

CHAPTER V.

Events that led up to the Montagu-Chelmsford Reforms.

25. The Minto-Morley Reforms were undoubtedly a decided improvement on the system existing till then. The system of election was introduced, and the people were associated with the Government in larger numbers, and had greater opportunities of shaping the action of Government, but these reforms did not introduce any representative system of Government. An examination of the structure of the then Government of India discloses the following three cardinal points :—

The essential features of the pre-Mont-Ford reform constitution.

(1) The concentration of authority at the centre :—(a) Section 45 of the Government of India Act consolidated the position as follows : “ Every Local Government shall obey the orders of the Governor-General in Council, and keep him constantly and diligently informed of its proceedings, and of all matters which ought, in its opinion, to be reported to him, or as to which he requires information, and is under his superintendence, direction and control in all matters relating to the Government of its province.”

(b) Nothing illustrated more clearly the overriding unity of the centre and the subordination of the provinces to it, than the arrangements between them as to finance. All revenues of India were vested in the Crown, and though there were, in course of time, quasi-permanent settlements between the centre and the provinces, provincial expenditure, provincial taxation and provincial borrowing were, all, subject to central control. (*Vide* Chapter XIV *infra* for fuller details.)

(c) It was the practice to control all legislative action in provincial councils by means of ‘ instructions.’

“It becomes clear that whether from the administrative, the financial, or the legislative point of view, the concentration of authority at the centre, was a cardinal feature of the pre-Mont-Ford reform constitution.”

(2) The second feature of the pre-Mont-Ford reform constitution was the executive control over legislative functions. Legislative power was not recognised as residing in a legislative body as distinct from the Government. When new laws had to be made, they were enacted by a body, the nucleus of which was the executive council itself, but to which ‘ additional members ’ were summoned for the purpose of discussing and passing the proposed enactment. The Viceroy or the Governor presided over the legislative discussion, no less than over executive consultations.

(3) The third cardinal feature of the then Government of India was, the supervising and controlling power, over the whole field of

Indian legislation and administration, of the Home authorities, *i.e.*, of the Secretary of State with his constitutional responsibility to Parliament. Ultimate responsibility for every act of Government must always vest somewhere, and as long as no portion of the final responsibility resided in India, it necessarily followed that all parts of it rested upon Whitehall and Westminster. Lord Dufferin's words, "The Government (of India) is conducted in the name of a monarch whose throne is in England. The executive that represents her imperium in India, is an executive directly responsible, not to any local authority, but to the Sovereign and the British Government" was as true of the pre-Mont-Ford reform constitution, as it was of the constitution of 1892. In the words of the committee appointed in 1919 under the Chairmanship of the Marquis of Crew, "the existing conception is that of graduated official control, amenable in some respects to popular advice, but, in broad outline, extending, in an unbroken series, from the subordinate executives in India to the Secretary of State in Council."

26. The Minto-Morley Reforms did not satisfy the Indian people. They aspired to reach the same status as the Self-Governing Colonies of the British Empire. More than a century ago, the vision of a persistent endeavour to train the people of India for the task of governing themselves was present to the minds of some advanced Englishmen like Sir Thomas Munroe and others.

The Marquis of Hastings, Governor-General of India, wrote in his Private Journal on 17th May, 1818 as follows:—"A time not very remote will arrive when England will, on some principles of policy, wish to relinquish the domination which she has gradually and unintentionally assumed over this country, and from which she cannot at present recede. In that hour, it would be her proudest boast and most delightful reflection that she had used her sovereignty towards enlightening her temporary subjects so as to enable the native communities to walk alone in the paths of justice, and to maintain with probity towards their benefactors that commercial intercourse in which we should then find a solid interest" (quoted in "Modern Review," April 1933, page 472.)

In a letter dated 30th June, 1821 addressed to the Right Honourable Canning, Sir Thomas Munroe stated as follows:—"Our present system of Government by excluding all natives from power and trust and emolument is much more efficacious in depressing than all our laws and school-books can do in elevating their character..... The improvement of the character of a people and the keeping of them, at the same time in the lowest state of dependence on foreign rulers to which they can be reduced by conquest, are matters quite

Sir Thomas
Munroe on re-
forms.

incompatible with each other. There can be no hope of any great zeal for improvement when the highest acquirements can lead to nothing beyond some petty offices, and can confer neither wealth nor honour. While the prospects of the natives are so bounded, every project for bettering their character must fail, and no such projects can have the smallest chance of success, unless some of those objects are placed within their reach for the sake of which men are urged to exertion in other countries. This work of improvement, in whatever way it may be attempted, must be very slow, but it will be in proportion to the degree of confidence which we repose in them, and in the share which we give them in the administration of public affairs."

Lord Hardinge, in his Durbar despatch of 1911, stated as follows:—
 "It is certain that in course of time, the just demands for a larger share in the Government of the country would have to be satisfied, and the question will be how this devolution of power can be conceded without impairing the supreme authority of the Governor-General in Council. The only possible solution of the difficulty would appear to be, gradually, to give the provinces a large measure of Self-Government, until at last India would consist of a number of administrations, autonomous in all provincial affairs, with the Government of India above them all and possessing power to intervene in case of mismanagement, but ordinarily restricting their functions to matters of Imperial concern." Thus, within 2 years of the inauguration of the Minto-Morley Reforms, the grant of Provincial Autonomy in the near future had been regarded as inevitable. The agitation in the Indian Press and platform for further reforms was going on. Meanwhile, the Great War intervened, and the attention of the people both in England and in India was diverted and focussed upon the problem of winning the war. India stood loyally by the side of England and gave freely of her men and money, and Indian soldiers fought side by side with the English. The year 1917 was a period when the English nation was in the thick of the European war, and the help rendered by India to

The Great War. England at her hour of need was very fresh, and the English nation were very anxious to express to India their sense of gratitude. In the words of the Simon Commission Report, "British India undertook in 1914 to defray the normal charges of troops withdrawn (from British India) for the war, and in 1918 to provide a further contribution of 100 million pounds (subsequently increased by 13½ millions). Britain can never forget this demonstration of Indian sympathy and goodwill in a dark hour. Nor was that all. Some of us still recall the thrill that passed over the House of Commons when, on 9th September, 1914,

the Under-Secretary for India read the message from the Indian Government detailing the welcome aid which was promised, and which was so promptly and voluntarily furnished and supplemented by the ruling Princes of India, for the common cause." It was in these circumstances

that Mr. Montagu, the then Secretary of State, made the historic announcement before the House of Commons on 20th August, 1917 of which the opening words were, "The policy of His Majesty's Government, with which the Government of India are in complete accord, is that of the increasing association of Indians in every branch of the administration, and the gradual development of self-governing institutions, with a view to the progressive realisation of Responsible Government in India as an integral part of the British Empire." It will be seen that the phrase used is Responsible Government and not Self-Government. But Lord Chelmsford in his speech in the Indian Legislative Council on 5th September, 1917 stated that the policy announced by the Secretary of State was practically indistinguishable from the view which his Government put forward, *viz.*, "the goal of British rule in India was the endowment of British India as an integral part of the British Empire with Self-Government." Therefore 'Responsible Government' was officially interpreted to mean the same thing as 'Self-Government.' But the goal was not to be reached at once, but in the language of the Mont-Ford report, "by gradually advancing along three roads—the first road was in the domain of local self-government, because the domain of urban and rural self-government is the great training ground from which political progress and a sense of responsibility have taken their seat." The second road lay in the domain of the more responsible employment of Indians under Government, in order that "India should have an increasing number of men versed not only in the details of everyday administration, but in the whole art of Government." The third road lay in the domain of the Legislative Councils. Though advance is to be made along all the three roads "the steps are to be gradual and the advance tested at each stage." A substantial step is to be taken at once. This can be done only by giving some measure of responsibility to representatives chosen by an electorate. There are obviously three levels at which it is possible to give it—in the sphere of local bodies, in the provinces and in the Government of India.

"The process cannot go on at one and the same pace in all levels. The Secretary of State's relaxation of control over the Government of India will be retarded, if for no other reason, by the paramount need for securing Imperial interests. The Government of India have the fundamental duty to discharge, of maintaining India's defence. The basic

obligation of Provincial Governments is to secure law and order. As we go upward, the importance of retarding factors increases, and it follows that popular growth must be more rapid and extensive in the lower levels than in the higher."

Thereupon the Mont-Ford Report lays down four formulæ :—

The four formulæ laid down by the Mont-Ford Report.

(1) There should be, as far as possible, complete popular control in local bodies, and the largest possible independence, for them, of outside control

(2) The Provinces are the domain in which the earlier steps towards the progressive realisation of Responsible Government should be taken. Some measure of responsibility should be given at once, and our aim is to give complete responsibility as soon as conditions permit. This involves, at once, the largest measure of independence, legislative, administrative and financial, of the Government of India, which is compatible with the due discharge, by the latter, of its own responsibility.

(3) The Government of India must remain wholly responsible to Parliament, and saving such responsibility, its authority in essential matters must remain indisputable, pending experience of the effect of changes now to be introduced in the Provinces. In the meantime, the Indian Legislative Council should be enlarged and made more representative, and its opportunities of influencing Government, increased.

(4) In proportion as the foregoing changes take effect, the control of Parliament and the Secretary of State over the Government of India and the Provincial Governments, must be relaxed.

27. As observed by the Simon Commission, if these last three propositions are contrasted with the three cardinal points of the pre-reform structure referred to above,* it will be plain that the principles at the base of the reforms of 1919 struck at the essentials of the previous system. Authority instead of being concentrated at the centre was to be, in a large measure, devolved upon the Provinces. The opportunities of the central legislature, for influencing the Government of India, were to be increased. The control of Parliament over the whole of the Indian Government was to be modified by marking out a portion of the provincial field in which it would no longer be exercised. The recommendations made in the Montagu-Chelmsford Report were not in all respects adopted and carried out by the sections of the Government of India Act of 1919. The Act contained certain departures from the scheme of the report. But in most respects the scheme of the Montagu-Chelmsford Report was translated into law, and the four formulæ set out above are the frame-work to which the constitution owes its shape.

Let us now proceed to consider the reforms introduced by the Government of India Act of 1919.

* Paragraph 25.