

CHAPTER III

THE VICEROY

THE supreme head of the Government in India is the Viceroy ; but however high the pinnacle upon which he sits may soar above the Himalayan heights of the rulers of India, it comes decidedly short of the august peaks of kingship. The Viceroy is surrounded by pomp and awe ; ceremony walks behind and before him, and does obeisance to him. But everyone seems to be conscious that he comes and goes, and that when the guns have fired their parting salute on his leaving Bombay at the end of five years, he steps down from his summit and returns to a meaner dwelling-place. In the minds of the masses he is the great lord ; in those of the educated and political sections he is the head of the administration, and enjoys an authority which is great but limited and is not altogether removed from controversy.

The viceroyalty is doomed to the limits of constitutional government. Appointed by warrant under the Royal Sign Manual, the Viceroy is required "to pay due obedience to all such orders as he may receive from the Secretary of State," and he is given advisers who are more than advisers. Moreover, he comes, knowing little about India, to work with a powerful body of men knowing, in one sense, everything about India, and he is a man of an exceptional will if he disagrees with his advisers and reaches his own goals. He goes out with an unformed mind ; it takes him at least a year to get the hang of things ; he packs up during the last year ; he is working all the time with a machine too big and too complex for any man to control.

The Viceroy came when the Company ended, and its vast possessions passed to the Crown. In the first stage of the Company its affairs, then trading only, were administered from the three centres of Bombay, Madras, and Calcutta by a President acting with a Council of the senior servants of the Company. These Presidents were directly subject to the Board of Directors in London. But when the Company's trade drove it into politics and politics drove it into war, an organisation well enough adapted to keep ledgers and stores and conduct the diplomacy of trade, was of no use. The Company had established a market which was transformed under its hands into an Empire, and in the transformation men, surrounded by temptation and opportunity to amass wealth, succumbed. The Company's finances fell upon evil days; the Company's servants returned with untold wealth. So in 1773 Parliament had to step in and passed the Regulating Act, the political purpose of which was to co-ordinate the government of the Presidencies by placing Bengal at their head. Madras and Bombay were not to be allowed to make wars without the consent of Bengal. Thus the supremacy of Bengal was established, its Governor was to be Governor-General, and he, sitting in Council, was to be the supreme political authority of the Presidencies. He was still to be appointed by the Company, and was given a Council of four. Warren Hastings was, however, named in the Act as the first Governor-General, and the members of his Council were also named, but further appointments were to be made by the Directors. By the Act of 1784, however, the nomination of the Governor-General by the Directors had to receive the approval of the Crown. The first two Governors-General belonged to the regime of Company servants, but Lord Cornwallis went out in 1786, the first of the great political Governors.

The transformation from trade to politics and from markets to empires went on apace, and the Act of 1833 accepted the change and was passed to meet its requirements. In this

Act words were used for the first time which implied that we were governing India and not merely Bengal, Madras, Calcutta, and Bombay; the Governor-General was no longer "of Bengal," but "of India." In 1854 the Governor-General was relieved of his duties as the Governor of Bengal, and a Lieutenant-Governor was appointed to that Province. In 1858 India was transferred to the Crown, and the Governor-General became Viceroy and was appointed by Royal Warrant, his term of office being five years. The term "Viceroy" was used in the Proclamation of Lord Canning's appointment in 1858, but has not appeared in constitutional documents. It is in use for courtesy and ceremonial purposes only. The seat of the Government of India remained, however, in Calcutta, thus continuing its historical origin in the Governorship of Bengal, until 1912, when it was transferred to Delhi, and all traces of the day when the Governorship of Bengal carried with it the Governor-Generalship of India disappeared.¹

The Viceroy has power as well as title and prestige. He makes himself responsible for the foreign affairs of India—chiefly frontier matters and the relation of the Native States to the Government of India—as though he were head of that Department, and he takes an active concern in every important piece of business done by any Department.² His authority is derived from being "in Council," and he must, as a rule, carry a majority of his Council with him. But whilst that is a real check, it comes far short of an absolute one. Saving in certain directions, each Viceroy makes his own power. Lord Curzon did what he liked, his successor did what other people liked, and his successor again took the medium course of doing in his own way what he and other people wished to do, and used the support of Indian opinion

¹ The Durbar at which the change was announced was held at Delhi in December 1911.

² The power of declaring peace or war or to make treaties is expressly withheld from the Viceroy and his Council, and reserved for the Home Government.

in doing some things of which his Council did not approve.

The Viceroy performs three great functions. He personifies the Crown, he represents the Home Government, he is the head of the administration.

The first is now his proper function. He is the Crown visible in India, the ceremonial head of the sovereignty, the great lord. He is the seat of justice and mercy, and catches up in himself, by virtue of his office, the historical traditions and sentiments of rulership. The more this is isolated from his other functions the better will be our system of rule in India.

As representative of the Home Government he has his origin in a political party, and though owing to changes in the political wheel of fortune at home he may find himself the representative of a party which is not his own—as Lord Minto did when the Liberals came into power at the end of 1905—he has to carry out its policy or resign—as Lord Lytton did in 1880 when a general election wiped out the Conservative majority. Whilst performing this function he is really subordinate to the Secretary of State. Lord Salisbury made this perfectly plain to Lord Northbrook in 1875.¹ The amount of this subordination, however, depends on the personality of the Viceroy and the Secretary. Lord Salisbury made this subordination apparent with his fist, Lord Morley with his persuasiveness. On purely Indian affairs it scarcely exists, though in such matters as police behaviour and frontier politics the Viceroy has to consider British opinion and Parliamentary interest. It is most definite when British and Indian interests conflict and when the Viceroy, believing that those of India lie in one direction—*i.e.* cotton duties—is yet forbidden to pursue it by the Home Government. His subordination in this respect involves the subordination of his Council, as Lord Lytton found when he took Lord Northbrook's place and proceeded to carry out the instructions

¹ Cf. chap. ii, p. 51.

which Lord Northbrook declined. Again, as custodian of the Foreign affairs of India, he has to carry out the policy of the Home Government in all matters of Imperial interest whether for the good of India or not, but he is in a position—like Dalhousie—to make certain developments necessary. The rein that controls him is of necessity somewhat loose. In his relations with the Native States he has a pretty free hand, and the frontier policy he pursues must be determined by what arises, but he must always remember the general Imperial opinions of the party in power at home. Nominally the power of declaring war is withheld from him; actually he has the power of creating the conditions which lead to war. In this respect the action of the India Office under Mr. Broderick in revising and substantially altering, in 1904, the treaty which the Indian Government made with Tibet emphasised the subordination of the Viceroy as the mouthpiece and echo of the Home Government, and the discomfiture of the wilful Lord Curzon in his contest with Lord Kitchener was a further demonstration of the subordination of the Viceroy to the Secretary of State. Lord Morley introduced a gentler hand but not a new policy.

As the head of the Indian administration the Viceroy has much opportunity of acting as autocrat, as Lord Hardinge sometimes did with good practical results. His minatory warning to the South African Government when it was acting tyrannically and oppressively to Hindus was made on his own initiative when sojourning in Madras and without consulting his advisers, it is said. In performing this function he is limited by the India Office and the Secretary of State, and by his Council, but an enlightened Viceroy like Lord Hardinge will also take into account what he conceives to be Indian public opinion and will act upon it and take the risks. But he has to bear his share of any unpopularity which his Council may receive, and in this position he, like a Prime Minister, is at the head of a Government which, under the conditions of India, has the country for an official Opposition.

Obviously, it is undesirable that this union of functions should last; it cannot last after the political consciousness of India has become awakened. The Viceroy should remain the representative of the Crown and be endowed with the dignity of that office. But he ought not to be the representative of the Home Government or the responsible head of the Indian administration. The President of the Council should be a separate functionary, and the Viceroy should be kept in touch with the India Office and the Indian administration as the Crown is kept in touch with the Cabinet and Parliament. That change is necessary in the interest of the Viceroy himself, and in that of India, and the development of responsible government there demands that it should be made without delay.