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COUNCIL OF STATE.

Wednesday, 9th February, 1921.

INAUGURATION OF THE COUNCIL OF STATE AND LEGISLATIVE ASSEMBLY.

His Excellency the Viceroy and His Royal Highness the Duke of Connaught, having arrived in procession with their Staffs and the Presidents of the Council of State and the Legislative Assembly, took their seats on the dais.

H. E. THE VICEROY : Honourable Members of the Council of State and Members of the Legislative Assembly :

I have required your attendance here under section 63 of the Government of India Act for an important ceremony.

The new Indian Legislature, which is to be opened to-day, is the outcome of the policy announced by His Majesty's Government in August, 1917. That announcement has been described as the most momentous utterance in the chequered history of India; and I believe that it merits that description. But history, as we have learnt to know, is a continuous process. In human affairs, as in nature, there are no absolute beginnings; and, however great the changes that may be compressed into a few crowded years, they are to the eye of the historian the inevitable consequences of other changes, sometimes but little noticed or understood at the time, which have preceded them. Nowhere is this clearer than in the record of British rule in India. The Act of 1919 involved a great and memorable departure from the old system of government. It closed one era and opened another. None the less its most innovating provisions had their germ in measures reaching well back into the last century, and the purpose and spirit which underlay them are those that have throughout guided and inspired the policy of the British in India.

There are those who will dispute this interpretation of the character of British policy. In their eyes the real object of the British Government has always been the retention of all genuine power in its own hands, and every step in the liberalisation of the structure of Government has been a concession, tardily and grudgingly yielded, to demands which the Government deemed it impolitic wholly to refuse. I am confident that history will not endorse this charge. The historian of the future will detect in his survey of the achievements of the British in India many an error and shortcoming. But he will also recognise that throughout the years of their rule one increasing purpose has run and he will do justice to the unprecedented character and the colossal magnitude of the task which they set themselves. For no such task was ever attempted by the Empires of the past. In these Empires either free institutions had never existed or, as in the case of Rome, the growth of Empire had proved fatal to such liberties as had previously been enjoyed by the founders of the Empire. There were differences doubtless in the forms of local administration and in the personal privileges of the members of the various peoples and races of the State, but such variations in no wise affected the autocratic character of the Central Government. But the destinies of India and Britain became linked together at a time when in the latter country self-government

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had become firmly established, and it has since been the constant aim of the British Government to extend to India the benefits and privileges of her own institutions. Were any specific evidence needed of the truth of this proposition, I would appeal to the historic minute of Lord Macaulay upon the question of the medium of instruction in India. His argument that England could not impart the ideas of the western world otherwise than in her own language carried with it tremendous consequences. It was familiarity with the literature and thought of English historians and teachers that did more than any other single cause to mould the minds of educated India in a way that inevitably led to a demand for political development that should imitate the model held out to her; for as one of our own poets has said—

'We must be free who speak
The language Shakespeare spake.'

The difficulties which confronted her in such a task were indeed formidable. The vast area of the country, the number and diversity of its population and the habits and ideas engendered by many centuries of despotic rule were obstacles that might well have seemed insuperable even to the boldest imagination. In dealing with them the methods followed by British statesmen have been those with which the political development of England herself had made them familiar. English self-government was not the fruit of any sudden revolution or catastrophic change, but has been built up gradually, and through centuries of sustained effort. The evolution of British policy in India has pursued a similar course. The British Government has not attempted any dazzling and brilliant, but inevitably unstable, reconstructions. It has been content to advance step by step, to adjust its institutions from time to time to the degree of progress obtained by the people and to build up the edifice of constitutional government on the foundations laid by preceding generations; so that of India under British rule it might be truly said, as has been said of England herself, that she has been a land 'where freedom slowly broadens down, from precedent to precedent'.

The history of constitutional developments in India under British rule falls into certain fairly well-defined stages. The first of these may be said to have terminated with the Act of 1861. During this period the British Government were engaged in extending and solidifying their dominions, in evolving order out of the chaos that had supervened on the break up of the Moghal Empire, and in introducing a number of great organic reforms, such as the improvement of the police and the prisons, the codification of the criminal law, and the establishment of a hierarchy of courts of justice and of a trained civil service. The main achievement of administration was in fact the construction and consolidation of the mechanical framework of the Government. The three separate presidencies were brought under a common system; British rule was extended over much of the intervening spaces; and the legislative and administrative authority of the Governor General in Council was asserted over all the Provinces and extended to all the inhabitants; while at the same time provision was made for local needs and local knowledge by the creation or re-creation of local Councils. And it is significant that in the Act which closed this Chapter the principle of associating the people of India with the Government of the country was definitely recognised. The Councils set up by this Act were still merely legislative committees of the Government, but the right of the public to be heard and the duty of the executive to defend its

measures were acknowledged, and Indians were given a share in the work of legislation.

The second stage terminated with the Act of 1892. The intervening period had witnessed substantial and many-sided progress. Universities had been established ; secondary education had made great strides ; and Municipal and District Boards had been created in the major Provinces. A limited but important section of Indian opinion demanded further advance, and the justice of this demand was recognised by the British Government in the Act of 1892. This Act conferred on the Councils the right of asking questions and of discussing the budget; and to this extent admitted that their functions were to be more than purely legislative or advisory. But its most notable innovation was the adoption of the elective principle. It is true that technically all the non-official members continued to be nominated, but inasmuch as the recommendations of the nominating bodies came to be accepted as a matter of course, the fact of election to an appreciable proportion of the non-official seats was firmly established. The Act of 1861 had recognised the need for including an Indian element in the Legislative Councils. The Act of 1892 went further. It recognised in principle the right of the Indian people to choose its own representatives on the Councils.

The third stage will always be associated with the names of Lord Morley and Lord Minto. The experience of the reforms of 1892 had been on the whole favourable. The association of the leaders of the non-official public in the management of public affairs had afforded an outlet for natural and legitimate aspirations and some degree of education in the art of government. But the impulses which had led to the reforms of 1892 continued to operate and they were reinforced by external events, such as the Russo-Japanese war. Important classes were learning to realise their own position, to estimate for themselves their own capacities and to compare their claims for equality of citizenship with those of the British race. India was in fact developing a national self-consciousness. The Morley-Minto Reforms were a courageous and sincere effort to adjust the structure of the Government to these changes. The Legislative Councils were greatly enlarged, the official majority was abandoned in the local Councils ; and the principle of election was legally admitted. No less significant were the alterations made in the functions of the Councils. These were now empowered to discuss the budget at length ; to propose resolutions on it and to divide upon them ; and not only on the budget but in all matters of public importance, resolutions might be moved and divisions taken. It was hoped by the authors that around this constitution conservative sentiment would crystallise, and that for many years no further shifting of the balance of power would be necessary. These anticipations have not been fulfilled; and from the vantage point of our later experience we can now see that this was inevitable. The equilibrium temporarily established was of a kind that could not for long be maintained. The forces which had led to the introduction of these reforms continued to gain in intensity and volume; the demand of educated Indians for a larger share in the government of their country grew year by year more insistent; and this demand could find no adequate satisfaction within the framework of the Morley-Minto constitution. This constitution gave Indians much wider opportunities for the expression of their views, and greatly increased their power of influencing the policy of Government, and its administration of public business. But the element of responsibility was entirely lacking. The ultimate decision rested

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in all cases with the Government, and the Councils were left with no functions save that of criticism. The principle of autocracy, though much qualified, was still maintained, and the attempt to blend it with the constitutionalism of the West could but postpone for a short period the need for reconstruction on more radical lines.

Such then was the position with which my Government were confronted in the years 1916-1917. The conclusion at which we arrived was that British policy must seek a new point of departure, a fresh orientation. On the lines of the Morley-Minto Reforms there could be no further advance. That particular line of development had been carried to the furthest limit of which it admitted, and the only further change of which the system was susceptible would have made the legislative and administrative acts of an irremovable executive entirely amenable to elected Councils, and would have resulted in a disastrous deadlock. The Executive would have remained responsible for the government of the country but would have lacked the power to secure the measures necessary for the discharge of that responsibility. The solution which finally commended itself to us is embodied in principle in the declaration which His Majesty's Government, in full agreement with us, made in August 1917. By that declaration the gradual development of self-governing institutions with a view to the progressive realisation of responsible government was declared to be the goal towards which the policy of His Majesty's Government was to be directed. The increasing association of the people of India with the work of Government had always been the aim of the British Government. In that sense a continuous thread of connection links together the Act of 1861 and the declaration of August 1917. In the last analysis the latter is only the most recent and most memorable manifestation of a tendency that has been operative throughout British rule. But there are changes of degree so great as to be changes of kind, and this is one of them. For the first time the principle of autocracy which had not been wholly discarded in all earlier reforms was definitely abandoned; the conception of the British Government as a benevolent despotism was finally renounced; and in its place was substituted that of a guiding authority whose rôle it would be to assist the steps of India along the road that in the fulness of time would lead to complete self-government within the Empire. In the interval required for the accomplishment of this task, certain powers of supervision, and if need be of intervention, would be retained, and substantial steps towards redeeming the pledges of the Government were to be taken at the earliest moment possible.

I shall not attempt to recount in detail the processes by which subsequently the new policy was given definite form and expression in the Act of 1919. They are set out in documents all of which have been published.

In May 1916, I took up first the question of constitutional reform. Throughout that year and the first half of 1917, I pressed upon His Majesty's Government the necessity for a declaration of policy outlining the objective of British rule in India and the steps to be taken in the direction of that objective, feeling sure that such a declaration could only emanate satisfactorily from the highest authority of the Empire. In August 1917, that declaration was made, and in November the Secretary of State, on my invitation, came to India to take up the task of recommending with myself to His Majesty's Government the steps to be taken in fulfilment of the declaration. Without

that visit, I make bold to say, the Government of India might still be exchanging despatches with His Majesty's Government on this subject. No two men could have worked together on such a task with greater harmony and good-will. Differences there may have been, but where and when have there not been differences in such a work?

Our proposals and the reasons for them are set out in the Report on Indian Constitutional Reforms. They have been widely and in some quarters severely criticised and in some respects they have been modified by Parliament, but the cardinal feature of our scheme, now generally known as the system of dyarchy, is the basis of the Act of 1919. It will be for future generations to pass the final judgment on our scheme, and I shall not endeavour to anticipate the verdict. But certain claims I do advance. The scheme does represent an honest effort to give effect in the fullest and most complete form possible to the declaration of August 1917. Neither here nor in England has there been any attempt to whittle down or nullify the pledges then given. Nor can the charge of failing to consult Indian opinion be laid at our doors At every stage we have courted publicity. The proposals in the Report on Indian Constitutional Reforms were communicated to the public at the earliest moment possible; the criticisms which they elicited were transmitted to the Secretary of State in published despatches, and every opportunity was given to all parties to lay their views before the Joint Committee. And every criticism, every suggestion, every alternative plan was fully weighed and explored. We left nothing undone that in our judgment might conduce to the successful solution of the great work which we had undertaken. According to our lights we have striven to make the gift which we had to bestow worthy of Britain and worthy of India. And now His Majesty the King-Emperor, who has given so many proofs of his concern for the welfare of India, has been pleased to set the seal on our labours of the last four years by deputing His Royal Highness the Duke of Connaught to open on His behalf the new Indian Legislature. His Royal Highness is no stranger to India. Some five years of his life were passed in this country; he has himself been a Member of the Indian Legislative Council; he knows the people of India and their problems; and his interest in their well-being has never flagged. We welcome him not only as the representative of His Majesty the King-Emperor, but as an old and proved friend of India.

And now it is my privilege and pleasure to ask His Royal Highness to inaugurate the new Assemblies of the Council of State and Legislative Assembly.

H. R. H. THE DUKE OF CONNAUGHT: Your Excellency and gentlemen of the Indian Legislature:

I am the bearer of a message from His Majesty the King-Emperor. It is this:

HIS IMPERIAL MAJESTY THE KING-EMPEROR'S MESSAGE TO THE INDIAN LEGISLATURES.

Little more than a year has elapsed since I gave my assent to the Act of Parliament which set up a constitution for British India. The intervening time has been fully occupied in perfecting the necessary machinery; and you are now at the opening of the first Session of the Legislatures which the Act established. On this auspicious occasion I desire to send to you, and to

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the members of the various Provincial Councils, my congratulations and my earnest good wishes for success in your labours and theirs.

For years, it may be for generations, patriotic and loyal Indians have dreamed of Swaraj for their motherland. To-day you have beginnings of Swaraj within my Empire, and widest scope and ample opportunity for progress to the liberty which my other Dominions enjoy.

On you, the first representatives of the people in the new Councils, there rests a very special responsibility. For on you it lies by the conduct of your business and the justice of your judgments to convince the world of the wisdom of this great constitutional change. But on you it also lies to remember the many millions of your fellow-countrymen who are not yet qualified for a share in political life, to work for their upliftment and to cherish their interests as your own.

I shall watch your work with unfailing sympathy, and with a resolute faith in your determination to do your duty to India and the Empire.

As you know, it had been the intention of His Majesty to send the Prince of Wales, the Heir to the Throne, with His greetings and His authority to open the Chambers of the new Indian Legislature. Events did not permit of his coming, and I received His Majesty's commands to perform these functions on His behalf. In me the King selected the eldest member of the Royal House, and the only surviving son of Queen Victoria whose love and care for India will ever live in its peoples' memory. I have myself a deep affection for India, having served it for years and made many friends among its Princes and leaders. It is thus with no common pleasure that I am here to receive you on this memorable occasion.

Throughout the centuries Delhi has witnessed the pomp and ceremony of many historic assemblages. Two at least of these are remembered by most of you. Twenty years ago, I took part in that brilliant concourse which celebrated the accession of my late brother, King Edward the Seventh. Nine years later, amid circumstances of unforgettable splendour, King George the Fifth and His Queen received in person the homage of the Princes and peoples of India. Our ceremony to-day may lack the colour and romance of the gatherings I have mentioned, though it does not yield to them in the sincerity of its loyalty. But it strikes a new and different note: it marks the awakening of a great nation to the power of its nationhood.

In the annals of the world there is not, so far as I know, an exact parallel for the constitutional change which this function initiates; there is certainly no parallel for the method of that change. Political freedom has often been won by revolution, by tumult, by civil war, at the price of peace and public safety. How rarely has it been the free gift of one people to another, in response to a growing wish for greater liberty, and to growing evidence of fitness for its enjoyment! Such, however, is the position of India to-day; and I congratulate most warmly those of you, old in the service of your motherland, who have striven, through good report and ill, for the first instalment of that gift, and to prove India worthy of it. I trust that you, and those who take up your mantles after you, will move faithfully and steadfastly along the road which is opened to-day.

When India became a dependency of the British Crown, she passed under a British guardianship, which has laboured with glorious results to protect India from the consequences of her own history at home, and from the complications of international pressure abroad. Autocratic, however, as was the Government then inaugurated, it was based on the principles laid down by Her Late Majesty Queen Victoria in that famous Proclamation of 1858, of which the key-note is contained in the following passage: 'In their prosperity will be our strength; in their contentment our security, and in their gratitude our best reward.' And though there have been occasions on which the tranquillity of this great country has been endangered by disturbances and disorders, which have necessitated the use of military force, speaking on behalf of His Majesty and with the assent of His Government, I repudiate, in the most emphatic manner, the idea that the administration of India has been or ever can be based on principles of force or terrorism. All Governments are liable to be confronted with situations, which can be dealt with only by measures outside the ordinary law; but the employment of such measures is subject to clear and definite limitations; and His Majesty's Government have always insisted and will always insist on the observance of these limitations as jealously in the case of India as in that of England herself.

As His Excellency the Viceroy has observed, the principle of autocracy has all been abandoned. Its retention would have been incompatible with that contentment which had been declared by Her Late Majesty Queen Victoria to be the aim of British rule, and would have been inconsistent with the legitimate demands and aspirations of the Indian people and the stage of political development which they have attained. Henceforward, in an ever-increasing degree, India will have to bear her own burdens. They are not light. The times which have seen the conception and birth of the new constitution are full of trouble. The war which ended two years ago has done more than alter the boundaries of nations. The confusion which it brought in its train will abate in time; but the world has not passed unchanged through the fire. New aspirations have awakened; new problems been created, and old ones invested with a stinging urgency. India has escaped the worst ravages of the war and its sequels, and is thus in some respects better fitted than many other countries to confront the future. Her material resources are unimpaired; her financial system is sound, and her industries are ready for rapid expansion. But she cannot hope to escape altogether the consequences of the world-wide struggle. The countries of the earth are linked together as never before. A contagious ferment of scepticism and unrest is seething everywhere in the minds of men; and its workings are plainly visible in India. She has other problems peculiarly her own. Inexperience in political methods will be irksome at times. The electorates will have to be taught their powers and responsibilities. And difficulties, which are negligible in smaller and more homogeneous countries, will arise in handling questions of religion and race and custom.

Gentlemen of the Indian Legislature, such are the labours which await you. They will have to be carried on under the eyes of a watching world, interested but not uncritical,—of the sister nations who welcome you into their partnership in the British Empire, of that wider Council of nations which look to India as the future guide of the unknown forces of Asia. Your individual responsibility is great. You may perhaps be apprehensive that the arena for practical issues of immediate moment will be rather the Provincial

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Councils than the central legislature. You may feel that the Ministers in the Provinces will be in closer touch with popular causes and have larger opportunities of public service. But this is true only in a very limited sense. It is the clear intention of the Act of 1919 that the policy and decisions of the Government of India should be influenced, to an extent incomparably greater than they have been in the past, by the views of the Indian Legislature; and the Government will give the fullest possible effect, consistent with their own responsibilities to Parliament, to this principle of the new constitution. From now onwards your influence will extend to every sphere of the Central Government; it will be felt in every part of its administration. You are concerned not with the province, but with all British India, and statesmanship could not ask for a nobler field of exercise. Upon the manner in which your influence is exerted, upon the wisdom and foresight displayed in your deliberations, upon the spirit in which you approach your great task, will depend the progress of India towards the goal of complete self-government.

To ensure, so far as political machinery can ensure, that the legislature is fitly equipped for those lofty duties, two Chambers have been constituted. In the Council of State it has been the intention of Parliament to create a true Senate, a body of 'elder statesmen' endowed with mature knowledge, experience of the world and the consequent sobriety of judgment. Its functions will be to exercise a revising but not an over-riding influence, for caution and moderation, and to review and adjust the acts of the larger Chamber. To the Assembly it will fall to voice more directly the needs of the people. Soldier and trader, owners of land and dwellers in cities, Hindu and Muhammadan, Sikh and Christian, all classes and communities, will have in it their share of representation. Each class and each community can bring its own contribution, its own special knowledge, to the common deliberations. And may I say in passing that help will be expected from the representatives of the British non-official community. They have done great service to the trade and industry of India in the past; will they now, with their special experience of representative institutions in their own land, lend their powerful aid in building up India's political life and practice?

In a legislature thus composed, it is both inevitable and right that strong differences of opinion and aims should manifest themselves Struggle is a condition of progress in the political as in the natural world. Politics is in fact the process of the clash of wills, sympathies and interests striving for adjustment in the sphere of legislation and government. But it is the great virtue of representative institutions that they tend to replace the blind encounter of conflicting interests by reasoned discussion, compromise, toleration and the mutual respect for honourable opponents. The extent to which a body of law-makers shows itself capable of controlling passion and prejudice is the measure of its capacity for enduring success. For these reflections I make no apology. They must already have been present to your minds; but they constitute the strongest plea for what all friends of India most desire to see,—a greater unity of purpose among her various communities. In all your deliberations let there be a conscious striving for unity in essentials, that unity which has been lacking in India in the past, but may yet become, if steadfastly nurtured, her greatest strength.

Gentlemen of the Indian Legislature, hitherto I have spoken of your duties. Let me close with a word on your privileges. On you, who have

been elected the first members of the two Chambers, a signal honour has fallen. Your names will go down to history as those whom India chose to lead the van of her march towards constitutional liberty. I pray that success will attend you, and that the result of your labours will be worthy of the trust that India has reposed in you.

Your Excellency, you are approaching the end of your Viceroyalty. In almost every country of the world, the years just passed have been critical and anxious, in India no less, and I know well the vast and well-nigh overwhelming anxieties which you have been called upon to face.

I know well the high sense of duty which has always prompted you, the single purpose which has possessed you, the never-failing courage which has sustained you.

From the first moment you held one special object in view You determined, God willing, to lead India to a definite stage in her constitutional advancement. Through all distractions and difficulties you held to that determination, and to-day, when your thoughts are turning to the home-land and to the hour when your mantle will pass to other shoulders, when you think regretfully, as all men must in such an hour, of all the things you would have wished to do had fortune been more kind, still as you look round this Assembly, Your Excellency must surely feel 'For this I have striven and in this I have won'.

I wish to offer my warm congratulations to you on the translation to-day into life and reality of that far-seeing scheme of political progress of which you and the Secretary of State were the authors. It must be no small pride to a statesman who had been directing the destinies of India during these difficult years, that he sees, while still in office, the foundations securely laid of that edifice which he helped to plan with infinite care, in face of much misunderstanding, and yet with the full assurance of a nation's future gratitude. I trust that Your Excellency's successor and the devoted public servants who will be his agents and advisers, will find in the new Indian Legislature an alleviation of labour, a faithful mirror of India's needs and wishes, and a trusty link between themselves and the vast millions under their care.

And now I declare duly open the Council of State and the Legislative Assembly constituted under the Government of India Act, 1919.

Gentlemen, I have finished my part in to-day's official proceedings. May I claim your patience and forbearance while I say a few words of a personal nature?

Since I landed I have felt around me bitterness and estrangement between those who have been and should be friends. The shadow of Amritsar has lengthened over the fair face of India. I know how deep is the concern felt by His Majesty the King-Emperor at the terrible chapter of events in the Punjab. No one can deplore those events more intensely than I do myself.

I have reached a time of life when I most desire to heal wounds and to re-unite those who have been disunited. In what must be, I fear, my last visit to the India I love so well, here in the new Capital, inaugurating a new constitution, I am moved to make you a personal appeal, put in the simple words that come from my heart, not to be coldly and critically interpreted.

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My experience tells me that misunderstandings usually mean mistakes on either side. As an old friend of India, I appeal to you all—British and Indians—to bury along with the dead past the mistakes and misunderstandings of the past, to forgive where you have to forgive, and to join hands and to work together to realise the hopes that arise from to-day.

The HONOURABLE MR. MUDDIMAN: May it please Your Royal Highness: We, His Majesty the King-Emperor's most dutiful and loyal subjects, the Members of the Council of State, beg leave to request that Your Royal Highness may be pleased to offer our humble thanks to His Imperial Majesty for the gracious message which has been conveyed to our Council. We beg further to express our profound gratitude for Your Royal Highness' presence on this most auspicious occasion.

The HONOURABLE MR. WHYTE: May it please Your Royal Highness: We, His Majesty the King-Emperor's most dutiful and loyal subjects, the Members of the Legislative Assembly, beg leave to request that Your Royal Highness may be pleased to offer our humble thanks to His Majesty the King-Emperor for the gracious message which has been conveyed to the Legislative Assembly by Your Royal Highness. We offer our profound gratitude for Your presence on this most auspicious occasion, and our warm appreciation of the terms in which Your Royal Highness has been pleased to address the Indian Legislature.

H. E. THE VICEROY: Before declaring these proceedings closed, I should like to add one or two words to the speech which I made at the opening to-day. No one can have listened unmoved to the personal appeal which has been made to all of us in the closing words of His Royal Highness' speech. 'Cannot we all bury along with the dead past the mistakes and misunderstandings of the past, forgive where we have to forgive and join hands and work together?' I use His Royal Highness' words, I can use no better.

I now declare the proceedings closed.