mir of Khairpur, in his interesting address at the All-India Shia Conference has, challenged the Stars of the Indian Reformers to answer the following questions:—

- (1) "Has the country acquired the requisite qualities and capabilities to administer its affairs in peace and prosperity, if it were given the chance?"
- (2) Have the inhabitants of this country developed the requisite regard and tolerance for the mutual feelings and obligations?
- (3) Has the country sufficiently advanced in education to be sure that the majority of them realise their responsibilities?
- (4) Has India reached a stage in the scale of progress, when you may call it a perfectly organised country?"

The Indian leaders have been dodging these questions so far; but which must some day or other, be squarely faced and answered.

These are, no doubt, awkward questions: and the Nationalist Press has roundly abused the Mir Saheb for raising them. But abuse is no answer to questions of fundamental importance. It is almost a confession that the Indian Nationhood is perilously like a fiction.—(*The Times of India*,—21-5-28.)

61. The Indian Political Leaders have, only the other day in boy-cotting the Royal Commission of Reforms, gone the length

of claiming complete Self-Government, *without the Empire* ! and a complete control over the Indian States. This means that they have little respect even for the very Crown and Personality of His Most Gracious Majesty the King and Emperor of the British Empire, which means a demand as a superior force or an equality with the British Power and certainly a position of superiority over the Indian Princes. What can be the hidden force of such a strong claim ? when His Most Gracious Majesty the King Emperor, the Head of the entire British Empire has voluntarily and graciously issued a declaration that British India shall have self-Government. If that is their attitude towards the August Head of the Empire, where is the hope that when they do attain complete self-government, they will have any sense of respect for the Rulers of Indian States ? Neither do they care to consult the masses nor for their Sovereign. They feel they have descended from the clouds, as they seem to have the courage of speaking in the name of the masses even under such circumstances ; and this on the very threshold of the working of the Reforms Act, which is a Royal Grant of Grace. That is the immediate result of the reforms in the hands of the Reformers and an un-natural one; for there seems to be no tinge of gratefulness, for the grant of a portion at least of the powers of self-government. On the strength of that little, they believe they can insult even the Crown. Are such people to govern the Indian States ? God forbid such a catastrophe to fall on the people of Indian States; and avoid a need for appealing to Him to save them from their friends. For what, if every man in the State is to " walk proudly erect " holding up his head and asserting that none is superior to him but the law ? That is said to be what British India is to be in the future.

62. That state of things does not prevail even in Great Britain, where there are democratic institutions. But this development in India of ultra-radicalism on the part of the Indian Political Leaders is the result of an incorrect idea probably of liberty of thought and action. One would doubt if there is any patient thought, a distant and broad vision, discretion, a due sense of pro-

portion, calculation, a correct knowledge of human psychology, and a correct training in the craft of Statesmanship. There is no inclination apparently to work on the lines of least resistance. This Ultra-radicalism is not an Indian product and seems to be the main feature of the extreme party of the Congress, and that is its majority. Their resolution for a complete independence of India has been characterised by Mr. Vijaya-Raghava-chaarya—a veteran Congressman himself—as not only silly, but calculated to make India the laughing stock of the whole world! Mr. Gaznavi, observes—“the loud mouthed talkers seem to claim a monopoly of all patriotism and nationalism, forgetting that mere vapourings are no substitutes for machine guns and air crafts. They would forsooth, give notice to the “Army of occupation” to quit, perhaps, to be replaced by a less costly army from the Mars”! The influence of this extreme party has grown so strong that it has been practically joined by some of the foremost and thoughtful statesmen even of the moderate school. The above mentioned points (3, 4 and 5) come from a famous speech from the Right Hon’ble Mr. Shrinivas Shastri, a great thinker of established reputation, with a name and fame for sobriety of thought, of wide experience and knowledge and possessing brilliant powers of impressive eloquence. Yet he, even he, has been *induced* to address the people of Indian States, exhorting them to throw off their allegiance to the Ruling Princes, not in open revolt of violence, but softly and deftly, with a continued pressure, without regard to hereditary ties and traditions of respect and loyalty for their Princes; and compel them to transfer their ruling powers to the people and in fact to walk away! And this Right Hon’ble gentleman has never so far ventured to use a language of that kind to the people of British India with reference to His Majesty the King Emperor. He did not. He has been honoured with the dignity of a P. C. and now as the High Commissioner and Agent General for India in South Africa, on behalf of Government; a great man made greater by His Majesty and the British Government; and it is not without a pang that we see that he has come to think so very lightly of the Rulers of the Indian States who have heartily approved of his selection to the

high office in South Africa ; though they are held in high esteem as Treaty Chiefs and Princes by the British Government, who know their importance as friends and as a powerful unit in the Empire, Indeed great credit is due to the English Die-hard Political Party, who have amusingly threatened him into nervousness and into committing such mistakes' Surely he could have used his great culture, great wisdom and his great knowledge of human nature as it obtains in India, to reconcile the position dignity and honour of the Princes as internal sovereigns of their states with self-governing British India ; in the spirit of his present mission to South Africa. He, alone of all others, was the man, who, if he had taken up the work, could have helped the Indian States to consolidate their position and to build up a common-wealth of the United States of India ; as a powerful bulwark of towering strength and a sincere sister-unit of great capacities and a staunch supporter of British India,—within the great Commonwealth of the British Empire. Doubtless the States individually are small,—but *collectively as the united States in India*, they shall be and are even now a power to count with. Further do such Politicians forget that such an attitude on their part would be looked upon as a disqualification of a serious character for the gift of Self-Government ?

63. The Indian Political Leaders may be reminded, if they have forgotten it, that so far as British India is concerned—

(a) she has received the gift of Self-Government, though only a part so far,—as a grateful *reward* from his Majesty's Government. Can a grace create a right and a position of equality with the Grantor ? The famous legend of Bhasmasura is not unknown to an average Indian ;

(b) that the leaders have not won it as a superior power ; nor as Sir Basil Blacket puts it “ was it wrung by Politicians from an unwilling British Empire.” (Budget speech 21 March 1928) ;

- (c) that the Crown will watch and see how the powers will be worked by the people; as they are going through a course of apprenticeship, as Representatives of the people :
- (d) the Reforms Act of 1919 was passed by the Parliament and the Crown. They alone have the power of interpreting it; and their interpretation of it is alone authoritative. Can India and her leaders dictate to them to interpret it in any other way? The Act extends to British India only and for the last eight years, this was never questioned and what makes them able now to attempt to read into it the meaning that it includes Indian States ?
- (e) the British Government will not walk away by any amount of pressure from the Indian Political leaders or from the Congress. That pressure is merely a complaisant, speculative and academic argument without any sobriety of thought therein ;
- (f) the Indian Political Leaders have never served the British Empire, during their hours of need for help, in the ten long years of the Great European War : it was the people of British India, the Princes of Native States and their people, who helped His Majesty's British Government at a critical time. The gift of Self-Government comes for the *people* of British India in gratefulness and Royal grace for their memorable services of an unparalleled self-sacrifice. " It was a generous recognition of the great services rendered by the martial races of India on the stricken battle fields of the world "—(Sir Basil Blacket).
- These services have made a great land mark in the history of the connection of this great country with the British Nation. What then is the status of these Politicians, which prompts them so vigorously in their

contest both with the Paramount power and with the Indian States ?

- (g) that there is nothing like a pressure "soft or deft" on the part of the people of British India on His Majesty or of these Indian Leaders, that has produced this gift :
- (h) that there is nothing in Indian States which should compare conditions and circumstances in common with British India. His Majesty transfers the Government of British India to her *people* to work within the Empire under its control. His Majesty has a large Empire, and if the Princes have to do the wishes of the Indian Reformers they will have to leave the State and go elsewhere ! There can be no analogy between the two ;
- (i) both the Princes as well as their peoples have very largely helped the British Government in men and money during the Great War ; in full co-operation with each other,—and it is for the British Government to reward them both. So far they have not been rewarded ; but doubtless the British Government will see their way to reward them both, in a suitable manner for their lasting good, hereafter. They will never fail to do so ;—and a transfer of the States to British India would certainly be an undeserved punishment :
- (j) neither the congress nor the other Political leaders have had any share either in such services by the States or British India nor in the merits for which the reward has come or will come. There seems no right for them to quarrel over the use of this reward or over its nature to which they are not a Party :
- (k) that all the more, therefore, they have no right to attempt a split between the friends of the British Nation within the Indian States who are the Rulers

and their people ; There is no honest or moral motive in such a step ;

- (1) if His Majesty and His Government have been ready to reward British India, the Rulers too, in *addition to what the Paramount Power will give*, will do the same in their own humble way, under advice and with the help of the British Government. The offices of the Indian Political Leaders do not seem to be required, in a question, which is one solely for his Majesty's Government and the Ruling Princes on the one hand, and the people of the Indian States who have deserved well of both, on the other. This will be done without much fuss of any kind. Indeed the Viceroy has already advised the Princes thus: "the more your administrations approximate to the standard of efficiency, demanded by enlightened public opinion, the easier it will be to find a solution just and permanent, of the question of your constitutional position with regard to your future relations with the Government of India." This advice will certainly be considered by the States, as far as may be possible, with due regard to their resources. The absolute need of raising the present standard of *efficiency* will certainly be appreciated much more by the Princes than others. But there will be difficulties (these will be explained in Section VII later on) and His Excellency will doubtless do his best to help them out of such difficulties when they are placed before him, before asking them to improve their administration.

The New Government of India need not concern themselves with the question. That the Indian States and British India are constitutionally separate units of the Empire, His Excellency is already fully aware. In 1909, a Memorandum on the results of the British Administration in India was presented to the Houses

of Parliament. This is published. At pages 88, 89, the following paragraph occurs, on the subject of the Administration of the Chiefs in the Indian States, during the previous 50 years :—

Since the time of the Great Mutiny, the Chiefs have cordially co-operated with the British Government in placing the Administration of the Salt-Tax and the Opium Duty on an improved footing; they have, in many States, acted on the advice and example of the Paramount Power, by abolishing,—transit duties, by improving their judicial and revenue administration, by maintaining order, by constructing roads, railways and irrigation works, by promoting education, by establishing Hospitals, and by coming to the relief of their subjects in the grievous droughts which have visited India of late years. In all the more important States, and in many of the minor States, the cause of good Government has made great advances. In not a few States of Rajputana, Central India, and Bombay, recent famines have seriously reduced the population, crippled the revenues, and created serious financial embarrassments. But this set-back of prosperity is due to exceptional and temporary causes. Where famine has not interfered, the Chiefs, as a rule, keep their expenditure within their revenues, which have increased greatly within these 50 years. Some of them have large reserves. Many spend a large share of each year's revenues on works of material improvement. Those good results are due in part to the good sense of the Chiefs themselves and of their Ministers; they are also greatly due to the peace secured, the example set, and the advice given by the British Government.

Among the 682 Native States, with a total population of over seventy millions, there are some, no doubt, in which the people are overtaxed, in which order is not maintained and in which the Chiefs live, beyond their incomes. Still, in the main, the Protected States of India, have made real and steady progress, during the last 50 years."

That was the state in 1909; and what has come now since that time to speak so contemptuously of it so soon? The reason is that the modern Indian politician has a motive in doing so; and because they are leaders of position, and others, without going into the truth or otherwise, have repeated the same complaint. It is a serious reflection on the good work of the Chiefs and of the most experienced Political Officers of Government who have guided them so long and so sincerely in their administration. If the Reformers have managed to forget the magnificent work, the British Government have done in building up an administration so complete in British India, they cannot be expected to set any value to the work of the Indian Rulers, so well praised in the official Report of the Government of India in 1909!

- (m) They have therefore to be reminded that the attempts to make a split between the Rulers of the Indian States and their people are unwise and are, if successful, bound to result most disastrously to both, and produce discontent and bad feeling; and it will be no wise Statesmanship to create bad blood among them in this manner. This attempt, though bound to fail, is admittedly vicious;
- (n) that the attitude of the Indian Political Leaders towards the Rulers of the State has been all along any thing but friendly; and, even assuming that their

rule has not been what it should be, statesmanship should have been used more wisely by a policy of suggesting the mending and not of ending it ;—bearing in mind always that the resources of the States and the necessary guidance are altogether limited by British Indian Government, about which the Reformers are studiously silent ;

- (o) that neither the people of British India nor their Leaders pay any taxes to nor bear any share of the cost of administration of the Indian States, nay have unhesitatingly used their purse : and that therefore, they have no right to interfere with the affairs of the States ; and that,
- (p) their present attempts are not dictated by any love for the people of these States ; and, that they proceed from selfish ends caused by a mere hoax of a threat from an English Political Party, who are opposed to the grant of complete Self-Government to India, as a whole.

64. The Indian Political Leaders having been already excluded from the membership of the Royal Commission, and ignorant of the status of the Indian States and of their own, claim a membership on the Butler Committee also. They claim for the Central Legislature, and their Ministry, a full right—

- (a) to make and modify treaties with the Rulers of the States ;
- (b) to be consulted on any alteration proposed ; and, the right ;
- (c) to be consulted in adjusting the financial and economical relations of the States, with the British Government !

They appear to be in a dream. They claim these rights in ignorance of the fact that so far, the people of British

India have been entrusted with the management of certain transferred subjects of administration and Legislation only, under the guidance and control of the Heads of Government. These claims, therefore, are premature and absurd. Further the fact remains that the foreign and political Departments in charge of the Viceroy have not been nor is it ever intended that they shall be, handed over to the people of British India. For, Self-Government evidently means internal Government only within the limits of British India.

65. This self-government shall, so far as can be seen, be always under the aegis of the British Crown and the Paramount Power, and within the Empire. The King Emperor shall remain as the Head of the Empire. His prestige, His Majesty, his power shall be the protecting and inspiring force from which all other forces emanate. That central force shall always be the fountain source of the strength of the Commonwealth of the Empire. In the same way all the sources of Power and Prestige in Indian States centres in the Rulers as sovereigns of these States. The traditional sentiment of India and her people towards their sovereign has always been of that character; and it cannot be changed and treated with such levity, by a few novel Political agitators of the ultra-radical school of thought. On this subject the following extract from an old English Journal may be read with advantage containing the observations by Mr. Lovet Fraser, I.C.S., in his work "Lord Curzon and after." This was written in 1911, long before, there was any idea of the present reforms:—

"To the Indian mind, the Viceroy is "a fleeting idolone" the Government as a vague abstraction. But the King Emperor whose image is stamped upon every rupee, remains a remote but living and a real and abiding Arbitor of their Destiny. Their thoughts turn to him, as the dispenser of benevolence, the remover of burdens, and the fountain of honour.

They are perplexed by no doubt about the logic of hereditary rule. Respect for the hereditary principle has been, from times immemorial, a part of their very nature" (the Country Life of 14th October 1911).

That is really the ingrained idea in the blood of every Indian; and has been such from the hoary past. It has a spiritual force, and their strongest faith attaches to it. If the western kingdoms look upon kings with love, respect and honour from a material point of view, in the East especially in the blessed Aryan India, that idea is spiritual, based on the great belief in God and in the idea that He sends some of the greatest and worthy souls of great nobility and merit to rule a kingdom and an Empire (*vide* Appendix D). A Birth in a Royal family is not everybody's lot and that birth is the Gift of God. So it is believed religiously. If the administration or rule of such rulers happen to be defective, that is the work of lesser souls, who administer the rule; and it is perhaps not generally given to ordinary souls of material inclinations not living in an Indian State, to appreciate correctly the value and importance of Royalty. If His Most Gracious Majesty had lived and moved about India, such views would never have prevailed.

66. This brings us to the very core and kernal of the problem, whether monarchy or democracy is in accordance with the Law of Nature. The irresistible conclusion is in favour of monarchy,—for people whose very life is founded on a spiritual basis,—and Indian life is so based; and any attempt on the part of the non-believers to act against that law of nature must fail in India. There can be no prestige therefore in India for the rule of the people. Yet our desire for the people of British India would be to wish them well, if the masses can be persuaded to accept the new theory unanimously. In the very nature of the people of India this seems impossible. It is an admitted principle that any Government of a country must be

for the good of the people. Their right is, therefore, to be governed well and satisfactorily. The laws of Government must be good and just; and the methods of Governments conducive to the well-being, contentment and happiness of the people. If this does not happen in any government that Government is disliked; and it is under such circumstances that the question of the right to rule is raised. One can easily understand the right to be governed justly and satisfactorily. But a right to question the right of the ruler to rule cannot and does not exist in this land of the Aryans. Even, the silent right to a good government is left as an unwritten law. It exists as a matter of course. But it retains its sacred character and prestige, so long as it is not asserted. For the King respects it, as his sacred trust. And if people ever think of asserting it, its sanctity is lost, in assertion by the people of their equality or even superiority over the king. That becomes awkward and against the law of nature.

66 A. All Power in the Universe is centred in God. He alone exercises it providentially for the good of his creation. In the exercise of that Grand Power, he lays down eternal laws with knowledge, wisdom and prevision. It is on that account that we respect Him, obey Him, and love Him and often fear Him. We never assert to Him our rights to Power, Wealth, intellect and health. Our will never guides His actions. We respect Him because He has that Power to do good to us as we deserve.

In the same way, we respect man, who has the power to do us good. We never dictate to him, when we require his assistance; and every one does not possess such power: and therefore all have no equal rights.

Among such powers to do good is the power to Rule, to govern, to protect, to defend and to adopt means for the welfare of the people all round. Is it conceivable then that every individual can claim to possess such power and exercise it? For that purpose, Power ought to be constant and ever present. One who is in want cannot give: nor can he claim or demand. He cannot be a beggar and a Ruler at the same time. The commonest peasant or a labourer understands this. How can he rule over others, when he cannot

rule over himself ; and requires protection ? He has no right to assert, or impose his will on others. If that is so, what would be the meaning of Democracy ?

66-B. The very idea of the 'rights' of man does not belong to India. It is foreign. What, after all, is a right ? What is the root idea underlying it ? The meaning assigned to it is, 'that which is correct, good and part of the normal order of society'. At present it has come to be an *assertion* with the force of a liberty of will and action of individuals ; and that is considered as personal ; also assertion of a title to property which is his own. There is, however a difference between an assertion and a statement. Ordinarily, it should be a statement of a fact. There seems to be no need for an assertion with any vehemance. For man's life consists of duties, acts, responsibilities and their consequences. These are a part of his nature. They are right or wrong. They are social or religious. We are here concerned with the former only. Society is organized by rules of conduct wisely laid down on the principles of right and wrong. What is right is considered just ; and what is wrong a, unjust. There seems to be no place for an assertion of a right to do a duty. One simply does it, as a matter of course ; and none would obstruct another in doing a duty : or in enjoyment of his property, which is his own. The social rules provide for this. These constitute the Law, which provides for all needs of society. Government includes the framing of these rules and their administration. Can every individual assert his right to legislate and govern ? Is he endowed with the necessary wisdom to do it for the whole population ? All that, with which he is concerned, is that there should be good Government, provided for his needs and that he should respect it. He leaves every thing else to the wise, who are accepted and recognised by the social elders, as such.

67. It is one thing however, to demand good government and quite another to question the right of the Ruler to rule. The people of India have never, and for the matter of that, no people in the world generally have yet thought of ever being able one and all to govern all. For, that is an absurd proposition. Yet Gov-

ernment, in the first instance is absolutely necessary ; and the right to rule has the essential to rule well. This is what the people expect from the Ruler. The subjects of a State are always "subjects" that happen to be *placed under* a ruler. They cannot be rulers themselves.

68. The necessity for the people to claim a representation signifies the need for them to send up their agents to represent their wishes to a Council of deliberation on weighty matters. But why should such a need for such representation ever arise ? If at the head of government there were men of experience and sympathy both in the executive and legislative departments, as guides and advisers, of whatever caste or creed, well selected and devoted to the good of the State, there should be no such need. (*Vide* H. E. the Viceroy's speech at Patiala on 8th March 1928). The character of the entire Government must always depend on the character of its personell. That is the ever important feature of a good Government. The responsibility lies more on it than on the Ruler. Choice of select officers is always a difficulty for the Rulers ; as in British territory, so in Native States ; but more keenly felt in the latter, where selection is extremely difficult as there are very few, fit to be selected, within small limits.

69. In the Indian States, the Chiefs, Rajas or Maharajas and Nababs have been hereditary Rulers. History shows that they have not been appointed by the people. Military power has at some time secured that position for them. As already stated the Indian People have never ceased to respect them, and to believe in the Divine right of kings to rule. The idea that the King is a King, only so long as the people are willing to accept that he should be such, does not belong to India. It is an ultra-radical view of very few men even in Western countries, having its source in capitalism, which happens to have a strong grip over such men. It is not time even now in India to give a thought to its adaptation in this country. Let us hope that such a time may never arise. (*Vide* Appendix D).

70. More than enough has already been said that such a mind, desirous to possess the rule of the people, does not exist in

the *people* of British India ; and, all their present doings in the working of the Reforms is being followed by the people without any understanding or appreciation of it ; they act mechanically ; and absolutely in the belief that they are bound to show obedience to the orders of the " Sarkar " of His Majesty's Government. The masses have never asked for the Reforms and will never ask. If the present system of Government is found to be not satisfactory in every respect : and it is changed in the manner proposed by the reformers, the new Government will not be free from the same or other sets of defects, though improvements may appear in some respects, both in the methods and in their working, but it is more likely than not, that it will be a change from king-log to king-stork in the present condition of the people. But to throw off the great central and magnetic institution of Kingship and its great prestige, power, and influence, would mean sheer ruin. That would eventually be the clearest opinion of the people of British India. To deny the exalted personality of this excellent Kingship and loyalty to it is to refuse to recognise God ; and His Providence as exhibited in Nature, which is there as an example intended for man to copy and follow. Exceptions and defects are freaks in Nature due to their causes. They can be cured and mended. India worships men who have faith in God, of high character, of nobility of mind, of rare sympathy and generosity and perfect honesty, and a pure and true heart ; for, these are Divine attributes. They have never respected men of mere intellectual attainment though such men may be used for special purposes in special cases. (*Vide* para. 31-A also.)

71. As already observed, birth in Royal families is the work of Providence. Persons, there born, do certainly possess all these attributes, from their infancy ; but they have to be kept absolutely free from contamination of bad influences and must be trained and educated. These attributes have to be developed for their proper use in a Royal position. When that is not done, it becomes a bad breeding ; and when they come of age their rule is apt to be indifferent. The responsibility is not their own. The proper steps for a timely imparting to them of a sense of their position, of their duties

and responsibilities, having not been taken at the proper time by those with whom that responsibility lies, the latter will be to blame. Yet even in cases of this kind it is never too late to mend! The cure must be wisely designed and carried out; in order to bring out the inner qualities of royalty; and here, 'the soft and deft' means for that purpose have to be firmly utilised, without offending their feelings of dignity and tradition to which they are for a long time accustomed. Arrogance in language or treatment, a want of the sense of proportion in addressing or speaking or writing about them, will never produce the desired result. The most stubborn nature, can be brought round and overcome. Their higher and nobler sentiments can be sympathetically and skilfully evoked or awakened. That is the work of real and sound statesmanship; and if that is done, and the personnel of the guiding and administrative staff is properly selected, the administration of an Indian State can be rendered to be of an ideal excellence. The fullest co-operation of the people would be forthcoming. They would be only too willing to offer it to the central ruling power. It follows that it is certainly not wise statesmanship to preach to the people of the Indian States, a spirit of revolt.

72. But such a preaching is quite consistent with the spirit of the resolution of the last Congress, demanding a complete independence for India; which is in effect a notice to the British Government to quit. But whither would they lead the country thus? On what do they rely for such a strength of their tongue and pen? They are however, all brave patriots for a good cause; but for the moment they seem to be in the grip of some unknown evil influence. They feel terrorised by the threat of an impossible situation created for them by some English Political party, lest such a position would be disastrous to their cherished objects of Swaraj, and possibly it is on that account that they are under the influence of an impotent rage against the institution of the Indian States, because they believe that this happens to be a stumbling block in their way.

73. This brings us to point No. 5. It has already been observed that such a threat as is described therein is a more hoax.

It is an absurd threat in the face of the Royal declaration of 1917, and the Parliamentary Act of 1919. Sir Basil Blacket, the leader of the House of the Legislative Assembly lately, stated on 21st March 1928:—"This declaration of 1917 was sincere. It is based on both economical and political factors. Great Britain wants India to be economically strong and prosperous country: for that purpose India must be politically strong. That is why Great Britain feels that India should some how or other be helped to advance on the road towards self-government. If Indian leaders do not assist us the British people will continue their course, because they must." That in essence is a plain statement. There can be no going back from the definite position once taken by His Majesty's Government. That is a solemn Charter and a Magna Charta for British India, for all practical purposes. It is possible that some modifications in the form and the methods of self-government may be introduced with the full co-operation of the Indian people. But they shall be such as would be most consistent with the desires and needs of the *people* of British India; suitable on the one hand for the simple requirements of the majority of the rural classes, and on the other, suitable to those of the urban population also, as what is required for the latter would be unnecessary for the former; both sides developing with mutual help. Nor would the existence of a separate system of Government in Indian States combining the best of the old traditional features with the best in the British Indian Administration, in any way obstruct the general well being and contentment, happiness and a complete security of the entire Indian people.

74. Points 6 and 7. The question of the importance of the treaties has been fully disposed of already by the first fourteen paras. Point 6, however, brings forth a novel and an extraordinary principle, which if applied to India, and which if it had been recognised in England, the long lineage of the Kings of England, or the oldest Statutes of that country or the various treaties of that country with foreign Nations which even to this date are respected as the wisdom of the ancients, would not have remained in force. This American author, Mr. Thomas Payne is not a recognised authority

on constitutional rights of nations. He seems to be an ultra-radicalist American, recognising the authority of no one, but of each one for himself. (*vide* Appendix D). But the whole theory can be blown away by one single refutation of it. If man has no property in him, he has no property in what belongs to his parents. He need not adopt his father's name even. When he is born, he brings nothing with his birth; and so he cannot claim any thing of his family as his own; a very curious position indeed. But a right has its duties and responsibilities and conditions of its enjoyment. A man is nothing without his property. Even as a labourer he must depend on his employer; as a student on his teacher; for his up bringing, on his parents and guardians. He is helpless without them. If he claims a right to property, all that governs that property is binding on him; that is the character of that property. He must be satisfied with this condition which he must obey. He has no other choice. From this, comes the need of respect for institutions, elders and laws. This author inuniciates a most destructive principle which strikes at the root of the recognised rules of social and political institutions prevalent in all nations for the moral well being of the country. There are obligations of one party to the other. These produce benefits. These benefits are the result of good relations between them. They are enjoyed from generation to generation. But if such upstarts preach the Gospel of Satan and advocate man's right to behave any way he likes and still enjoy the benefits, he becomes a public enemy. Cannot one quote authorities by thousands to the contrary! But the Indian Political reformers are pleased to choose this authority of an American ultra-radicalist, for their position,—clearly under the influence of passion or over enthusiasm on the wrong side! One would wonder if such ideas, thoughts and the actions are not satanic. In this connection, the attention of the reader is invited to Appendix D containing the views of an eminent writer R. W. Emerson—also an American.

75. Point 8. The British Government, it is true, are ready to grant self-government to the people of British India, and why they are ready has also been stated already. That Government

have repeatedly declared that they have taken up the Government of the country merely as a sacred trust. The nature of that trust too has been explained. Providence has sent them to India to take it up, for the uplift of the people. They were not hereditary Kings of India. They never set up such a claim of their position. If they find it expedient and fit that the grant of self-government should be made complete, they may grant it; or grant it by stages as they, as trustees, may think fit. For, in the words of Mr. Lovat Fraser of the Curzonian Regime,—

“The British proconsuls to India were Imperialists, it is true; but theirs was another and a finer Imperialism, which had for its object, the creation of great nations upon firm and enduring foundations, the uplifting of myriads to a happier and a nobler level, the spread of justice and liberty, and the *evolution of a loftier manhood*. They caught glimpses of a vision, which was hidden from most of their country men at home. They laboured not in pride but in humility.” We certainly do not find this humility among the Indian politicians.

“It is not Parliament, not the Government of India, not the consciousness of British citizenship, but *veneration for the Monarchy*.” This last may be specially noted by the Indian Reformers.

The Imperialism referred to above by Mr. Lovat Fraser is naturally not appreciated in India. The main reason is that the modern Indian Politician is impatient of it. He calls it a bad British Imperialism. He asks the English Nation to know how bad it is. He honestly believes, with his modern education, that it is bad; because of his impatience and want of a sense of gratitude for work performed in that Imperialism. (*Vide* para. 43-a). He little appreciates the reasons why the British Statesman is cautious, slow and hesitating at each step, calculating, circumspect

of the circumstances under which he proceeds, though his reasons and motives be in every respect thoroughly honest. He honestly feels that there are obstacles and dangers ahead, if he would hasten the steps towards his own cherished ideal, of making the whole Indian Nation a free and self-governing country, and refrains from heading at it all at once. That, he does according to his own honest convictions. This, the Indian Politicians hardly appreciate. There is indeed wisdom in it. If we plead for a correct understanding of India and of her fitness for Self-Government, we do so, according to our own honest convictions. But, if we wish for such an understanding on the part of the British Nation, would it be wrong for the latter to plead for a similar understanding of their honest motive, attitude in action, on the part of the Indian Politician? And that would seem to be only reasonable. If the British Nation is cautious with all the experience and wisdom of those that are responsible for the trust, it behoves the Indian Politicians to learn something from it. But the present attitude of the latter towards such a British Imperialism is anything but patient and wise. They seem to have no faith at all in their *bona-fides*. At one time they speak in glowing terms of the British Labour Party. They change; and very soon after, call them all bad names! Because they are found to be cautious and advising the Indian Reformers to be prudent and patient. It is not enough for them to be sure that they are put on the way to Self-Government, which they are assured they are bound to attain, if they act with prudence and patience; and if they place implicit confidence in the good faith and honest motives of the British Government. Their immediate target is the British bureaucracy; who are a mere tool of the central directing force. Yet they are believed to be

obstructive! It would be all to the advantage of India, if Indian Politicians act more discreetly and with patience. For, when Self-Government is fully attained, the New Government will perforce have to preach the same advice to the Indian young people who would doubtless clamour for things, which when that Government comes into grips with practical problems would be too difficult to grant all at once. It is the same impatience of the present Indian Politicians, which prompts them to demand the surrender, all at once to them of the fullest powers of Government of the country and of the Government of the Indian States.

76. On this very subject His Excellency the present Noble Viceroy, Lord Irwin, has, in his memorable speech, before the Calcutta European Association, on 17th December 1926, when speaking of the Reforms, and of the future of India, has very fully explained the attitude of the British Government. He said :—

“ There are two classes of doubters—

- (1) Doubting the wisdom of the structure set up, and,
- (2) the other, of even more fundamental doubters who state that the whole venture to lead India to Self-Government, through representative institutions, is at variance with the historic traditions and with many hard realities of the present day.

(2) To the latter I would say :—

It was hardly possible for Great Britain to have acted differently. She is influenced greatly by her inherent character. She is the pioneer of representative institutions and of their application to the science of politics. She has contributed to the thought and practice of the world. It is equally incumbent on her to spread them into India, where she has influence. It was rightly recognised by

British Government that circumstances and conditions in India made it *necessary to proceed along this path with prudence*. The result is the present form of administration in India.

- (3) "The question, when would the British Parliament be disposed to entrust full responsibility to India, depends much more upon the foundations, *which India herself can lay for her political development, than on any preconceived notion of the British Parliament*. That Authority would wish well and judge well and shrewdly. *At the root lies the question of the average political sense of a wide electorate. An educated electorate is the basis of Democracy. Without this politics would be in the hands of a small class that is an 'Oligarchy'—of intelligentsia, and the leaders of political thought. It must be rested on broad based and intelligent popular judgment. Otherwise it is insecurely poised on an inverted apex.*"

- (4) "One of the greatest Viceroys of modern times in his last words, has said of the true work of the English in India, thus:—

"to fight for the right; to abhor the imperfect, the unjust or the mean; to swerve neither to the right nor to the left: to care nothing for the flattery or applause or odium or abuse; never to let your enthusiasm be blurred or your courage grow dim; but to remember that the Almighty has placed your hand on the greatest of her ploughs, in whose furrow, the Nations of the future are germinating and taking shape; to drive the blade a little forward in your time; and to feel that some where, among these millions, *you have left a little justice, or happiness, or prosperity, a sense of manliness or moral dignity, a spring of patriotism,—a dawn of intellectual enlightenment or a studying of duty*, where it did not

exist before; that is enough. That is the Englishman's Justification in India."

Long live the Englishman, and the great nation that throbs with such sentiments and principles of manliness and a sense of duty of that manliness! Who cannot agree that a perfect man is made after God? The British Nation with all her heart wishes to give to India, what it considers to be her best. The conditions laid down in para. (3) are the most difficult to satisfy.

77. If the Indian politician of the present day would patiently stop to read, think over and appreciate the motive,—and the *sublime motive*,—with which the British Government is inspired in taking this great step for the future good of India; none of them can dare think of an attitude of an ungrateful and quarrelsome spirit towards such high souls. The great Viceroy speaks on behalf of the entire English Nation from his high place of authority with a full knowledge of that responsibility. If the British Government has such an attitude towards India, who would ever think of parting company with them and ask them to hand over their all in India to India and withdraw forever? Who would separate themselves from such real friends and guides? Some of the Indian politicians would reply that these principles are admittedly sublime; that they speak of the theory but not much is seen of its practice in the administration of the Bureaucracy. There may be some force in this or such a reply; but the Government of such a large country is indeed as large an order. The Bureaucracy and its innumerable staff are human creatures of varied temperaments and powers of intelligence. Errors and mistakes are apt to happen. Supervision and control to see that laws and orders issued are in consonance with the theory, and that the policy and practice 'are worked out in the spirit of both, have doubtless been provided for; and if such supervision and control are not found efficient, it is not difficult to find where they fail. All the same there can be no question as to the motive at the root.

78. On the other hand, if the British Government have done so much so far (*vide* para. 48-A) and are determined to do much

more good to British India, is it possible (*Vide*) para. 19, page XIX of the Introduction) for any one to think that they would not care for the Indian States as well, who have deserved much more, for, they are the *prior friends* of the British Government? They have helped the British Government in building up an empire in India, by a self-sacrifice, which the rest of India did not do during the earlier stages of the development of British rule in India. The Rulers of the Indian States have a peculiar claim for help both for themselves and for their subjects; and that claim has been repeatedly recognised by the Paramount Power. The Political sagacity of the British Statesmen acquired by them through a century and more, of training and experience in India will be made available for the Indian States, and for their subjects, even though the resources of the States be limited even with the additions by the coming adjustments of their financial and economic claims. Their advice suggestions, wise and providential, as they are certainly bound to be, would be most gratefully accepted by the Rulers of the Indian States,—rather than those of the Indian Reformers; who are yet wanting in experience and training. This will be with a view to keep up the old Institutions and their hoary traditions without any break in the continuity of their relations with the Crown on the one hand and with their subjects on the other and eternal friendly relations with British India. The inspiring words at the conclusion of Lord Irwin's speech at Lahore quoted in a subsequent para. (para. 87) give the strongest hopes, sure and certain, of such an help being extended to the Indian States without disturbing their present position, dignity and internal Sovereignty within their States.

79. The Indian Politicians are asking the Indian Princes to follow the same wisdom of transferring their powers of Sovereignty to their people; as the British Government have done and propose to do. This demand is either,—(a) the abdication by the Princes of their powers in favour of their people, with a view to (b) secure a common Government for both, the people of British India and those of the States; or (c) to introduce the same form of Government by the popular Representatives; so that, (d) the States may form

a Federation with such a Government, as a component part of the National United Government of India.

Both these forms of their demands would appear to be of an ideal excellence and beautiful in conception. But the most important question is whether either of the above is possible to accomplish. In the first place, the people of the States are bound to suffer the consequences of a complexity of administration already described in para. 23 above, having regard to the fact that they have to lose above all a ready means of redress and justice in a large order. Besides the cost and delay involved in passing through a long string of authorities, the trouble and constant anxiety would be enormous and a heavy taxation must follow. The very idea would strike to be preposterous to the people of the States, having been used to the Government of the Princes so cheap, and within an easy reach. The abdication of their powers by the Princes is impossible to conceive, for reasons already stated. The destruction of an ancient institution of kingship is a sacrifice not at all demanded by any extraordinary exigencies of the times, nor does it give any proportionate advantage either to the people or to the princes for such a serious step. The exchange for the present state of Government in the States, in favour of the extraordinary proposal, would be an exchange from king Log to king Stork in every sense of its moral. The British Government can go back to England: and where are the Princes to go? and why put the people of the States in serious difficulties?

80. The alternative proposal is such, as would be readily accepted by the Princes. But there is the danger of the future Central Indian Government with its present unfriendly attitude towards them;—an attitude threatening and attempting to dominate over the States. There are no signs at present that there is much love lost between the two; and an inimical attitude is openly and boastfully exhibited by the would be new Governors of British India. The question of Federation with such a Government by the Indian States is under such circumstances, beyond the pales of practical politics (*vide* para. 92, Section VI *et seq.*); when such a federation

is for the purposes of a common Government of the whole of the country. There is no unity of interests from any point of view in which the good,—practical good—of the people and Princes of the States can possibly be secured. Shorn of this motive, of federation with a Government which is out to throw away all connection with the British Government, the introduction of suitable and necessary Reforms, in due course, but as soon as possible, in the methods of Government within State limits as far as resources permit has been for some time already under the earnest consideration of almost all the Princes. It is a thousand pities that the Reformers in their strong zeal and passion and hot haste, have not had time or patience to consider coolly the difficulties in the way of that object. Do they not know that ;—

- (a) the resources of the States are comparatively small and extremely limited ; and much of their purse is being and has been already taken away by British India, very unjustly ?
- (b) in British India, there are people well trained and experienced with a large field for training in every department, but in the Indian States, there are not either the men, in officials or non-officials, who can be compared in any degree with the superior class in British India, in the absence of the necessary facilities ; so that, the Government of the States can be influenced or helped with a really sound opinion ;
- (c) The Representatives of the people can only make their wants known ; and beyond that, they are not able to help ; nor can they be expected in a small State to offer suggestions which would be of any practical value except in very rare cases. Further the Government in Indian States is generally of groups of rural parts, with a town or two only ; conducted to suit the simple requirements of a rural population. But have they, so far, ever interested themselves with the wants of the rural majority even in British India, though they

profess to act in their name ? and if they have not, what can the States people expect of them ?

(d) Political education, and education in constitutional and administrative matters is easy to obtain in British India in towns and cities, but extremely difficult in rural parts : nor does a need exist for such education in such simple Government.

(e) The Indian States,—a majority of them,—are a sort of rural Government for the most part ; and there, the most simple form of Government is not only sufficient but is the only form absolutely necessary in the interests of economy, both of Government and of the rural life.

81. In the face of these and such other facts, what can be the meaning of such an insistence of the Indian Reformers upon the introduction of a constitutional Government on the new lines in the Indian States except its high sounding name ? There seems to be an amount of ignorance of the prevailing condition of things in the Indian State territories. The Reformers are all highly intelligent men with excellent wishes for the good of the people. Some of them are men of sound thought and experience but not of the rural parts ; and if they afford to spend some time over the difficulties of the situation in the States, think over them and then having formed their conclusions, favour the Princes with their opinions and suggestions containing sound constructive methods of reforms of a suitable and practical kind, such suggestions and opinions would be most thankfully received ; and the fullest Consideration will be given them with a view to bring them into force as far as their resources permit and as far as they would be found suitable and necessary. The main point to be kept always in view should be a clear distinction of treatment under three heads—

(a) the rural parts,

(b) the urban parts, and

(c) general interests of the whole State.

Clause (b) including the working classes.

81-A. On the subject of the conditions of the rural parts of the country, the Royal Commission of Agriculture in their full Report, lately published observe (Chapter I) as follows :—

The bulk of the population is agricultural. It is 73.0 p.c., as compared with the urban population, which is only 11 p.c. of the total. There are no less than five hundred thousand villages. The main characteristics of the village life are still the same as in pre-British time. The average holding of a cultivator is not more than 5 acres in the South and East; elsewhere, not more than half the holdings exceed this limit. That is a vast population of small cultivators. The village is self-contained. All needs of a village life are provided in it. Production is just sufficient for local need. There are no metalled roads nor railways within their easy reach. They have no occupation for more than half their time. The demand for agricultural produce from towns, is small, compared with the total produce. There is, therefore, no attempt to add to their wealth by producing more; in the absence of an incentive, there is no desire to accumulate money. The standard of living is very simple. They lead a simple life. Their needs are few; and hence, cultivated holdings small.

If that is the condition of the rural population, why drag them into the vortex of a political struggle, with a franchise, an election, representative institutions, all of a complex nature, which have never been of any good to them, so far. With a view to meet their simple wants it would be infinitely better to treat them as a separate unit altogether and a simple constitution framed, of which the Village Panchayat may be the starting Unit, who in conjunction with others in the group may elect or nominate a representative for the Taluka; and from these, a representative, to the District and from the District to the Council, one for each District as rural members of the

Legislative Council. They would attend this Council when rural questions alone come up for deliberation and never for urban questions; for which urban members alone would attend. It is only when *general* questions come up that both the sections should be present. That would make the whole business of forming the Council. It would be rendered simple and would save an amount of trouble, money and time of all concerned.

31-B. It would be very interesting to observe that very recently a new organization under the title of "The New Country League" under the Presidentship of His Highness the Maharajadhiraj Sir Rameshwarsingi G.C.I.E., K.B.E., of Darbhanga, has been started by a number of very influential Zamindars and leading publicists of India. The idea seems to be to protect the interests of land-holders, business men and others having a stake in the country; and,

- (b) to secure for them their legitimate rights in the future constitution of India; and,
- (c) to make definite representations regarding the nature and form of a constitution, best suited to the peculiar requirements of India;—as required by the Secretary of State for India repeatedly.

The League stands for, *inter alia*, (1) the progressive realisation of Responsible Government, (2) the provision of adequate safeguards for minorities and (3) increased representation for commercial, landed, agricultural, ex-military, and labour interests as well as the depressed classes.

It would be observed that, here there is a danger of mixing the urban interests with the rural. But this can be avoided, if the League deal with the rural classes separately from all others, for the purpose of simplifying the frame-work of the proposed constitution, of which, it is said, a draft is practically ready for approval of the members of the League.

It should be particularly noted that the League observes that 'a new, and for India, a *strange system of Government* is in process of

evolution ; that large sections of India's responsible citizens have failed to recognize the significant changes made by the Reforms ; that a small section of India, *representing local urban interests*, has secured for itself a predominant portion of the power, under the Reforms, to the definite detriment of more solid and perhaps more sober elements ; that this was due to the failure on the part of these latter elements to recognize the importance of the changes, having no sense of public duty ; and that the framers of the Reforms too have failed to secure to them their rightful place in the new scheme. They describe the main causes, which have hitherto delayed and impeded all efforts at organization, to be :—

- (a) The bitter attacks of the Indian politicians on these classes, and on those who differed from them or suggested cautious lines of advance ; and,
- (b) Government have no longer felt or manifested the same responsibility as before for protecting the interests of those who have, in the past, supported them.

This latter cause seems to be an important fact ; but it should be noted that Government have not been partial. They stand aloof to give India a free hand in framing her Draft-Scheme herself. The League, however, has issued a manifesto in which they declare 12 principles of their objects. The Country League stands for :—

- (1) The progressive realisation of Responsible Government in India ;
- (2) The establishment of Second Chambers in Provinces ;
- (3) The establishment of a simple form of Government in the Provinces ;
- (4) Communal Representation ;
- (5) Increased Representation for commercial, landed, agricultural, ex-military and labour interests and the depressed classes ;
- (6) The support of suitable candidates for election to the various legislatures ;

- (7) Powerfully supporting an administration, sympathetic to commercial development, and agricultural prosperity ;
- (8) Adequate safeguards to minorities :
- (9) With a view to take an effective political action on behalf of the stable elements of the country, the formation of an All India Organization :
- (10) The stimulation and co-ordination of existing organizations, which may lend themselves to the objects in view :
- (11) The expression of opinion by the League on all important public questions, that arise from time to time ; and, *in particular,*
- (12) The formation of the views of the members of the League for the Statutory Commission.

Much depends on the attitude of the Indian leaders who have worked so far, towards the objects, principles and the position taken up by this League. If the two join, there will necessarily be a change in the angle of vision of the Indian politicians. That will be so, if wiser counsels will prevail. But if this does not take place this new League will be a bolt from the blue for the Indian politicians who had, according to the League the monopoly of their unquestioned attitude of a position at present towards the Reforms and the Statutory Commission. The New Country League threatens to assume very large proportions in a short time. The League, however, quietly leaves alone the question of the Indian States, very wisely.

82. It would be urged by the Indian Reformers, as regards the tri-lateral constitution referred to at the end of para. 81, that if in British India, for the purposes of the Reforms in the Scheme of Self-Government no such distinction is found necessary why should such a distinction be necessary in the Government of the Indian States. Such a question is bound to be raised by persons little acquainted with the conditions of life, its needs and aspirations in the rural parts ;—in the intense desire to imitate at once the Western forms

of Representative Government in India, which have taken a long time to develop, even there; but which in theory are extremely tempting to the fancy of the educated mind. But they do not seem to be practically useful to the majority of the population living in the rural parts; (*vide* remarks under lessons from the history of the Irish Union in 1800. Section VII *infra*, and the remarks of Mr. Forbe, the Leader of the Irish Parliament). As is clearly admitted by confessions in British India, the electorates have yet to be taught the principles of Self-Government as regards the rights and duties of the people. This has not been done during the long period of nearly 44 years in British India. These arguments apply with still greater force to the backward population of the Indian States. The want of such a trilateral distinction of treatment, has introduced a number of complexities in British India, which it is very necessary to avoid, by simplifying matters. It is true that the good Viceroy has stressed the necessity for the Indian Princes to bring their administration to the level of the British Indian standard notwithstanding the praise of that administration by the previous Government of India in 1911. But in view of the economic, financial and administrative difficulties enumerated above, the proposition seems somewhat impracticable. Self-Government in England has been the work of centuries. The development of representative institutions even in England has been a slow growth. In British India they have yet to take a root. His Excellency the Viceroy has himself laid down the essentials of its foundations, (*vide* para. 76 above), Under these circumstances it is premature to ask the Indian States to introduce them in their constitution. With all this, the necessity for such a step has not been proved so far. It means a training of many long years, and the standards of life in Indian States are altogether different from those of the West; and what is the result expected to be? (but *vide* the Government of India remarks in 1909 quoted in para. 631 (b) above, on the good Government of Indian States).

83. Coming to the arguments used in points Nos. 9 to 11 in para. 57, the first fourteen paragraphs of this note would seem to have disposed of them sufficiently. The distinction between the Imperial Government, the Government of British India and that of the Indian

States has been made clear. That distinction has been kept up ever since the advent of British Government in India. The two last are systems absolutely different from each other. The one has never exercised any control over the other. The Indian States have been admittedly an independent system; under the guidance, supervision, and control of the British Government through the special Political Agency of the British Government and not of the Government of British India. The Foreign and Political Departments are maintained from the Imperial sources, being the share of the values represented by the advantages and concessions obtained by the Imperial Government, as derived from the treaties with the Princes of the Indian States. The transfer of the internal Government of British India to her people certainly cannot mean, therefore, the transfer by British Government of their own rights, duties, obligations and responsibilities with respect to the Princes and their subjects. The treaties with the States were concluded *before* the Government of India was *established* in India.

The responsibility of affording all protection from external and internal troubles has been taken up by the British Government, as the treaties will themselves show. That duty lies on the Crown; without any obligation on the Princes as regards the cost of protection. This involves purely Imperial relations. The Crown alone having this responsibility cannot part with it by its transfer to the future Government of British India, as already observed.

84. Point No. 12. Much has been made of the complexity of the difficulties in adjusting the financial and economic relations between Indian States and British India. The difficulties are imaginary. The adjustment is a matter of a simple equation of the real rights and relations and their arithmetic. It should require no great diplomacy, if a more straight forward process is applied to settle the question. But for the fuller treatment of this question a reference is requested to Section VII *infra*.

85. Point No. 13. This is the weakest point in the whole lot and the most awkward one for the reformers. They would be sorry

for having ventured to put it forward. It shows the future attitude of the new Government of India by the representatives of the people. It contains a threat to the Indian States of their great powerful Government; as being much larger than even the largest Indian State; warning them to beware of the consequences, if they assume an attitude of independence towards that Government. Such attitude would clearly not be friendly any way to the States. Though the Reformers themselves love independence, they would not like the States of their own country to be independent: They would be jealous of their neighbours, in that respect. But such an attitude would not be conducive to a Federation of the desired character; and, itself mars their claim, when it is remembered that—

- (a) The Indian States would still be under the protection of the more powerful British Government; and therefore the threat held out becomes impotent;
- (b) The Indian States will be a powerful commonwealth of the United States of India, under the aegis of the Crown;
- (c) If the new Government of India is to remain a Dominion within the Empire, as a valuable unit of the Great Commonwealth of the whole Empire would it be wrong to retort that an inimical attitude towards the States would not be tolerated by them, who are everywhere in the country and would make the new Government of India unhappy, under conditions that need not be described; but God, forbid such times to rise.
- (d) Such an attitude on their part towards the States would be inconsistent with their own proposal of a Federation;
- (e) They would be themselves enemies of the Empire, when they become enemies themselves of one of the units of the Empire; and that,
- (f) The new Government of India, with such an attitude would be considered and looked upon as wanting in

dignity and unworthy of Self-Government and wanting in good statesmanship and genius for organization.

86. Point No. 14. There is no question of the *capacity* of the new self-governing India to treat the Indian States as the British Government treat them at present ; but they have no training, tact and experience in statesmanship ; moreover the question foremost for consideration would be, whether they can be trusted to do so ; when even now they are prepared to behave ungratefully and disrespectfully even towards their own benefactors ; and, as a direct consequence of uncontrolled temper and temperament, hold out an impotent threat to the Indian States of the evil consequences of an attitude of independence, which even the Imperial British Government have hitherto nourished in the Indian States, Further, what would be the special advantages to them of possessing a power of control and protection over the States, when they are out to level them down, by cutting down the tallest poppies in the finest garden of the Indian Empire ? The fear that the Indian States are an obstacle in the way of their obtaining self-Government has already been shown to be groundless. An absolute want of sympathy and respect for the Princes and States on the part of the Indian Reformers cannot help the object of inducing the Princes to trust them in the same way as they trust the British Government. Their capacity and fitness to be trusted have been hampered by their present attitude. If this attitude were not exhibited and in such a bad fashion they would have been able to use the same capacity and fitness to be trusted, in helping the old institutions of Indian States to come up to the best level of ideal excellence ; and then they would be called good, loving neighbours. It should be noted that it was the help of the Indian States that made British Indian Government, which is being entrusted to them. If great powers from the north west corner of Europe are ready to help India to be able to govern herself, as a highly civilised Nation, would not that be a lesson, which the Indian Reformers, as sons of a grateful land (and with gratitude to the Indian States,) who ought to admire and imitate it in helping the Indian States and render themselves as a model for the admiration of the world. ? It is an admitted fact that if they mind using this

lesson, they have the gift from God of all the necessary qualities of head and heart, manliness and ability to attain such a sublime position of love and friendship and pride and respect for the older venerable Institution of the Indian States: and to help them up to their true position and status in the Empire, as well as in the world.

97. In this connection, one cannot resist the irresistible temptation of quoting again the extremely wise words of our present Noble Viceroy, His Excellency Lord Irwin, uttered in his ever memorable speech at Lahore on 21st October 1926. Here is his exposition of the duties and responsibilities of politicians. The Noble Lord said—

“ Politics is the Science of dealing with human beings. There is a close relation between *sound principles* in politics, and the dominant instincts in human mind. There are three such *instincts*,—fundamental to human thought and action.—

- (1) the instinct of comradeship,
- (2) the instinct of Independence, and,
- (3) the instinct of Reverence.

What do they imply ?

“ There is a relation between the Individual and the State: and each is bound up with the other. They are inseparable even in thought. There is a widening series of concentric circles round the social man;—of the ties of family, village, town, province, country, Empire, and mankind. It is a homogeneous organization. Not one can be removed without making a gap. Disregard one and your personality is cramped and distorted from what it was to be. A National Plane that denies the just rights of individuals is a danger to the world.

“ True *Comradeship*. It should weld together all interests, classes and creeds. Extend this conception to a wise and sane appreciation of international relations. It gives

us self-respect, thrift, pride in upbringing our families, and freedom of thought in politics. It is the basis of true nationalism, the conviction that we have something of value to the world.

“*Independence* is not the contradiction of discipline. You are bound to serve the interests of those you represent; and yet maintain your independence of thought. But the unbiased opinion of a representative, his mature judgment, his enlightened conscience, he ought not to sacrifice to any man living. They are a trust from Providence, for which he is answerable.”

“*Reverence*.—All men, some perhaps half-consciously accept some unseen power working in human life, greater than man himself. We all acknowledge, though we may not always observe, the distinction between right and wrong. There is no one who does not respect justice or a noble character. How does this instinct apply to politics? We feel reverence for the State, for civil authority, *for old institutions*. We certainly reverence great men; and *reverence for tradition is a great safe-guard in politics*. It reminds us that the history of a nation is an organic whole, that the present is an off spring of the past, and that what we ourselves are, we owe to the efforts, the achievements and the failures of those who went before us.

“For myself, I have the tradition of my grand-father behind me; it gives me peculiar pleasure and interest to think, I am adding a stone here and there, to the structure, he helped to build. As we are the heirs of preceding generations, so we are the architects of posterity. A salutary check is placed upon those, who would destroy in the mere hope of being able to re-build something from the debris.

“These principles belong to the eternal order of things. And no Government, no party, and no community can prosper which ignores them.”

88. This noble speech touches the most pithy points covering every argument advanced by the Indian Reformers. From it follow the following principles—

- (1) It would not be right to deny the existing ancient rights of the Indian States ; for that would be dangerous and unrighteous for British India, and would involve the British Government in a breach of faith ; and would be a sure index of a want of wisdom and statesmanship, for those who deny that right.
- (2) If any difficulties at all exist, they should be attempted to be removed; and defects cured, in a spirit of comradeship, by welding all existing vested interests : with a view to utilise the powerful unit of the Commonwealth of the United Indian States (*vide* Appendix A) for the purposes of Federation in the common interests of both,—of British India as well as of the Indian States ; and those of the Empire.
- (3) By a process of mental discipline, which should enable them to throw off prejudice, the Indian Reformers, by a wise use of their independent thought for acting justly towards the Indian States, with an unbiased mind, by the help of that mature judgment and their enlightened conscience, ought to be able to see that, in their zeal for their cherished objects, no attempt is made to sacrifice the Interest of the time honoured institutions of the Indian States. The above will be recognised to be manly qualities, which the Reformers doubtless possess, as the trusted gift from God ; and, if such qualities are abused they would be answerable.
- (4) The third principle of *reverence* has a significance entirely its own. Reverence for old institutions has its own importance in Politics as stated above. It has been most impressively explained by His Lordship. And every word of that part of His Lordship's speech is weighty.

The concluding portion, in the last two paragraphs lays down extremely valuable principles ; and, the caution, that " a salutary check is placed upon those who would destroy in the mere hope of being able to rebuild something from the debris," deserves the most thoughtful consideration of the Indian Reformers, who would destroy the existing institutions of the Indian States, with a view to abolish the States and introduce Democracy in them.

89. We now come to point No. 15, which is the last argument against the Indian States. Doubtless the British Government has decided once for all, to grant Self-Government to British India. The present form of these Reforms is an experiment and therefore is tentative ; and, what final form it would take depends upon the foundations which British India herself would decide to lay. What these shall be, is still to be decided by them : and for that purpose, the British Government have left it to the free but unanimous choice of the people. On this subject, the excellent speech of His Noble Excellency Lord Irwin, on 17th December 1926, made at Calcutta and quoted above would be usefully perused and considered with all the respect that it deserves.

It follows that, when even British Indian Reformers themselves do not know what form the Reforms would take eventually, it would be impolitic and premature to speak of them in most tempting terms ; and for the Indian States' people to be ready to forget the wise maxim " A bird in the hand is worth two in the bush." Time is not yet, even for the Princes, to be tempted into the new proposals. If and when Reforms that will be decided upon by the unanimous voice of the entire population of British India are accepted ; and when they have produced attractive results, the Indian States will not lose the opportunity of taking suitable lessons from them, if they find any ; and then it shall be the proper time for the Indian Reformers too to press them on their attention for adoption.

90. The Indian States will not be backward in admitting that their Governments and their systems of Governments are not of an

ideal excellence. Indeed no Government in the world is perfect; and the Princes are perfectly alive to this fact. No one regrets the defects more than they do. And even in British India, defects do exist. And is it not with a view to remove them and give her a new form of Government that the British Government have introduced the new Reform Act of 1919,—and the Indian Reformers have started the struggle? The British Government have permitted the people of British India to frame their own constitution, and their leaders have been labouring to work out one. In such circumstances it would be premature for such leaders to complain of bad Government in the Indian States.

90-A. H. H. the Maharaja of Patiala on 24th July 1928 pleaded before the East India Association for a real effort both by the people of British India and the people of England "to understand the Indian States." He expressed a belief that it was perfectly compatible with British connection, which is valuable, that "the Indians should have greater power over the management of their own affairs than they have to-day." Clearly this was a sincere belief. But the language of the expression of this belief has been the subject of an unworthy comment by the Times of India, which suggests that the Princes have for the most part managed either to *conceal* this belief in the value of the British connection and that in that connection Indians should have greater power of Self-Government; or else *have done very little* to bring about the relation of that ideal. The paper 'carefully' reads the speech 'between the lines' and thinks that it suggests that within their States the *Princes* should have greater powers over the management of their own affairs and did not refer to the Indian States' *subjects*. The Times of India forgets broad and clear facts. It taunts the Princes. But there can be a retort. The British Bureaucracy in India have never hitherto thought of entrusting that management to the people of British India, and that the Reforms were not received by the British Officers in a spirit of welcome. The question of Self-Government applies to British India by the Act of 1919 not to the Indian States. The Princes have already publicly declared their positive intention of introducing their own Reforms, not necessarily on the lines now desired for British

India. For, the very idea of Self-Government is foreign to the entire population of the whole of India, including Indian States. It is well known too that the conditions in Indian States and in British India in the matter of civilization and education in Western culture entirely differ. Again such civilization and education as it exists in the urban circles does not obtain in the large area occupied by the rural circles throughout India. What is then the force of the taunt now thrown out at the Princes ?

The Rulers of the Indian States possess internal sovereignty within their States. No one is ignorant of it ; but the Political Department of the British Government in India, powerful as it feels, has, even according to the Times of India, (*vide* para. 6 of Appendix B) managed to put difficulties in the ways of its exercise. That complaint is now already before the Butler Committee. The Government of India have in 1909, praised the good administration of the Indian States ; and what grounds are there now to maintain that there ought to be Democracy in these States ? Do the people of the States want Self-Government ? They have never asked for it ; for as above remarked they are not ready for it. It is the Reformers in British India that have, for selfish reasons already described, raised the question and have been agitating for it ; a very indiscreet attempt indeed : and, it is surprising to find that a leading English Journal of the reputation of good statesmanship and wisdom now seems to support it : That is why His Highness pleads for an effort on the part of British India and of England to understand the Indian States.

9]. The short-comings in the administration and general Government of the Indian States have been the favourite subject of adverse criticism on the part of the Indian Reformers and to a certain extent of Government Officers very highly placed. Whenever such short-comings are found to exist, they are generally attributed to the Rulers of the States. And why ? What logic is there in the comparison of an Indian Princes' Government with extremely limited resources, in able and trained men and money, with that of an experienced Governor and a Governor-General with unlimited resources and a host of trained Officers who have governed British India for more than a century ? Such short comings would be partly due

first to the want of training and the essential compulsory education of the Princes in the sound principles of their position as Princes; and of the art of good Government as a part of their duties and responsibilities. The responsibility of this important duty does not seem to be well realised both by the Paramount Government, as well by the elders of the Ruling Families of the young Princes. When Government in British India and their Legislatures have insisted on the principle of compulsory education of the children and adults of the population of both sexes and advocate its necessity within and without the Councils, the neglect to educate the Princes in the essentials of their duties as Rulers, has no excuse whatsoever. This defect, however, can be remedied by an insistant pressure, and with sound, approved and accepted methods, suitable to the present requirements, not omitting the old. There ought to be a combination of the best from the old traditions with the new that is useful in every branch of the science and practice of good Government. This suggestion will doubtless be welcomed by all ruling Princes without exception. They will also not fail to be profited by the broad and liberal as well as sound principles recently laid down by the good Viceroy and quoted above, as also by His Highness, the Maharaja of Bikaner, some time ago. These are as liberal, sound and wise as they could be expected. Such measures have been presumably adopted to a certain extent, and are in force in the majority of States, as far as their resources have enabled them to do. What is required is a realization of the insistant and constant sense of their necessity in these respects regard being had to strict economy and watchfulness. If that is done all criticism from any quarters of an adverse nature would be disarmed, and the people of such a State would be bound to love and respect, and help and defend their sovereign, whenever necessary.

THE IDEA OF A FEDERATED INDIA.

92. There are some educated, political and economic thinkers who would love to see British India and the States heartily join and make the country a solid *Federated India*. Among such is Professor Sapre, lately appointed Principal of the Willingdon College. He thinks that :—

“The policy of maintaining water-tight relations between British India and the Indian States is unsound in theory and unattainable in practice, under modern conditions. It is not necessary to go to the extreme alternative of the absorption of the Indian States by British India. Notwithstanding their variety in character, which have created difficulties for a common treatment, it is permissible to entertain a hope that the Indian States can yet play a worthy part in the evolution of India. They possess a traditional sentiment of loyalty and chivalry. And the resources of constructive statecraft, in the fashioning of a Federated India, in which the Princes and the people of India will have their proper role to play, are not so bankrupt, as to postulate an inability to make friends with the Indian States, or their rapid disappearance, from the Political map of India.”

93. The idea is excellent ; and especially when it is assured that the Indian States shall in the case of such Federation remain in tact and undisturbed, in their position dignity, rights and privileges of their Princes in their internal Sovereignty. But in order to bring about such a Federation, British Indian Leaders and the Rulers of the Indian States must agree. Is that possible ? Recent events and doings among the Reformers show that it is not. Their all India Party Conference has unanimously passed the following clause of their future Indian Constitution :—

“The Indian States must form part of the Indian constitution, and cannot be separated from the rest of India.

2. The Commonwealth Government will, to begin with, *assume* all rights, powers and obligations of the present

British Government. (*Vide* para. 56-A, Section V).
The States shall have no relation with the Crown ;

3. While respecting the Treaty rights, it will endeavour to negotiate with each State for a closer union. (Though the Treaties were made with the Princes and never with the people.
4. This closer union should be effected by an agreement between the Commonwealth Government and the *people* of the States.
5. The States may have the fullest Autonomy: but the Commonwealth Government must be the *suzerain* power, and must *control* foreign relations, defence and like matters."

Thus, there will be no 'Princes' who are not included in the States. The peoples of the States will form their own republican Government, subordinate to the major Paramount Republic of British India. Such is the attitude of the Indian Leaders.

On the other hand, the Princes assert with as much vehemance that—

1. They are quite independent of British India.
2. They have no Political relations with her.
3. They would recognize none else than the British Government, as their highest Sovereign Paramount Power.
4. That they possess full sovereign rights within their States under treaties with that Paramount Power. Thus the hopes for a federated India cannot be realised, if the present strained relations between the two, continue. Further comments on the attitude of the British Indian Leaders are needless.
5. Sounder Statesmen think that this attitude is a passing phase of the Indian sentiment. This sentiment and with it its

sensitiveness has been latterly aroused by the British Government, probably unintentionally and through innocent ignorance of the Indian mind. Probably the British dignity would not have suffered, if Indians were appointed on the Commission. From an Indian point of view, that dignity would have received greater reverence, if a more liberal construction were put on the Act of 1919—and the object of Parliament in the appointment of the Commission would not have suffered. On the other hand, educated India would have done better to show greater patience and put a better construction on the motives of Parliament in appointing a purely English Commission. That was a matter of mere detail, which should not have received the importance it has been given; more especially in the light of the fact that the President of the Commission has smoothed away a good deal of the ground, yielding to almost all of the points put forward by the Indian Leaders; above all in the face of the assertion that Indian representative Leaders of thought will have the opportunity, when the report of the Commission with all its accompaniments goes before the Joint Committee for its examination and scrutiny, to sit in judgment over that report along with the Joint Committee.

95-A. The failure on the part of the Parliament to nominate Indian members on the Royal Commission has been looked upon as an insult to India. But if at all it amounts to an insult, it would be to those who consider themselves eligible to be so nominated; or to those who should be selected by the Government of India for such nomination. The population of India is never concerned in the work of this selection and therefore it is no insult to the country, whose name has been used to emphasise the intensity of the insult. On the side of the British Parliament, an assurance in all sincerity has been repeatedly given that no such insult was or is never intended. Such an assurance ought to remove all sense of an insult, from a sensible mind, however sensitive. The high position of such gentlemen, who are presumed to be possessed of prudence and faith and honesty of purpose, requires them to shake off an impression, which would under the circumstances have no good ground to stand on. Further, nomination on all previous occasions, on the various Royal Commissions, and the omission to do so in the case of the

Reforms Commission must presumably be considered to rest on good and solid grounds. These we may like or not. But there can be no doubt as to the honesty of the motive; at all events there are no reasonable grounds for a contrary presumption. Again, this feeling of an insult is a personal factor, and should that factor alone be allowed to sacrifice the major interests of the whole population of India? (*Vide* Appendix D). "We all know that angry feeling, when our country is belittled; but we ought to be able to bear the tales of the past with an even behaviour, if not with an even mind.

"The saddest thing is that this cursed vanity, with its resultant temper, can drag nations to misery.

"If a man is rude to you, it does not matter much. He is the person ashamed; there is no need for you to be rude or furious.

"Nations magnify these rudenesses and slights. They see insults, *where none were intended*. The mob is far more easily and more wickedly disturbed, than the individual; for indignation and anger rise in company, and destruction is generally the only outlet."

(Mr. W. H. Williams in Chamber's Journal.)

96. The so-called threat of a certain Political Party in England that so long as there were Indian States in India, the grant of the complete Self-Government to India was an impossible proposition, would not appear to be so, if it was properly analysed. It appears what was meant was that the complete self-government for *British India* was already vouchsafed by the Declaration of 1917; but that such Government for the whole of India was not possible,—having regard to the fact that the Princes, by virtue of their treaties held the powers of complete internal Sovereignty. (*Vide* para. 16 of Introduction.) That is a mere statement of a matter of fact. But that statement of the English Political Party came to be misconstrued. The grant of the first instalment of self-governing powers came in 1913, and this complaint was never hitherto raised by the Indian Statesmen. That threat started the Crusade against the Indian States. This Crusade was first begun by the first Knight Templar in all seriousness; and a stir began among the Indian

Princes. The effect of the first onslaught, however, was not complete;—when, an additional and a stronger force was supplied to the Indian leaders by their exclusion from the Indian Commission as well as the States Inquiry Committee. The boycotting of the Commission, and the draft Regulation about the Indian States in the new constitution, have been put forth as a Rejoinder from them to the attitude of Parliament, which received a stronger impetus by the points of reference to the Butler Committee, which virtually excluded the Indian States from any Political or constitutional relations with British India, in an authoritative and decided language.

97. There seems nothing particularly detracting in the position of British India, which was to receive the powers of self-Government, which cannot mean the Government of Indian States if there are the Indian States Governments side by side. That is exactly the present state of things. The question of fashioning a Federated India is altogether a different question for the future necessities if they ever arise. But the public opinion among the Indian leaders has taken a peculiar color from their offended feelings of passion, roused by misunderstandings, not quite consistent with their good sense.

98. Professor Sapre, regrets such a position; and therefore hopes that “the resources of Indian statecraft will not be bankrupt, in the fashioning of a Federated India in which the Princes and the peoples of British India will have their proper role to play.” He believes earnestly that the present tense feeling is bound to disappear; and cooler thought, with patience and prudence, will return. Sir Simon will be able to bring about a calmer atmosphere; and the question of a Federated India would then be taken up by both, after forgetting and forgiving the past. One would devoutly wish that such hopes are realised. But the future is on the laps of Gods!

99. It is being repeatedly asserted forcibly that “Public opinion in British India has made a remarkable progress in recent years. And by the Reforms Act, 1913, and the Simon Commission,

Parliament desire to make that opinion reasonably effective "and the Rulers of Indian States are advised" to appreciate the spirit of the times and realise that they are the architects of their future." Even His Excellency the Viceroy in his speech at Jodhpur, already quoted, exhorts the Rulers to respect public opinion in the matter of the standard of administration. And that if that is done, it would facilitate the adjustment of their future relations with British India. It has been indeed the consistent policy of Great Britain to foster a sound Indian public opinion; which when found to be on correct lines, is always respected. Government has however been showing an infinite amount of patience with many kinds of unreasonable abuse of language and passion displayed hitherto by the Indian Leaders; and will continue to do so; fully believing that the heat of the moment will pass away in due course. That may be true too to a large extent; but it shows the character of the public opinion, as it now exists; and yet the States are being constantly asked to respect it. His Excellency has yet to learn that that public opinion about the standard of Government in Indian States does require to be modified: and His Excellency may be good enough to examine the same before it is offered to the States in general for adoption. Such public opinion as exists at present, cannot be expected to co-operate with and induce the Princes to help to produce a Federated India and it would not be reasonable to expect the Princes to respect it.

100. A curious irony of fate has overtaken the Indian States that their Rulers happen to be looked upon as wanting in everything; and the "Public opinion" seems to have been presumed to be all correct and all perfect. That public opinion is dissatisfied with even the present Government of British India; with such a large and efficient organization: and it has nothing but down right curses for that in the Indian States. But, no one has so far heard one responsible thinker, whether official or unofficial, to give one word of advice to the holders of that public opinion to examine the causes of the short-comings in an Indian State administration, to remove them and to help them with the necessary means: and if they then refuse to accept with grace such an advice and help, then find fault with

them. The weaker generally goes to the wall. A loud tongue protects itself and is successful in its attacks on others. But is that right? Do not the modern times and conditions apply to the Indian Reformers; Do they not require the knowledge of the really sound spirit of the modern times? That modern spirit is not "Might is Right." But it requires sound thinking. The Indian Reformers believe that agitation on a large scale on the public platform in the Councils and outside, as well as in the press has now been considered the largest force; and they have been acting on that belief. And the British Government too know what weight to give to it. They know perfectly well how to treat the criticism. The Rulers of Indian States have followed the same course. Is such criticism even to be respected by the Rulers of Indian States? There is no training for the Princes: most of the auxiliary resources of the States have been taken away by British India. They are helpless.

101. The necessities of modern conditions in the social, political and national life, must be found in the correct standard of sound progress (*vide* Appendix D); not in the wild ideas of immature politicians. The correct standard of sound progress has its own conditions and limitations. The modern spirit must mean the spirit of progress with prudence and discretion; to be attained by gradual steps. It is public opinion of that sort that the good Viceroy has in mind. But such public opinion does not exist in India. That is a misfortune.

SECTION VII.

RELATING TO THE FINANCIAL AND ECONOMIC RELATIONS BETWEEN BRITISH INDIA AND THE INDIAN STATES.

Preliminary.

102. It has been already explained that the relations of the Indian States with British India are only financial and economic. The proximity of the boundaries of both and consequent inter-communication in business of all sorts have produced an intermixture of such relations. It has also been explained why such relations cannot be called constitutional or political relations.—So much having been conceded, the question of bringing out in clear lines each class of such relations with a view to their adjustment has been entrusted to the Butler Committee. Though not political in character, these relations have a peculiar importance in themselves affecting the vital interests of the Indian States. In elucidating their history, character and influence on the Indian States, and in finding out ways and means to give them a proper setting for the good of both, there will be certain considerations which will certainly receive the attention of the Committee of Inquiry.

103. Doubtless, there is the fact that British India is being governed by the British Government; they also have been in possession of political relations with the Indian States. It was their political influence which enabled them to bring into force certain financial and economic relations with the Indian States, in which the States were not even a voluntary party. Though the influence exerted had thus a political force, the relations brought about were not political, but mere conventions for administrative purposes in matters purely financial and economic in character. This point should be particularly kept in view. By doing so, much of the confusion of ideas relating to the real character of these relations

would be saved ; and the whole question would be shorn of all the artificial complexities attempted to be created by the Indian politicians in the matter.

104. As Professor Sapre rightly observes :—“ a fruitful source of grievances of the States is furnished by their helplessness in fiscal and economic matters. To understand the nature of these grievances, we must first of all turn our attention to the economic transition, through which India as a whole, is passing. The Free Trade Policy of Great Britain was responsible for the complete subordination of economic interests of India, as a whole, to those of England. Free Trade is opposed to the ideal of nationality. It is like a down-pour of rain on a broken country side. If the drain water is allowed to flow un-checked, it will cut into the land and soon make both the rain as well as the land useless. But if the streams are embanked, the impounded water will irrigate the soil. Tariff walls are like embankments to the labour and capital resources of the country, which turn them into productive channels.

“ The Great War has brought about a revival of the sentiment of Nationality. The European States have surrounded themselves by Tariff walls : the policy of each being determined by its size, location, natural and industrial resources of its population.

“ The Indian Government though it has been anxious to standardise and honour the political relations with the States, did not hesitate to regard India as one unit for the purposes of its economic policy. The whole country was drawn into the vortex of modern industrialism, which is another name for Capitalism. This was bound to bring about a revolution in the regional distribution of wealth as between Indian States and British India, and between India as a whole and the rest of the world. We are not here concerned directly with the latter aspect of the problem. But it must be admitted that the Indian States have suffered, as a result of this policy. It is a truism that economic forces do not follow political boundaries. If for instance we imagine that the existing States of Europe were abolished, and there was substituted in their stead one powerful State, there would certainly result a larger exploitation

of the natural resources of the Continent and civilization would suffer. The Economic consequences of the Free Trade Policy would however have been less harmful, if India had been one political entity. In that case, fluctuations in regional prosperity would not have so much mattered. Even within a unitary state, efforts are made to restore equilibrium between agriculture and industry and between various forms of industry by means of Tariff. Indeed the fiscal history of each State is the history of its efforts in establishing such an equilibrium. To some extent British India has become, the *tabula rasa*; and there are no vested interests. Not so in the Indian States. The Ruler of the State is vitally interested in his territory and in his population. The prosperity of his neighbours, whether the subjects of a brother Prince or of British India, would be small consolation to him, if it be at the expense of his subjects. If the rise of a rival port, the growth of a neighbouring town, the alignment of a projected Railway, or canal, or the diversion of a water course, or trade route, were to adversely affect his subjects, he is entitled to adopt such measures, as current economic theory would dictate to him. So powerful are modern economic forces, created by improved communications and international competition, that the Indian States would remain little more than Geographical expressions, if timely action were not taken to regulate and control those forces."

"The Indian States would *seem* to be in a peculiar position of advantage to be able to take such action; as they are under the protection of the Imperial Government and morally surrounded by *apparently* friendly people and territory. They would thus seem to be better off than States of similar extent in Europe; *yet such is not the case*; though they possess internal Sovereignty.

"There is a certain amount of inconsistency on the part of Great Britain in championing the cause of small States in Europe, to whom apparently she was bound by nothing stronger than a sense of honour; and at the same time in sacrificing the Indian States to the economic policy of her Government in Indian States whose interests she was bound to safe-guard by every obligation arising from solemn engagements. It cannot be said that Treaties are scraps of papers in India. The British Government cannot be

supposed to knowingly treat them so. It is however an example of a strange irony that Indian States, comparable every way to those in Europe in size and population, should be debarred from enjoying that scope of self-expression and developments, to ensure which, to the tiny States of Europe, surrounded by powerful enemies, and under the protection of no superior power, a disastrous world wide war should have been regarded as a small price! That would be an indifferent reward for the honesty and faith of the good and trusting Indian States, who have relied on the good faith of the British Nation and refrained from protesting actively against such treatment. But better late than never. The British Government seem to have realised now the injustice of the policy hitherto adopted by the Government of India; and have agreed to inquire into and "adjust" inequalities and remove grievances, from which the Indian States are suffering. The result is the appointment of the States Inquiry Committee."

105. That Committee would doubtless do their best to do what they can to set matters right. With a view to help their labours, we propose to draw their attention to certain lessons that may be deduced from the economic history of Ireland, during the important period through which that country has passed. The British nation has had a full experience of that history. It cannot be argued that the assimilation of Indian States with British India is too inevitable to be resisted,—as some superficial students and Reformers seem to think; nor is the present state too complex to be remedied. To Great Britain at least, that problem ought not to be insoluble. Her union with Ireland took place in 1800. Previous to that event, there was a union with Scotland in 1714. The latter was governed with a policy of protection; and, Scotland prospered: In the case of Ireland, the policy changed into one of Free-Trade, which ruined that country; and the consequences are too well known to history to need description here. Ireland lost all chance of fostering her native industry; side by side with a rich country where industries flourished and with the same Fiscal policy governing both. Free Trade under such conditions could not be an advantage to a poor agricultural country like Ireland. The result

was as foreseen by the Speaker, Mr. Forbe, of the Irish Parliament. There was a great increase in taxation. That was fatal to the growth of wealth. He would not believe in the articles of the Union. These were framed to secure the purse and trade of Ireland against the evident wishes of the country, with the power, England possessed. "The Union Parliament would alter or abrogate any article to abolish bounties; to amalgamate debts; to increase taxation and the minority of a hundred Irish Members would be powerless to resist."

"It is true there has been no political Union between British India and the Indian States; but there is close approximation between them to fiscal and economic matters; and the Omnipotence of the Government of India, has, so the Indian States believe, rendered the solemn Treaties and engagements of as little avail to the States as the Omnipotence of the British Parliament made the commercial and fiscal clauses of the Union of Ireland.

"Ireland grew worse till the middle of the last century. The full effect of the Free Trade Policy told upon Ireland; her agriculture declined; her industries declined, before the competition of cheap imports; her population declined by emigration; while in the 18th century Ireland suffered from the protective policy of England, in the 19th century she suffered from her Free Trade policy of the United Kingdom.

"That fiscal situation was the inevitable result of the contrast in economic conditions between Ireland and England. In matters of Taxation, as in others, the interests of the greatest number have to be consulted and that greatest number in the United Kingdom belonged to the urban and manufacturing classes. Matters came to a head and a Royal Commission (1834-36) examined several ways of granting relief to Ireland of which "payment to Ireland out of Public Revenues was approved.

101. "This reference to the Fiscal History of Ireland raises two pertinent questions:—

- (1) Whether the results of measuring the taxable capacity are reliable? and

- (2) How far and with what practical object in view that method is or can be made applicable to India ?

“ There are practical difficulties in collecting and interpreting the *data* necessary for the purpose. The Indian Taxation Committee indeed did make an attempt in that direction, and have not been able to produce satisfactory results.

“ Apart from the question of incidence there still remains that question of the Financial loss, caused to the Indian States by the growth of indirect taxes; in which they get no share. The whole question requires detailed expert inquiry. As already observed their proper sources of revenue of old have either been abolished or absorbed. Taxation in States is now mostly on land. The limit of productivity has been overstepped. The land tax is inelastic.”

107. The above throws an immense light on the helpless position of the Indian States. If therefore the Princes are to take an effective share in the improvement of their administration, as repeatedly explained to them by His Excellency the Viceroy, the first requisite is the enlargement or restoration of their finances. Without it, they would be powerless to do anything. Some of the feasible ways would be :—

- (1) The larger States might make their own financial arrangements; but there would be obvious difficulties.
- (2) The necessity of adopting one uniform method of treating the Indian States is clear. The only way to solve the problem is to pay to them all, under a well devised scheme, a proportionate compensation on the Central and Provincial taxation;
- (3) The incidence of taxation might be calculated *per capital*; on the net income;
- (4) The Indian States may be allowed a voice in deciding the taxation as they are as much interested as British India herself. It should be treated as a joint concern, unconnected with the internal administration of either

Government. This arrangement should be looked upon as a mere 'convention' for the benefit of both. Each should have a voice based on principles of fairness in business; which is the only right way of looking at it. There is no problem of any difficulty in it. The arrangement would be thereby simplified. In fixing the Tariff the representatives of the Princes should take part as also in fixing the proportion of their due share. This would respect all existing rights, of every state, large or small. There would be no question of interference in the internal affairs of either Government, as was feared by the M. C. Report. This question of the joint management of this source of revenue will have been deprived of its nature of an internal affair. The Standing Committee of the Chamber of Princes, or the proposed Statutory Committee or Council may be the Representatives of the States. The only alteration necessary in its constitution essentially necessary would be not to include the Viceroy as its President. For that would be an awkward position for His Excellency. Any negotiations on behalf of the Princes should pass through the Viceroy, who should hold the balance between the two. For he should be holding two positions that of the Viceroy and President of the Statutory Committee and of the Chamber of Princes on the one hand, and that of the Governor-General for British India on the other. His Excellency ought not to remain in such a difficult position. But that is a matter for His Excellency.

- (5) "All such conventions should be sanctioned and approved by His Majesty the King Emperor; so that all concerned shall be bound to respect them."

Such would be the general main principles, in the opinion of Principal Sage, for the consideration of the Inquiry Committee. They have doubtless given a thought to them already

108. If this can be accomplished, and there are no insurmountable difficulties apparent in doing so, British India would have no need to seek an addition to their already large purse from the Indian States; nor an addition to their already large powers and dignity; and need not therefore have any cause to interfere with the internal affairs of the Indian States; except when help is sought by the States by way of advice and guidance, in all sincerity and as good neighbours. Where matters are considered and taken out of the category of internal affairs and treated jointly as common concerns, for the convenience of the larger administration of British India, as well as that of the Indian States, as already stated, they cease to be internal matters of State or of British India: and any joint consultation regarding them ceases to be an interference' by either party. Such matters automatically happen to be under the direct control of the States.

Such conventions should not be the subject for a Law. For, conventions are administrative measures of convenience. They are in the very nature of things a sort of covenant. They may be changed under changed circumstances and their character altered; or they may be abrogated. Yet the Legislatures' approval as well as of the States, should be secured for the arrangement; and the Royal sanction of His Imperial Majesty, the King Emperor also obtained.

The Questionnaire.

109. The Indian States Committee has issued a Questionnaire. In the introductory remarks, the Committee quotes the terms of reference and proceeds to state as follows:—

- (1) The Committee do not consider that the substance of Part I of the Reference (*vide* introduction, page xxiii para. 26), regarding the rights and obligations arising from treaties, Sanads, and engagements could be dealt with by the questionnaire. Moreover the Standing Committee of the Chamber of Princes and the large number of Princes have obtained legal assistance, on general questions raised in regard to it; and the Com-

mittee will, therefore, have the benefit of such assistance.

- (2) The Committee make it clear that they are *not* empowered to deal with (1) the past decisions of the Paramount Power, (2) the present differences between them and the States, except in so far as they illustrate or bear upon the relationship, existing between the Paramount Power and the States.
- (3) The Committee do not, however, desire to limit the evidence, which the States may wish to bring forward in arguing their cases, by a reference to past decisions, or present differences of opinion within the limits of the first part of the instructions, which refer only to the existing relationship; and in so far as they may consider it necessary to do so.
- (4) The questionnaire therefore deals with the second part of the instructions only. This is, as we already know, to inquire into the financial and economic relations, between British India and the States; and to make any recommendations, that the Committee may consider desirable, or necessary for their more satisfactory arrangement.

Basis of Questionnaire.

110. This is said to have been based on the records of the Political Department, in so far as they relate to matters, that have recently come under notice or discussion. Other questions may be raised, than those covered by the questionnaire, by the States.

The questionnaire relates to the following subjects:—

- (1) The Customs.
- (2) Railway Jurisdiction.
- (3) Mints and Currency
- (4) Dealings between Indian States and Capitalists and financial Agents.

- (5) Manufacture and export of Salt by the Darbars.
- (6) Posts and Telegraphs.
- (7) Discussions of matters of joint interests to British India and States.
- (8) General Financial relations.
- (9) Opium.
- (10) Excise.
- (11) General in regard to customs.

The States are asked,

- (1) Whether they claim a share of the Imperial Customs revenue; if so on what grounds?
- (2) Whether the recent raising of the Customs duties adversely affected the States, or their subjects; [and if so, to quote facts and figures.
- (3) Whether the States were prepared to abolish, their own import or export duties, on condition of receiving a share, to be agreed upon, of the Imperial Customs revenue.

An important question.

111. The most important question which would profoundly affect the rights of the States, as regards their future relations, with a democratic Government in British India is that which seeks to obtain information from the States, as to the *procedure* they desire for the discussion of questions, in which the interests of the States and the interests of British India *are not identical*.

112. It is understood that Sir Leslie Scott, the Counsel of the Chamber of Princes, has drafted a weighty memorial for dealing with Political cases. What the character of these is, is not stated; perhaps they may turn out to be political as well as financial and economical. The States naturally demand a voice in arriving at decisions in political cases, in which they are now at the mercy of the

Political Department. It is understood that the Government would be called upon to appoint a Statutory Council with an adequate representation of Indian Princes thereon, by means of nominations by the Viceroy. The matter is still under consideration of Government as well as of the States and the Chamber of Princes. It appears that the framework of it is constituted on a basis fair to the Crown, British India and the States. The appointment of such a Statutory Councils would be a great help to the Commonwealth of the United States of India. It will help discussion of questions in which the interests of the Crown, the States as well as of British India, may or may not be identical. The Constitution of such a Statutory Council includes, so far as it is proposed now, the Viceroy as its president, and six other members, of whom two would be members selected from outside India and one would be the Political Secretary of H. E. the Viceroy. The other three members would be Princes selected from among the Rulers of the Indian States. For obvious reasons it would be wiser not to have the Viceroy on it. It is sufficient that he should be President of the Common Council of the United Indian States. This Committee would be much better able to work as a general helpmate of the working Common Council of the United States (*vide* Appendix A). Their relative position and the sphere of their duties would have to be carefully settled, so that they may not be hampered by unnecessarily heavy burden of work: and the working Common Council may be free to attend to other matters of importance.

Turning to the questionnaire of the Committee of Inquiry the attention of the Indian States would be naturally devoted to the formulating and placing before the Committee, after full consideration, of their views of the claims they may wish to prefer under the different heads of subjects for the consideration of that Committee. The following observations are offered to help them in this work.

THE EVIDENCE TO BE TENDERED

BEFORE

The Indian Princes' Committee.

PART I OF THE INSTRUCTIONS.

Though the Committee in their communique state that they do not consider that the rights and obligations of Princes could be dealt with by the questionnaire, they are prepared to be assisted by the legal "Assistance" obtained by the Chamber of Princes and a large number of the Princes individually.

To a certain extent, such assistance may be found in this statement now prepared; and if it is approved, it may also be placed before the Committee with the necessary additions and alterations.

113. It is pointed out by the communique that the Committee are *not empowered* to deal with—

(a) the past decisions of the Paramount Power as regards Part I of the Reference and with the

(b) the present differences, if any, between the Paramount Power and the States, *except in so far as they illustrate or bear upon the relationship, which exists to-day, between the Paramount Power and the States.*

The past decisions alluded to above, probably refer to the last Treaties between Paramount Power and the States. These are such as were entered into soon after the British Government succeeded the Peshwa. And if the States have any question about their propriety or correctness, the Committee is unable to deal with such. On the other hand, if the States wish to adduce evidence in connection with or in support of these Treaties and the relations thereby established and now existing, such evidence will be received. But that would perhaps be unnecessary.

The present appointment of the Committee only relates to the necessities of the present occasion viz. that of reporting on the question, as to the existing relations of the States—

(a) constitutionally or politically with the Paramount Power ;
and

(b) the Financial and Economic relations with British India
and its Government.

The Committee has therefore *nothing to do with the Imperial decisions or differences* relating to them. For that is a matter between the States and the Paramount Power exclusively.

PART II OF THE INSTRUCTIONS.

114. This alone touches the relations of the States with *British India* ; and the questions involved therein are solely Financial or Economic relations between the two parties.

The Committee's questionnaire has mentioned the subjects stated above. Each of these questions has to be dealt with separately.

The points for consideration in making out a statement of claims, under each of the heads, and others that may have been omitted, have of course to be carefully laid down. The first of these are considered as most important and at present under consideration is the Customs and Tariff. We have already described the general history and origin of this subject.

(1) THE CUSTOMS.

115. At present all States have abolished the customs duties, which they used to levy within their territories. They have abolished them at the instance of Government. Written agreements were obtained from the States for that purpose. These are printed and published in Aitchison's Treaties and Engagements. The times were then such that it was impossible for the States to refuse to comply with the wishes of a powerful Government. The papers containing the record will show clearly how the agreements were

obtained. These should have to be traced. That however is of secondary importance, seeing that the agreements were only temporary and could be reconsidered, Government having expressed their willingness to do it, the Committee have asked (para 8) the Princes :—

- (a) Whether they would claim a share in the Imperial Customs revenues ; and if so,
- (b) The grounds on which such a claim is based ;
- (c) Has the raising of the Tariff adversely affected the States and their subjects : if so, to quote facts and figures ; and,
- (d) Whether they are prepared, if a share is given, to abolish their levy within their territories.

Questions (a), (b) and (d) are one group, inter-related to one another.

One of the two only methods of dealing with the question is possible. Either the States should be permitted to levy their own duties ; or a claim to a proportionate share in the Imperial Customs proceeds should be allowed. There seems to be no third solution possible. This pre-supposes the existence of a right of old for the States and the very fact that the agreements were obtained to abolish the duties within the States shows that they have the right ; and the old records of the States and of Government showing the levy would be sufficient evidence, to supply the grounds for the claim. More than this is not necessary.

If it is decided to grant a reasonable share in the Imperial Customs revenue to the State, the question of the proportion would be the only important point. For this purpose, the articles of consumption imported usually in to the limits of each State, would have to be listed and the total amount of duty levied by Government thereon ; and then the basis of proportion would have to be fixed—on population : So much for the *imports*. As regards the *Exports*

a similar list of goods exported from the State and paying Tariff duty would be prepared, and the basis of proportion might be arrived at as in the case of imports. These proposals would be considered quite equitable and reasonable. But such statistics have not been kept; and even if prepared, they would not be looked upon as reliable.

As regards Cl. (C). As no statistics have been kept on the subject by the States, it is difficult to state the extent to which the raising of the Tariff has adversely affected the States and their people,—and the presumption should be that it would be the same as in British territories. The P. C. of age of increase in the Tariff would show the larger burden of indirect taxation on the people,—and loss to the State. Indeed the States would not, in the ordinary course of events, levy as high a Tariff, as Government would do and if it is actually being levied, the States would be entitled to a reasonable share in the net income.

(2) RAILWAYS.

116. This subject is important. It involves,

- (a) Lands taken up for the Railways; the compensation paid *by the States* therefor, both for permanent occupation and temporary occupation. The latter have been rendered unfit for cultivation, all the superficial soil fit for cultivation having been removed, and there is the loss of assessment to the States each year, as well as occupancy price (L. R. Code). Full value of all these items will have to be considered.
- (b) It is believed that this value is debited to the capital outlay in the concern, though lands were obtained free from the States; for which the Railway Companies and Government pay no share to the States of proportionate net profits, excluding the Rolling Stock and cost of management and cost of construction and repairs, which the States have not paid. The length of the Railway line passing through the States will be the basis of calculation of the proportion.

- (c) Lastly the question of Jurisdiction. The States were 'advised' to cede their jurisdiction on the area taken up for Government. What the advice meant need not be explained. The loss of lands, and of their compensation to their occupants, the loss of assessment for ever, all added to the loss of jurisdiction too, over them and the quiet and unprotesting attitude of the States are worthy of consideration, as being fit to be treated with all the respect that they deserve. If the Government of British India is transferred to the people, the new Government will have obtained the whole property *free*, to which they are not entitled. The whole concern is a productive one; and according to the principles of Political Economy, a Government of such magnitude, would certainly not like to receive a charity of that property, and would not find it difficult to pay for it.

Any idea of the handing over of the jurisdiction of Government back to the States would doubtless be inconvenient to a certain extent—to the Railway authorities, as well as to the judiciary of the District. But with proper safeguards the judicial jurisdiction as well as the revenue jurisdiction, might be safely transferred. As regards the redenued jurisdiction over the area, the States have so far, lost the occupancy price also of lands taken up: The Railway authorities might find it convenient, also to pay to the States the assessment of the lands each year or a capitalised value for them once for all, together with the legal Local Fund Cess due thereon. The assessment of the originally agricultural lands, now converted into non-agricultural lands would be liable to an altered assessment under the Land Revenue Code; and the usual fine will be payable for such conversion. The Land Revenue Code would make no exception for Railway Lands when the Railway Company is treated as an occupant. And this would be unnecessary, if these lands are treated as set apart for public purposes. The above gives an approximate idea of the loss to the States both financially and economically. It would not be improper to place the facts before the Committee for their consideration with a view to a full retransfer of the jurisdiction over the lands to the State. There should be no

difficulty in this respect to carry out the proposals on the logical principle of give and take, on a fair basis. The Railway Company concerned shall be looked upon as the registered occupant; and shall have all the legal rights of that position. The Railway Police will hand over all cases inquired into by them to the State Police for the necessary further action. No special difficulties will arise.

117. Most of the principles apply, *Mutatis mutandis* to lands acquired by the Government of British India, for *Irrigation* large projects passing through Indian States, through roads connecting Districts, Tramways and the like; the administration of the works remaining entirely in the hands of Government Officers; any reasonable conditions in the form of concessions to the people and Rulers should be allowed and scrupulously respected. The States shall have full powers over any treasure trove or minerals of value found or discovered in such lands.

(3) MINTS AND CURRENCY.

118. Before the British Government was introduced, there was local money. That was token money of copper silver and gold, and in some places Kavadis. That was abolished,—under instructions in the form of advice from the Political Department of Government. There was no system of paper money, then anywhere in India. Nor in the Indian States. There is, it is said, evidence to show that there were Mints in each State. During the Mohamedan Regime, the coins were issued in the name of the Ruling Padshahai. The Mahratta Empire too had coin issued in the name of Maratha Chhatrapati. But the Feudatory States generally did possess Mints and opening a Mint was not a costly business; though it would not pay.

The question of a right to Mintage never arose. Any tributes payable to the Paramount Power was paid in the Coin of that Power. But this was all right, so long as Mintage did not act as a *source of income*. The value of gold, silver and copper had a fixed standard. The times and circumstances of the world have now altered. Exchange has introduced elements never dreamt of in old times. All the same, the fact remains that Mintage of gold, silver and copper

and bronze have now been converted into a source of revenue as also the paper currency. The question therefore arises, whether having regard to the fact that the Rulers who according to their treaties, possessfull powers of internal Sovereignty, though under protection of the Paramount power,—

- (a) possess the power to issue their own coin, though they may have accepted a convention by which for the sake of facility for all internal transactions, the coin of the British Government of India would alone be recognized and local Mints abolished.
- (b) whether coinage is to the Government of British India a source of income ? and if it is,
- (c) whether the Indian States, who have at the instance of Government, agreed not to coin their own money, would be equitably entitled to a reasonable share therein.

Wherever the Government of India have obtained an agreement from any State to abolish coinage, the presumption would be that such State had the right to coin its own money. This can be easily ascertained, from past records—that would seem to dispose of points (a) and (c). As regards (b) it is for Government to say whether they do obtain an income by way of the difference between the intrinsic value of the coin and its standard value—(the currency value); and also whether the exchange is a source of revenue whatever the purpose to which it is devoted. This having been ascertained, the more important question that would have to be settled is the basis on which a State can be paid a proportionate share in such income, if any ; provided the States' claim to such a share is recognized. That fixing of a basis, is indeed a very difficult question to decide.

The State's income of an average year and the total average value in a year of transactions, within State limits, in business, plus the capital in reserve would indicate roughly the aggregate money value of the coinage that would have been required to be issued by the State, if they had the right, each year. Of these the figure for the State's revenue can be ascertained. For the remaining two

items, it is difficult to find a datum, and if supplied it is as difficult to verify. The registration records, and the Post Office would supply some figures only. But the commercial and trading concerns would be difficult to estimate even roughly as a reliable figure. Even then money changes hands so often, and therefore the total transactions would perforce be a much larger figure than the actual capital used. The question therefore ought to be handled by expert advice, for a reasonable basis—with the approval of the Paramount Power and of the States.—

(4) DEALINGS BETWEEN INDIAN STATES AND CAPITALISTS AND FINANCIAL AGENTS IN BRITISH INDIA.

119. On this subject there would be little difficulty. The accounts of such dealings can furnish the required figures. But it is not easily understood, why this point is raised. The capitalists and financial agents in British India may have Banking accounts with the States—irrespective of any control over them of the Government of British India. The Banks pay the income tax to Government. For the safety of the capital invested by the States in the Banks and payment of interests to the States is guaranteed by the Banks. In case of any difficulties in this respect eventually arising the law applicable to the general investor would apply to the States equally well. It is not likely that the question whether Government can undertake to guarantee to the States their safety, will be raised. It is to the interests of the Banks to keep their credit. Nor has any such instance ever occurred. In the absence of clear information as to the object of the Committee's inquiries into this question, it is difficult to offer any remarks on the subject.

Foreign commercial Firms do an amount of business (*e.g.* the Ralli Brothers) in Indian States. They invest large sums and create business relations. If these agencies take their own risk, the States would not bother themselves about them. But they would be wise to take the permission of the Rulers before starting business.

(5) SALT MANUFACTURE AND ITS IMPORT AND EXPORT BY THE DAHBAHS.

120. There are two kinds of salt, manufactured from the sea-water and salt water nalas and from earth. The states which

have the sea within their limits have the right to manufacture and export the former. The states which do not possess that advantage and are situate in-land, produce earth salt and salt from salt-water sources.

In either case the manufacture has been suppressed, by a conventional agreement. There would be a double loss to the states, loss in the prevention of the manufacture and loss in the stoppage of the levy of duties on imported and exported salt. A small compensation for this loss on earth salt is being given. But the figure once fixed years ago has continued unaltered. The population is increasing. Consumption of salt has increased. Government receive the benefit; but the States do not get any share therein.

The problem can be solved on the population basis. Whether the States had or had not the right to manufacture and export salt, and to the levy of duty on imported salt, old accounts will furnish ample evidence; but the fact that agreements have been made solves the question. The solution would be to allow manufacture of earth salt and export as before without restriction and to allow tax on imports or to allow compensation in the form of a share in income, on the basis of population. The latter seems most convenient. Once the rights of the States are recognized, it becomes a question of option and convenience and a fair share of income.

(6) POST AND TELEGRAPHS.

121. These institutions of conveying Post and message by wire are exclusively for public service of great utility. They are useful both to the British Indian Government as well as to the States and their people. Inter-communication and consequent inter-relations between the two are served. The cost of building or hire of buildings for Post Offices, and of organizing and controlling them is borne by Government; not by the States. As they are useful to both, there is nothing in this, involving the right to establish such institutions or financial and economic interests of the States, except, however, in matters hereafter described.

There are other features of the institutions, which require notice. The Post Office (and in an indirect way the Telegraph

Office) has banking business also. The local banking business is effected to some extent. But as banking in this way is optional with the public, the State interests do not suffer to any appreciable extent. Dealers in money transactions in the States, who used to do Hundi business have to a certain extent been affected. Though in this respect also, there does not arise any important feature which would enable or induce a claim for the States for compensation, and looking to the great help these institutions give to business in the States, no reasonable claim would probably arise in favour of the States.

A State does require Post and Telegraph Offices in these modern times and modern life. The necessities are not created by the States. A State is not able to open its own offices for difficulties created by the Government Postal Department and when a Post Office is asked for, the Postal Department asks the State for a guaranteed income. This demand has to be complied with perforce. Lest the income should not suffer the State is prevented from arranging to open States Saving Banks. The rate of interest is not of importance in itself. But there is competition with the local Bankers in many other ways. The money order system at uniform rates for remittances from and to any part of India affects the Hundi business materially with unlimited means at command, the Postal Department beats down local Banking business effectually. The Postal Department does a large business on a large scale and is thus able to compete effectually. And in this connection it would be only fair to abolish the system of "guarantees" of a minimum income and to open Post Offices at places where the request of the Ruler is reasonable, without such guarantee. Besides the above there is one important point worthy of attention of the Committee. This relates to the Postage that has to be paid by the States on articles, letters, registered parcels, etc., despatched on *State service*. As on His Majesty's service, so on State service, service stamps have to be used. Every department of Government has to pay for the service postage stamps; but that is a nominal value, debited in one department and credited to Government. That is not the case with the States, who have actually to pay for the same and are not re-

imbursed. It would be only reasonable to urge on Government the necessity for devising a system by which the States can get a freedom from the necessity of payment of the postage on State Service articles. There is no great need for arguing for such a claim. The reasons are obvious.

(7) DISCUSSION OF MATTERS OF JOINT INTERESTS TO THE STATES AS WELL AS TO BRITISH INDIA.

122. This is the most important subject before the Committee, for its full consideration with the concurrence of both British Indian Government as well as the States. It is the most central question of all. Joint interest is that which is common to both. This means the unity of interest for both. The inner character and motive force of that interest shall be the same. As the universal immanent soul pervades the whole universe, so is the character of this joint interest in its conception. Both British India as well as the States jointly and severally are parts and units of the Great Commonwealth of the British Empire. Each part must therefore possess the common feature of the unity of interest for all. This principle connotes the essential need of absolute co-operation for preservation of all just and proper interests of all, between members of the same body corporate. All shafts issuing from the one central fountain, must retain the original character and spirit of that centre. It follows that the co-operation required must work in all sincerity; and work out in practice the truth that no part or unit of the Empire will allow the true interest of any other part to suffer on any account; and shall not permit itself to be the means of causing any injury to that part. Each part must treat the interest of any other part of the whole, as if it were its own.

If these vital principles are recognized and appreciated both in their spirit as well as in thought, word and action, all difficulties must automatically, disappear. This requires a perfect manliness. The position must be accepted; and all good men, actuated with high ideals of the greatest good of the whole Commonwealth, will doubtless accept it. All other matters are subordinate to this; and would be matters of detail and can be welded to serve a common

cause, for attaining and preserving a really good Government both in British India as well as in the Indian States. All fairness, all justice, all equity, a thoroughly good conscience necessarily come in to be pressed into service, and if these principles are maintained, as the hinge on which the entire fabric of the constitution of the Commonwealth shall turn, all matters dealt with in the questionnaire become extremely easy for solution.

Among the matters of joint interests of both British Indian Government and that of the States, in which mutual co-operation would be necessary the following may be mentioned, as particularly worthy of notice:—

- (a) By far the most important subject of common interest, that any Government has to deal with, either of British India or that of an Indian State, is the basic problem of agriculture including the Veterinary. That is the largest National Industry which procures the actual means of living. All other questions come next after this in importance. This is the central question of the highest importance, of which very few are aware and still very few who realise it, amidst the heat of the excitement of the struggle for political power. The Indian Political Leaders, who hope to be the future Governors of British India, have not hitherto paid any attention to it. A Royal Commission was found to be necessary even by the British Government for that purpose. That shows its importance. It is all very well to expect large revenues from land and agriculture but agriculture has got to be carefully nourished constantly. The whole administration of Government mainly depends upon this singularly single and all important problem. Here it is that the utmost co-operation with the broadest vision for common good on the part of British India and the Indian States would seem to be absolutely necessary. Though neglected, in the past, that is the most striking line of contact between the two: which both must meet

and act to solve, as the most intimate friends and relations of each other ; if the greatest advantages and future prospects, held out by Mother Nature, are to be attained by both ; and if they co-operate in this, the result would be that they must co-operate in every other question.

Agriculture is also the principal occupation of the human race, and as above stated, the chief source of food supply. All know that it is at present in a depressed condition. The practical proposals for its speedy recovery and immediate benefit to the country must be considered both in British India as well as in Indian India.

At present agriculture is much sacrificed to industry. The new efficiency of modern machinery, business methods and value of co-operation are not appreciated. Though the present class, on account of its not being educated, can work economically for their simple wants, any addition to this wealth, would be useful : and when as times change, and they are educated, they would require better wages. They must be made to understand that Industry is exploiting every new invention and method : and that if that is so, it would be to their advantage, too, if they also do it. This is an important work in which both British India and the Rulers of the States can co-operate with sympathy and advantage. Both have to see that production and manufacture must be kept in equilibrium : for production would feed manufacture : and the result would be a distinct gain to both in either territory. The purchasing power of the rural population will increase. That means their prosperity and their economic stability and to the country as a whole a complete cessation if fluctuation in prices (Sir F. Dykes Arland, Secretary to the British Board of Agriculture).

On this subject the Royal Commission of Agriculture in India in their latest valuable Report observe, in para. 575, [page 662, thus:—

The Indian States are interspersed with British territory. Their area is large, 711,000 sq. miles out of the total area

of India, 1,805,000 sq. miles. Their economy is *pre-eminently agricultural*. That shows their importance. Their co-operation with British India is required in—

- (1) Excluding plant diseases and Pests;
- (2) Stamping out contagious diseases in livestock;
- (3) Development of irrigation;
- (4) Improvement of Agricultural Cattle;
- (5) In marketing agricultural produce;
- (6) Controlling and regulating of weights and measures and
- (7) Organization of Agricultural Research;—in fact, all matters of great importance to the agricultural prosperity to the whole of India. Their co-operation has been recognised already in the constitution of the Indian Central Cotton Committee, and the Board of Agriculture. The main Research Station of the Central Cotton Committee is at Indore. The Director of the Institute is also the Agricultural Adviser to the Central India States and represents these States; and of Rajputana on the Committee. The States of Hyderabad, Mysore, Baroda and Gwalior and Indore are also represented on it. Except Indore, all these States, as also the States of Kashmir, Travancore and Patiala send Representatives to the Meetings of the Board of Agriculture. Thus the foundation of an active policy of co-operation have been laid. We have no doubt that the manner in which co-operation can be rendered more effective: and more especially, the manner in which the Indian States can best be brought into the Research Organization will receive early and careful consideration from the Government of India and the Rulers of the State. We are confident that it will become increasingly practicable to envisage the agricultural and veterinary problems of India as a whole,

and to initiate measures for their solution, which will be operative in all parts of the country.

- (b) Matters relating to the preservation of Law and Order, in either territory,—the two being close neighbours, the one adjoining the other and interspersed throughout the country :
- (c) Matters connected with the trade, commerce and industry of every description,—of the whole country, having close relations in business between either territory.
- (d) The financial and economic relations between both Governments,—touching the subjects noticed in the questionnaire.

For the purpose of investigation, discussion and harmonious settlement of these matters, the recent proposal of the Prince's Chamber to appoint a Statutory Standing Committee and a Statutory State's Council is a measure, thoroughly well calculated for the correct solution of all such questions. This proposal may or may not be accepted by the States or by the British and Indian Governments. It is still under consideration. The existing law in British India and accepted by the States relating to the mutual help, in investigation and detections of crime, to the Police of either territory and for reciprocal respect due to the processes, orders and judgements of British and State Courts, has made all the required provision and should be mutually respected. Matters under clause (b) relate to the people of the States mainly and to the State as regards the control and protection of the interests involved generally. Matters coming under Clause (c) relate exclusively to the interests of the States only. All these would be quite safe in the hands of the proposed Statutory Council when it is generally approved by all concerned. It has been already suggested that for obvious reasons the Viceroy and Governor-General should hold the balance between the Government of British India and the Indian States—and therefore ought to be a member of the Council.

(8) GENERAL FINANCIAL RELATIONS BETWEEN BRITISH INDIA AND THE STATES.

123. The influence of the financial policy of British Government is bound to be felt both directly and indirectly by the States as well as the rest of India as it has done ever since its connection with India. That policy would itself be influenced from time to time by the world conditions of currency credit and public debt and prices affected by supply of demand of the Nations with which it has dealings. Thus the international and British commercial interest affect these conditions in British India as well as the Indian States. The internal needs of British India also require financing of the administration of the country with all its revenues and expenditure. The aggregate effect of all these influences is felt indirectly on the financial condition of the States which at present depend solely on the agricultural income of the population.

That being so the states are not able independently to control these influences for protection of their own interests. These influences are irresistible under the modern changing conditions of the country. Under the circumstances as explained in the earlier part of this section the States must depend on the Paramount Power for expert advice and guidance in such matters. That is a problem extremely difficult to solve satisfactorily even for the British Government. The influence of the Capitalists in the commercial world including Great Britain is too powerful at present both for British India as well as for the States; and so long as the Paramount Power allows itself to be carried off along the current of this force with what piloting it can, regardless of its consequences, the entire majority of the agricultural population of India is helpless. The day must come however when even the Paramount Power must feel the necessity of reconsidering the position,—with its past, present and future, when they will find that any amount of artificial means of meeting the position created by these influences which are always pushing forward are not able to avoid their dangerous consequences. It is not easy to see what even the Butler Committee can do to help it. Before the States Inquiry Committee thinks of settling the General

Financial Relations between British India and the States, it has to face the question of settling such relations as between Great Britain and British India. Sir Basil Blacket, Finance Member, has declared the other day, that the British Government will maintain undisturbed its trade with India, as hitherto. After the Government of this country is transferred, the Indian leaders must be compelled to agree to this policy of the Paramount Power. In pursuing that policy the British Government had hitherto the sole power. The attitude at present, of the Indian leaders is on the one hand to oppose that policy; and on the other they would also oppose the recognition of the existence of the distinct and separate Financial and economic interests of the Indian States. That opposition has to be disarmed. There shall be thus *three* distinct interests and their relations that require recognition by common consent on an equitable basis. The interests of the States must be made plain to the Indian Leaders and the Indian Legislature. The Imperial interests cannot be denied. That shall be the first condition of the transfer of the Government of British India, to her people,—and the Indian State's interests is a business proposition, based on pure reason, fairness and justice, as British India cannot be allowed to deny the rightful claims of their just revenue interests—Indian Statesmen who have some knowledge of the finances and economic aspects of such interests will certainly concede such claims.

(9) OPIUM.

124. There are very few States, where poppy cultivation for manufacture of opium prevails at present. In their ports the manufacture is regulated under an agreement of convention. The produce is sold to Government, who regulate its sale through their Depots and retail shops under certain conditions set forth in the licenses. There are other States, where the old cultivation of poppy was stopped under an agreement revised in 1890 about, which indicates the States' right to the income.

The sale of opium within limits of Indian States is also regulated by certain convention Rules accepted by the States. It is sold to the States at cost price from Government Depot; and retail sale of

it is conducted with a certain margin for the States. That is the present arrangement. The States do receive a sort of compensation and do not suffer materially in this respect, by the present arrangement; at least in the Southern States of the Bombay Presidency, who probably have no important point to urge in this respect.

The League of Nations has had this subject of opium manufacture export and sale, and its regulations under consideration; the object being to keep a full control over it, with a view to prevent the evil effects of its consumption on the health and morals of human beings in the world. Any regulations that the League in its joint deliberations and wisdom may think fit to devise, would be most certainly accepted by the Indian States. No difficulties will be raised. Reduction of the area under the poppy crop, if at all necessary, in the interests of the well being of the world, would be cheerfully agreed to.

If beyond the above sphere, there are points in States where there is a large amount of cultivation of the poppy, of any real importance on any scale, they will certainly be raised for the consideration of the Inquiry Committee.

(10) EXCISE.

125. The term excise is now limited in the Bombay Presidency to the manufacture, import, transport, and export, as well as the sale and possession of liquors, and of intoxicating drugs. Country and foreign liquors as well as Toddy (Juice, of the Palm) are included in the term Liquor.

The manufacture of these within limits of the Indian States has been stopped. And the revenues realisable to them have been farmed out to Government, on the basis of an average figure of income for a definite period. The importation of Kaju liquor from the Portuguese territory has been absolutely prohibited. With a view to permit its use for absolutely medical purposes, of which it has a great reputation and to prevent smuggling, which

does take place, it would be wiser to relax the prohibition and to permit its import, under a strict system of control after due consideration. A high duty may be imposed, if necessary.

This farming system of the State Excise revenues has been adopted to prevent smuggling and illicit manufacture and sale by means of the introduction of a uniform system of control under law and under one central power and system of management. The system enables the States to avoid the keeping of a large preventive establishment of their own; and practically all legitimate income to the States is assured; there is nothing unfair and involving any loss of revenue to the States therein. The question of the rights to manage their own revenues, is practically conceded by the present system and all defects and dangers of a want of reciprocity and uniformity are avoided at present. This applies to the smaller States.

There are minor complaints which often arise. These are caused by want of tact on the part of Government supervising preventive staff, who arrogate to themselves an attitude of superiority as being officers of the Paramount Government, while working in the Indian States. These can be easily avoided by their being kept aware of the fact, that in such management of the State Abkari, they ought to remember that they are the servants of the Government, who are farmers of the State revenues and should always act in full co-operation and with all respect for local State authorities. If instructions from Government are given to that effect, no cause for such complaints would arise.

In the cases of the larger States, provided there are the same systems and laws as are prevailing in British territory, adopted with an efficient supervision and control so as not to clash with each other; there need be no farming of the revenues to the British Government. The main and substantial part of the question is the interest of the State in their legitimate income

from Excise; and where there is no idea of adopting a different schedule of rates, and a fair method of reckoning exists with the reservation and recognition of the rights of the States, there can be no point in running one's own show; because there are no difficulties at present in the farming system which has continued satisfactorily; but when the Government of the country passes out of the hands of British Government, it is perhaps likely the whole arrangement might be changed; and the Indian States, small or great, will have to make its own arrangement. The best solution of the difficulty would therefore be to leave the matter to the option of the States; so that they may, if they find it expedient, to take the management in their own hands, they should be at perfect liberty to do so, at the end of each contract period, in full co-operation with Government.

(11) GENERAL IN REGARD TO CUSTOMS

126. A good deal about the question of customs has been stated above in para 102 to 103 and 15, in the opening paras of this section. In the fixing of the Tariff rates, the States have no voice at present. If their right to share in the customs revenues is conceded, it should follow that they should also have a voice in the decision to levy and in fixing of the rates of the Tariff; it would not be considered to be practically difficult to obtain the consent of every State; they may give their opinion through their Common Council. There is little likelihood of any serious differences of opinion.

Turning to the question of the justice and propriety for any Government to set up a Tariff for purposes of revenue as well as for protection of indigenous industries, the views of the new Government may not perhaps remain the same as those of the British Government. The interests of the local and national as well as Empire industries and commercial interests of the Commonwealth of the Empire, of which British India as well as the Indian States shall be the natural parts, would have to be

nourished in a co-operative spirit; taking care at the same time of the interests of revenues for the two parts—if the new Government of India is agreeable to the above principles and would agree to maintain the *status quo* in principle, there would be little difficulty for the States in meeting the wishes of the Government, of British India, especially as the British interests in trade and commerce with India are immediately concerned.

At the same time, it would be not unwise to provide against an eventual refusal to keep up the *status quo* on the part of the new Government. In that contingency, there would be the following situations:—

If the new Government of India agree.

(a) to take the voice of the States in deciding upon the policy of the Customs, and Tariff is levied with joint consent there would be no difficulty. The State will receive its fair proportion and the present system will continue.

(b) If the new Government will not recognise the right of the states to share in the deliberations; nor a share in the proceeds of the Tariff, the States shall be allowed the liberty to levy their own import and export custom and transit duties, as before; but such a contingency will probably not arise.

That would be an extreme case. It is hoped matters will not be allowed to come to that pass. The transfer of the Government of India from the Crown, to the people of British India in the name of Self-Government cannot be unconditional. That is not possible; nor any way compatible with the public good, or consistent with the duties and responsibilities of Government as trustees in the name of justice. Prudence would dictate otherwise. And any conditions that may be attached to the transfer, should, in all propriety, have a reasonable condition in this res-

pect, to prevent any difficulties cropping up; especially when it is remembered that this involves imperial interests also.

The above caution will doubtless be adopted in every case of the conventions under the different heads enumerated in para 110 above, and dealt with in paras that follow. The necessity of such a step is clear and obvious, having regard to the present attitude on the part of the opposition in the Central Legislature, who have for the present not shown sufficient sense of proportion, of relative position, dignity or propriety. It is difficult to predict the future. The present is a passing phase and being emotional is transitory—Patience, reason, and judgment will certainly return.

It is therefore, earnestly hoped, in the interests of both, the new Government of India, as well as of the Indian States, as sincere neighbours and friends in every sense of the expression, and as joint members of the great Commonwealth of the British Empire, that a real spirit of sincere co-operation for common good, jointly and severally, will be religiously and lovingly nourished and maintained by both. (Vide para 122).

Love begets love and produces the sweetest fruits of harmony, contentment and prosperity of the people. Let that be the common goal of every worker on either side. All concerned in such a happy union and welding of all interests would be pleased and the entire machinery will work smoothly and happily in a spirit of comradeship. The people in either territory will be pleased. The Ruling Princes will be pleased. The new Government of British India would be pleased. The Paramount Power will be pleased. The entire Commonwealth of the Great British Empire will be pleased. The whole world will admire and praise all concerned in this glorious attempt, and success of such a union with co-operation. May God give to both the will to use the needful wisdom, faith, farsight, strength of mind and

courage and above all the good-will that they may possess to be able to accomplish such a devout wish of all.

127. The above exhausts the points mentioned in the Committee's questionnaire. There are other matters besides: which confront the Indian States often; and which the Committee of the Indian States will doubtless, consider, as they are indeed important to the Rulers, their states and to the better administration of the states. These are mentioned below:—

(a) Matters in which the Rulers' interests are involved as affecting their personal dignity as such Ruler.

(1) Their place in the rank and precedence list usually called the line of demarkation.

(2) Their power to grant Inams for special and meritorious public service for good and sound reasons, as an example and encouragement for such work, as permanent grants, continuable beyond the life time of the donor from out of the State property.

(3) Respecting the carrying out the last wishes of the Rulers, in matters of great importance, as being the record of opinion of one who knew best, and who has ruled well, and deserves on that account to be respected.

(b) Matters affecting the better administration of States:—

(1) Employment of foreigners—as experts in professions—useful to the States and the Ruler.

(2) Supply of up-to-date arms and weapons to the State Police.

(3) Providing the States with lands in British territory,

by acquisition for projects that must pass through that territory, in the same way as the States do, in the case of Government projects.

(4) Purchase of residential quarters in British territory. The reasons for recognition of the above claims on behalf of the Rulers and their States are given below:—

- (a) (1) Government are doubtless fully aware that the present List of Rank and Precedence of Rulers is not satisfactory. Doubtless there are difficult points which confronts Government, for special reasons, in making it satisfactory in every respect. But one consideration must be admitted to be all-important. It would be unjust to treat unfairly such Princes and Chiefs as have *complete internal Sovereignty* in their States by virtue of their treaties; when the memorable words of Her Imperial Majesty the good old Queen, Empress Victoria, are remembered. These words in her famous Proclamation of 1858 are: "We shall respect the rights, dignity and honour of the Native States as our own."

On this subject Grand Duff's history of the Maharattas Vol. III. page 193, gives a general idea of classification as at present adopted. It is that "The old Mankaris or Native Chiefs from the earliest times of the Maharattas go in the first class. The old aristocracy of Shivaji and his descendants into the second class, and the third seems to consist of those that were raised by the Peshwas." That is a list by *anciency* of the aristocratic Status. No other consideration, however important, attaches to it. That list was made years ago. No one appears to have ventured to revise it, so far. No distinction of merit or service to the Sovereign at the time, figures in it. That would require a careful in-

vestigation into the history of each State. Perhaps no such investigation was thought necessary hitherto. Rulers, who may have rendered exceptionally meritorious service both to the previous Sovereigns as well as to the British Government, and which may have been acknowledged with high praise, have suffered; as the usual reply to any representation would be answered by the assertion that that is a matter entirely within the choice and grace of the Paramount Power. Such a reply would be scarcely consistent with the High sense of justice good faith and propriety on the part of the British Government, in their relations with the Princes, so much respected otherwise—for good faith, justice and propriety are necessary in the matter of treatment of the Princes and Chiefs, who are looked upon as a powerful unit of the Empire; and an equitable treatment in the matter of rank and precedence is the essence of the elements that keep up the feelings of devoted loyalty to the Crown. It is an index of the sense of recognition and encouragement of merit and Grace from the Throne. It follows it would be only fair and just to vouchsafe to the Princes and Chiefs a proper place of rank to those that deserve it, in the opinion and judgment of Government. For the present, the Rank and Precedence List remains in its antiquated condition. That is the complaint often heard from Princes. The Patwardhans of the Southern Maratha Country, Jath Dafles with an old Bijapur Jahagir, attached to the old Satara Jahagirs by the British Government, the Chief of Ramdurg in the Karnatic and others, quite neglected, may be mentioned among the sufferers. The case of the Patwardhans especially is unfortunate; looking to its past history, recently discovered. In 1791, a Secret Treaty of Agreement is said to have taken place with the Patwardhans for the most signal services which they and their Commander-in-Chief the famous Parasharambhau Saheb Patwardhan rendered to the British Government in the Great Mysore Wars. There is a historical record of these services. The Treaty referred to is said to contain the most solemn pledges of eternal friendship.

They were declared to be friends like brothers, of which fact the British Government is said to have expressed pride so long as their Government was in London. History shows that they have helped the British Government to establish their power in the South, in the S. M. C. and in Central India. Now that old history has come to light it would behove Government to restore them to their proper position again.

Yet in the Rank and Precedence List, complete internal sovereignty and not only the magnitude and extent of a Jahagir, but the character of the relative position, showing the relations of the Princes and Chiefs with the Paramount Power, present and old, in their respective share in building up the Empire, do not seem to have been considered. It would appear that even the long-standing enemies of the Peshwas, who have very shrewdly joined the British, immediately hostilities were declared by the English against the Peshwa (page 492, Vol. III, Grand Duff's history of the Marattas) have on that account, only occupied higher places in the list. History would conclusively prove the claim for a just and rightful place for the Patwardhans, who have been the greatest friends and allies of the British Government. Because it was thought proper to keep the Satara Chhatrapati-ship intact, the older Jahagirs, including Jath in that District were kept as attached to that Royal family, though they belong to the older Mohamedan Kingdom; and not the creations of Shivaji or his successors; but that does not suffice to treat Jath, as a vassal of the Satara House. That State, however, has been practically treated that way; but the real character of that State should have placed Jath in the First Class; the same is the case with Ramdurg, which State dates from the ancient Mohamedan period as in the case of Mudhol. The Hon'ble Hount Stuart Elphinstone states that Mudhol and Ramdurg are of equal status. While Mudhol has to pay a tribute for service, Ramdurg, not being a service Jahagir, has to

pay no such tribute, and ought to be considered even superior to Mudhol. This having not been represented, Ramdurg remains absolutely neglected. The above are only a few among many instances which have not received the proper attention to their history as they deserve.

As regards (a) (2), in the preceding paragraph, the British Government are in a much better position to understand the sentiment underlying such a power of a Ruling Prince. In it there are the elements of sound policy of rewarding exceptionally meritorious services, by small hereditary grants of Inam lands; and of a personal factor of a high dignity which appeals to the people as well as to the Ruler himself. They do not affect materially the State property and, in fact, render to the Government greater strength and dignity. It will be conceded, after a patient thought, that the Indian tradition of creating grateful services in the States, has after all proved a very sound policy, which proves its superiority to a temporary paid service. Recognition of meritorious public service of a rare description has its own advantages, when that recognition takes the form of such small gifts. It is true that the treaties do not distinctly prohibit the exercise of such prerogative. But there was a time when political officers in power during the first few years of the British Regime have actually issued prohibiting instructions to the Rulers in certain cases; and they are still in force. Government may be asked to set them aside, with the necessary advice of a correct policy for such Rulers.

The subject matter touched in (a) (3) above is no less important than the above. Indeed the occasions for wills of special character are few and far between; and where they are dictated by recorded sound reasons, they would be seldom disregarded. But it would be only right as a general safeguard, for the protection of all just interests to lay down general principles which should guide the Rulers in recording their wills, which

should ensure full respect for the last wishes expressed by a Ruler, as one who knew propriety and justice in the peculiar circumstances of each case. If common wills of ordinary men are respected, there is all the more reason for respecting the wills of Rulers.

There is another grave question of the provision for sons of Rulers, who cannot succeed to the Gadi. In this respect the ideas of the West differ from those of the East. After everything is said and done, the fact remains that they must be provided for in a manner suitable to their position as scions of a Ruling family. They must get a suitable education to befit them to a life of public service within or much better without the State, especially in the Military line. Such a fine manhood is being wasted by the Crown. The question is very important. If good use is made of these young noble youths, the link between the Crown and the Rulers would be strengthened. The provision should doubtless be in proportion to the resources of the State.

In the older Indian Dynasties of Ruling families there was moderation in the limit of issues, a result of sound restraints. On the other hand, we have seen a repeated necessity of an adoption. The latter feature presents no difficulties of a serious nature. But in the case of a Ruler having several sons the general voice of the Chamber of Princes may be taken with a view to evolve some principles which should generally guide a suitable provision for such scions, on the lines indicated above. These sons of Rulers should never be compelled to feel that they are a burden to the State and to themselves.

In this connection comes also the question of the propriety of the rule laid down that the Jahagir States, which are Saranjams in character, and yet whose Chiefs by virtue of their Treaties possess powers of full hereditary internal Sovereignty, should be considered to have lapsed, immediately on the Ruler's

death; even when he has left a son as his direct and natural heir. There seems to be little propriety in that Rule, at least in the present times and having regard to the law of Succession of Hereditary Rulers among Hindus and Mohemedans. There is nothing in the Treaty terms, which should justify such a rule. Indeed the rule is directly against those terms. The Bombay Government have issued it, without consulting the States, and without any authority for them to do so, in the same manner as they issued the Rules on the subject of the Controlling Jurisdiction of Government which they subsequently withdrew. The Rule now in question is stultifying to the dignity of the Crown in whose name the Treaties were concluded. That Rule deserves to be abolished. In the same way, the issue of a fresh Sanad to each new Ruler becomes needless and may be discontinued.

The political officers repeatedly question the authority of the Rulers of the State over their *Kadim* Saranjamdars and Inamdars. The internal Sovereignty of the Ruler gives him all the rights of the Paramount Power, in respect of such holders. The dues from them to the Government would properly, by right, go to the State. The right to inquire into and settle their succession belongs to the State. The succession Nazar due should, therefore, go to the State. Yet the political officers question the right of the Ruler to levy the Nazar. Though this Nazarana is even to-day being levied by the British Government on such classes of Inamdars in British Districts. Yet the political officers urge that as Government have abolished the old Nazar on the succession of Rulers, the latter should not levy the same from the Kadim Inamdars, though there is no analogy between the two classes, for what was given by the Treaty cannot be taken away by Executive orders of political officers; and Chiefs have Sovereign powers within the States.

MINORITIES.

- (1) Administration of the State during Minority.

(2) Care of Minor Rulers;

(3) Their Education and training.

When a Ruler dies leaving as his next heir to his Gadi, a minor two important duties fall on Government. The Administration of the State and the up-bringing of the Minor Prince. Government take up the Administration and carry it on, refraining from making any change in the existing arrangements and methods. No new burdens are created; nor new responsibilities incurred for the State. The method of Administration is often by the appointment of a Political British Officer to conduct it;—and sometimes by appointing a Council of Administrations, presided over by the Rance of the deceased Ruler as Regent;—if she is found fit and willing. The Council works under the watchful guidance of the Political Officer. That system seems sound.

As regards the care of the Minor, until he is of age, fit to be educated, the guardianship is entrusted to his mother, if she is living; and that is the best thing to do. In the question of the suitability of an allowance, it should be more according to the wishes of the lady in consultation with the Political Officer.

But the question of guardianship of the minor, when he reaches the age of fitness for education, becomes all important. Under any circumstances the greatest care has to be taken to keep his mother with him wherever he is educated. Great care has to be taken in selecting his servants and immediate surroundings. The necessity of maintaining the traditional home life, and his religious and moral training, cannot be over rated. The secular training must combine the best of the old traditions of the House and the best of the new. His nationality must be maintained completely pure. The ancient traits of the House must be developed—and for that purpose a proper selection of his Tutors is a high responsibility. The minor must be trained to respect old institutions. The old type has its own value. The history and tradition of the

house must be a part of his education. This includes manliness, chivalry, all respect for truth and justice, a complete sense of his position as a Ruler and of his duties and responsibilities in that respect towards his people and the State; the strongest common-sense must be developed in him; he must be constantly made aware of all these needs and of his duties of loyalty to the Crown and to God—including those to his neighbours.

THE CHAMBER OF PRINCES.

The constitution of the Chamber of Princes is not satisfactory. Even Princes who have the rights of a complete internal Sovereignty, are excluded,—and Princes who happen to get the honor of a salute but without internal Sovereignty are members. The rule should be that all Princes having such Sovereignty rights should be Members. The result of the present system is that, it is all a Majority of the Northern Princes. That requires to be changed. The Chamber might with advantage be converted into a Commonwealth of Indian States (*vide* App. A.) Its Standing Committee should have Members representing each territorial division—so that there should be no unrepresented minority. The Sovereignty of the Princes may be complete or Quasi.

There is another point not mentioned above affecting the dignity of the Rulers, who have been honoured with a salute of guns as a mark of respect. In this respect, the current report is that the cost incurred in firing the Salute has to be paid by the Rulers honoured. There is evidently some mistake in this practice, if it exists, and perhaps is the result of some official routine, if the report has any truth. Government may not be aware of it at all. It would be only right to take steps to abolish the practice if it exists, which takes away all the dignity that the Salutes give.

The last but not the least in importance is a question extremely serious as it is sentimental, touching the dignity of a deceas-

ed Ruler leaving a widow behind him. Some times she has no issue to her—but an adopted or a step-son from the Ruler's previous Rance. The Ruler dies all of a sudden and leaves no will. The son succeeds his father—, and naturally has no sense of love and respect for memory due to his father as regards his duty to the unfortunate Lady. A small allowance which he calls "Nemnook" is allowed to her. Some times she is deprived of all her personal property. In such a case, it is very important that the Paramount power should take the place and full responsibility of the deceased Ruler,—and should deal with the case of her position and dignity in the same way as the latter would have done. It should be reasonable to remember that during her husband's life time, she shares with him all the dignity and honor of a Rance, and, yet, immediately after his death, she is left to the uncontrolled *will* of her adopted or step-son who succeeds to the *Gadi*. The Paramount Power would be doing the wisest thing to try to understand the position and feelings of a lady in such circumstances. She is crushed under a double blow—from God above and from man below,—a young man, in the position of the New Ruler, who is expected to be an example to his subjects, both in his domestic and public life! The bereavement of her lord makes her a widow; his death is his natural fate; yet it deprives her of all the comforts and happiness of her entire future life; and in such a condition, she has the sympathy of one and all, *except her adopted or step-son!* He some times happens to be in the grip of improper influences, and is induced to take leave of all farsight, propriety, discretion, and respect for the dignity of his own natural father; and why? because he seems to think that he has the power of acting any way he personally likes! While the old Ruling Chief lived, she shared with him all his best; she was his life companion, a loving and beloved Rance; and though she cannot, in the course of nature be the same after his lamented death, does she not require to be comforted by doing everything else to keep her in a position of dignity, that should and could be made available for

her, by the State and its Ruler? and can she not be spared the actual indignities of a flat refusal to see her in her proper dignity? Should the new Ruler, an adopted or step-son be able to heap on her indignities, never offered by even a reasonable commoner under such circumstances, who is always careful to abide by the common social rules of domestic life? A full sense of justice and propriety should have to be kept in dealing with the lot of such a lady; and if that is not done, by the new Ruler, it behoves the Paramount Power with its protecting hand, having a responsibility to use it, to do the needful; and not to leave the matter in disregard, to the pleasure of the New Ruler,—on the mere plea of its being a domestic question. A little thought would convince the Paramount Power that it is not merely a Domestic Question. As a matter of fact, it involves the preservation of the dignity and honor of the departed Ruler; and the need for a good name of his successor and his character and capacity to rule well—, if duties due to the bereft Lady of a reigning family are neglected, and if actually indignities are shown, to her—, it becomes all the more imperatively necessary to guard against it. If Government respected him during his life time, it follows they would not tolerate disrespect to him after his death. That is due to him and to his lady both, from their son, and if in any case, he fails, certainly from the protecting hand of the Paramount Power. Viewed in such a light, the matter loses its character as “a Domestic and delicate Question”. The question is one of general application of good Government and discipline and common courtsy and respect, certainly due to the memory of the deceased Ruler.

That such an ungoverned feature, in a Ruling Prince, should be allowed to be sheltered and shelved in the character of the question being one of ‘a delicate domestic one’ under the British Powerful *Protection*, would seem to be extraordinary and passes the imagination of the ordinary human common sense. Historically the British Paramount Power is a champion of womanhood

under such circumstances, in the character universally known of the old famous John Bull. History describes him as one "whose spirit is as tall and as gallant as ever"; and who is well known as "a good hearted and a good tempered gentleman at bottom; who thinks not merely for himself, but all the country round; and is most generously disposed to be the champion of justice and Faith". Cannot the British Paramount Power, whose soul throbs with such high class sense, sensibility and sentiment, think of doing its simple but noble and paternal duty of helping an unfortunate Lady of the Family of a Ruling House in that predicament in the same way as His Most Excellent and Gracious Majesty and the British Parliament is doing towards the most Noble Dowager Queen Empress?

There is the utmost need for Government interposition in such cases, where they occur, with all sagacity and statesmanship, required to set matters right, at the proper time. It is a question of good Government, with a moral of the highest importance.

Turning to Cl. b (1). The question of employing foreigners has now lost all its old importance. The Political feature of the caution is gone. There will be no difficulty for Government to abolish the prohibition altogether.

Cl. b (2) raises the question of supplying up-to-date weapons to the State Police, required for its armed strength. This is required for protection of internal peace, watch and ward and prevention of crime within State limits. The *reasonable* requisitions of the States ought to be complied with at the cost of the States. They have also to help the British Police when concerted action on a large scale is necessary. It is only a question of protection of the internal Government of each State, and especially in the cases of armed dacoities, the necessity happens to be all the more serious —, as the dacoits manage to be possessed of quite up-to-date weapons.

The claim would appear to be only reasonable having regard to the terms of the treaty; and the whole responsibility having been undertaken by Government.

Cl. b (3). It is only on rare occasions that states are able to provide for large projects of public productive or unproductive works. But when such projects involve the necessity of taking up lands from within British territory, Government will not make any difficulties in the matter; the State undertaking the same liabilities as they desire Government to do for their own works.

SECTION VIII.

CONCLUSION.

128. This note on the question of the Relative Position and Status of the Rulers of the Indian States at present as regards their Sovereignty in the Internal Government, within their States; their constitutional relations with the Paramount Power of Great Britain, and the financial relations with the future Government of India has so far dealt with the salient features of the questions raised. The genesis of the Butler Committee has been explained. The points of reference made to it and laid down by the Government for inquiry have been stated. A reference has been made to the sources of information bearing on them. The Authorities distinctly laying down the effect of the Treaties and Engagements, and Sanada and Usage, as between the British Government and the Indian States have been quoted;—all and each of them, proving conclusively the existence of direct relations of the Ruling Princes with the Crown alone, and having no political relations with the Government of British India,—except as her good friends and neighbours and powerful units of the great Commonwealth of the British Empire.

129. Against such a position, the Indian Political Leaders have raised certain arguments, designed to argue that the Indian States are subordinate to the Government of British India. These arguments have been stated. There is a long list of these. An attempt has been made to show that they are all groundless. The sacred character of the Treaties, etc., has been questioned by the Indian Leaders. Their arguments have been shown to be inconsistent with reason, equity or Political law.

130. The persistant efforts of the foremost leaders of thought among the Indian Reformers to induce the people of the Indian

States, to raise a non-violent revolt against their Rulers has been referred to. Their un wisdom in such preachings and want of good statesmanship,—in this case unfortunately in some of the first rate Indian Statesman,—has been shown with reasons that appeared only fair.

131. The difficulties in the way of the Indian States, which lie scattered and isolated, in making a common cause against improper and unrighteous attempts on the traditionally old, sacred and therefore, continuously respected institutions of the Indian States, have been enumerated; and, what seems to be an efficient solution for them, has been suggested. The groundlessness of the uneasing suspicions in the minds of the Princes, caused by what they are persuaded to believe "Political Practices" and created Usages, policies or decisions, introduced for administrative convenience of the Government of British India, in connection with the Imperial Interests of the British Nation—though there is nothing of a political nature in them and though they are merely "Conventions", has been explained. It has been also shown how these conventions ought to be looked upon; as liable to be changed, altered, modified or abolished, when they seem to clash against the interests of the Indian States financially, economically or otherwise.

132. The questionnaire issued by the Committee of Inquiry has been quoted. The points raised therein have been discussed, with a view to enable the Princes to make out a statement of their case on the points raised in the questionnaire. Points where the conventions require adjustment have been noticed. Special attention has been drawn to the need of an explicit provision of a safety clause, and remedies for the protection of the interests of the States, from a contingent unfriendly attitude of the would be new Government of India, have been suggested. The most earnest attention of Government has been invited to the extremely pathetic case of the Patwardhans who have been very unjustly treated,

through a very unfortunate oversight which it is easy to set right.

The motives which have led the Indian Leaders to fall foul of the Indian States, have been shown to be the result of trepidations caused in them by the terror at the threats held out by a strong but small political party in England, who are against the grant of complete Self-Government to India. The impropriety of giving undue weight to the utterances of these political leaders on the part of the Princes and their failure to realise the situation has been explained. Similarly on the part of the Indian Leaders the same impropriety of giving undue weight to the above threats, and their failure to realise the situation as regards the correct requirements of a suitable constitution for India on a proper basis fit for the people of India has also been explained. Their inability so far to understand the condition and requirements of the people and work out a tri-lateral scheme for the Government of the rural parts, the urban parts and general one for both, has been pointed out. Further, the impropriety in such a state of things of pressing the people of the Indian States to throw off the rule of the Princes and join the people of British India in a condition of chaos and confusion, has been explained. The question whether even the people of British India are fit to govern themselves under a constitution framed on Western lines, when some of the greatest statesmen of the time assert that Democracy has as yet no where been successful, and when good old Dame Nature even does not supply an example to copy,—has been discussed and the indiscretion of an attempt on the part of the Indian Reformers, when they themselves have no idea of a real Democracy workable, to cry down old existing institutions, has been pointed out. It is not possible that their exhortations would be effective. The people of the Indian States will not be wanting in judgment. The old maxim that "Once a Native State always a Native State", stands firm in the ethics of Political Philosophy of the British Empire. The most urgent step needed, however, for the Indian States to take, appears to be, their consolidation in a firm com-

monwealth of the United States of India, with a common Council as its executive or working body (*vide* Appendix "A") and they cannot do it, a day too soon.

THE EPILOGUE.

A very interesting Drama has been introduced by the British Government, on the Political Stage of India. An uncommon phenomenon has been ushered. It is "An Experiment" of a Constitutional Change in the form of Government. It is bold but sincere in its conception, as well as in its design, in the form of "Self-Government" for British India. It would be on lines, the form of which has been left freely to the will and decision of her people;—to take shape in accordance with the foundation they would lay down: on the basis of popular Representation, if they like. Such a gift has been offered as a gracious and grateful reward to them. The gift is to come by instalments. The first instalment was hailed by the people's Leaders with joy and satisfaction. But the pleasures of the very first course of the Banquet were disturbed by untoward events. There was dismay and resentment. A request from high and noble quarters to Indian Leaders to forget and forgive attempted to pacify. But high passion created a sense of vanity and non-co-operation and sulking were displayed as signs of resentment by the Indian Leaders. The British Government know how to be cool and patient. This has increased the impatience of the Indian Leaders. Government have now sent a Feeler in the form of a Royal Commission to see what further instalment could be given. This Commission does not include an Indian. The Leaders have got enraged at thus being excluded and defiantly claim a full and complete Self-Government forthwith! They threaten the British Government with dire consequences of non-compliance with their demand. Their performance at this stage is amusing. They are in high passion, regardless of their own powers and those of Government. The world as spectators is watching the performance with interest.

In such an attitude of the Reformers, lo ! There descends an apparition of a bolt from the Blue ! A strong English political party hurl a serious threat at the Indian Leaders ; they point out that, so long as there are Indian States on the map of India a complete Self-Government for her is an impossible proposition ! That produces a consternation among the Indian Leaders. The whole episode here becomes extremely amusing. The Reformers grow more unbalanced. A false sense of terror, created by this threat seizes them. They are unable to judge the meaning of that threat nor to gauge its strength. They do not know that it is a hoax in the face of the famous Proclamation of 1917 and the Parliamentary Act of Reforms of 1919, promising definitely a complete Self-Government to British India. They decide, believing in the threat, to wipe away the States, and for that purpose hesitate not to raise a revolt, a non-violent one—among the people of the States, to induce them to demand from the Princes a surrender of their powers of Government to them, holding out to them, high and tempting hopes of a free Government by the people. On the other hand, they demand of the British Government, the transfer to the new Government of India, the powers of the British Government of protection and control over the Native States with all their other rights and powers in that connection. For that purpose, they have used various arguments all of which will perhaps be examined by the Commission.

2. This move on the part of the Indian Reformers has created a stir among the Indian Princes and their Chamber. They too are afraid of the consequences of this agitation ; as among the Indian Reformers, there are statesmen of high rank and attainments. They find that their treaties with Government are belittled, and looked upon as antiquated documents and no longer sacrosanct. They find that the British Government, too, have hitherto created political practices, inconsistent with the spirit of the treaties and if British India gets self-governing powers

there would be further difficulties, threatening their own internal sovereignty. They therefore approach the Government of India, for an authoritative inquiry and declaration of their status, powers and position together with their rights and obligations, constitutionally and politically, with the Paramount Power; and as independent of the Government of British India. The British Government are perfectly aware of the correct position of the Indian States, of British Indian Government, and of the Imperial Government. But as the Princes are insistent in their request for an inquiry they have appointed a Committee for the purpose. The Royal Commission and the Butler Committee will know how to act and will deal with the two fighting elements, the Indian Leaders on the one hand, and the Indian States, on the other. The actors will play their parts. The world will watch the progress of events.

3. But very interesting points emerge from what has so far taken place. The whole storm has been raised by misunderstandings on the part of both; the British Government occupying a silent neutral position. It promises to turn out perhaps, a very interesting "Commedy of Errors" and only "A Storm in a Tea Cup"!

There is not much desire of a Catholic Spirit of Philanthropy among the Indian Reformers sincerely to do good to the people of Indian States. As for the Princes, the reformers are out to destroy the very institution of the Indian States; for what they pretend to show to be the greatest good of the greatest number. The real desire in the heart of their hearts is, is to secure a name for themselves in history, of having succeeded, as great pioneers of liberty for India, in securing complete powers of self-government for her. For that purpose they would be ready, needlessly, to sacrifice in their overzeal, any thing, any intsitution, any sacred or high personality that may in their false belief be an obstacle in their way. Let the British Government assure them that British India shall have complete self-government on certain

conditions; and assure them for that purpose, that the existence of the Indian States, side by side shall be no bar to it; and all their struggles and their agitation in this respect will cease. Similarly let them tell the Princes that their position is independent and safe, as being in direct relations with the Crown only; and their financial and economical relations which are their only relations with the British Indian Government, shall be equitably adjusted; and then they too would cease all their tribulations, and cease all their activities, and turn their severest attention towards improving their own administration satisfactorily.

5. A tri-lateral sound scheme for self-government under the Crown will evolve; suitable to the (a) the rural classes, who form the majority of the population, (b) to the urban classes with all minorities and (c) for the general interests of the whole population of British India. For the Indian States a special reward for their special services and those of their people and as oldest friends of the British Government in India, will be awaited, in addition to the recognition of their independent sovereignty under the guidance and protection of the Crown, as it exists to-day; which may be reaffirmed; all help sought for by them, may be given in all sincerity for effecting a satisfactory improvement of their internal administration to the satisfaction of their people and guaranteed by making reasonable adjustments of their losses of their revenues due to indirect taxation. The States will unite and will found a Commonwealth of the United States of India and be and remain as such a powerful unit of the Empire. If these hopes are realised the "Comedy of Errors" will end; errors will be recognised, and corrected; and "All is well that ends well."

6. Another important point which strikes the observer a somewhat perplexing to his mind is, if, as observed by His Excellency the present Noble Viceroy, in his speech referred to, in para. 76 (3), "at the root" of the Reforms, lies the question of the

average political sense of a wide electorate; and that an educated electorate, is the basis of Democracy; that without this, politics would be in the hands of a small class, that is an Oligarchy of the *intelligentia*, and the leaders of political *thought*; and that it must be rested on a *broad-based popular judgment*; otherwise, it is insecurely poised on an inverted apex," would it not be considered then, that these Reforms are a day too soon introduced? It is a notorious fact that, such an electorate as is required, does not exist in India at present, at least in the major part of India. It is a universal principle that, "the State must *follow*, and *not lead* the character and progress of the citizens," and that "Government is the expression of what cultivation exists in the population, which permits it. So much *life*, as it has in the character of living men, is its force" (*vide* Appendix D). Again, "Government and Legislation are matters of reason and judgment, and not of inclination; and what sort of reason is that in which determination preceeds discussion with the people concerned? It is necessary to unite circumspection with vigour; and then alone, there is no danger of its landing in over-zeal. But it is extremely difficult; the widespread interests must be considered, and must be compared, and must be reconciled, if possible. We are members of a Society, wishing freedom for the country; and surely we all know that the machine to be set up of a free constitution is no simple thing; but it is as intricate and as delicate, as it is valuable," (Edmund Burke—para 26 (12)).

What perplexes one to think is, why the British Government leaves it to the people of India, to lay down their own foundation of their own constitution to be approved by them unanimously or by the majority, in the absence of an educated electorate. Have Government found them to be able to do so unaided by Government? Where leaders of political thought have taken years to think over it and have yet failed to draft a constitution do Government expect the illiterate millions to do it? But a broad-based and educated electorate has yet to be created; and knowing

as Government do, that none such exists, and the Indian political leaders have found it a most difficult work in the absence of the necessary knowledge and practical experience of the conditions of the people, why is it that Government do not yet seem to think it necessary to assist the people in that work, through their Executive District Officers, by finding out,

- (a) what idea the masses have of a Self-Government;
- (b) if it is found that they do not possess any, are they willing and ready to be trained in any sound ideas and principles; (c) are they fit for such ideas and in that case, and if they are so willing, such an idea would require to be given a shape; and, with an experience intimately gained by Government, of the wants of the people, during more than a century of their rule, what should be the form of a constitution, suitable and necessary for them, which they would like to have introduced.

Such and like inquiries, made through the Executive, in full sympathy for the future well-being of the country and its people, will go a long way, as a practical proof of the best and most gracious motives of His Most Excellent Majesty and His Government when such inquiries attain a satisfactory fruition. That would be, it appears, a far wiser course to adopt than to leave the matter entirely to the Indian political leaders alone. The collation of such results of such inquiries would be of immense use both to Government as well as to the people together with the Indian political leaders; as a help to both in the work of thinking out jointly what should be done to arrive at a sound decision. Government are in a far better position to make the enquiries and create a broad-based educated electorate than the Indian Political Leaders alone; who in their present mood are too proud to ask Government to help them. But in the matter of the welfare of the masses, for whom the Reforms are admittedly introduced,

including all interests, there seems to be no wisdom, either in holding back from any active step in this important question or leaving it to the inexperienced hands of the Indian Politicians, who, as appears to be the case, would build from the top, instead of from the bottom; where, the real foundations of a sound constitution of Self-Government must be laid.

Clearly, the Indian Political Leaders are still under the delusion that any scheme of a constitution, which they will prepare with the approval of all *Parties* in Conference, must be accepted by Parliament; but *Parties* (*vide* App. D) are not the people. The Leaders hardly believe that the scheme must be accepted by the people unanimously or by the majority. The sanction of the Party Leaders is certainly no index of its acceptance intelligently by the people; and to educate the electorate on a broad base to enable them to appreciate any such scheme would be a work of years; if undertaken by the Leaders alone. Even if they undertake it, it is doubtful whether they would succeed. The Government can do it much better and more easily than the leaders; for people have faith in Government. When the lines of education of an electorate are settled in consultation with the Indian Leaders and, if Government have a sincere desire as they certainly have, that India should be a self-governing nation, it would be better, for all interests concerned for Government to share the work of educating the electorate if possible. Else if Government stand aloof that would produce a room for misunderstanding of the motives of Government, to the Indian Leaders. When Government is out to grant Self-Government to the people of India, it is a necessary corollary that Government should make it their duty to educate the electorate and not leave the matter to irresponsible hands. The Leaders have no influence with the masses at least in the rural parts which is by far the largest majority. The Reforms would practically remain where they are and in the present condition only; which is none too happy; and the Royal

grace of the Reforms will hardly reach those for whom it is intended.

Happily the people of the Indian States are quite free from these anxieties; and one would devoutly wish that they should remain so for ever, in their little Monarchical Constitution with all improvements gradually made by their Rulers.

APPENDIX A.

A proposed draft Scheme, for the Constitution of the Commonwealth of the United States of India.

The immediate need for such a constitution and its expediency, at the present juncture, appears to be clear. For "Unity is strength." A desire for it is bound to arise especially during the present times; when His Excellency the Most Noble Viceroy, has brought forward the question of the future relations of the Indian States with the future Government of India, at their instance.

2. Very opportunely the Right Hon'ble Mr. J. Ramsay Macdonald has recently written an important article on "A United States of Europe" (Times of India, 8th September 1927). His suggestions therein relate to Europe. But they are indeed valuable, in many respects, to the Indian States at present.

3. From it the following important points are put forth:—

- (a) A United Indian States shall perforce be an ideal for Indian States, including their Princes and people; not for peace only, but also for happy and peaceful relations—
as between the States themselves
with the coming New Government of India, and
with the Imperial Government.

NOTE.—Indeed, during the palmy days of the height of power of the Maratha Empire, there was a sort of United States of India, for some time. It was a Federation, loyal to the common Maratha Empire; and each State had full powers of internal Government, yet ready to fight for the maintenance of the power and dignity of that Empire. But as that Empire began its downward course, the Federation gradually fell off from its trunk; and eventually became extinct.

The causes that brought about this destruction are matters of History. After the fall of the Peshwa's Government the British Government succeeded; and the separate Treaties with the individual States pulled the Federation to pieces. The reasons which compelled the British Government to adopt this policy then, no longer exist. The times have altered; so have the circumstances; and the situation is changed. The British power has been established for good; though

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the people of British India are going to obtain Self-Government within the Empire. Further, there are no grounds for fear of its disturbance from within.

- (b) Yet questions are bound to arise between the States and British India, affecting the interests of the States.
- (c) The evolution and development of the Empire and its maintenance on firm grounds have made it necessary now to strengthen each component part on solid foundations, for the well-being of the whole Empire, as well of its different parts. The Indian States form an important part of that Empire. Their union, therefore, on common grounds will mean "A United States of India." It would mean strength to themselves and an accession of their united strength to the British Empire; and God willing, for indissoluble friendship between the States and British India.

4. Mr. Macdonald has traced the history of the idea of United States of Europe from ancient days since 1519 A.D. He finds the basis of unity as being a spirit of humaneness rather than political agreements. Thereafter he finds the object of such unity to be—

- (a) to discuss different interests;
- (b) to pacify quarrels;
- (c) to throw light on and to oversee the civil, political and religious affairs; and
- (d) arrange for a common army and common Navy. Later on the idea included general arbitration, settling all questions, guaranteeing the security of each State and securing a common action against the State who would break the compact; and last, to found the commonwealth of Europe. From the idea of federation in juridical relations with each other, sprang up a common court of International Judicature. The present League of Nations is practically the result of all these attempts at Unity.

5. Mr. Macdonald treats all these as antiquated and fit only for a time of simple architectural thought. That may be so for Europe; but for the Indian States there is sufficient material in these suggestions, in their first attempt to develop the idea of founding the 'United States of India.'

(a) The spirit of humaneness contains a principle, not only not objectionable but such as would be recognised as the very first foundation of Unity. That means avoiding all sorts of quarrels.

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That means security of peace for the human race committed to the charge of the Rulers of the Indian States.

(b) The following principles can be adopted for the proposed Commonwealth of the United States of India with a few modifications and alterations:—

- (1) a discussion of common interests, and even particular interests, as between any two or more States;
- (2) arbitration or pacifying disputes;
- (3) to guide and advise,—and for that purpose to throw light on or to oversee the Civil, the political and other affairs of the United States as a whole; and,
- (4) to found a Commonwealth of the United States of India.

6. What Mr. Macdonald has himself to offer as his own suggestions will be seen from the following. He lays down certain cardinal principles, not found in the above. These are given below:—

- (a) *Non-interference* in the *internal* affairs of any State.
- (b) The Nationality of any individual State, however should not be a nuisance to any other State. That is Self-Government rightly understood;
- (c) The United States shall, therefore, be not a Federation with a common Parliament, but a common Council for common purposes of the States. The Self-Government of each State must be left to itself; and must be placed beyond dispute;
- (d) The Common Council of such United States will deal only—
 - (1) with the external relations, and not internal questions, and
 - (2) any disputes arising between any two or more States, as a Board of Conciliation and Arbitration; and
- (e) it should make it its duty to vindicate the existing independence of the States.

7. These principles are undoubtedly sound and extremely suitable for adoption by the Indian States for their new constitution.

8. Summing up the principles above enumerated we get the following: it provides an efficient key to the solution of the problem raised by His Excellency.

- (1) There should be a Common Council of the United States of India; in which each major sub-division should be represented.

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- (2) The basic principles, on which it should work, shall be—
a spirit of justice ; peace and humanity for the common good of all States with their subjects ; and, in full harmony with the spirit of perfect loyalty to the British Crown and of sincere friendship between individual States : and constant readiness to be friends with the Government of British India.
- (3) The constituent States shall form the Commonwealth of the United States of India.
- (4) A strict policy of non-interference in the internal affairs of each State shall be maintained.
- (5) Each constituent State will be at full liberty to maintain its own Nationality. This means the full right of each Prince or Chief to do, as he and his people desire to do with its own destiny ; receiving light and advice from the Common Council as occasion requires. But it does not mean that it can be a nuisance to others. The aim of such Nationality should be the happiness, peace and prosperity of its people. That in effect, is self-Government, under the protection of the Rulers and the Crown.
- (6) The “ United States of India ” shall therefore, not be a Federation, with a common Parliament. It shall be only a Common Council, for the purposes herein mentioned. The Self-Government of each State shall remain beyond dispute. It will deal only with external questions and not with the internal affairs. It shall deal with any dispute as between individual States, and with questions of common interest ; and, with such special questions as may arise, as between a State and the Paramount Power and British India, or later on with the New Government of British India. It shall be the duty of the Council to vindicate the independence of its constituent States.
- (7) Subject to the above mentioned principles, the Common Council of the “ United States of India ” shall have the power of :—
 - (a) discussion of (1) all questions of common interests as well as special interest as between the constituent States, (2) as between the States and the Government of British India, and, (3) interests between a State and the British Crown ;
 - (b) *arbitration* or settling of disputes of the nature above described between the States, and *negotiation* with

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a view to settlement of questions referred to in (a) (2) and (a) (3);

- (c) throwing light on all general questions arising in the United States; and also on any question in any particular State; and overseeing, *at the special request of that State*, such questions or matters of civil, political or of any other important character, as may be brought to the notice of the Council.

9. The above leaves the important question of the constitution of the Commonwealth of the United States of India and of its Common Council. The following suggestions in that respect are offered —

- (a) "The United States of India" should consist of Rulers as members, as are, by virtue of the terms of their treaties, recognised as (1) possessing full sovereign or quasi-sovereign rights over their States and (2) with Rulers exercising all executive and Legislative powers and (3) with full protection from the Crown from external and internal troubles and an obligation on the States of loyalty to the Crown and to help the British Government in times of need.
- (b) Thus constituted "The United States of India" shall form their common working council. These members shall elect the Chancellor, Vice-Chancellor and Secretaries. The Common Working Council will frame Rules for the conduct of its business subject to the approval of the General Body. The Viceroy will be the Ex-officio President. The working Common Council shall be representative of all territorial divisions.

10. Such a Common Council of the United States of India will at the same time be wise to obtain from the Imperial Government the help of the best experienced and tactful English Political Officers, for advice and guidance. This would be found to be especially expedient, when the present British India will be given full powers of Self-Government. Such help would be of immense value and influence in the negotiation and settlement of questions that may crop up, as they are bound to crop up, by the inter-relations between the United States of India and the new Government of British India. It will also be of an incalculable value in the settlement of questions between the Imperial Government and the Indian States. The advent of such a strength to the Council will advance the cause of real interests of justice and liberty, as it will be able to protect existing rights and interests of the States from unjust and improper interference.

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11. The benefits from such a Commonwealth of the United States of India would be incalculable. The present Chamber of Princes must doubtless be doing a good deal in this direction. But they may not search in vain in the above Memorandum for something that is bound to be useful and advantageous to the vital interests of the Indian States, and with that view, and with a view that they would be able thus to maintain in full vigour, the great link between them and the Imperial Government, it is, that this humble note of suggestions has been drawn up; and in this I feel deeply indebted to the very valuable contribution from the hands of such a great Statesman as the Right Hon'ble Mr. J. Ramsay Macdonald, once the Premier of the Great British Government.

12. Such a United States of India and its Commonwealth would be a magnificent and dignified institution, in the Empire. It would form the core of a system of Government of the Indian States with the fullest support of the British Crown and Government. A unanimous proposal to constitute such a Commonwealth on some such lines as have been indicated above on the part of the Indian States, would certainly be welcomed and is bound to receive the full appreciation and recognition from the Imperial Government, who would not fail to bring about such a constitution by using if need be their influence to induce all eligible states to join the Commonwealth of the United States of India. The rule of eligibility need not be a rigid one. It should be framed to be elastic so that every state, large or small should join without making a fetish of individual dignity. The distinction of salutes, &c., should be abolished, if necessary. The only rule applicable may be that the Rulers to be members have powers of internal sovereignty or almost a sovereignty under advice or not.

13. The great Nobleman and Statesman, who is at present, under the Divine Providence, ruling over the destinies of this Indian Continent, will doubtless, be pleased to give this scheme his most sincere sympathies and support. Indeed as already noted, Lord Ellenborough, so far back as in 1853, has, when he was the President of the Board of Control then expressed his view of the position of Government with reference to the Indian States, thus: he stated then that—

“ I consider that in fact our Government is at the head of a system composed of Native States.”

This indicates that, it forms a part,—an important part,—of the duty and responsibility of the British Government to guide safely the Indian States in their desire for securing for their States, jointly and severally, perfect security, peace, amity, and good Government within, and good relations outside, with all concerned. That Gov-

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ernment will certainly, with such relations, help the Indian States in their desire to found the Commonwealth of the United States of India. The several treaties embody the most solemn pledges of friendship, and guardianship and a scrupulous good faith to maintain these. Such friendship indeed means everything for the welfare of these Indian States.

It is essentially necessary however, to create and maintain a sense of equality between all members irrespective of their dignity, in the honour of their salutes, in the magnitude of their resources, etc. An equality produces unity and when a Common cause happens to be discussed, unity becomes strength.

14. This memorandum is submitted for the earnest, careful and patient consideration of every eligible Indian State in the Country, small and great. The present times are favourable. The opportunities are great and important. A great Viceroy has come to India. His sympathies and those of the Secretary of State, of the British Ministry and of His Most August Majesty the King Emperor will be enlisted and their joint help would be simply invaluable. The Noble Viceroy is the Apostol of good, for all, who seek it of him. It is hoped that no Indian State will, from any cause whatsoever, let this fine opportunity slip off its hands. The foundation of a Commonwealth of the United States of India will be a great land mark in the history of this ancient country and a glory both to the States as well as to the Great British Empire.

Since writing the above the "Times of India" has published a Scheme prepared by the Chamber of Princes with the help of their Counsel Sir Leslie Scott. This is a provisional Scheme. It is comprehensive and an ambitious Scheme. Briefly, its main features are the following:—

Besides the existing Chamber of Princes, there shall be three statutory Bodies—

The first, is the Viceroy's Indian States' Council.

The second is the Union Council; and,

The third is the Union Supreme Court, for States.

All these are to be created by the British Parliament with the Royal sanction by a Statute.

Their constitution is thus described:—

The Viceroy's Indian States' Council is to consist of—

3 Princes or Ministers, selected or nominated by the Viceroy;

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2 Independent British Members unconnected with India ;

1 The Political Secretary of the Viceroy.

This Council will be presided over by the Viceroy. It will be a parallel Council for the States to the one of British India, presided over by the Governor-General,—which will have no Viceroy.

The Union Council will be a Joint Council of the Members of the Indian States' Council and the British India Council. It will meet to discuss matters, where there is a difference of opinion between the two. It will be presided over by the Viceroy not as Governor-General.

The Supreme Court is to consist of—

One Chief Justice : a Judge of wide experience ;

Two other Judges ; all British Officers.

All these Institutions will deal with State matters only.

The Indian States' Council shall have the Viceroy's present Political Secretary as the Council Secretary. This Council will be provided with a Secretariat. All the Political Records of the Viceroy at present in the Political Department shall be transferred to this Council ; and the Prince-Members shall have full access to them. It will deal with all State matters placed before them, in consultation with the Standing Committee of the Chamber of Princes and shall be guided by that Committee.

In the Union Council the Indian States' Council Members shall not be out-voted.

In the Supreme Court too the Standing Committee of the Chamber will exercise its influence.

The Chamber shall have its present powers enlarged by a statutory provision. The Scheme has not so far been approved generally by the States. The whole Scheme would involve an enormous cost. The question, who is to bear it, still remains a moot point. British Government will not pay it ; British India will refuse to pay it and the Indian States will be simply unable to bear it. It follows that it is not likely that the Scheme will be approved.

There is no authentic information available as to the proposed functions assigned to each of the three bodies ; but it is believed, that—

- (1) The Indian States' Council with its President will look to the business arising from the States' affairs only ; and having regard to the fact that the Viceroy is tied down to these duties only, the *British Political interests*,

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seem to have no Viceroy to attend to them. All such interests are quietly excluded ; in fact, the Viceroy would be an Officer of the States only,—to protect their interests—and is to be accompanied by his Political Secretary, who shall also be a servant of the States. The British Political interests as such, separately and independently, shall have no existence. This can scarcely be allowed by the British Government. No Viceroy shall accept such a position. The whole of the Council would thus be the Servants of the States only and of their Chamber.

- (2) The Union Council too, it is said, is to be subject to the strong influence of the States Council: which, in its turn, is practically to act under the guidance of the Chamber's Standing Committee.
- (3) The Union Supreme Court, is to be a developed form of a Court of Arbitration. and is to decide judicial disputes between the States and British India and the Crown and between States and States. An appeal will lie to the Privy Council.
- (4) The Chamber would exercise a statutory and fuller control over the doings of the Indian States and over the Indian States' Council. In many other matters, it is said it will have very large powers in all State matters under the proposed Statute.

Such a Scheme as the above, is bound to be opposed, it is feared, by every one concerned ;—by the British Government, by the Viceroy, to whom it is stultifying and by the States who will be, under this Scheme, under the entire control of the Chamber of Indian Princes and its Standing Committee ; which again is made up almost of the Northern Princes. Such a proposal shall militate against the internal Sovereignty of the Rulers of the Indian States. The proposal starts from the Chamber or rather from its Standing Committee. These Bodies would seem to be desirous to obtain powers to exercise the fullest control over both ;—the Viceroy and his Council on the one hand, and over all the Indian States on the other. These States have been threatened already by the Indian Political Leaders and they would now find another power in the Chamber and its Standing Committee threatening to violate the sanctity of their internal Sovereignty ; and shall have to say ' Save me from my friends.' The Chamber and its Standing Committee desire to possess a power to intervene in the internal affairs of an independent State in cases of mis-government and flagrant injustice. That prerogative to intervene in such matters solely belongs to the Crown and cannot and ought not to be transferred to the Chamber,

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which may offer an opinion when referred to. The consequences of such transfer of this prerogative to the Chamber would be serious. A powerful political 'oligarchy' will have been created over the States. It is apt to be dangerous both to the States as well as to the Crown.

APPENDIX B.

The Times of India review of the growth and present state of the relations between the British Government and the Indian States.

His Excellency the Viceroy has raised the question of the problem of the future relations of the Indian States with the future Government of India and Mr. K. M. Panikar's work on the subject is an interesting reading. His Excellency has given a great importance to that problem. In reviewing the work, the "Times of India" makes the following observations:—

1. The Indian States were divided once into two classes : those created by the British Government and those that existed before the British Rule.
2. The absorption of the Indian States into British territories by the "Doctrine of Lapse" related to the latter class.

NOTE:—The accuracy of this statement can hardly be questioned as there are many instances of States essentially old, having been resumed for want of a direct lineal heir.

3. During the time that elapsed since 1858, when the Government of India was transferred to the Crown there has been a change of policy, and in the relations between the British power and the States. It was recognised that it was foolish to ignore the Princes ; as they were "Political Facts" of the hardest order.
4. Accordingly, endeavours were made to enlist their co-operation to make them feel that they were units, important units, not merely of India but also of the British Empire.
5. Such indeed, has been the declared policy of the last Seventy years.
6. But by degrees, *complicating factors were introduced.* These are:—
 - (a) The Government of India became more strongly centralized, and the Administration became more and more complex :

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- (b) It asserted, by slow degrees, its authority in spheres, where Indian States hitherto believed themselves unchallenged; these were transport facilities, banking, Military services and the like. In these, Government put forward its own claims.
7. The Princes were unable to discuss them or come to an agreement among themselves. And have been unable or incapable of resisting.
 8. The result was an increasing measure of intervention or interference in the domestic affairs of the States; and the spirit, if not the letter, of the original Treaties was not infrequently endangered.
 9. The Princes made representations of their grievances and at the same time set their own House in order as that was the main excuse for intervention, under the treaties.
 10. Then came the Great War; and on its heels, the Chamber of Princes, and their representation at the War Cabinet, the Imperial Conferences, and the League of Nations and the tide is now so strongly in favour of the Princes that Statesmen of England are now asking, not how to push things forward to whittle down their power, but how best their unique position can be conserved and utilised as a source of strength to the Empire in General and India in particular.
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APPENDIX C.

AN APPEAL TO THE INDIAN STATESMEN.

*In the strain of a lay sermon addressed to the Higher Classes of society
by S. T. Coleridge, Esquire.*

One would very respectfully request our Indian Statesmen to find a little time to look at and ponder over the Creation. They already know, God has created it. They also know that God has established the testimony of His being there, and of His law; and that He has given to men a knowledge of both to be handed down from generation to generation so that they may set their hope in God; and not forget the works of God. The scriptures of every religion are the record of that knowledge. They contain the rules and assistances for all conditions of men and circumstances, for communities, no less than for individuals. They contain the character and design of the Work-Master; and the inference from these in the present case is too obvious to be overlooked, too plain, to be resisted. Is the record concealed? The answer would be "no"; it is an open book; 'as in the record so in Nature.' Let the rational functions of your intellect which is a Divine gift, be not suspended; to let it lie in slumber and disregard it is a sin. India is a land of *Light* for you. We have that light in every dwelling. The ignorance which may be an excuse for others, will be our crime. Our birth and denizenship is in an enlightened and spiritual land. It is the land of the Aryans. We are proud of our ancient glories and of the country; and if we fail to make the best use of what God has given us, why? that would be our shame; and our condemnation is bound to be all the greater. Please reflect on this. If you fail to do it, you will be to blame. It is not a question with the ignorant masses, and the majority of the labouring classes. You move in the higher class of society. You are educated, and are proud of that fact. You profess to be Statesmen. Pray avail yourself of the ampler means entrusted to you by God's Providence, to a more extensive and practical study for a wider use and application of His wishes, as they have been revealed in Nature and also in the scriptures. We have a right to expect from you a sober and meditative accommodation to our own present times and country, at this important juncture, (as you have doubtless been thinking to do), of those important truths in nature and in the scriptures, declared and illustrated, for the use of generations. Would you

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like to be in consciousness of being unequal to your station in your society? Certainly not, for you are quite equal to it. You are certainly conversant with the peculiar acts and constitutions of God, (as designed for the good of all), in this blessed land: whose Law executeth itself, and whose Word is the foundation, the power, and the life of the Universe, that revolves under law round its own centre. You are aware that it would not be right for you merely to hold it a requisite of your rank to show yourself inquisitive concerning only the expectations, plans and doings of statesmen elsewhere. One can rest assured that you cannot have looked in vain for a proportionate interest and instruction in Nature as in your holy scriptures, for the temporal destinies of men and Nations, stored up for our guidance; not the less will you delight to retrace the paths, by which Providence, has led the kingdoms of this world, through the valley of this mortal life:—paths engraved with the foot-marks of Captains, sent forth from God; Nations in whose guidance or chastisement, the arm of Omnipotence itself was made bare. Collate the present with the past, in the habit of thoughtfully assimilating the events of the present with those of the past, in all humility and without vanity. That will provide an antidote to the restless craving for the *wonders* of the day. That will provide a natural home and workshop of all the active virtues.

2. If we fail to study—the book of Nature, and the scriptural key how to read it, we render ourselves slaves of mere sense and fancy. Reason and religion are their own evidence. If we read history for the facts only instead of reading it for the sake of general principles, which are to the facts, as the root and sap of a tree for its leaves, no wonder, if we should find the result to be dangerous.

3. There are brains of three classes;—the one understands of itself the other understands as much as is shown to it by others; the third neither understands of itself, nor what is shown to it by others. Do not let people say as they often do in our times that there are more perhaps, who belong to the third class, more from vanity and acquired frivolity of mind, than from natural incapacity. Certainly you do not belong to that class; yet it is said that there are men among the highest class who, honoured with the acquaintance of the great, attribute national events to particular persons, particular measures to the errors of one man, to the intrigues of another, to any possible spark of a particular occasion, rather than to the true proximate cause, the *predominant emotional state of public opinion*. This they are less inclined to refer to the ascendancy of speculative principles, the scheme and mode of thinking in vogue.

4. In tranquil moods and peaceful times, we are quite practical, as events of the past few years have proved. Facts only and cool common-sense are then in fashion. But let the winds of passions swell,

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and straight way, men begin to generalise ; to connect by remotest analogies ; to express the most universal positions of reason, in the most glowing figures of fancy ; in short to feel particular truths as mere facts, as poor, cold, narrow and incommensurate with their own feelings. In periods of popular tumult and innovation, the more abstract a notion is, the more readily has it been found to combine, the closer has appeared its affinity with the feelings of a people and with all their immediate impulses to action ; for they are mere followers of leaders.

5. There are two distinct but immense advantages in particular rules and precepts ; which flow directly and visibly from universal principles, as from a fountain ;—though they do not at first sight seem properly conformed by reason, for they are reason itself ; also, in principles in act and profession,—disjoined from which and from the emotions that inevitably accompany the actual intuition of their truth, the widest maxims of prudence are like arms without hearts, muscles without nerves. Secondly, from the very nature of these principles, given in scriptures and observed in Nature, they are understood in exact proportion as they are *believed and felt*. The human race lives in faith. The regulator is never separated from the main spring. It is identical with its own being. This primal act of Faith is enunciated in the word “ God ” ; does that word ever occur with all it means to you in your present thoughts ? It is devoutly to be wished that it always does. Be it noted, however, that this is a faith not derived from experience, but from its ground and source, and without which the fleeting chaos of facts would no more form experience, than the dust of the grave can of itself make a living man. The imperative and oracular form of the inscribed scriptures and their illustration in nature is the form of reason itself, of all things purely rational or moral.

6. If then there is divine wisdom in that word, it must be distinguished from others as the supreme reason. For its knowledge is creative and always antecedent to things known. It must be on that account distinguished from the human mind, whose acts are posterior to the things it records and arranges.

7. Man alone was created in the image of God with immense potentialities in him : that is his position : that it is inexplicable to some is clear. Yet it is not difficult to trace the grounds of such conclusions convincing enough. However that is your proud position. A perfect calm judgment, best and discreet use of language,—the sacred gift of God,—never provocative in the presence of the gravest provocation or threat from others, are the ornaments of superior statesmanship. That is your right treasure. One would very earnestly beseech you to be a little more thoughtful, yet brave, in surmounting difficulties, avoiding rocks and shoals, and on the

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lines of least resistance. Your sound judgment would certainly help you to find out how to calm the seas, and prevent the surging waves that always destroy. Goodness is never wasted. All material things are perishable though they have doubtless their own use, but the spirit is imperishable. Material inclinations, therefore, come and go, working their own results. They need not be heeded. Spiritual goodness produces the best results ; but on the other hand improper use of words inflict wounds that take long to heal. They come out of indiscretion in untrained and weak minds ; and they are weak minds who unwittingly are caught in the grips of passion under the fair guise of patriotism, self respect, self defence, and public good. But all these can remain powerful, without passion, but with firmness and patience and strength of purpose with best use of words. We appeal to you to achieve the best in British India by those and like means ; and when you have done this and not till then shall be your time to approach and invite the Indian States to imitate you.

APPENDIX D.

A STUDY IN 'POLITICS.'

(From *Ralph Waldo Emerson.*)

'Nor kind nor coinage buys
Aught above its rate,
'Fear, craft, and Avarice,
Cannot rear a State,
Out of dust to build,
What is more than dust.'
'When the Church is social worth,
When the State-House is the hearth,
Then the perfect State is come,
The Republican at home.'

Is such a Republic possible to attain? It does not seem to be. Society is an illusion to *young* citizens. It lies before them in rigid repose. Names, men, institutions are rooted like oak trees to the centre. A statesman comes. He knows however that it is fluid. A strong will changes the centre, *for a time*; and he becomes the centre. But every man of truth and wisdom does so forever.

But politics rest on necessary foundations and cannot be treated with levity. Republics abound in young Civilians. They believe that any measure, though it were absurd, may be imposed on the people; if only, you can get sufficient voices to make it a law.

The wise know that foolish legislation is a rope of sand, which perishes in the twisting; that, *the State must follow and not lead*, the character and progress of the citizens; that they only, who build on *ideas*, build for eternity: and that *Government is the expression of what cultivation exists, in the population*, which permits it. So much *life*, as it has in the character of *living men*, is its force.

Nature is not democratic; nor 'limited-monarchical'; but despotic; and will not be fooled or abated of any jot of her authority, by the pretext of her sons. The history of the State sketches in coarse outline the progress of thought, and follows *at a distance*, the delicacy of culture and of aspiration.

2. The theory of politics considers persons and property, as two objects for whose protection Government exists. *Of persons,*

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all have equal rights, being identical in nature; this interest would seem to demand democracy. While this is so, their rights in property are very unequal. Personal rights demand a Government on the ratio of the census. Property demands a Government framed on the ratio of owners and owning. So property should make the law for property; and persons the law for persons.

But persons and property mix themselves in every transaction. It was, therefore, at one time, settled that proprietors should have more elective franchise than non-proprietors;—on the Spartan principle 'calling that which is just, equal: not that which is equal, just.' But again this raised doubts; as too much weight was given to property; as it allowed the rich to encroach on the poor:—especially as the whole constitution of property is injurious, and its influence on men deteriorating and degrading. The only interest for the consideration of the State is, truly, persons; as property will follow persons, that *the highest end of Government is the culture of men; and if men can be educated, the institutions will share their improvement; and the moral sentiment will write the law of the land.*

Society always consists, in greatest parts, of young and indiscreet persons. The old see through the hypocrisy of Courts and Statesmen. They die, and leave no wisdom to their sons. These latter believe their own newspaper. With such an ignorant and deceivable majority, States would soon run to ruin; but there are limitations, beyond which the folly and ambition of Governors cannot go.

Things have their laws, as well as men. Things refuse to be trifled with. Poverty will be protected. The farmer will not plant or sow corn, unless the chances are that he will be able to cut and harvest it. Under any forms, persons and property must and will have their just sway.

Personal influence has no boundaries. They are organs of moral or supernatural force. Under the dominion of an idea of civil freedom or the religious sentiment, when it comes, the powers of persons are no longer subjects of calculation. They can achieve extravagant actions. But if the law were to declare that all shall have power, except property, they shall have no vote. But by a higher law, the property will year after year, write every statute that respects property. This refers to all the property;—the joint treasury of the poor exceeds the accumulations of the rich.

The same necessity determines the form and methods of Government; proper to each Nation and to its habits of thought. They spring from the character and condition of people. *They may not be better, but are fitter.* The Western Nations may be wise in asserting the advantage in modern times, of the democratic form; but to other

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states of Society in which religion consecrated the monarchical, that, and not this, was expedient. That prevails in Indian people. Democracy is better for those whose religious sentiment of the present time accords better with it. Such a sentiment does not exist in India. Born democrats are no wise qualified to judge of monarchy; which, to their fathers, living in the monarchical idea, was also relatively right. But their institutions, though in coincidence with the spirit of the age, have not any exemption from the practical defects, which have discredited other forms. But strange and curious is the position of Reformers, who though living in a monarchical Government read of democratic institutions and are taken up by their accounts, and wish to change outright the form of Government, existing from ages past, against the will of the people. They hardly know that every actual State is corrupt. What satire on Government can equal the severity of the censure conveyed in the word "*Politics*," which, now for ages, has signified cunning, intimating that the State is a trick: The duties of the sincere Reformer are to try to remove the impurities that there may be and not to change the form of Government which has existed long to the satisfaction of the people.

3. The State divides itself into parties;—of opponents and defenders of the administration of Government. The same necessities and the same practical abuse appear in them. They are founded on *instincts*: which have better guides to their own humble aims than the sagacity of the leaders; there is nothing perverse in their origin: but rudely mark some real and lasting relation.

A party is perpetually corrupted by personality. They are of circumstances and not of principle. The vice of the leading parties is that they do not plant themselves on the deep and necessary grounds to which they are entitled: but lash themselves to fury in the carrying of some local or momentary measure, no wise useful to the Commonwealth. Sometimes one has the best cause, the other, the best men.

The spirit of the American radicalism is destructive and aimless: it is not loving: it has no ulterior and divine ends: but is destructive only out of hatred and selfishness. India will not allow herself to be tempted by it.

On the other side, the Conservative Party, composed of most moderate, able and cultivated part of the population, is timid and defensive of property. It vindicates no right; it aspires to no real good; it brands no crime; it proposes no generous policy; it does not build, nor write, nor cherish the arts, nor foster religion; nor establish schools of thought; nor encourage science; nor emancipate the slave; nor befriend the poor, or the immigrant.

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Thus from neither party, when in power, has the world any benefit to expect, at all commensurate with the resources of the nation. That beneficent necessity shines through all moral laws and we must trust it infinitely. Human nature expresses itself in them. Governments have their origin in the moral identity of men. Reason for one is seen to be reason for another, and for every other. There is a middle measure which satisfies all parties, be they never so many, or so resolute, for their own. Every man finds a sanction for his simplest claims and deeds, in decisions of his own mind, which he calls Truth and Holiness. In these decisions, all the citizens find a perfect agreement, and only in these. Absolute right is the first Governor; or, every Government is an impure theocracy. The idea is the will of the wise man. The wise man, it cannot find in nature. Therefore earnest efforts to secure Government are made by contrivance; as:—

- (a) Entire people to give their voice on every measure;
- (b) By a double choice to get the representation of the whole;
- (c) By a selection of the best citizens;
- (d) By confiding the Government to one, to secure the advantages of efficiency and internal peace; that one to select himself his agents.

All good forms of Government symbolise an immortal Government, common to all dynasties, independent of members, perfect when two men exist, perfect when there is only one man;

Every man knows the character of his fellows from his own nature. So long as he does what is fit for him and abstains from what is not fit, he and his neighbour work together to one end, for a time. But whenever he finds his dominion over himself not sufficient for him, and yet undertakes the direction of the other also, he oversteps the truth; and comes into false relations to the other. Love and nature cannot maintain that assumption; and it must be executed by a lie, namely by force. Such an undertaking for another is the blunder which stands in colossal ugliness in the Governments of the world. This is the history of Governments;—one man does something, which is to bind another.

The antidote to this abuse of formal Government is the influence of private character; the growth of the Individual; the appearance of the principal to supercede the proxy; the appearance of the wise man; of whom the existing Government is a shabby imitation.

That which all things tend to educe, which freedom, cultivation, intercourse, revolutions, go to form and deliver, is *character*; that is the end of nature, to reach unto this coronation of her King.

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To educate the wise man, the State exists :—and with the *appearance* of the wise man the State ceases to exist,—in fact makes it unnecessary.

In our present society the influence of character is yet in infancy. Yet it is never nothing. Every thought which genius and piety throw into the world, alters the world. The very strife of trade and ambition are confession of this divinity. An unwilling homage is being paid to it in all quarters. That is because we know how much is due from us, that, we are impatient to show some petty talent as a substitute for worth. We are haunted by a conscience of this right to grandeur of character and yet are false to it.

But each of us has some talent, can do somewhat useful, or graceful, or formidable, or amusing or lucrative. That we do as an apology for reaching the mark of a good and equal life. But it does not satisfy us ; and we thrust it on the notice of our companions. It may throw dust in their eyes ; but does not smooth our own brow, or give us the tranquillity of the strong, when we walk abroad. If a man found himself so rich natured that he could enter into strict relations with the best persons and make life serene around him, by the dignity and sweetness of his behaviour, could he afford to circumvent the favour of the caucus and the press, and court relations so hollow and pompous as those of a politician ? Surely, no body would be a charlatan, who could afford to be sincere.

The tendencies of the times favour the idea of Self-Government, and leave the individual, for all code, to the regards and penalties of his own constitution ; which work with more energy than we believe, whilst we depend upon artificial restraints. It is purely a moral force ;—never adopted by any party, neither can be.

It separates the individual from all party, and unites him, at the same time, to the race. It promises a recognition of higher rights than those of personal freedom or the security of property. A man has a right to be employed, to be trusted, to be loved, to be revered.

The power of love, as the basis of a State has never been tried. According to the order of nature, which is quite superior to our will, it stands thus : there will always be a Government of force, when men are selfish ; and when they are pure enough to abjure the code of force, they will be wise enough to see how the public ends are answered.

We live in a very low State of the world, and pay unwilling tribute to Government founded on force. There is not a reliance on the moral sentiment and a sufficient belief in the unity of things, to persuade men, even among the most religious and civil, that society can be maintained without artificial restraints, as well as

APPENDIX D.

the solar system : or that the private citizen might be reasonable and a good neighbour, without the hint of a jail or a confiscation. ,

What is strange too, there never was in any man sufficient faith in the power of rectitude to inspire with the broad design or renovating the State on the principle of *right* and *love*. Thousands of human beings might exercise towards each other, as they often do, the grandest and simplest sentiments, as well as a knot of friends or a pair of lovers.

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